



# Town of Franklinton

Board of Commissioners  
Town Hall 101 N. Main St.  
April 18, 2023, 7:00 PM

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## MINUTES

Those in Attendance: Mayor Art Wright, Commissioners John Allers, Alvin Holden, Judy McArn, Anita Fuller, and Latasha Wilder, Town Manager Zach Steffey, Town Attorney Brian Pridgen, and Town Clerk Lauren Chandler

Others in Attendance: Public Works Director Brad Kearney, Town Planner Chris George, Chief of Police James Davis, Jr., Officer Gratz, Carey Johnson with the Franklin Times, and citizens

Mayor Wright called the Board of Commissioners meeting to order at 7:03 PM. The Pledge of Allegiance was led by Commissioner Wilder.

Mayor Wright recognized and presented Officer Gratz's with a certificate for outstanding service in saving a life.

### Approval of Agenda

Commissioner McArn made a motion to approve the agenda. Commissioner Allers seconded the motion. The motion was approved by a vote of 5-0.

### Approval of Minutes

Commissioner Wilder made a motion to approve the following minutes: March 21, 2023 Regular Meeting, March 21, 2023 Adjustment Meeting, March 29, 2023 Special Meeting, March 29, 2023 Closed Session. Commissioner Fuller seconded the motion. The motion was approved by a vote of 5-0.

### Consent Agenda

- a. Update to FY 2022-2023 Fee Schedule

Commissioner Allers made a motion to approve the Consent Agenda. Commissioner Holden seconded the motion. The motion was approved by a vote of 5-0.

### Public Comments

There were no public comments.

### Agenda Items

- a. Discussion of encroachments into Downtown sidewalks

Zachary Steffey

The property owner of 22 South Main Street has requested an encroachment into the sidewalk in front of their business for support columns to stabilize the overhead awning, tables and chairs for their patrons, and a fence to limit access to the outdoor seating area. Historically the Town has allowed limited encroachments into the sidewalk areas of Downtown.

These encroachments have been limited to awnings, projecting signs, stairs and ADA compliant ramps, lighting fixtures, and temporary outdoor seating. The installation of permanent structures into the sidewalk area will likely require consideration and approval from NCDOT for sidewalk areas located within the NCDOT right-of-way. Approval of these

encroachments could arise interest in other encroachments in other areas of the Downtown. Commissioner Allers mentioned that the Board of Commissioners would like to be consistent with all businesses throughout the downtown area. Franklinton also has a lot more pedestrians walking the sidewalks. Commissioner McArn asked about whether a plan has been submitted for the proposed encroachments. There has not been a plan submitted. Mr. Steffey mentioned that the fence was to be removable, however, when the fence is in operation, it would still section the sidewalk off for that business. The Commissioners were in favor of approving removable tables and chairs and an awning that is self-supported and affixed to the building. The Board of Commissioners did not approve a fence to encroach on the sidewalk.

b. Consideration of bid for 5 & 7 East Mason Street

Zachary Steffey

Town Staff recently completed the bid solicitation process for 5 and 7 East Mason Street. The Town received one bid in the amount of \$43,357 from Jason Panciera. The next step in the process will be to commence the upset bid process. The Board of Commissioners are asked to consider accepting the bid from Jason Panciera in the amount of \$43,357 contingent upon this bid remaining the highest bid following the upset bid process and contingent upon the bidder and Town being able to reach a mutually agreed upon Economic Development Agreement. The Board of Commissioners are asked to authorize the Town Manager in consultation with the Town Attorney to enter into an Economic Development Agreement with Jason Panciera if the submitted bid remains the highest bid following the upset bid process. The Board of Commissioners are asked to authorize Town Staff to complete the upset bid process. Mr. Steffey mentioned that the bidder has expressed ideas for possible retail or restaurant uses or the possibility of residential options as well. Commissioner Allers asked what the market value was on this property. Mr. Steffey answered that he believed the bid was above market value. Commissioner McArn made a motion to authorize the Town Staff to proceed with the upset bid process for 5 & 7 East Mason Street. Commissioner Wilder seconded the motion. The motion was approved by a vote of 5-0.

