



July 6, 2010

## MINUTES

The Holly Springs Town Council met in regular session on Tuesday, July 6, 2010, in the Council Chambers of Holly Springs Town Hall, 128 S. Main Street. Mayor Sears presided, calling the meeting to order at 7 p.m. A quorum was established as the mayor and all five council members were present as the meeting opened.

**Council Members Present:** Councilmen Jimmy Cobb, Parrish Womble, Chet VanFossen and Tim Sack and Councilwoman Linda Hunt Williams and Mayor Sears.

**Council Members Absent:** None.

**Staff Members Present:** Carl Dean, town manager; Chuck Simmons, assistant town manager; John Schifano, town attorney; Linda Harper, deputy town clerk (recording the minutes); Drew Holland, finance director; Mike Patterson, police lieutenant; Alan Lows, police officer; Ray Tyndall, police sergeant; Len Bradley, director of parks and recreation; Gina Clapp, director of planning and zoning; Mark Andrews, public information officer; Eric Tayler, information technology manager; Amanda Kaufman, intern; John Herring, police chief; and Stephanie Sudano, director of engineering.

**2 and 3.** The Pledge of Allegiance was recited, and the meeting opened with an invocation by Rev. Lewis Gentry.

**4. Agenda Adjustment:** The July 6, 2010 meeting agenda was adopted with changes, if any, as listed below.

**Motion By:** Sack

**Second By:** Womble

**Vote:** Unanimous

**Items added to Agenda:** None.

**Items removed from Consent Agenda:** None.

**Items removed from the agenda:** None.

**Other changes:** None.

**5. Public Comment:** At this time, an opportunity was provided for members of the audience who had registered to speak to address the Council on any variety of topics not listed on the night's agenda. The following input was recorded.

Mr. Ken Martin, 5244 Lake Edge Drive, thanked the Council for a great July 5 celebration at Womble Park and for the response letter on the electoral districting matter. He said the material was not as informative as he had hoped and that he would like to hear from other Holly Springs residents and Town Council in an open discussion.

He said he would like to research other municipalities that are using electoral districting. He said the Town has change in geography over the years, and he feels that there are well-qualified citizens in Holly Springs who would serve the community. *A copy of Mr. Martin's comments is incorporated into these minutes as an addendum page.*

**6. Consent Agenda:** The Council approved a motion to approve all items on the Consent Agenda. The motion carried following a motion by Councilman Sack, a second by Councilman VanFossen and a unanimous vote. The following actions were affected:

**6a. Minutes** – The Council approved minutes of the Council's regular meeting held June 15, 2010.

**6b. Resolution 10-19** -- The Council adopted Resolution 10-19 authorizing submission of a North Carolina Governors Highway Safety Program grant application for two traffic officers and equipment. *A copy of Resolution 10-19 is incorporated into these minutes as addendum pages.*

6c. FY 2009-10 Audit Contract – The Council approved to enter into a contract with Christopher K. Abbot, CPA, PA in an amount not to exceed \$27,411 for auditing services of the town's FY 2009-10 financial records.

6d. Bond Order 2008-01.1, WWTP - The Council adopted Bond Order 2008-01.1 ordering the issuance of additional Holly Springs Water and Sewer Revenue Bonds, including \$10,000,000 in revenue bonds to pay a portion of the costs of the on-going wastewater treatment plant improvements. *A copy of Bond Order 2008-01.01 is incorporated into these minutes as addendum pages.*

**7a. Ordinance 10-09** – Mr. Schifano said that, pursuant to the town council's direction at a previous town council meeting, an amendment of Section 8-1002 of the Holly Springs Town Code has been prepared to allow alcohol consumption at Womble Park for a Town Council-approved ticketed events and under the same conditions as consumption is allowed at Bass Lake Park.

Councilman VanFossen asked if the ordinance addressed the number of police officers required to work the event.

Chief Herring said staff normally will meet with the sponsor of an event and get a sense of expectations and an estimate of the number of participants. That, he said, would determine the number of police officers that would be needed.

Councilman Womble clarified that an ABC license would be required. He asked if citizens could bring their own alcohol to the park.

Mr. Schifano explained that the sponsor would be required to get an ABC permit, and the ordinance could be reworded to add language to reflect the number of police officers that would be required to cover an event. He said existing laws and ordinances would prohibit individuals from bringing alcohol into the park.

Councilman Sack asked would the consumption of alcohol be contained in one area of the park.

Mr. Herring said the alcohol vendors would be in one designated area of the park, and that would set the boundaries of alcohol sales.

**Action:** The Council approved a motion to adopt Ordinance 10-09 to amend the Town Code to allow alcohol consumption at Womble Park for council-approved ticketed events.

**Motion By:** Womble

**Second By:** Sack

**Amended Motion By:** Councilman Womble offered an amendment to add that the ordinance would be adopted, subject to added language that the event sponsor shall supply as many police officers as deemed necessary by the Chief of Police and that individuals are prohibited from bringing their own alcohol to the park.

**Amended Motion Seconded By:** Sack

**Vote:** Unanimous

**7b. Arbor Creek Greenway Project** – Mr. Bradley gave a brief history of the Arbor Creek Greenway project and grants received. He said he is seeking approval for an additional \$18,000 to accompany a \$75,000 grant as well as \$14,150 previously budgeted. He said the total fund amount for this project is \$102,750.

Mr. Bradley explained that the majority of the construction would be performed by volunteers.

