

**MINUTES OF THE TOWN OF FRANKLIN TOWN COUNCIL
REGULAR MEETING
SEPTEMBER 3, 2024**

THE FRANKLIN TOWN COUNCIL held a regular meeting on Tuesday, September 3, 2024, at 6:00 p.m. in the Town Hall Board Room located at 95 East Main Street Franklin, NC.

1. CALL TO ORDER

Mayor Jack Horton called the meeting to order at 6:00 p.m. with the following members present: Vice Mayor Stacy Guffey, Council Members: Joe Collins, David Culpepper, Mike Lewis, Robbie Tompa, and Rita Salain.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Mayor Stacy Guffey.

3. ADOPTION OF THE SEPTEMBER 3, 2024 TOWN COUNCIL AGENDA

Council Member Mike Lewis made a motion, seconded by Council Member Rita Salain to adopt the Town Council Agenda for September 3, 2024 with the removal of item "E". The motion carried unanimously. Vote: 6 – 0.

4. APPROVAL OF THE CONSENT AGENDA FOR SEPTEMBER 3, 2024

- A.) Approval of the August 5, 2024 Regular Town Council Meeting Minutes
- B.) Budget Amendments
- C.) Tax Releases
- D.) Recommend permanent change in Town Hall office hours
- ~~E.) Request approval to purchase air packs (SCBA) (Removed due to formal bidding requirement)~~
- F.) Final Close Out Capital Project Ordinance- Clyde Street Waterline Improvements

Council Member Rita Salain made a motion, seconded by Council Member Mike Lewis to approve the consent agenda for September 3, 2024 as presented. The motion carried unanimously. Vote: 6 – 0.

5. INTRODUCTIONS/RECOGNITIONS/PROCLAMATION

- A.) Proclamation Constitution Week -Mayor Jack Horton presented to Mardy Ashe, Daughters of the American Revolution
- B.) Josh Anderson, Fire Fighter - introduction by Fire Chief Ben Ormond
- C.) A.J. Scruggs, Utility Maintenance Worker - introduction by Bill Deal, Public Works Director
- D.) Service Awards - presented by Nicole Bradley, Human Resources Director
 - 1. Bill Allen, 30 years
 - 2. Sabrina Scruggs, 10 years

6. PUBLIC SESSION

No one signed up to speak

7. CALL FOR PUBLIC HEARING

- A.) Call for Public Hearing to be held on October 7, 2024 at 6:05 p.m. or as closely thereafter as possible to receive public input on a rezoning request for property located at 842 Harrison Avenue PIN# 6585831569 from Residential R1 to Neighborhood Mixed Use NMU - Justin Setser, Town Planner

The Town received an application for rezoning of 2.68 acres located at 842 Harrison Ave. The Planning Board reviewed the request at their August 26, 2024 Special Called Meeting. The Planning Board unanimously recommends the rezoning of the property from Residential R-1 to Neighborhood Mixed Use NMU.

Council Member David Culpepper made a motion, seconded by Council Member Mike Lewis to set the public hearing for Monday, October 7, 2024 at 6:05 p.m. or as closely thereafter as possible to receive public input on a rezoning request for property located at 842 Harrison Avenue from Residential R-1 to Neighborhood Mixed Use NMU. The motion carried unanimously. Vote 6 – 0.

8. PUBLIC HEARING

- A.) Public Hearing to receive public input on a Voluntary Annexation Request-Parcel# 6583663448-2222 Georgia Road -Justin Setser, Town Planner

Town Planner Justin Setser noted that the Town Clerk had certified the annexation petition and the Notice of Public Hearing was published in The Franklin Press on August 21, 2024.

Mayor Jack Horton called the public hearing to order at 6:11 p.m.

No one signed up to speak.

Councilwoman Salain confirmed with Town Planner Setser that this annexation is not a contiguous annexation, but a satellite annexation.

Mayor Jack Horton closed the public hearing on input on rezonings at 6:13 p.m.

Council Member Mike Lewis made a motion, seconded by Council Member David Culpepper to approve the voluntary annexation of 2222 Georgia Road into the Town of Franklin Corporate Limits as presented. The motion carried unanimously. Vote: 6 – 0.

Councilman Culpepper would like to revisit the previous discussion on adding sidewalks down the Georgia Road. Councilman Lewis said he remembers there was an issue with lights and who would pay to have them installed and maintained. Town Attorney John Henning, Jr. said he the Town would not have to put in lights, but there is a liability risk if someone falls and gets hurt. He also said that the Town only has authorization to put in sidewalks inside the city limits and the NC DOT would have to approve sidewalks outside city limits. Mayor Horton asked the staff to look into adding sidewalks and light installation down the Georgia Road.