c. Regulating signage within Town right-of-way

Zachary Steffey

The Town has had a lot of 2x2 signs being placed in the Town's right-of-way. This ordinance would give the Town the authority to remove these signs and place a penalty of \$25 to release any sign that is in the Town's possession. Commissioner Allers asked who would enforce this ordinance. Chris, our Code Enforcement Officer, would be enforcing this ordinance. Commissioner Allers made a motion to approve the ordinance that would regulate signage within the Town's rights-of-way. Commissioner McArn seconded the motion. The motion was approved by a vote of 5-0.

d. Resolution in Support of the Town of Franklinton's Application for North Carolina Department of Commerce Rural Transformation Grant Fund Rural Engagement & Investment Program

Zachary Steffey

The Town of Franklinton is planning to apply for the Spring 2023 round of Rural Transformation Grant funding. The Town has prepared a resolution for consideration by the Board of Commissioners. The Town of Franklinton had applied for the Rural Transformation Grant during the last round of funding but was not awarded. The Town was close to being awarded funds and has investigated how to improve the application for this next round of funding. This grant would be used to improve the bicycle and pedestrian safety around Town, for the middle school safety in Downtown and improving the streetscape by relocating utility lines below ground. Commissioner Fuller made a motion to accept the resolution in support of the Town of Franklinton's Application for North Carolina Department of Commerce Rural Transformation Grant Fund Rural Engagement & Investment Program. Commissioner Holden seconded the motion. The motion was approved by a vote of 5-0.

e. Discussion of relocation of Veterans Monument to the Pocket Park

Zachary Steffey

The American Legion Post 52 of Franklinton, NC has reached out to the Town to request that the Veterans Memorial monument, currently located in Fairview Cemetery, be relocated to the area between the two flag poles in the Pocket Park. The American Legion would facilitate the movement of the monument to the Pocket Park on Main Street and the Town of Franklinton would assist in any necessary site preparation work in the Pocket Park. The desired timeline for the move

would be to have the monument relocated to the Pocket Park by Memorial Day 2023. The Board of Commissioners are asked to consider authorizing Town Staff to work with the American Legion to relocate the Veterans Memorial monument to the Pocket Park and for the Town Manager to enter into any necessary agreements with the American Legion in consultation with the Town Attorney.

Commissioner McArn made a motion to approve the Town to work with the American Legion in the relocation of the Veterans Monument to the Pocket Park. Commissioner Holden seconded the motion. The motion was approved by a vote of 5-0.

## **Reports**

### **a. Town Manager Report, Staff Reports (included in packet)**

- i. The Town Staff has repainted and updated the entry signage to the Town of Franklinton.
- ii. The Town would like to thank DJ Funk for an awesome job at Fridays in Franklinton. There was a great turn out with the Easter bunny and egg hunt.
- iii. Thank you to all who participated in the Egg Drawing contest. Winners were selected and presented with prizes.
- iv. The Egg Hunt with Franklin County was a success. The Town would like to thank Sugar Grinders for supplying coupons for free ice cream for this event.
- v. Toros will also be giving away 100 free tacos during Cinco de Mayo. Some of these coupons will be given out through piñatas and others by our Town Planner, Chris George, who will be dressing up for the occasion.
- vi. The Town is excited to be featured in both the Raleigh Magazine and the Circa Magazine.
- vii. The College Street rail crossing project is done and looks great. Commissioner McArn asked if CSX will be cleaning up the rail ties that have been left behind in the construction. This is unknown but with construction at completion, it is something that can be looked into.
- viii. The Town would like to recognize the Public Works crew for their work on asphalt projects including pothole and street repairs for residents. The Town will also have a new form to fill out on the Town website to report and receive updates on pothole repairs.
- ix. Duke Energy is replacing the power line poles throughout town. This will be a long project that may reroute our traffic flow at times.
- x. Franklin County recognized Mr. Bernie Meader at the Franklin County Commissioners' Meeting and will also receive the gold medallion award from the Governor in May for his volunteer services.
- xi. The Town will hold its litter sweep on April 22 from 10:00-12:00. The cemeteries in Town will also have a cleanup from 8:00 -10:00 at Fairview and 10:00 -12:00 at Evergreen.
- xii. The Town's next Fridays in Franklinton will celebrate Cinco de Mayo on May 5th from 5:00-8:00.
- xiii. The Franklinton Chamber of Commerce will meet on Friday, April 21st at 11:00 AM at 4 North.
- xiv. Our Code Enforcement Officer, Chris George, has been working hard to remind residents that it is grass cutting season.

