



MINUTES

The Holly Springs Town Council met in regular session on Tuesday, August 4, 2009, in the Council Chambers of Holly Springs Town Hall, 128 S. Main Street. Mayor Dick Sears presided, calling the meeting to order at 7 p.m. A quorum was established as the mayor and five council members were present as the meeting opened.

Council Members Present: Councilmen Vinnie DeBenedetto, Chet VanFossen, Parrish Womble, Tim Sack, and Hank Dickson and Mayor Sears.

Council Members Absent: None.

Staff Members Present: Carl Dean, town manager; Chuck Simmons, assistant town manager; John Schifano, town attorney; Joni Powell, town clerk (recording the minutes); Linda Harper, deputy town clerk; Jeff Jones, senior planner; Stephanie Sudano, director of engineering; Len Bradley, parks and recreation director; Jenny Mizelle, economic developer director; Drew Holland, finance director; and Michelle D'Antoni, public information office.

2 and 3. The Pledge of Allegiance was recited, and the meeting opened with an invocation by Rev. Horace Ferguson of the Holly Springs Methodist Church.

4. Agenda Adjustment: The August 4, 2009 meeting agenda was adopted with changes, if any, as listed below.

Motion By: Sack

Second By: Dickson

Vote: Unanimous

Items added to Consent 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:

George Mizer, 421 Cottonwood Lane – Mr. Mizer addressed the Council saying he had watched a July Council meeting and was bothered by a comment that was made. He said he agreed with Councilman Dickson who had defended the Holly Springs Police Department and who had said that the public forum of a Council meeting was not the appropriate place and time for critical comments geared toward Town departments. He said he felt those comments should be directed through management staff.

6a. Signs in Right-of-Way – Mr. Ken Clark addressed the Council, explaining that he was requesting the Council to amend the Town's sign ordinance so as to allow temporary signs announcing events in rights of way. He said event and directional signs of interest to the community should be allowed for a period of up to 72 hours before an event or meeting.

Mr. Clark explained that the Southern Wake Republican Club is a newly-formed

organization that started in March 2009. It currently has more than 75 members, about half of whom are Holly Springs town residents. The Club meets the fourth Thursday of each month at the Needmore Ruritan Club building located just outside the town limits on Bass Lake Road.

Mr. Clark said the Club would like to erect signs in Holly Springs to inform club members and area residents of the upcoming meetings. He said the Club is looking to place a limited number of signs (less than six) in town rights-of-way starting on the Tuesday prior to the meeting, and the signs would be removed following the Thursday night meeting so that they can be used the next month.

He said the signs are 18x24 inches in size. They contain specific information about the time and location of the Club meeting.

He said that he is requesting that these signs be allowed under a revised ordinance that would allow temporary signage on a non-permanent, temporary basis for a period of up to 72 hours.

Councilman DeBenedetto said, for disclosure purposes, that he is a member of the Southern Wake Republican Club.

Councilman Sack said he was not comfortable changing the ordinance since local groups like the Chamber seem to work within the town's ordinances.

Councilman Dickson agreed. He suggested the Council take no action in order to make no changes to the sign ordinance.

Action: The Council took no action.

7. Consent Agenda: The Council approved all items on the Consent Agenda following a motion by Councilman Sack, a second by Councilman Womble and a unanimous vote. The following actions were affected:

7a. Methodist Church Parking Lot Project - The Council approved a project budget and a budget amendment in the amount of \$12,810 for the Methodist Church downtown parking lot project and entered into a utility pole relocation agreement with Progress Energy. *A copy of the budget amendment and Progress Energy utility pole relocation agreement are incorporated into these minutes as addendum pages.*

7b. Bass Lake Road Sidewalk Project – The Council approved updates to the Bass Lake Road sidewalk project budget in the amount of \$5,750.

7c. Utle Creek Water Reclamation Facility Change Order #7 – The Council approved construction contract change order #7 for the Utle Creek Water Reclamation Facility project in the amount of \$39,760.40. *A copy of change order #7 is incorporated into these minutes as addendum pages.*

7d. S. Main Street/Delmate Way/New Hill Road/Irving Parkway Intersection Improvements - The Council entered a professional services agreement with Martin/Alexiou/Bryson, PLLC in an amount not to exceed \$7,000 to provide traffic and design services for intersection improvements. *A copy of Martin/Alexiou/Bryson, PLLC contract is incorporated into these minutes as addendum pages.*

7e. Main Street Enhancement Project Budget – The Council approved updates to the Main Street Enhancement project budget and adopted the associated budget amendment in the amount of \$280,525. *A copy of the budget amendment is incorporated into these minutes as an addendum page.*

7f. NCDOT Mowing Contract – The Council extended a mowing of right of way agreement with NCDOT for the 2009 mowing season. *A copy of the NCDOT contract is incorporated into these minutes as addendum pages.*

8a. Resolution 09-27: Condemnation of Property – Mr. Schifano said that Town staff has been successful with negotiating easements with most of the 47 properties affected by the installation of the 8-foot sidewalk along Bass Lake Road; however, dedication or voluntary

purchases have not been forthcoming with seven of the property owners, each of whom reside in the Mills Lake subdivision, located outside of the corporate limits of town.

