

# Holly Springs Town Council Minutes

## Regular Meeting May 1, 2007

The Holly Springs Town Council met in regular session on Tuesday, May 1, 2007, in the Council Chambers of Holly Springs Town Hall, 128 S. Main Street. Mayor Dick Sears presided, calling the meeting to order at 7:00 p.m. A quorum was established as the mayor and all five council members were present as the meeting opened.

**Council Members Present:** Councilmen Vinnie DeBenedetto, Parrish Womble, Chet VanFossen, Peter Atwell and Hank Dickson and Mayor Sears.

**Council Members Absent:** None.

**Staff Members Present:** Carl Dean, town manager; John Schifano, town attorney; Linda Harper, deputy town clerk (recording the minutes); Gina Clapp, director of planning and zoning; Alison Huffman, planner I; Stephanie Sudano, director of engineering; Elizabeth Goodson, development review engineer; John Herring, police chief; Drew Holland, finance director; and Mark Andrews, public information officer.

**2 and 3.** The Pledge of Allegiance was recited, and the meeting opened with an invocation by Rev. Ross Carter of the Sunrise United Methodist Church.

**4. Agenda Adjustment:** The May 1, 2007 meeting agenda was adopted with changes, if any, as listed below.

**Motion By:** Atwell

**Second By:** Dickson

**Vote:** Unanimous

**Items Added to the Agenda:** Consideration of an amendment to the Holly Springs Town Council Procedures Manual to modify Chapter 1 so that the Public Comment segment of Town Council meetings is placed near the beginning of regular meeting agendas and that the speaker limit of three minutes will be strictly enforced.

**Items Removed from the Agenda:** None.

**Consent Agenda Items Removed to after Agenda Adjustment:** None.

**Other Changes:** None.

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

**5a. Resolution 07-16** - The Council adopted Resolution 07-16, a resolution of intent to close a portion of unused Main Street right of way and setting a public hearing for Tuesday, June 5, 2007. *A copy of Resolution 07-16 is incorporated into these minutes as addendum pages.*

**5b. Parks and Recreation Fee Schedule Amendments** – The Council approved amendments to the Parks and Recreation fee schedule to include rental fees for Holly Springs High School facilities. *A copy of the fee schedule is incorporated into these minutes as an addendum page.*

**5c. Budget Amendment, \$81,000** – The Council adopted an amendment to the Avent Ferry Road fire station project fund in the amount of \$81,100 to add interest income and reallocate existing funds. *A copy of the budget amendment is incorporated into these minutes as an addendum page.*

**5d. Budget Amendment, \$725** – The Council adopted an amendment to the FY 2006-07 budget to the fire station project fund in the amount of \$725 to add interest income. *A copy of the budget amendment is incorporated into these minutes as an addendum page.*

**5e. Budget Amendment, \$250,100** – The Council adopted an amendment to the FY 2006-07 budget in

the amount of \$250,100 to allocate funds from the prior year for the purchase of a combination truck. *A copy of the budget amendment is incorporated into these minutes as an addendum page.*

**6a. FY 07-08 Proposed Budget and Budget Work Shop** - Mr. Dean distributed his recommended FY 2007-08 Town budget for the Council's review. He said that in order to accommodate the Council members' questions and suggestions for revisions to the budget plan, a budget workshop needs to be scheduled in May. He said that this workshop will give additional time to review the budget document and still allow time for changes to be made before formal adoption during the month of June.

Mr. Dean said that the Town of Holly Springs has experienced a great deal of positive growth over the past several years, enhancing the Town's ability to improve services provided to its citizens. He said that, as the Town continues to develop, a vision of how the community will grow while upholding the quality of life expected by its citizens should be maintained. Mr. Dean said that this vision should include quality services and programs that address the needs of citizens, economic development in keeping with the community, and adequate infrastructure to meet the requirements of the growing Town. He said the proposed budget is designed to meet those needs during the next year. He reviewed the revenues of the general and utility funds, in addition to the general and utility expenditures, with the Council Members.

Mr. Dean said that the salary requirements for next year include a recommended 3% cost of living adjustment (COLA) across the board. He said that funding is provided in each department for merit/performance pay in the amount of 3% of salaries. He said the salary budget also includes a 5% 401 (k) contribution and longevity benefits. Mr. Dean said that the employee health insurance has been budgeted to a 2.5% increase in the rates for next year.

