



**August 7, 2012**

## **MINUTES**

The Holly Springs Town Council met in regular session on Tuesday, August 7, 2012 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 four council members were present as the meeting opened.

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

**Council Members Absent:** Councilwomen Cheri Lee.

**Staff Members Present:** Carl Dean, town manager; Chuck Simmons, assistant town manager; John Schifano, town attorney; Linda Harper, deputy town clerk, (recording the minutes); Gina Clapp, director of planning and zoning; Laura Holloman, planner I; Eric Tayler, information technology technician; Leroy Smith, fire chief; Mark Andrews, public information officer; Drew Holland, finance director; Jenny Mizelle, director of economic development; and Len Bradley, director of parks and recreation.

**2 and 3.** The Pledge of Allegiance was recited, and the meeting opened with an invocation by Doug Parlin, Southern Wake Baptist Church.

**4. Agenda Adjustment:** The August 7, 2012 meeting agenda was adopted with changes, if any, as listed below.

**Motion By:** Sack

**Second By:** Cobb

**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: None.

**6a. Award Winning Tree** - Ms. Holloman introduced Renee Boyette of the Triangle J Council of Government at this time.

Ms. Renee Boyette said the Triangle J Council of Governments institutes a program called Capital Trees. She said the biannual program is intended to draw public attention and awareness to the most noteworthy trees in Wake County as necessary to educate and stress the importance of our urban forests.

Ms. Lois Nixon of Triangle J Council of Government, Regional Appearance Committee explained the four categories of the Capital Tree Program being: Champion Award, Historical Award, Landmark Award and Meritorious Award.

She said in December of 2011, an application was submitted to nominate the American Holly tree located at the entrance to the newly-completed downtown parking lot on Avent Ferry

Road shared with Holly Springs United Methodist Church. In June of this year, the Town was informed that this tree won a Capital Trees Award in the Meritorious category, which recognizes trees that, if kept in good health, have the potential to be a long-standing part of the community and now learning the tree is as old as Mayor Sears, also wins the Historical category.

Mayor Sears presented the Meritorious and Historical awards to Jon Petty representing the United Methodist Church.

**Action:** No Action.

**6b. Farmers Market Week** - Ms. Clapp said the Town of Holly Springs Department of Planning and Zoning operates The Farmers Market in the Holly Springs Village District. The market is in its sixth season and is bigger and better than ever.

She said this year, the market has received more than \$13,000 in sponsorships and in-kind donations, showing the support of our business community regarding the importance of the Town in providing this unique weekly event. The market has been averaging more than 600 patrons each week, despite the hot summer that we have been having. This is twice as many visitors each week than last year.

The week of Aug. 5 through 11 is National Farmers Market Week as designated by the United States Department of Agriculture. In celebration of Farmers Market Week, Mayor Sears encourages all residents to come out to The Farmers Market to get fresh and nutritious produce, meat, eggs, baked goods and artisanal foods each Saturday from May through mid-October.

Mayor Sears presented to planning department a proclamation announcing August 5<sup>th</sup> - 11<sup>th</sup> as Farmers Market Week.

**Action:** No Action.

**7. 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 Cobb and a unanimous vote. The following actions were affected:

7a. Minutes - The Council approved minutes of the Council's regular meetings held June 5 and July 3 and a special meeting held June 29, 2012.

7b. Budget Amendment, \$30,000 - The Council adopted an amendment to the FY 2012-13 budget in the amount of \$30,000 to cover costs of potential land acquisition. *A copy of budget amendment is attached to these minutes.*

7c. Educational Partnership Agreements with Columbia Southern University and Waldorf College - The Council approved memoranda of understanding creating educational partnerships with Columbia Southern University and Waldorf College for public safety staff.

7d. Fire Station #3 Lease Agreement Extension - The Council approved an extension of lease for fire station No. 3.

7e. Resolution 12-15 - The Council adopted Resolution 12-15 declaring surplus property and authorizing its sale to Wake County Public School System. *A copy of Resolution 12-15 is attached to these minutes.*

**8a. Bond Order** - Mr. Holland said this request is for Council to consider adopting an authorization Bond Order for the refunding bonds required by statute. The maximum amount to be refunded is set at a conservative amount of \$15,200,000 under this bond order. This is enough to cover paying off the old bonds and the financing costs. This refunding has the potential to save the Town about \$7 million in future interest cost.

Bob Jessup of Sanford Holshouser, LLP reviewed the timeline of the General Obligation and Refunding Bonds and the savings of future interest cost.

