

**MINUTES OF THE TOWN OF FRANKLIN TOWN COUNCIL
REGULAR MEETING
DECEMBER 4, 2023**

THE FRANKLIN TOWN COUNCIL held a regular meeting on Monday, December 4, at 6:00 p.m. in the Town Hall Board Room located at 95 East Main Street Franklin, NC.

1. CALL TO ORDER

Town Manager Amie Owens called the meeting to order at 6:00 p.m. with the following members present: Jack Horton, Joe Collins, David Culpepper, Rita Salain, Adam Kimsey, Mike Lewis, and Stacy Guffey.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Town Manager Amie Owens.

3. OATH OF OFFICE FOR MAYOR AND TOWN COUNCIL MEMBERS- CLERK OF COURT- SHAWNA LAMB

- A.) Jack Horton, Mayor
- B.) Joe Collins, Council Member
- C.) Mike Lewis, Council Member
- D.) Robbie Tompa, Council Member

Mayor Jack Horton lead a moment of silence for former Council Member Verlin Curtis.

Mayor Jack Horton presented Adam Kimsey with a certificate of appreciation on behalf of Town Council and the Town Leadership Team for his contribution to the Town Council for the last 2 years. Adam thanked Town Council and Town Staff.

There was a brief recess to allow individuals to take their place at the dais. Mayor Jack Horton took over the meeting following the recess.

4. ELECTION OF VICE MAYOR- MAYOR JACK HORTON

Council Member Joe Collins made a motion, seconded by Council Member Mike Lewis to nominate Stacy Guffey as Vice Mayor of the Town of Franklin Town Council for the next term. The motion carried unanimously. Vote: 6 – 0.

Mayor Jack Horton thanked Joe Collins for serving as Vice Mayor.

Newly named Vice Mayor Stacy Guffey thanked everyone and stated it is an honor and a privilege to serve as Vice Mayor.

5. ADOPTION OF THE DECEMBER 4, 2023 TOWN COUNCIL AGENDA

Council Member Mike Lewis made a motion, seconded by Council Member Rita Salain to adopt the Town Council Agenda for December 4, 2023 as presented. The motion carried unanimously. Vote: 6 – 0.

6. APPROVAL OF THE CONSENT AGENDA FOR DECEMBER 4, 2023

- A.) Approval of November 6, 2023 Town Council Minutes
- B.) Budget Amendments
- C.) Response Letter to LGC from Audit Finding
- D.) Surplus Equipment - Ballistic Vest
- E.) Resolution of Support for Highway Improvement Funding for Acceleration Lane/On Ramp
- F.) Request appropriation to Fraklin Folk Heritage Association- *Sowing the seeds of the Future*

Council Member Rita Salain made a motion, seconded by Council Member Mike Lewis to approve the consent agenda for December 4, 2023 as presented. The motion carried unanimously. Vote: 6 – 0.

7. INTRODUCTION/RECOGNITIONS

- A.) Police Officer Tyler Brand - introduction by Police Chief Devin Holland
- B.) Kyle Pocquette, Water Treatment Plant ORC - B-Distribution Certification - presented Public Works Director by Bill Deal
- C.) Blake Hawkins, Water Treatment Operator - A-Surface Certification - presented by Public Works Director by Bill Deal

8. PUBLIC HEARING

A.) Public Hearing to receive public input on a text amendment to the Unified Development Ordinance Section 152.034 - Conditional Zoning - Justin Setser, Town Planner

Town Planner Justin Setser gave an overview of the proposed text amendment to the Unified Development Ordinance- Conditional Zoning. Conditional Zoning is a hybrid zoning of both Traditional and Special Use Zoning. It is a legislative process that would allow for developments of certain sizes to be reviewed by the Town Council and certain conditions to be applied. Both the developer and the Town Council would agree to the conditions and paperwork would be filed with the Clerk of Court's office. The Planning Board reviewed the text amendment and recommends approval.

There was discussion by Town Council Members on Conditional Zoning.

Councilman Lewis asked if the square footage threshold had not already set at 12,000 square feet? Attorney John Henning, Jr. stated that lowering the square footage threshold would need to be discussed.