### **b. Advisory Board Reports (included in packet)**

## **Upcoming Meetings and Events**

- a. April 22, 2023 – Earth Day and Town Litter Sweep meet at Town Hall 10:00 AM
- b. April 22, 2023 – Cemetery clean up: Fairview at 8:00AM and Evergreen at 10:00 AM
- c. May 5, 2023 – Fridays in Franklinton Cinco de Mayo celebration 5:00 PM - 8:00 PM

- d. May 8, 2023 – Planning Board Meeting at Town Hall at 6:00 PM
- e. May 16, 2023 – Board of Commissioners Meeting at Town Hall at 7:00 PM

Commissioner Allers made a motion to amend the agenda to allow a closed session in pursuant of NCGS § 143-318.11 (3) consultation with Town Attorney and (6) personnel. Commissioner McArn seconded the motion. The motion was approved by a vote of 5-0.

Commissioner Allers made a motion to recess the Board of Commissioners meeting. Commissioner Holden seconded the motion. The motion was approved by a vote of 5-0.


Commissioner Fuller made a motion to go into closed session pursuant of NCGS § 143-318.11 (3) consultation with Town Attorney and (6) personnel. Commissioner Wilder seconded the motion. The motion was approved by a vote of 5-0.


Commissioner Allers made a motion to come out of closed session and reopen the Board of Commissioners meeting. Commissioner McArn seconded the motion. The motion was approved by a vote of 5-0.

There was nothing to report from the closed session.

#### **Adjournment**

Commissioner Fuller made a motion to adjourn the Board of Commissioners meeting. Commissioner Wilder seconded the motion. The motion was approved by a vote of 5-0.

X   
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Arthur Wright  
Mayor

X   
\_\_\_\_\_  
Lauren Chandler  
Town Clerk



# Town of Franklinton

Board of Adjustment  
Town Hall 101 N. Main St.  
April 18, 2023, 7:00 PM

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## MINUTES

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Others in Attendance: Public Works Director Brad Kearney, Town Planner Chris George, Chief of Police James Davis, Jr., Officer Gratz, Carey Johnson with the Franklin Times, and citizens

Mayor Wright called the Board of Adjustment Meeting to order.

### Approval of the Board of Adjustment Agenda

Board of Adjustment

Commissioner Fuller made a motion to approve the Board of Adjustment Agenda. Commissioner Wilder seconded the motion. The motion was approved by a vote of 5-0.

### Agenda Items

- a. Consideration of a Special Use Permit application for 5 South Main Street Parcel ID 010058 for a Mixed-Use Residential and Commercial Development located in the C-2D Zoning District of the Town.

- i. Presentation of Special Use Permit

Zachary Steffey

The Town of Franklinton has received a Special Use Permit application from Michael Hurt (Hurt, LLC) for 5 and 9 South Main Street Parcel 010058. If approved, the Special Use Permit would allow for the building to be redeveloped into a Mixed-Use development with a combination of commercial and multi-family residential. The first level (ground level) would be split 50/50 with the portion of the first level facing Main Street being utilized for permitted commercial uses and the rear portion being used for two residential units. The second level would include four residential units. The property is zoned Downtown Commercial (C-2D) where Mixed-Use with first floor residential is permitted as a Special Use. All properties surrounding the subject property are zoned Downtown Commercial C-2D. According to Franklin County GIS records the lot size for Parcel 010058 is .0851 acres.

The following items may be included as Special Use Permit conditions if deemed necessary by the Board and if agreed to by the applicant:

- The applicant must comply with all provisions of Section 4.3.3 Subsection G and these requirements are hereby incorporated as conditions of the Special Use Permit.
- All floor area in the portion of the first floor (ground level) facing Main Street must be used for Commercial Uses that are permitted in the C-2D District and shall at no point be converted or utilized for any type of residential use.
- All loading, unloading, and delivery activities shall be restricted to Front Street during the hours of 7 AM to 5 PM and must take place on weekdays.

