

**MINUTES OF THE TOWN OF FRANKLIN TOWN COUNCIL  
REGULAR MEETING  
SEPTEMBER 5, 2023**

**THE FRANKLIN TOWN COUNCIL** held a regular meeting on Tuesday, September 5, 2023, 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 Joe Collins, Council Members David Culpepper, Rita Salain Adam Kimsey, Mike Lewis and Stacy Guffey (arrived at 6:06 p.m.).

**2. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Vice Mayor Joe Collins.

**3. ADOPTION OF THE SEPTEMBER 5, 2023 TOWN COUNCIL AGENDA**

*Council Member Rita Salain made a motion, seconded by Council Member Adam Kimsey to adopt the Town Council Agenda for September 5, 2023 as presented. The motion carried unanimously. Vote: 5 – 0.*

**4. APPROVAL OF THE CONSENT AGENDA FOR SEPTEMBER 5, 2023**

- A.) Approval of Minutes of August 7, 2023 Town Council Regular Meeting
- B.) Budget Amendments
- C.) Tax Releases

*Vice Mayor Joe Collins made a motion, seconded by Council Member Rita Salain to approve the consent agenda as presented. The motion carried unanimously. Vote 5 – 0.*

**5. INTRODUCTION/RECOGNITIONS**

- A.) Steve Estes – Utility Maintenance Worker- Bill Deal, Public Works Director
- B.) Bo Garrison, Fire Captain – 10 years of service – Nicole Bradley, HR Director
- C.) Bill Deal, Public Works Director – 20 years of service- Nicole Bradley, HR Director
- D.) Proclamation – Constitution Week – Sept. 17-23, 2023 – Mayor Jack Horton

**6. PUBLIC SESSION**

Tim Shaw, Sk828, thanked Council for the new Skate Park. He also thanked Town Staff for getting the skate park completed quickly.

**7. CALL FOR PUBLIC HEARING**

Call for Public Hearing to be held on Monday, October 2, 2023 at 6:05 p.m. or as closely thereafter to receive public input on a rezoning of property located at 311 Golf View Drive from Residential (R-1) to Neighborhood Mixed Use (NMU)- Justin Setser, Town Planner

Town Planner Setser will discuss the specifics of the rezoning request at the Public Hearing and the hearing notice will be mailed to residents and it will be advertised in the paper.

***Council Member Adam Kimsey made a motion, seconded by Council Member Stacy Guffey to set the public hearing for Monday, October 2, 2023 at 6:05 p.m. or as closely thereafter as possible to consider public input on the potential rezoning. The motion carried unanimously. Vote 6 – 0.***

## **8. OLD BUSINESS**

A.) Potential Condemnation of Property – Ordinance- Town Attorney, John Henning, Jr., and Town Planner, Justin Setser

Town Attorney John Henning, Jr. stated the next step is to adopt an Ordinance in the owner's name and to record the Ordinance in the Register of Deeds Office. This will give authority to the Planning Staff to move forward with the demolition. The cost of the demolition is a lien against the property.

Mayor Horton stated he spoke to one of the property owners and he was assured that they would start demolition or repair by September 1<sup>st</sup>. Mayor Horton checked with Code Enforcement Officer, Frank Belanger, prior to tonight's meeting and nothing had been done to the property.

Council Member Culpepper asked if a previous Ordinance to demolish a different property would cover this property. Town Attorney Henning stated this Ordinance is for this particular property located at 981 East Main Street. Councilman Culpepper had concerns of acting on this property if no action for demolition was taken on the other property.

Council Member Culpepper asked if the lien would be on the entire parcel or just part of the parcel, that includes the house. Town Attorney Henning stated it would be on the entire parcel.

Discussion was held regarding a property on Wilkie Street that has been previously condemned via the same process and it has not been demolished.

***Vice Mayor Joe Collins made a motion, seconded by Council Member David Culpepper set the public hearing for Monday, October 2, 2023 at 6:05 p.m. or as closely thereafter as possible to receive input related to the Ordinance Ordering the Town Planner to cause the dwelling located upon the property at 981 East Main Street to be removed or demolished and to instruct the Town Planned to revisit the Wilkie Street property for demolition. The motion carried unanimously. Vote: 6 – 0.***

## **9. NEW BUSINESS**

A.) Request approval of Street Closures – Amie Owens, Town Manager

A.) Iotla Street on Monday, September 11 from 8:30 a.m. until 9:00 a.m. for 9/11 Remembrance. Franklin Fire and Rescue and Police Department will be participating in the event.

B.) Phillips Street and Left Lane Closure of Maon Street on Saturday, October 7 from 9:20 a.m. to 3:30 p.m. for WNC Pharoah's Car Club Car Show to benefit A Night to Shine

***Council Member Mike Lewis made a motion, seconded by Council Member David Culpepper to approve the requested street closures as presented. The motion carried unanimously. Vote: 6 – 0.***

B.) Request approval to award contract to DanGrady Company, LLC for sidewalk reconditioning and repairs – Amie Owens, Town Manager

Town Manager Amie Owens stated the original RFP was sent out on June 1, 2023 with an opening date of June 30, 2023. The Town did not receive three (3) bids from the first RFP and it was re-advertised on July 5 with an opening date of August 3, 2023. There were two (2) submittals received from the second RFP. Bryson Enterprises and DanGrady Company both bid on the project.

