

**MINUTES OF THE TOWN OF FRANKLIN TOWN COUNCIL  
REGULAR MEETING  
JANUARY 6, 2025**

**THE FRANKLIN TOWN COUNCIL** held a regular meeting on Monday, January 6, 2025, at 6:00 p.m. in the Town Hall Board Room located at 95 East Main Street Franklin, NC.

**1. CALL TO ORDER AND MOMENT OF SILENCE**

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

**2. PLEDGE OF ALLEGIANCE**

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

**3. MOTION TO EXCUSE COUNCIL MEMBERS – Mayor Jack Horton**

*Council Member David Culpepper made a motion, seconded by Council Member Rita Salain to excuse Councilman Joe Collins and Councilman Mike Lewis from the January 6, 2025 meeting. The motion carried unanimously. Vote: 4 – 0.*

**4. ADOPTION OF THE JANUARY 6, 2025 TOWN COUNCIL AGENDA**

*Council Member Rita Salain made a motion, seconded by Council Member Robbie Tompa to adopt the Town Council Agenda for January 6, 2025 as presented. The motion carried unanimously. Vote: 4 – 0.*

**5. APPROVAL OF THE CONSENT AGENDA FOR JANUARY 6, 2025**

- A.) Approval of the December 2, 2024 Regular Town Council Meeting Minutes
- B.) Budget Amendments
- C.) Tax Release
- D.) Capital Project Ordinance Amendment- Fire Substation
- E.) Capital Project Ordinance Amendment – Wilkie Street Sewer Line Improvement Project

*Vice Mayor Stacy Guffey made a motion, seconded by Council Member Rita Salain to approve the consent agenda for January 6, 2025 meeting as presented. The motion carried unanimously. Vote: 4 – 0.*

**6. INTRODUCTION/RECOGNITION**

- A.) Jake Corbin- Equipment Operator – introduction by Public Works Director Bill Deal

**7. PUBLIC SESSION**

No one signed up to speak

**8. PUBLIC HEARINGS**

- A.) Public Hearing to be held on Monday, January 6, 2025 at 6:05 p.m. or as closely thereafter to gain public input on a request for conditional zoning for 153 Heritage Hollow Drive, PIN #6594191140- Town Planner Justin Sester

Jodi Balderrama submitted a request for conditional rezoning of 153 Heritage Hollow Drive from C-1 Commercial to C-2 CZ, for a family practice medical clinic. The Planning Board reviewed the application request on November 18, 2024 and recommends approval of the rezoning for a medical clinic and to keep the existing C-1 setbacks.

**Mayor Horton opened the Public Hearing at 6:09 p.m.**

Jodi Balderrama, property owner, said she plans to open a family medicine practice. The practice will be for both primary and quick care. She said they plan to have four (4) exam rooms and there is plenty of parking on the property, including 2 handicapped spaces.

Councilman Culpepper thanked her for wanting to open a medical clinic.

Town Attorney John Henning, Jr. noted that the Council could set additional conditions since this is a conditional rezoning.

Larry & Chris McCoy spoke in favor of the conditional rezoning. They are both patients of Dr. Balderrama and said she is the best health care provider they have had. They said good health care is hard to find, so let's make this one happen.

**Mayor Horton closed the Public Hearing at 6:15 p.m.**

Councilwoman Salain asked Ms. Balderrama when she planned to open and she stated that her goal was in February.

***Vice Mayor Stacy Guffey made a motion, seconded by Council Member Rita Salain to approve the rezoning request for 153 Heritage Hollow Drive from Commercial C-1 to Commercial C-2 CZ as presented. The motion carried unanimously. Vote 4 – 0.***

- B.) Public Hearing to be held on Monday, January 6, 2025 at 6:08 p.m. or as closely thereafter to gain public input on a request for rezoning of 3 parcels – 1716 Bryson City Road, PIN #6585872109; 1660 Bryson City Road, PIN# 6585863910 and 1646 Bryson City Road, PIN #6585864778 – change from Residential R-1 to Commercial C-2 – Town Planner Justin Setser

D&M Properties of Macon County, LLC and Mark Nowicki submitted a request for rezoning of 3 parcels of land located off Bryson City Road. The Planning Board reviewed the application request on November 18, 2024 and recommends approval of the rezoning request from Residential R-1 to Commercial C-2.

**Mayor Horton opened the Public Hearing at 6:19 p.m.**

Evelyn Greer, adjoining property owner, spoke about her concerns for the rezoning (potential storage building use- how large/hours/lighting/traffic, village trader comparison, and safety of the neighborhood).

