

**MINUTES OF THE TOWN OF FRANKLIN TOWN COUNCIL  
REGULAR MEETING  
FEBRUARY 5, 2024**

**THE FRANKLIN TOWN COUNCIL** held a regular meeting on Monday, February 5, 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, Rita Salain, Robbie Tompa, and Mike Lewis.

**2. PLEDGE OF ALLEGIANCE**

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

**3. ADOPTION OF THE FEBRUARY 5, 2024 TOWN COUNCIL AGENDA**

*Council Member Mike Lewis made a motion, seconded by Council Member Rita Salain to adopt the Town Council Agenda for February 5, 2024 as presented. The motion carried unanimously.*

*Vote: 6 – 0.*

**4. APPROVAL OF THE CONSENT AGENDA FOR FEBRUARY 5, 2024**

- A.) Approval of January 2, 2024 Town Council Minutes
- B.) Budget Amendments
- C.) Tax Releases
- D.) Request to Advertise Delinquent Taxes

*Council Member Rita Salain made a motion, seconded by Council Member Mike Lewis to approve the consent agenda for February 5, 2024 as presented. The motion carried unanimously.*

*Vote: 6 – 0.*

**5. RECOGNITIONS**

- A.) Sergeant Garrett Hovis - promotion - Chief Devin Holland
- B.) Officer Trainee Levi Ledford - introduction - Chief Devin Holland
- C.) Officer Trainee Logan Mack - introduction - Chief Devin Holland
- D.) ~~Brandon Sutton—introduction—Fire Chief Ben Ormond~~
- E.) Cody Cabe - Wastewater Biological Grade - Jason Hopkins, WWTP Supervisor/ORC

**6. PRESENTATION/UPDATE**

- A.) Downtown Door warming/cooling station - Sheila Jenkins, Executive Director, No Wrong Door  
Shelia Jenkins gave an update on the Downtown Door. They had a soft opening on December 13<sup>th</sup>. They have been open for 10 nights due to extreme cold weather and have had 91 stays. The ages of the individuals range from 22 to 63. At the end of January 61 showers had been taken and 35 loads of laundry. They have 40 volunteers and are open Monday, Tuesday, Wednesday, and Friday. They are looking to add hours on Thursday.

Vice Mayor Guffey asked what are the current needs. Shelia said they are in need of snack foods, shampoo, and laundry detergent.

Mayor Horton thanked No Wrong Door and their volunteers that are taking care of people who are less fortunate.

## **7. PUBLIC HEARING**

A.) Public Hearing to receive public input on the proposed rezonings for Second Street and Cherry Street identified as PZC8 - Town Planner Justin Setser

This proposed PZC8 rezoning request was brought up in July 2023 by a resident and was referred to the Planning Board by Town Council. The Planning Board reviewed this proposed rezoning request for five (5) months and recommends the rezoning of the twenty-two (22) parcels from R-2 to R-1.

Mr. Thomas Alligood sent in a letter in opposition to the rezoning and it is incorporated as Exhibit A in these minutes.

**Mayor Jack Horton opened the Public Hearing on the proposed rezonings of Second Street and Cherry Street at 6:18 p.m.**

Janet Ramski, 57 Cherry Street, spoke in opposition of the proposed rezoning. She said that someone is trying to eliminate low-income families. She has lived there for twenty (20) years and the problems aren't with the mobile home owners. The mobile owners can't afford to build a new stick-built home.

**Mayor Jack Horton closed the Public Hearing on the proposed rezonings of Second Street and Cherry Street at 6:20 p.m.**

Council Member Joe Collins stated he was sympathetic to Janet and is not anxious about the proposed rezoning. He doesn't feel that the Board is ready to take action on this proposed rezoning.

Town Attorney John Henning, Jr. clarified that there would be no eviction on mobile home owners. This would affect replacement of mobile homes if there was a causality of the home.

Council Member Culpepper said Council's actions have direct effect on people's affordability and we need to be careful that it's not perceived as being illegal to be poor in this town.

Town Planner Sester stated that his staff report did not align with the Planning Board's recommendation to rezone the area.

Council Member Salain asked Town Planner Setser if signs for the public hearing were posted. He confirmed they were.

***Council Member Rita Salain made a motion, seconded by Council Member Joe Collins to table action on the PZC8 rezoning at this time. The motion carried unanimously. Vote: 6 – 0.***

## 8. CALL FOR PUBLIC HEARING

- A.) Call for Public Hearing on Monday, March 4, 2024 at 6:05 p.m. or as closely thereafter as possible to allow for public input on a text amendment to Chapter 152 - Temporary Use Permit - Town Planner Justin Setser.