It is the opinion of the town attorney that litigation will be necessary to resolve these disputes, and the resolution would be the first step in the process of acquiring the legal interest in land in favor of the town to allow installation of the pedestrian sidewalk.

Councilman DeBenedetto asked if the Town had any estimates as to the cost of the condemnation.

Mr. Schifano estimated about \$14,000 in additional costs over the property owners' dedicating the easement.

Councilman VanFossen suggested that if Bass Lake Road is to be widened in the future, then perhaps the Town should consider the opposite side of the road for this portion of sidewalk or obtaining the ultimate right of way now rather than later.

Action: The Council approved a motion to adopt Resolution 09-27, a condemnation resolution pursuant to Chapter 40A of the North Carolina General Statutes, to begin the process of acquiring certain property for installation of pedestrian sidewalk along Bass Lake Road.

Motion By: Womble

Second By: DeBenedetto

Vote: The motion carried following a 4-1 vote. Councilmen DeBenedetto, Womble, Sack and Dickson voted for the motion. Councilman VanFossen voted against..

A copy of Resolution 09-27 is incorporated into these minutes as addendum pages.

8b. Decorative Business Park Street Signs – Ms. Mizelle said that at the June 2 Town Council meeting, the Town Council endorsed a plan for improvements to the Holly Springs Business Park. One of the items that was included in the report was the upgrading of the business park street signs. Since this project is easy to do and would have immediate positive visual improvement to the park, staff has been moving forward with the design of these signs.

She said the idea of the replacement of the street signs was presented to tenants of the business park at a July 8 meeting in which they all were very favorable about the project. In addition, the Town has found out that Novartis is planning its ribbon-cutting for its facilities that will include Novartis leaders from Germany, U.S. government representatives, N.C. representatives, and other leaders on Nov. 24. With this in mind, easy to find and follow street signage will be imperative for so many out-of-towners that will be visiting the Holly Springs Business Park that week, Ms. Mizelle said.

She added that staff prepared a comprehensive list of both the street name signs and traffic control signs that currently exist in the business park. A detailed pole specification was drawn up for square poles with a bracket for the street name blades and traffic control signs. The Department of Planning & Zoning sent a request for quotes (RFQ) to six different sign pole manufacturers: Brandon Industries, Broach Signs, Forsite, GraphiCal Creations, Rodney's Sign Co., and The Sign Shop.

The RFQ includes a Base Bid and Alternate A.

The Base Bid covers all of the existing poles with street name blades and stop signs as well as the poles with street name blades and stop signs along Green Oaks Parkway.

Alternate A covers all traffic control signs that currently exist in the business park (i.e. stop ahead, speed limit, etc.)

Two companies returned quotes by the deadline: GraphiCal Creations (\$13,820) and The Sign Shop (\$80,869.80). A third quote was received at 3:46 pm from Rodney's Sign Co. (\$21,253.93).

In discussion, Council members said that there is such a disparity among the bid results, the Town should bid again because obviously there was a misunderstanding among those responding.

Action: The Council approved a motion to defer action until the next Council meeting

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when new quotes could be obtained and presented.

Motion By: Sack

Second By: Womble

Vote: Unanimous.

9. Other Business: Councilman Sack reported on the town's submission of a petition for additional hospital beds in Wake County.

Councilman DeBenedetto said he hoped Holly Springs could gain the support of Fuquay-Varina, Garner and Apex so that the town's petition has more teeth.

Mayor Sears reported on a mock shooting attack drill at Holly Ridge Middle School.

Councilman Dickson addressed the Council in response to mayoral candidate David Austin that citizens have seen wasteful spending and government corruption.

He said this type of inaccuracy is harmful to the community and needs to stop.

Mayor Sears added that candidates should be specific and not speak in vague generalities.


Councilman Womble said citizens have asked him about tree leaning over at New Hill Road at Blalock Street; Councilman Womble asked about grass growing on the island and on the dam at Bass Lake.

10. Manager's Report: None.

11. Closed Session: None.

12. Adjournment: There being no further business for the evening, the Aug. 4, 2009, 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, March 16, 2010.



Joni Powell, CMC, Town Clerk

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