Town Attorney John Henning, Jr. noted that Town Council needs to consider every possible use for zoning. He said the Planning Board felt that it was inconsistent with the current Comprehensive Land Use Plan, but the entire area should potentially be reconsidered as primarily commercial in nature.

Teri Tallent, adjoining property owner, said she would like to hear from Mr. Roland as to what the intent was for the property. They just received the letter about the hearing, but was unaware of the prior Planning Board meeting.

Town Attorney John Henning, Jr. discussed the process for rezoning public hearings as required by state statute.

Derek Roland, D&M Properties of Macon County, gave a presentation for rezoning of the 4.72 acres off Bryson City Road and Hughes Lane. He showed current zoning maps and noted the zoning coming into Franklin from the South, West and East were all zoned Commercial C-2. He also noted that he had spoken to the Macon County Tax Administrator and the rezoning of these parcels would not affect the property taxes of the neighbors.

Additional discussion was held on why the property is currently zoned as Residential and not Commercial, future land use map amendment and uses for property zoned C-2.

**Mayor Horton closed the Public Hearing at 6:52 p.m.**

Vice Mayor Guffey asked Mr. Roland if he wanted to change the zoning in anticipation for another use at some point. Mr. Roland said he would just like this corridor of Franklin to be consistent with other corridors into Franklin and to give those properties more uses to benefit Franklin/Macon County.

Additional discussion was held about the process and how adjoining property owners' concerns can be discussed with the Planning Board. Town Attorney Henning said he will research to see if more notice can be given for rezonings at the Planning Board stage. Mayor Horton said this could be a topic for the upcoming Town Council Retreat.

Vice Mayor Guffey appealed to Mr. Roland to work with the neighboring property owners to mitigate the impact of their concerns.

***Council Member David Culpepper made a motion, seconded by Vice Mayor Stacy Guffey to approve the rezoning request for property located at 1716 Bryson City Road, 1660 Bryson City Road and 1646 Bryson City Road from Residential R-1 to Commercial C-2 as it is reasonable and in the public interest, is inconsistent with the Comprehensive Land Use Plan, and therefore is an amendment to said plan as a reason stated by the Planning Board. The motion carried. Vote 3 – 1. (Councilwoman Rita Salain voted in opposition.)***

**9. OLD BUSINESS**

A.) Request approval of Crawford Branch Greenway Feasibility Study –Town Planner Justin Setser

Mayor Jack Horton stated that the Board did not take any action on this item at the December 2024 meeting when this study was presented. He asked the Council if they were prepared to take action without all Board members present. Vice Mayor Stacy Guffey encouraged the Board to take action to have the plan in place and stated the Board isn't obligated to spend any money.

Council Member David Culpepper noted the Board should be sensitive to this plan while the Planning Board is discussing the flood plain issue.

***Vice Mayor Stacy Guffey made a motion, seconded by Council Member Rita Salain to approve the Crawford Branch Greenway Feasibility Study with the policy statement that if there are opportunities to construct sidewalks that sidewalk construction take precedence over the greenway construction. The motion carried unanimously. Vote: 4-0.***

## **10. NEW BUSINESS**

A.) Request appointment of Planning Board members – one regular member and one alternate- Town Planner Justin Setser

Town Planner Justin Sester stated that Planning Board member Peter Mosco’s term had expired and he has applied for reappointment. Travis Tallent, town resident, has applied to be a member of the Planning Board.

***Council Member David Culpepper made a motion, seconded by Vice Mayor Stacy Guffey to reappoint Peter Mosco to a 3-year term on the Town of Franklin’s Planning Board and to appoint Travis Tallent as a Town alternate with a 3-year term on the Town of Franklin’s Planning Board. The motion carried unanimously. Vote: 4-0.***

B.) Request from downtown businesses related to street closures – Cory McCall, Outdoor 76

Cory McCall gave a presentation on area of concern on Main Street. His three (3) areas of concern are better detour signage, speeding and street closures. He discussed his decline in sales at his business on Saturdays in 2024 compared to Saturdays in 2023. He stated that tourists do not know how to get around downtown when side streets are closed. He felt that closing side streets (Iotla Street) limited access to the biggest parking lot downtown. He felt that a solution would be not to close the street, offered alternative locations for the Macon County Farmers Market (Gazebo Square or Town Hall parking lot). He also discussed the street closures on Phillips Street when no event was taking place. He feels that street closures should be a special thing.

Additional discussion was held about changing the time and location of the Macon County Farmers Market and parking issues/need for parking signage.

Mayor Horton suggested the downtown association (Streets of Franklin) meet to discuss the issues.