***Council Member David Culpepper made a motion, seconded by Vice Mayor Stacy Guffey to set the public hearing for Monday, March 4, 2024 at 6:05 p.m. or as closely thereafter as possible to consider public input on a text amendment to Chapter 152 - Temporary Use Permit. The motion carried unanimously. Vote 6 – 0.***

- A.) Call for Public Hearing on Monday, March 4, 2024 at 6:10 p.m. or as closely thereafter as possible to allow for public input on the proposed rezonings identified as PZC6 (115 parcels) - Town Planner Justin Setser

***Council Member David Culpepper made a motion, seconded by Council Member Mike Lewis to set the public hearing for Monday, March 4, 2024 at 6:10 p.m. or as closely thereafter as possible to consider public input on the proposed rezonings identified as PZC6 (115 parcels). The motion carried unanimously. Vote 6 – 0.***

## 9. PUBLIC SESSION

No one signed up to speak.

## 10. NEW BUSINESS

- A.) Request Approval of Naming of Park - Women's History Park - Folk Heritage Association of Macon County

Anne Hyder, on behalf of the Folk Heritage Association of Macon County, requested to name the Park where the Sowing the Seeds of the Future Sculpture will be installed as Women's History Park.

Vice Mayor Guffey would like to see Women's History Park also translated into the Cherokee language. Ms. Hyder responded that there were multiple ethnicities represented, not just the Cherokee.

Council Member Collins said the Women's History Park sounded good.

***Council Member Mike Lewis made a motion, seconded by Council Rita Salain to approve the naming of the park as presented. The motion carried unanimously Vote: 6-0.***

Ms. Hyder thanked Mayor Horton, Councilwoman Salain, Vice Mayor Guffey and Town Planner Stetser for all their help on this project.

Council Member Salain thanked the Folk Heritage Association of Macon County for all their work and resources.

B.) Request Approval of Fund Balance Policy - Finance Director Sarah Bishop and Town Manager Amie Owens

Finance Director Sarah Bishop gave a recap of the proposed Fund Balance Policy for the General Fund that was introduced at the Town Council Retreat. She proposed a minimum amount of 80% (10 months of expenditures) and a maximum of 100% (12 months of expenditures). After the annual audit funds above 100% will need to be spent on capital purchases at the discretion of Town Council.

Council Member Culpepper would like to see funds spent on sidewalks and a pump bike track.

***Vice Mayor Stacy Guffey made a motion, seconded by Council Member Mike Lewis to approve the Fund Balance Policy for the General Fund as presented. The motion carried unanimously. Vote: 6-0.***

Finance Director Bishop would like to see the funds spent in approximately thirty-six (36) months.

Council Member Mike Lewis commented that he would like to see the tax payer's money get a return on their investment.

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

1. lotla Street – Macon County Farmers Market -Saturdays from 9:00 a.m. until 2:00 p.m. May through November 2024 with the exception of dates when Town sponsored festivals may be occurring.

Devon Dupuis, manager of the Macon County Farmer's Market gave an update on the plans for the new farmer's market. They plan to have various vendors with produce, crafters, cooking demonstrations, music, and other activities. They have applied for a 501C3 tax exempt status and have been approved to accept SNAP and EBT payments.

Mayor Horton asked if there would be any issues with security and traffic. No issues were noted.

Council Member Collins asked how it would affect the current location. Ms. Dupuis stated they were separate events and those vendors were welcome to join them.

***Council Member Mike Lewis made a motion, seconded by Council Member David Culpepper to approve the street closure for Macon County Farmers Market as presented. The motion carried unanimously. Vote: 6-0.***

2. lotla Street and Church Street - Why Us Kids/Gracie Parker-Sunday, April 28, 2024- Noon until 6:00 p.m.

Gracie Parker, Why Us Kids, requested the street closure for her second annual youth mental health rally.

***Council Member David Culpepper made a motion, seconded by Vice Mayor Stacy Guffey to approve the street closure for Why Us Kids Rally as presented. The motion carried unanimously. Vote: 6-0.***

3. Phillips Street- Artisan Alley- Saturday, March 23, April 13 and April 27, 2024 – 10:00 a.m. to 6:00 p.m.

***Council Member David Culpepper made a motion, seconded by Council Member Robbie Tompa to approve the street closure for Artisans Alley as presented. The motion carried unanimously. Vote: 6-0.***

- D.) Request approval of Task Order 3 for McGill Associates, PA for RFP, bid award and construction administration for Wilkie Street Sewer Line project - Town Manager Amie Owens

McGill Associates, PA completed a Task Order earlier in 2023 for design and engineering of the Wilkie Street sewer line improvement project. The original plan was to complete this project in-house, but due to the fact that there are needs for additional manholes and utility concerns it is best to bid out the project. McGill Associates is on the Town's on-call engineer list. The cost for this task order is \$45,000.

