

**MINUTES OF THE TOWN OF FRANKLIN TOWN COUNCIL  
REGULAR MEETING  
MARCH 4, 2024**

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

**1. CALL TO ORDER**

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

Mayor Jack Horton and Council Member Mike Lewis were absent.

*Council Member David Culpepper made a motion, seconded by Council Member Rita Salain to excuse Mayor Horton and Councilman Lewis from the meeting. The motion carried unanimously. Vote: 5 – 0.*

**2. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Councilman Robbie Tompa.

**3. ADOPTION OF THE MARCH 4, 2024 TOWN COUNCIL AGENDA**

*Council Member Rita Salain made a motion, seconded by Council Member Robbie Tompa to adopt the Town Council Agenda for March 4, 2024 as presented. The motion carried unanimously. Vote: 5 – 0.*

**4. APPROVAL OF THE CONSENT AGENDA FOR MARCH 4, 2024**

- A.) Approval of January 26 & 27 Retreat Minutes and February 5, 2024 Town Council Minutes
- B.) Budget Amendment
- C.) Change in appointment date for ABC Board Member – Farrell Jamison
- D.) Items to forward to Planning Board for Review
  - 1. Petition for Rezoning – Macon County
  - 2. Text Amendments related to Special Use Permits

*Council Member Joe Collins made a motion, seconded by Council Member Robbie Tompa to approve the consent agenda for March 4, 2024 as presented. The motion carried unanimously. Vote: 5 – 0.*

**5. RECOGNITIONS**

- A.) Sergeant Laurie Beegle (Retired) – Order of the Long Leaf Pine – presented by Chief Devin Holland
- B.) Justin Setser – 10 Year Service Award – presented by Nicole Bradley, Human Resources Director
- C.) Brandon Sutton, Firefighter – introduction – Fire Chief Ben Ormond
- D.) Tim Lee, Utility Maintenance Worker – introduction – Bill Deal, Public Works Director

## 6. PUBLIC HEARING(S)

### A.) Public Hearing to allow for public input on a text amendment to Chapter 152 – Temporary Use Permit- Town Planner Justin

Town Planner Setser reviewed the Chapter 152 text amendment that would allow property owners to reside in a temporary dwelling on the property during construction/remodel. The Planning Board unanimously recommended the approval.

**Vice Mayor Stacy Guffey opened the Public Hearing on input on the Chapter 152 text amendment at 6:10 p.m.**

No one signed up to speak.

**Vice Mayor Stacy Guffey closed the Public Hearing on input on the Chapter 152 text amendment at 6:11 p.m.**

***Council Member Joe Collins made a motion, seconded by Council Member David Culpepper to approve the text amendment to Chapter 152 – Temporary Use Permit as presented. The motion carried unanimously. Vote: 5 – 0.***

Town Planner Setser stated that Council would also need to decide if a fee would be collected with the permit application.

Council Member Salain said she thought we should have a fee and asked how much time for staff is involved. Town Planner Setser explained the process.

Council Member Collins said he was not comfortable throwing out a fee and asked Mr. Sester to come back to the next Council meeting with a fee recommendation.

The consensus of the Council was to direct Mr. Setser to see what the temporary use fee is in other municipalities.

### B.) Public Hearing to allow for public input on the proposed rezonings identified as PZC6 (115 parcels) Town Planner Justin Setser

Town Planner Setser reviewed the proposed rezoning of PZC6 located off the Old Murphy Road area. The Planning Board listened to property owners and reviewed this proposed rezoning for several months. The Planning Board unanimously recommended the approval.

**Vice Mayor Stacy Guffey opened the Public Hearing on the proposed rezonings identified as PZC6 (115 parcels) at 6:19 p.m.**

Town Planner Setser has spoken to several property owners and received a few emails.

Council Member Culpepper asked about the junk car ordinance enforcement and Town Planner Setser said that the Town's junk car ordinance is only enforceable in city limits and not in the ETJ. Councilman Culpepper said he was super sensitive to land rights of property owners.