9. CONTINUED BUSINESS

- A.) Request approval for updated Noquisiyi Mound Plan - Bob McCollum, Nikwasi Initiative

The Noquisiyi Mound Plan was presented by Bob McCollum at the August 5, 2024 meeting. The discussion was tabled until the September 3 meeting.

Town Attorney John Henning, Jr. said he had his concerns. Mr. Henning asked Mr. McCollum if he would be ok with a phrase of “Did you know” on the signs instead of a restriction on the signage. Mr. McCollum said that would actually enhance their cause of educating. Mayor Horton said we don’t want to step on anyone’s rights, but we also respect the wishes and desires of our friends of the Eastern Band. Mr. McCollum said that was their intent.

Councilman Culpepper stated he was not for limiting public access to the Mound and doesn’t like making rules that aren’t enforceable.

Additional discussion was held about the Mound and the potential for disrespectful acts and vandalism to occur.

Council Member Lewis said he is concerned with the legal aspect and Council’s job is to protect the Town from liability and litigation.

Mayor Horton asked Town Attorney John Henning, Jr. to wordsmith for words that are encouraging suggestions instead of rules and regulations acceptable without violating legal rights.

10. NEW BUSINESS

A.) Request approval of Capital Project Ordinance and budget amendment for Wilkie Street Sewer Line Improvement-Amie Owens, Town Manager

Town Manager Amie Owens said the Wilkie Street Sewer Line Improvement Project has been on the Capital Improvement Project list for over seven (7) years. The start date for this project is September 16, 2024.

Council Member Mike Lewis made a motion, seconded by Council Member Robbie Tompa to approve the capital ordinance and budget amendment for the Wilkie Street Sewer Line Improvements as presented. The motion carried unanimously. Vote: 6 – 0.

B.) Request approval of Funding Offer Acceptance and Resolution for Phase II Water Treatment Plant Improvements -Amie Owens, Town Manager

Town Manager Amie Owens stated that in order to move forward with this project a new Resolution of Acceptance and a revised Capital Project Ordinance is required.

Council Member Mike Lewis made a motion, seconded by Council Member David Culpepper to approve the acceptance of State Revolving Fund Loan in the amount of \$8,889,000.00 Resolution and the Capital Project Ordinance Amendment for the Water Treatment Plant Phase II improvements as presented. The motion carried unanimously. Vote: 6 – 0.

Councilman Culpepper confirmed that the Town is not accepting free money, but a loan for \$8,889,000.

Councilwoman Salain asked when do we close on the loan. Town Manager Owens said the plans will need to be approved and the plans are due by December 31, 2024.

C.) Request approval of street closures -Amie Owens, Town Manager

1. Realty One Group Vibe - lotla Street -for ribbon cutting/open house - Friday, September 27, 2024 from 3:00 p.m. until 7:00 p.m.
2. Artisan Alley - Phillips Street - Craft Show/Market - Saturdays November 2 and 16, 2024 from 8:00 a.m. until 3:00 p.m.
3. Artisan Alley- Phillips Street- Craft Show/Market-Saturdays December 7 and 21, 2024 from 9:00 a.m. until 3:00 p.m.

Council Member David Culpepper made a motion, seconded by Council Member Rita Salain to approve all three (3) street closure requests as presented. The motion carried unanimously. Vote: 6-0.

11. DEPARTMENTAL UPDATES

- A.) Human Resources - Nicole Bradley, Human Resources Director gave an update of current job openings, updating the current personnel policy and upcoming SHRM Conference.
- B.) Tax Collections/Events - Sabrina Scruggs, Tax Collector/Event Coordinator gave a recap of the July 4th Event, update on Pumpkinfest, Winter Wonderland, mailed out 400 business registrations and 2300 tax bills, update on Hillside Street foreclosure, and additional \$16,000 in tax discoveries. (Additional discussion was held with Town Council on the In-Rem Foreclosure process)
- C.) Fire Department - Chief Ben Ormond gave an update on the number of calls the Fire Department has received, current training hours, county inspection, and substation construction.