Vice Mayor Guffey said he would like to see the downtown business owners and the farmers market work together for a solution.

Councilman David Culpepper suggested rerouting traffic up town hill through the Town Hall parking lot to Church Street. Town Attorney John Henning Jr. said his concern with rerouting traffic was safety and traffic control as this is not a street or alleyway, but a driveway.

C.) Request approval of street closure of Iotla Street for Macon County Farmers Market 6:30 a.m. until 3:00 p.m. – May – November 2025 – Town Manager Amie Owens

Devon Dupuis, Macon County Farmer’s Market Organizer, updated Town Council on 2024 Macon County Farmers Market. She noted that the Macon County Farmers Market was open for 30 Saturdays from May through November and had over 40 vendors. She said that the estimated foot traffic every Saturday

was 400 people and the gross revenues were over \$200,000. She talked about the SNAP benefit and the produce purchase guarantee. She highlighted plans to the 2025 Macon County Farmers Market.

Ms. Dupuis said she felt the Farmers Market is an asset to downtown and she suggested changing the Farmers Market time from 8 a.m. to 12 p.m. with cone removal at 1 p.m. She also she would have vendors to start parking in the parking lot behind the court house.

Ms. Dupuis stated that the Macon County Farmers Market Board of Directors plans to purchase new sandwich board signs displaying parking information.

Additional discussion was held on the location of the Macon County Farmers Market.

***Council Member Rita Salain made a motion, seconded by Council Member David Culpepper to table the discussion. The motion carried unanimously. Vote: 4-0.***

D.) Adoption of the FY 2025/2026 Budget Schedule – Town Manager Amie Owens

***Council Member David Culpepper made a motion, seconded by Council Member Robbie Tompa to adopt the 2025/2026 budget schedule as presented. The motion carried unanimously. Vote: 4-0.***

## **11. DEPARTMENTAL UPDATES**

- A.) Finance – Sarah Bishop, Finance Director gave an update on current revenues and expenses, new fleet management program, W2 & 1099s for 2024, and she noted that all ARPA funds have been allocated.
- B.) Planning/IT – Justin Setser, Town Planner including a presentation by Angela Green Code Enforcement Officer. Angela told council that Compliance is the goal, Enforcement is the tool and Education is the key. She showed a slideshow of her closed code violation cases. Town Planner Setser gave a year end update on permits, update on projects (Downtown Historic District, Crawford Branch Study, Nikwasi traffic study, the new apartment complex off Siler Road, and the flood plan discussion), major legislation topics (SB 382), and discussed a plan for looking ahead over the next 8 years.
- C.) Police Department- Captain Matt Pellicer gave an update on the calls from October – December, pill drops, scam presentation by Diane Mahoney, vacancies and sponsoring for the upcoming BLET class.

## **12. ITEMS FROM COUNCIL**

- A.) Scheduling of Annual Town Council Retreat – Mayor Jack Horton  
Mayor Horton asked Town Council Members to let Town Manager Owens know what dates in February would not work for them.
- B.) Joint meeting of Towns and Board of County Commissioners- Thursday, February 13, 2025 in Highlands- Mayor Jack Horton  
Mayor Horton reminded Town Council of the joint meeting with Highlands Commissioners and Macon County Board of Commissioners at Old Edwards Inn on Thursday, February 13 at 6:00 p.m.

## **13. ANNOUNCEMENTS**

- A.) Next Town Council Meeting is Monday, February 3, 2025
- B.) Town offices will be closed on Monday, January 20, 2025 in observation of the Martin Luther King, Jr. holiday per the NC State Holiday Schedule

**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**

*Council Member Robbie Tompa made a motion, seconded by Vice Mayor Stacy Guffey 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 at 8:58 p.m. The motion carried unanimously. Vote: 4- 0.*

The Town Council entered Closed Session at 8:58 p.m.

The Town Council returned from Closed Session at 9:35 p.m.

*Council Member Rita Salain made a motion, seconded by Council Member Robbie Tompa to authorize the agreement with Development Finance Initiative (DFI) for the phase 1 feasibility study of the old Angel Medical Center property and to approve the budget amendment for \$61,650 to be moved from Fund Balance to cover the cost of said study. The motion carried. Vote: 3-1. Councilman David Culpepper voted in opposition.*

**15. ADJOURNMENT**

*Council Member David Culpepper made a motion, seconded by Council Member Rita Salain to adjourn the meeting at 9:39 p.m. The motion carried unanimously. Vote: 4-0.*

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C. Jack Horton, Mayor

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Nicole Bradley, Town Clerk