Discussion was held about the Town's rights to make decisions in the ETJ. Town Attorney John Henning, Jr. said that over time municipalities grow and it's away for Council to have a say in how to plan ahead for growth.

Council Member Salain has concerns for residents who do not want commercial buildings going up.

Lee Garner, property owner in PZC6, owns additional adjoining properties. He would like to be able to put a mobile home on the property if he wants to.

Council Member Tompa asked Council Member Culpepper what his opinion was on the next steps. Council Member Culpepper stated to not do any harm.

**Vice Mayor Stacy Guffey closed the Public Hearing on the proposed rezonings identified as PZC6 (115 parcels) at 6:30 p.m.**

Council Member Joe Collins said it seems to have settled out with the property owners and the Planning Board has reviewed the rezoning.

***Council Member Joe Collins made a motion, seconded by Council Member Rita Salain to approve the rezoning identified as PZC6 as presented. The motion carried. Vote: 4-1. Council Member David Culpepper voted in opposition.***

## **7. CALL FOR PUBLIC HEARING**

- A.) Call for Public Hearing on Monday, April 1, 2024 at 6:05 p.m. or as closely thereafter as possible to allow for public input on the conditional district rezoning for 227 Siler Road - Town Planner Justin Setser

This is the first Conditional Zoning Permit application. This is for a 54-unit senior affordable housing apartment complex. The Planning Board unanimously recommended the approval. The conditions set for this rezoning are to annex the property into the Town limits and to add additional sidewalks on Siler Road.

Vice Mayor Guffey said he understood that the two proposed projects on Siler Road were competing for the same tax credits. He saw a letter in the paper with concerns of traffic on Siler Road. He asked if there would be a traffic study or if there were plans for mitigation of traffic. Town Planner Setser said with this being senior housing the trips per hour did not meet the TIA (Traffic Impact Assessment). He did note that the NC DOT (North Carolina Department of Transportation) may require a de-acceleration lane.

Vice Mayor Guffey asked Town Planner Setser if the Town had a long-term sidewalk plan for Siler Road to make it more walkable. Town Planner Setser said he thought there was a project in the Town's BikeWalk Plan and also in Macon County's Comprehensive Transportation Plan. The projects have scored low in the NC DOTs STIP program so they have never received any funding for sidewalks from the State of North Carolina.

Additional discussion was had about sidewalks and a TIA as a condition of the rezoning.

- B.) Call for Public Hearing on Monday, April 1, 2024 at 6:10 p.m. or as closely thereafter as possible to allow for public input on the conditional district rezoning for parcel with frontage on Siler Road and Firefly Lane- Town Planner Justin Setser

***Council Member Joe Collins made a motion, seconded by Council Member David Culpepper to set the public hearing for Monday, April 1, 2024 at 6:05 p.m. or as closely thereafter as possible to receive public input on the conditional district rezoning of 227 Siler Road and to set the public hearing for Monday, April 1, 2024 at 6:10 p.m. or as closely thereafter as possible to consider public input on the conditional district rezoning for parcel with frontage on Siler Road and Firefly Lane. The motion carried unanimously. Vote 5 – 0.***

## **8. PUBLIC SESSION**

Renee Vargas, owner of Renee’s Cake Shoppe, had two concerns: Main Street business owners are parking on Main Street during the day, therefore limiting parking for customers. She inquired about short-term parking on Main Street. Her second concern is the lighting in the parking lot on Palmer Street, behind her cake shop, and on the street behind the clocktower. She is concerned with the safety of her employees.

Evan Klatt, real estate agent, purchased a banner that was placed at 1665 Highlands Road and he received a violation from code enforcement. He apologized for not knowing the rules and asked Council what his options were. Vice Mayor Guffey requested he speak with Town Planner Justin Setser.

## **9. NEW BUSINESS**

- A.) Request funds to complete the installation and landscaping at the *Sowing the Seeds of the Future* sculpture at Women's History Park - Folk Heritage Association of Macon County  
Theresa Ramsey and Anne Hyder, on behalf of the Folk Heritage Association of Macon County, requested additional funds for landscaping of the Women’s History Park. The cost of landscaping has increased since the initial proposal from Richard Clark of Clark & Co Landscape Services. They are requesting an additional \$33,500 to complete the landscaping project.