Councilman Culpepper asked if this was not a tool that is in addition to what is already there, but the size threshold would trigger Conditional Zoning as the only option for approval. Attorney Henning stated that once it gets to the size set by Council- yes, it would trigger conditional zoning. Attorney Henning stated Council gets to set the square footage threshold and can talk to everyone involved as opposed to the Special Use process which is quasi-judicial and testimony is taken.

Attorney Henning said Conditional Zoning would take some of the Special Use Zoning off of the Board of Adjustment and their Quasi-Judicial hearings.

Mayor Jack Horton opened the Public Hearing on Conditional Zoning at 6:37 p.m.

No one signed up to speak at the Public Hearing.

Councilman Culpepper voiced concerns for Commercial rezoning applications.

Attorney Henning noted that this process would allow Council to talk things through with the developers.

Mayor Jack Horton closed the Public Hearing on Conditional Zoning at 6:41 p.m.

Councilman Collins asked if anyone had a recommendation for a threshold.

Town Planner Setser feels that 12,000 is too low, so maybe 20,000 would be a good number.

Councilman Collins said 20,000 would be fine with him. Vice Mayor Guffey said he could not go that high.

Councilman Collins does not know if the Board is ready to take action on setting the square footage.

Councilman Culpepper said if the threshold is set too high nothing will ever come to Council and if too low it will be more restrictive.

Mayor Horton asked if the text amendment is adopted, could it be amended? Attorney Henning noted it could be amended.

Additional discussion was had by Council, Town Attorney Henning and Town Planner Setser regarding Conditional Zoning.

Council Member Rita Salain made a motion, seconded by Council Member Mike Lewis to send the text amendment to the Unified Development Ordinance Section 152.034 - Conditional Zoning to the Planning Board for their review, with a change to the square footage threshold (15,000 square feet). Council Member David Culpepper and Vice Mayor Stacy Guffey voted in opposition. The motion carried. Vote: 4-2.

9. PUBLIC SESSION

Jim Akins, Scottish Tartan Museum, said he appreciated the efforts on making crossing Main Street safer. He feels what needs to be done now is to slow people down and start enforcing the laws.

Joe Griffith, 80s Flashback Weekend board member, spoke in favor of a Social District downtown. He doesn't think it will turn downtown into a drunken scene. The Social District will benefit most businesses on Main Street, it will bring in additional tax money and revenue to the business. The idea isn't to create problems it is to bring people to downtown.

Dave Linn, 80s Flashback Weekend organizer, agreed with Mr. Griffith.

Corey McCall, Owner Outdoor 76, supports Social District. He has a store in downtown Clayton, GA and they recently held a temporary social district. It was super easy, everyone was respectful, there were no

issues and it was a great experience. He also stated that the second night of Winter Wonderland wasn't as successful. He asked if this could just be a one weekend event. He also has concerns about traffic/safety/speeding on Main Street.

Graham Norris, Lazy Hiker, is in favor of a Social District. He would like to discuss with the people in Town. Events can be family friendly.

Town Manager Owens noted that there have been five (5) individuals to write/email/call in their opposition to a Social District.

10. NEW BUSINESS

A.) Reappointment of Town Manager, Town Attorney and Town Clerk - Mayor Jack Horton

These reappointments coincide with the election of new members as part of the December organizational meeting.

Council Member David Culpepper made a motion, seconded by Council Member Joe Collins to approve the reappointment of Amanda (Amie) Owens as Town Manager, John Henning, Jr., as Town Attorney and Nicole Bradley as Town Clerk as presented. The motion carried unanimously. Vote: 6-0.

B.) Request approval of change orders for Phillips Street and Harrison Avenue sidewalk project – Town Manager Amie Owens

There are change orders totaling \$88,025 requested for the sidewalk repair and reconditioning on Phillips Street and Harrison Avenue. These changes are due in part to make sidewalks ADA compliant at 5 feet in width and for 17 aprons for driveways. This will require additional ground work and additional concrete on Harrison Avenue and on Phillips Street. ARPA funds will be used.

Council Member Mike Lewis made a motion, seconded by Vice Mayor Stacy Guffey to approve the change order, amend the capital project ordinance and approve the budget amendment for Phillips Street and Harrison Ave sidewalk project as presented. The motion carried unanimously. Vote: 6-0.