**Action:** The Council approved a motion to adopt Bond Order authorizing the issuance of General Obligation Refunding Bonds in the maximum amount of \$15,200,000.

**Motion By:** Cobb

**Second By:** VanFossen

**Vote:** Unanimous

*A copy of Bond Order is attached to these minutes.*

**8b. Street Tree Maintenance and Enforcement Policy Statement** - Ms. Holloman said for several years, staff has been working on new street tree requirements for approved subdivisions as well as establishing maintenance policies for those existing street trees in selected neighborhoods throughout the Town. The new street tree requirements are scheduled to come before Town Council on August 21<sup>st</sup> and before that can occur, a maintenance policy must be set in place.

Through several collaborative meetings and efforts between the Department of Engineering, Parks and Recreation, Planning and Zoning, and Public Works, a policy statement has been compiled that would work toward setting forth clear and concise requirements as necessary for street trees to grow and thrive in the community for years to come.

Councilman VanFossen said that he disagrees with the policy as written, because originally the Town ordinance required the developers at their expense to install street trees in the easement and this policy is making the tree maintenance and cost the homeowner's responsibility.

Luncie McNeil said the Town has trouble with overgrown street trees that are causing damages to garbage trucks, as well as, traffic lights and Progress Energy lines. The Town is not equipped to handle this type of work.

After much discussion about enforcement and liability of street trees in the Town's easements, the Council Members agreed they were uncomfortable with the Town requiring the homeowner responsible for tree maintenance or the cost.

Councilman Sack made a motion to approve the Street Tree Maintenance and Enforcement policy statement with an amendment to delete "6. If no action is taken, the Town's Public Works Department will perform the needed tree maintenance and will bill the property owner for labor performed and any other applicable fees in accordance with the rates contained within the adopted Town's fee schedule." The motion failed for lack of a second.

After further discussion all Council Members were in favor to table the policy until a future Council meeting.

**Action:** The Council approved a motion to table action of the Street Tree Maintenance and Enforcement policy statement until a future meeting.

**Motion By:** VanFossen

**Second By:** Cobb

**Vote:** Unanimous

**9. Other Business:** Mayor Sears reported the Southern Loop project is back on the table and will be moving forward.

Councilwoman Williams asked the Town Manager to elect a pedestrian crossing sign at Earp Street and W. Holly Springs Road for residence crossing W. Holly Springs Road traveling to Walgreens.

Councilman VanFossen reported a sidewalk needing repairs located along Avent Ferry Road in front of the Community Good Will store.

**10. Manager's Report:** Mr. Dean asked the Town Attorney to review with the Council Members a proposal to demolish or sale the old town hall/police station structure located at 127 N. Main Street.

Mr. Schifano said at the July 3<sup>rd</sup> meeting the Council approved authorizing the even exchange of properties located 127 and 200 N. Main Street. He said in discussions with Sand10 Properties Inc. about demolishing the old town hall/police station structure located at 127 N. Main Street, in effects to clear the property, it was suggested to surplus or salvage the structure and sale at auction along with other surplus items, like what was done with the old Hunt Community Center demolition process. All the Council Members were in consensus to authorize the Town Attorney to surplus or salvage the structure located at 127 N. Main Street.

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Mr. Schifano said a surplus resolution will be presented to the Council at a future meeting.

**11. Closed Session:** The Council approved a motion to enter Closed Session, pursuant to General Statute 143-318.11(a)(6) to conduct the town manager's performance evaluation.

**Motion By:** Sack

**Second By:** Cobb

**Vote:** Unanimous

General Account of Closed Session - **August 7, 2012**

In Closed Session, the Council conducted the town manager's annual performance evaluation, making suggestions for areas of improvement and acknowledging his strengths.

In Closed Session, no action was taken other than a motion to return to Open Session.

The Council approved a motion to return to open session. The motion was made by Councilman Sack and seconded by Councilman Cobb, and the vote was unanimous.

In Open Session, all Council Members were in consensus to increase the town manager's salary 2%, retroactively to April 1, 2012.

**-- End of General Account**

**12. Adjournment:** There being no further business for the evening, the August 7, 2012 meeting of the Holly Springs Town Council was adjourned following a motion by Councilman Cobb, a second by Councilman VanFossen and a unanimous vote.

Respectfully Submitted on Tuesday, September 4, 2012.



Linda R. Harper, MMC, Deputy Town Clerk

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