He said to proceed with this project, his department needs to enter into a contract with Edwards Land Development (for land clearing) for \$2,700 and with QNR Quality Construction (for installation of piers) for \$25,000.

**Action:** The Council approved a motion to authorize \$18,000 in additional funds for the Arbor Creek Greenway Project and to enter contracts with Edwards Land Development in the amount of \$2,700 for land clearing and with QNR Quality construction in the amount of \$25,000 for the installation of piers.

**Motion By:** Womble

**Second By:** Sack

**Vote:** Unanimous

**7c. Town's Landscaping Contract** – Mr. Bradley said that the Parks & Recreation Department recently accepted bids for landscaping maintenance. Bids were as follows: Mangum's Pro Lawn Service: \$35,000 / year; Brickman: \$76,800 / year; Greenscape: \$83,568 / year; Ideal Landscaping: \$85,400 / year; T.M. Properties: \$99,648 / year; and Rick Wolf Landscapes: \$131,000 / year.

He said since 2007, the Town has contracted the landscape maintenance of multiple street

intersections, Town Hall, Center Street landscape and Ballentine Street landscapes with Brickman.

He said that this year, the additions of the Main Street improvements and Green Oaks Parkway landscapes have been added to the list of areas to be contracted with the current contract ending June 30.

When bids were received, the low bidder was Mangum's Pro Lawn Service. Upon checking references provided, however, staff believes the low bidder to be a grass mowing service, but does not maintain the necessary credentials for maintaining plants, trees and irrigation systems.

The current work areas consist of 25% grass and 75% plant materials requiring an expertise in this field of maintenance. For these reasons, it is recommended that Brickman, the second lowest bidder, be selected to complete the year contract.

Mr. Bradley said that the current Brickman bid is approximately \$35,000 greater than the latest sum of the previous contract.

Council Members were in consensus that Brickman has done a good job for the last three years.

**Action:** The Council approved a motion to award the bid for the Town's landscaping maintenance of certain rights of way and real properties to Brickman, the second lowest bidder, at a cost of \$76,800.

**Motion By:** Sack

**Second By:** Cobb

**Vote:** Unanimous

**7d. Town of Apex Annexation Request** – Mr. Dean said the Town has received a request from Town of Apex Town Manager Bruce Radford to allow Apex to provide water to and annex a parcel on Old U.S. 1. The property has contaminated water, and Apex has a water line in front of the property. If the Town of Apex assists this property owner by providing water to the site, its policies require that the Town of Apex annex the property.

He said the Holly Springs town limits are approximately 584 feet closer to this property than the Apex town limits; therefore, the Town of Apex is requesting the Holly Springs Town Council's permission to annex the property.

He said Council will note that it is not likely that the Town of Holly Springs would move into the area around the property, especially since the Town of Apex provides utilities along Old U.S. 1.

Mr. Dean said with past experiences in boundary disputes, this would provide an opportunity for Holly Springs to demonstrate its willingness to work cooperatively with Apex, and Mr. Dean would recommend approval of the request.

**Action:** The Council approved a motion to allow the Town of Apex to annex and provide water to a parcel located on Old U.S. 1.

**Motion By:** Womble

**Second By:** Sack

**Vote:** Unanimous

**7e. Western Wake WWTP Partnership** - Ms. Sudano gave a brief history and the status of the Western Wake WWTP project. Ms. Sudano explained that this request is to consider a proposal is for the Western Wake Partners Regional partnerships' engineering firm to develop an opinion of the costs associated with Holly Springs possible future withdrawal from the regional project. She said the cost analysis for the Town will be \$15,720, which would come from the sewer reserves account.

Ms. Sudano said this proposal would provide more information and costs to the Town, if the town so chooses to withdraw from the partnership and go another route.

**Action:** The Council approved a motion to conduct a cost analysis of how much it would cost the Town of Holly Springs if it were to extract itself from the Western Wake Partners project.

**Motion By:** Womble

**Second By:** Cobb

**Vote:** Unanimous

**8. Other Business:** Councilman Womble asked if the Fuquay-Varina Food Pantry covers the Holly Springs area. Councilwoman Williams said that 60% of the patrons were from Holly Springs.

Councilman Cobb reported that the Holly Springs Food Cupboard is having food drives at the Farmer's Market and were passing out food at the July 5 festival. He said the group is currently looking for a location for the food pantry.

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Councilman Womble asked how long will it take for NCDOT to erect the reduced speed limit sign on West Holly Springs Road.

Ms. Sudano said that it was in the works.

Councilman Sack said the addressing for Wood Creek subdivision is considered to be Apex and asked what could be done to change it to Holly Springs.

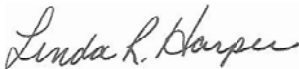
Ms. Clapp explained that she has been working with the Post Office for some time with other areas of the town making zip code changes. She explained the process to the Council and said the post office requires a survey to be completed for that area before any changes are made. She said she will be meeting with the Post Office to discuss this matter as well as the others.

**9. Manager's Report:** Mr. Dean recognized the parks and recreation and police departments for a great job for their work on the July 5 celebration.

**10. Closed Session:** None.

**11. Adjournment:** There being no further business for the evening, the July 6, 2010 meeting of the Holly Springs Town Council was adjourned following a motion by Councilman VanFossen, a second by Councilman Sack and a unanimous vote.

Respectfully Submitted on Tuesday, July 20, 2010,



Linda Harper, CMC, Deputy Town Clerk

Addendum pages as referenced in these minutes follow and are a part of the official record.