Council Member Culpepper commented this came up a few years ago when the sidewalk ordinance was changed. He stated that in the future when projects are bid on there is some flexibility where sidewalks do not have to be 5 feet where it is cost prohibitive or logistically impossible.

C.) Adoption of the 2024 Town Council Meeting Schedule-Town Manager Amie Owens

The 2024 Town Council Meeting Schedule was presented and it was noted that there are two meeting dates that will be held on a Tuesday due to holidays on the first Monday in January and September.

Council Member Mike Lewis made a motion, seconded by Council Member Rita Salain to approve the 2024 Town Council Meeting Schedule as presented. The motion carried unanimously. Vote: 6-0.

Council Member Culpepper said it was brought up to possibly change the meeting day to Tuesday, but that could be discussed for future years.

- D.) Adoption of the 2024 Town Holiday Schedule- Town Manager Amie Owens
The Town of Franklin Holiday Schedule for 2024 was presented. The Town of Franklin follows the NC State Offices Holiday Schedule.

Council Member Rita Salain made a motion, seconded by Council Member Mike Lewis to approve the 2024 Town Holiday Schedule as presented. The motion carried unanimously. Vote: 6-0.

11. DEPARTMENTAL UPDATES

- A.) Human Resources - Nicole Bradley, Human Resources Director/Town Clerk gave an update on employee OSHA trainings, employee luncheon, and current open positions.
- B.) Tax Collection/Events - Sabrina Scruggs, Tax Collector gave an update on new business reminders, current tax collection figures and events (Winter Wonderland).
- C.) Fire Department -Fire Chief Ben Ormond gave an update on fire/medical calls and trainings. He also went over the three (3) RFPs received for fire trucks.

12. ITEMS FROM COUNCIL

- A.) Social District Discussion - Town Council

Town Manager Owens gave an overview on what a Social District is and what it entails: special cups, map of the areas included, logos, hours, special events and an ordinance change. She presented the new map that does not include any Macon County property.

Council Member Culpepper brought up adding additional alley ways to the map. Town Manager Owens noted that those are not Town maintained so permission would need to be obtained from the property owners via easement or some other agreement.

Town Manager Owens asked for Council direction for continuing with the Social District. Council Member Culpepper stated he was comfortable advancing to the next step. Mayor Horton asked if a Public Hearing was required and Town Attorney John Henning, Jr. stated that a Public Hearing is not required, but would be a best practice.

Vice Mayor Stacy Guffey made a motion, seconded by Council Member Mike Lewis to set the public hearing for Tuesday, January 2, 2024 at 6:05 p.m. or as closely thereafter as possible to consider public input on the proposed Downtown Social District. The motion carried unanimously. Vote 6 – 0.

Vice Mayor Guffey thanked Town Manager Owens and Council Member Culpepper for staying and speaking at the long County Commissioners Meeting.

B.) Annual Council Retreat Scheduling -Town Council

Town Manager Owens would like to have the retreat in January in order to best prepare for the budget. Mayor Horton recommended the last weekend in January (January 25th and 26th)

Council Member Culpepper recommended the dinner on Friday be off-site and without department presentations.

Vice Mayor Guffey would like both days to be off-site.

Council Member Collins would like to explore options for the retreat.

Vice Mayor Stacy Guffey stated the Board has a good relationship with staff and each other.

Councilman Mike Lewis is thankful to serve and his philosophy is to do the most good that creates the least harm.

Councilwoman Salain appreciates staff and hard work during Winter Wonderland. She is proud to serve.

Councilman Collins said he has served on boards and this board has something good.

Councilman Tompa thanked everyone and feels blessed and acknowledged he has a lot to learn.

13. ANNOUNCEMENTS

- A.) Next Town Council Meeting is Tuesday, January 2, 2024
- B.) Christmas holidays for Town Offices- December 25, 26 & 27, 2023 (Monday-Wednesday)
- C.) 10th Annual Ruby Drop - Downtown - December 31, 2023 - two drops one at 9:00 p.m. and another at midnight (Sunday)
- D.) New Year's holiday for Town Offices- January 1, 2024 (Monday)

14. ADJOURNMENT

Council Member Mike Lewis made a motion, seconded by Council Member David Culpepper to adjourn the meeting at 8:00 p.m. The motion carried unanimously. Vote: 6- 0.

C. Jack Horton, Mayor

Nicole Bradley, Town Clerk