12. ITEMS FROM COUNCIL

- A.) Recommendations for TDA regarding use of tourism related funds - Town Council
Town Manager Amie Owens said she has received a request for new banners throughout Town. The approximate cost is \$130 per banner. Councilman Culpepper would like to see low-level trees put in the bulb-outs on Main Street. Town Planner Setser said he thought there were restrictions and they could only be one to two feet tall. Councilman Tompa said he would like to continue the relationship with the TDA. Town Council will submit the request for funding to the TDA.
- B.) Discussion Social District - Pumpkinfest and Winter Wonderland - Town Council
Town Manager Owens gave a recap of the discussion from the August meeting. The recommendation from Town Manager Owens is not to suspend the Social District during Pumpkinfest, but not allow outside vendors to participate. The recommendation from Town Manager Owens is to suspend the Social District on the first night on Winter Wonderland, but to allow the Social District on the second night of Winter Wonderland.

Vice Mayor Guffey made a motion, seconded by Council Member David Culpepper to approve the suggestions for the Social District during Pumpkinfest and Winter Wonderland by Town Manger Amie Owens as presented. The motion carried unanimously. Vote: 6 – 0.

- C.) Council Representative to Friends of the Greenway (FRoG) Council
Mayor Horton appointed Councilwoman Rita Salain to the Friends of the Greenway (FRoG) Council to replace Councilman David Culpepper.

- D.) Condition of Main Street and options- Councilman Mike Lewis/Stacy Guffey
Vice Mayor Guffey spoke with the office of Representative Karl Gillespie about the road conditions of Main Street. An agreement was made to accelerate the re-paving of Main Street/441 from 2028 to 2027. In the meantime, the NC Department of Transportation traffic service will freshen up the center line/crosswalks and add thermo-plastic striping. They will also patch low spots and potholes that occur prior to the re-paving project.

Councilman Culpepper asked if they could restripe the crosswalk in front of the Lazy Hiker and possibly remove one parking spot at the crosswalk.

- E.) Discussion - Drinking Water Watershed - Vice Mayor Stacy Guffey
Vice Mayor Guffey would like the Town to be involved with Macon County on these discussions. Macon County is currently deliberating over the changes and these changes might or might not impact the water supply for the Town. Mayor Horton agreed that the Town should be involved in any discussions that could affect the Town's watershed and water quality.

Additional Items

Councilman Culpepper would like to see canoe access portage to the Cartoogechaye Creek to allow access from Parker Meadows Park to Town.

Councilwoman Salain was glad to see one of the apartment applicants received the grant. They were going to add a bus stop and a greenway connector. Vice Mayor Guffey said they also mentioned sidewalks.

13. ANNOUNCEMENTS

- A.) Next Regular Town Council Meeting is Monday, October 7, 2024
- B.) Special Called Meeting - Thursday, September 19, 2024 at 5:30 p.m.- Strategic Planning Work Session
- C.) Pickin' on the Square- Saturday, September 14 and September 2

14. CLOSED SESSION

- A.) Enter into Closed Session under NC General Statute § 143-318.11(a)(5) to discuss acquisition of real property by purchase, option, exchange, or lease
- B.) Enter into Closed Session under NC General Statute § 143-318.11(a)(6) Personnel

Council Member David Culpepper made a motion, seconded by Council Member Joe Collins to enter into Closed Session under NC General Statute § 143-318.11(a)(5) to discuss acquisition of real property by purchase, option, exchange, or lease and under NC General Statute § 143-318.11(a)(6) Personnel. The motion carried unanimously. Vote: 6-0.

The Town Council entered Closed Session at 7:45 p.m.

The Town Council returned from Closed Session at 8:57 p.m.

Mayor Horton discussed the Town's search for a possible ABC Store relocation. Town Council has looked at the option of owning the property for the ABC Store. There is a piece of property that is available that the Town is looking to pursue, 144 Carolina Drive.

Councilman Collins noted that the purchase price of the property is \$799,000 with a closing date toward the end of the year and a due diligence period in mid-November, to allow time for inspections. The contract also includes \$5,000 in earnest money.

Council Member Joe Collins made a motion, seconded by Council Member David Culpepper to approve the terms of the contract on the Jeremy Vale property located at 144 Carolina Drive, Franklin as presented. The motion carried unanimously. Vote: 6- 0.

12. ADJOURNMENT

Council Member David Culpepper made a motion, seconded by Council Member Mike Lewis to adjourn the meeting at 9:01 p.m. The motion carried unanimously. Vote: 6- 0.

C. Jack Horton, Mayor

Nicole Bradley, Town Clerk