***Council Member Rita Salain made a motion, seconded by Council David Culpepper to approve the request for the additional \$33,500 for landscaping at Women’s History Park as presented. The motion carried unanimously. Vote: 5-0.***

Council Member Culpepper commented that even though this is a lot of money it has been done properly and is a nice park. He thanked the FHAMC for all their work.

Council Member Salain said it has been wonderful to see the Town step up and work on this project. She is also grateful to work on this project.

***Council Member Rita Salain made a motion, seconded by Council Member Robbie Tompa to take the \$33,500 from the General Fund fund balance. The motion carried unanimously. Vote: 5-0.***

Ann Hyder gave an outline of the festivities that will take place on March 23, 2024 for the unveiling of the *Sowing the Seeds of the Future* sculpture.

B.) Request Approval of audit contract with Martin Starnes & Associates, CPAs, P.A. – Finance Director Sarah Bishop

Finance Director Sarah Bishop presented the annual audit contract and stated that a single book audit will be required this year due to the use of Federal and State grant funds and there is a decreasing number of auditors who provide Governmental Audits.

***Council Member Joe Collins made a motion, seconded by Council Member Rita Salain to approve the contract for audit services and execution by Town Manager as presented. The motion carried unanimously. Vote: 5-0.***

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

1. Phillips Street- Artisan Alley- 1<sup>st</sup> and 3<sup>rd</sup> Saturdays – May through October – 9:00 a.m. to 4:00 p.m.
2. Phillips Street- Phillips Street Market- 2<sup>nd</sup> and 4<sup>th</sup> Saturdays – May through October – 1:00 p.m. to 9:00 p.m.
3. Main Street roiling closure from Town Hall to Gazebo parade and Iotla Street – Taste of Scotland Society – Friday June 14, 2024 - Ceilidh

***Council Member David Culpepper made a motion, seconded by Council Member Joe Collins to approve the street closures as presented. The motion carried unanimously. Vote: 5-0.***

## 10. DEPARTMENTAL UPDATES

- A.) Human Resources- Nicole Bradley, HR Director, gave an update on current project and current job openings.
- B.) Tax Collections- Sabrina Scruggs, Tax Collector, gave an update on tax revenue collections and upcoming Town events.
- C.) Fire Department- Chief Ben Ormond, Fire Chief, presented his annual Fire Department report.

## 11. ITEMS FROM COUNCIL

A.) Tourism Development Authority- Councilman Robbie Tompa

Councilman Tompa attended the February 11<sup>th</sup> TDA meeting and gave an update from the meeting. He said there was a presentation on marketing efforts and that the TDA was investing in infrastructure by supporting the Women’s History Trail project and the Appalachian Trail Hikers.

Councilwoman Salain commented on the parking issue on Main Street. She asked if the Town could adopt an ordinance where business owners could not park on Main Street, like in Highlands.

**12. 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 Joe Collins made a motion, seconded by Council Member David Culpepper 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: 5-0.*

**The Town Council entered Closed Session at 7:35 p.m.**

**The Town Council returned from Closed Session at 8:06 p.m.**

**13. ANNOUNCEMENTS**

- A.) Next Town Council Meeting is Monday, April 1, 2024
- B.) Primary Election Day – Tuesday, March 5, 2024
- C.) Unveiling of the *Sowing the Seeds of the Future* sculpture and celebration – Saturday, March 23, beginning at 11:00 a.m.
- D.) Town Offices Closed in observance of Good Friday per the NC State Holiday Schedule on Friday, March 29, 2024

**14. ADJOURNMENT**

***Council Member Rita Salain made a motion, seconded by Council Member Robbie Tompa to adjourn the meeting at 8:07 p.m. The motion carried unanimously. Vote: 5- 0.***

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Stacy Guffey, Vice Mayor

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Nicole Bradley, Town Clerk