***Council Member Mike Lewis made a motion, seconded by Council Member Rita Salain to approve the Task Order 3 for McGill Associates, PA for RFP, bid award and construction administration for Wilkie Street Sewer Line project as presented. The motion carried unanimously. Vote: 6-0.***

- E.) Request approval of bid award for Sidewalk Replacement and Reconditions- Phillips Street and Harrison Avenue- Town Manager Amie Owens

The bid opening took place on Friday, February 2, 2024. The Town received 3 bids: J & E Concrete Construction, Bryson Enterprises. and DanGrady Company, LLC. J & E Concrete Construction had the lowest bid; however, they did not complete the mandatory walk through and are disqualified. Bryson Enterprises was the next lowest responsible, responsive bidder. There are funds available in ARPA funding.

***Vice Mayor Stacy Guffey made a motion, seconded by Council Member Mike Lewis to approve the bid award to Bryson Enterprises for Sidewalk Replacement and Reconditions of Phillips Street and Harrison Avenue as presented. The motion carried unanimously. Vote: 6-0.***

## **11. DEPARTMENTAL UPDATES**

- A.) Public Works - Bill Deal, Public Works Director gave an update on the Water Plant: they have added outside lighting and are reviewing the clear well plans. He also gave an update on Public Works: 3 CDL permit holders, water issues with cold weather and Clyde Street waterline project.
- B.) Wastewater Treatment -Jason Hopkins, WWTP Supervisor/ORC gave an update on the Wastewater Plant: record rainfall caused an issue with overflow but there were no fines from the State, and they are in the process of being able to run Bac-T testing for the water plant.
- C.) Streets -Chris Waldroop, Streets Supervisor gave an update on the Street department projects: snowflakes will come down this month, Christmas decoration have been removed and all stored

at the wastewater plant, winter long arming is being done, sidewalks, culvert replacement on Ulco Drive and plans to pave short Maple Street.

## 12. ITEMS FROM COUNCIL

### A.) Local Preference Purchasing Policy Discussion

Town Manager Owens discussed Town's current Purchasing Policy Manual. There is a section in the current policy for local buying. Town Council has the ability to set the standards for the policy to include a local preference purchasing policy.

Discussion was had on what is considered local. Councilman Culpepper said for this purpose Macon County would be local. Councilman Lewis proposed 2% to be the threshold for the local purchase policy. Mayor Horton said there needs to be a balance on spending tax payer money and helping a local business.

Town Council instructed Attorney John Henning, Jr and Town Manager Amie Owens to review and talk through amending the current purchasing policy to include the local preference policy wording with a 2% difference in cost. They will bring this back to a future Council meeting for review.

### B.) Confirmation of Mayor's Appointments

- a. Councilman Joe Collins will serve as liaison to the ABC Board
- b. Councilman David Culpepper will serve as liaison to the Appalachian Trail Community Council
- c. Councilwoman Rita Salain will serve as liaison to the Southwestern NC Home Consortium
- d. Councilman Robbie Tompa will serve as liaison to the Ordinance Review Committee
- e. Councilman Mike Lewis will serve as a liaison to the Macon County Program for Progress Board
- f. Vice Mayor Guffey will serve as liaison to the Macon County Economic Development Commission

### C.) City Vision 2024- April 23-25, 2025 Benton Convention Center, Winston-Salem

Town Manager Owens asked Council to let her know if they were interested in attending and she would get them registered.

## 13. 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 David Culpepper made a motion, seconded by Council Member Robbie Tompa 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. The motion carried unanimously. Vote: 6-0.***

**The Town Council entered Closed Session at 7:33 p.m.**

**The Town Council returned from Closed Session at 7:59 p.m.**

**14. ANNOUNCEMENTS**

- A.) Next Town Council Meeting is Monday, March 4, 2024
- B.) Councilman Tompa to attend Essentials of Municipal Government, February 15 & 16 in Asheville

**15. ADJOURNMENT**

***Council Member Rita Salain made a motion, seconded by Council Member David Culpepper to adjourn the meeting at 8:01 p.m. The motion carried unanimously. Vote: 6- 0.***

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C. Jack Horton, Mayor

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Nicole Bradley, Town Clerk