The proposals were reviewed to ensure that all qualifications were met and the recommendation is to accept the bid of DanGrady Company LLC as the lowest responsible, responsive bidder for the project. Town Manager Owens worked with Town Attorney John Henning Jr., to develop a contract on this project. The sidewalks to be repaired will include: Harrison Ave, Maple St and Phillips St. The contract is for 240 days and ARPA funds will be used for this project. The amount budgeted for the project is \$350,000 and the bid came in at \$318,875.

Council Member Culpepper asked if there were any concerns on the Phillips St sidewalk and if a new high school is built will the sidewalk be torn down. Town Manager Owens noted she does not think it will be a problem.

Council Member Guffey asked when will the project start. Town Manager Owens said that once the contracts are executed there will be a pre-construction meeting and they should be able to start this Fall.

***Council Member Stacy Guffey made a motion, seconded by Council Member Mike Lewis to approve the contract with DanGrady Company, LLC for sidewalk reconditioning and repairs as presented. The motion carried unanimously. Vote: 6 – 0.***

C.) Request approval to of capital project ordinance for the for sidewalk reconditioning and repairs – Sarah Bishop, Finance Director

Finance Director Sarah Bishop will need a capital project ordinance in order to set up the funds in the Town's accounting software.

***Vice Mayor Joe Collins made a motion, seconded by Council Member David Culpepper to approve capital project ordinance for the sidewalk reconditioning and repairs as presented. The motion carried unanimously. Vote: 6 – 0.***

D.) Request approval to award contract to Bryson Enterprises, Ltd for the Boyd's Pump Station Upgrade – Amie Owens, Town Manager

Town Manager Amie Owens stated the original RFP was sent out on June 5, 2023 with an opening date of July 6, 2023. The Town did not receive three (3) bids from the first RFP and it was re-advertised on July 10 with an opening date of August 10, 2023. There was only (1) one submittal

received from the second RFP. Bryson Enterprises received the contract on the pumpstation upgrade.

This project was included in the budget from water/sewer enterprise funds. Town Manager Owens worked with Town Attorney Henning on the 240-day completion contract. The total cost on this project is \$283,018.38. Town Manager Owens noted this project has been in the Town's Capital Improvement Plan for five (5) years.

***Council Member David Culpepper made a motion, seconded by Council Member Adam Kimsey to approve the contract with Bryson Enterprises, Ltd for the Boyd's Pump Station upgrade as presented. The motion carried unanimously. Vote: 6 – 0.***

- E.) Request approval to of capital project ordinance for the for the Boyd's Pump Station Upgrade – Sarah Bishop, Finance Director

Finance Director Sarah Bishop will need a capital project ordinance in order to set up the funds in the Town's accounting software.

***Council Member David Culpepper made a motion, seconded by Council Member Rita Salain to approve capital project ordinance for Boyd's Pump Station Upgrade as presented. The motion carried unanimously. Vote: 6 – 0.***

- F.) Request approval of two (2) Task Orders for Withers Ravenel for the Clyde Street Project – Amie Owens, Town Manager

- Task Order 8 – Construction Administration (including permitting and reimbursements filings)
- Task Order 9 – Construction Observation

The State has approved the awarding of the Clyde Street Project utilizing the \$820,000 ARPA funds. When the contract was developed in 2020 there were no Construction Administration or Construction Observation fees added in. The cost for the two task orders is \$75,875 is included in the current water services budget.

***Council Member David Culpepper made a motion, Seconded by Council Member Mike Lewis to approve the two (2) Task Orders for the Clyde Street Water Line Improvement Project at a total of \$75,875 as presented. The motion carried unanimously. Vote: 6 – 0.***

## 10. DEPARTMENTAL UPDATES

- A.) Human Resources – Nicole Bradley, Human Resources Director gave an update on the Town's Human Resources functions: NC 457 Plan Implementation, new hires/open positions, and Town's Personnel Policy review/update plan
- B.) Tax/Events – Sabrina Scruggs, Tax Collector gave an update on 2023 tax collections, business registrations, past events (Trucks & Tunes), and upcoming events (Pumpkin Fest).
- C.) Fire Department – Chief Ben Ormond gave an update on the Fire Department response calls (decrease in fire calls but increase in medical calls), trainings and fire truck RFP update.

## 11. ITEMS FROM COUNCIL

Council Member Salain said the Skate Park looks great.

Mayor Horton noted that he and Town Manager Owens would be on the Gordon Mercer Radio Show on Saturday Morning at 8:00 a.m.

## 12. ANNOUNCEMENTS

- A.) Next Town Council Meeting is Monday, October 2, 2023
- B.) SAVE THE DATE – Pumpkinfest – Saturday, October 21, 2023 – downtown from 9:00 a.m. until 4:00 p.m.

## 13. CLOSED SESSION

- A. Enter into closed session under North Carolina General Statute § 143-318.11 (a)(6) - Personnel - for Town Manager's annual performance review

***Vice Mayor Joe Collins made a motion, seconded by Council Member Mike Lewis to enter into Closed Session 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: 02 p.m.

***Vice Mayor Joe Collins made a motion, seconded by Council Member Adam Kimsey to return from Closed Session at 7:35 p.m. The motion carried unanimously. Vote: 6- 0.***

***Vice Mayor Joe Collins made a motion, seconded by Council Member Mike Lewis to increase the Town Manager's salary by 15% to \$97,750 effective immediately. The motion carried unanimously. Vote: 6- 0.***

Mayor Horton thanked Ms. Owens for her hard work and diligence.

## 14. ADJOURNMENT

***Council Member Mike Lewis made a motion, seconded by Council Member David Culpepper to adjourn the meeting at 7:38 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