- Parking for residential units is limited to the spaces provided along Front Street and the spaces provided in the Downtown Parking Lot located behind the Pocket Park. Residents must obtain an Annual Downtown Parking Pass that must be prominently displayed in their vehicle. Residents must relocate vehicles from the parking area on Front Street during Town Events.
- All trash and recycled waste generated by the residential units must be disposed of in Town-provided Downtown Dumpsters. The property owner must pay trash fees equivalent to the amount assessed per household for other residential properties throughout the Town. The formula for determining the amount of trash fees shall be six units x annual trash fee = total due to the Town for trash and recycling services.

The Board of Adjustment is asked to consider whether to approve or deny the Special Use Permit application for 5 South Main Street. The Board is asked to consider the Special Use Permit application based on the review standards set forth in the UDO:

1. Will not materially endanger the public health or safety if located where proposed; and
2. Complies with all required standards, conditions, and specifications of this Ordinance, including Article 156.4, USES; and
3. Will not substantially injure the value of the abutting land, or the special use is a public necessity; and
4. Will be in harmony with the area in which it is to be located; and
5. Is in general conformity with the Town's adopted policy guidance; and
6. Is configured to ensure pedestrian and vehicular safety; and
7. Does not result in conditions where public facilities and services are inadequate to serve the proposed use.

Mr. Pridgen stated that this is a quasi-judicial hearing and that anyone giving testimony would have to be sworn in. Mr. Pridgen asked the Board of Adjustment if they had any financial conflict of interest or prior information or conversations on the item of discussion. The Board of Adjustment responded that they did not.

ii. Applicant Presentation and Comments

Mr. Hurt

Mr. Hurt was sworn in by Town Clerk, Mrs. Chandler.

Mr. Hurt apologized about missing last month's meeting. The plans show two residential spaces downstairs that will be used as Airbnb options. These downstairs units will be two bedrooms and two baths. There will be commercial retail downstairs and more residential units upstairs. Deliveries would remain on Front Street. Commissioner McArn asked if there was a timeline for work to be completed. Mr. Hurt would like to take advantage of historical tax credits and must go through the application process to register the property. This is estimated to take about 6 months. Overall, Mr. Hurt is estimating about a 12-to-18-month turnover timeframe. The property has structural issues that need to be addressed immediately to stabilize the building. Stabilization is the priority and then Mr. Hurt will assess what renovations are needed. The outside aesthetics could be improved in a timelier fashion than the inside renovation. Commissioner Allers asked if Mr. Hurt had an idea of what the retail could be. Mr. Hurt is open to suggestions about retail opportunities but does know there is a lot of interest in the Franklinton community. He would like to find something that will be operating consistently. Commissioner Wilder suggested something for the kids to do and hang out with the school right across the road from the property.

iii. Vote to Open Evidentiary Hearing

Board of Adjustment

Commissioner Allers made a motion to open the Evidentiary Hearing. Commissioner McArn seconded the motion. The motion was approved by a vote of 5-0.

iv. Vote to Close Evidentiary Hearing

Board of Adjustment

Commissioner Holden made a motion to close the Evidentiary Hearing. Commissioner Fuller seconded the motion. The motion was approved by a vote of 5-0.

v. Vote on Special Use Permit

Board of Adjustment

Commissioner McArn made a motion to accept the Special Use Permit application and approve the Special Use Permit application for 5 South Main Street Parcel ID 010058 for a Mixed-Use Residential and Commercial Development located in the C-2D Zoning District of the Town with the staff suggested conditions. Commissioner Allers seconded the motion. The motion was approved by a vote of 5-0.

2. Adjournment

Commissioner Allers made a motion to adjourn the Board of Adjustment meeting. Commissioner Holden seconded the motion. The motion was approved by a vote of 5-0.

X



Arthur Wright  
Mayor

X



Lauren Chandler  
Town Clerk