Mr. Dean said that, as part of the budget process, staff feels it is important to have new residential developments absorb additional expenses for infrastructure rather than passing costs on to existing citizens. He said the Town has increased the water and sewer capacity fees for  $\frac{3}{4}$  residential meters from \$3,500 to \$3,800 in order to address immediate infrastructure needs. He said that in addition, the sewer capacity fees remains to go directly into reserve accounts. Adding the importance for the Town to gradually reduce its dependence on impact fees and charges for operating expenses, and staff will continue to attempt to reduce these charges in future budgets to eliminate potential financial problems within the operating budget.

Mr. Dean indicated that as the Town proceeds into the next several years, staff will continue to evaluate projects and personnel needs as they relate to the provision of services. He said that Town staff has several substantial projects (wastewater treatment plant, transportation, park improvements and community center) that will be initiated during this fiscal year; therefore, it will be important to prioritize programming needs with future budgets. He said that staff continues to work with the Town Council and citizens to establish goals and objectives as the Town grows to provide the level of services expected.

Mr. Dean said staff has done a good job in development of the budget and has done a good job of controlling costs while providing service levels expected by the Town Council and citizens. He added that the proposed budget is a best estimate of what the Town should expect next year and represents a fair assessment of the Town's anticipated revenues and expenditures.

Mr. Dean explained that the proposed budget reflects his recommendations based on department meetings, evaluation of existing service needs, and input from the Town Council. He added that it represents a level of funding that will allow the Town to maintain and improve current service levels while making organizational changes, which should be cost-effective and more efficient. He noted that, as with any budget, external forces can affect projections, and for that reason the figures proposed in the FY 2006-07 budget are a very conservative forecast of revenues and expenditures for the next year.

**Action:** The Council approved a motion to set a budget workshop for May 11, 2007, at 5:30 p.m., in the Holleman Room of Holly Springs Town Hall, 128 S. Main Street.

**Motion By:** Dickson

**Second By:** Atwell

**Vote:** Unanimous.

Councilman Atwell made a motion to recuse Councilman VanFossen from deliberations and action of agenda item 6b, and seconded by Councilman Womble. The vote was unanimous.

**6b. 10308 Holly Springs Road, 07-DP-04** – Ms. Huffman explained that in December 2006, property located at 10308 Holly Springs Road was rezoned from R-10: Residential to LB: Local Business. The applicant is proposing to convert the existing structure, a residential home, into 2,000 square feet of office space.

She said the applicant is proposing to convert the house and garage to office space and to pave nine parking spaces in front of the structure.

Ms. Huffman said that at the Planning Board meeting the Planning Board discussed the drainage and foundation landscaping on the western side of the structure. She said staff and Planning Board recommend approval.

Ms. Goodson expanded that the applicant has requested not to provide curb and gutter around the parking lot and the driveway. She said the Town's engineering standards requires curb and gutter in all parking lots and driveways into the development. Ms. Goodson said staff is comfortable not allowing the installation of curb and gutter being this site will not be a permanent use.

Mr. VanFossen 5104 Windance Place, Mr. VanFossen the architect clarified the reasoning behind requesting for an exception to the Engineering Design and Construction Standards for not installing curb, gutter and storm drainage was because of water run-off creates soil erosion problems. He proposes to leave the area all natural and install a small detention pond on the property.

**Action:** The Council made a motion to approve Development Plan #07-DP-02 for 10308 Holly Springs Road as submitted by Thompson & Associates, entitled preliminary development plan for 10308 Holly Springs Road/Hal Routh Office Building, revised 03/12/2007 with the following conditions and with the exception of not requiring (2b) of the conditions listed below:

1. The following items are to be addressed with 1st construction drawing submittal (later in the approval process):
  - a. A comprehensive drainage area map and supporting calculations.
  - b. Per previous comments, the downstream finished floor elevations shall be at least 2' above the 100 year water surface elevation. According to field survey this can not be achieved, therefore one of the following two options will need to be chosen and shown with the 1st construction drawing submittal.
    - a. All drainage will need to be sent to the eastern side of the property and maintain pre-post calculations at the point that the stormwater leave the site; OR
    - b. Evaluate the existing ditch that is located on the western rear corner of the site and evaluate the post construction flows and verify that this flow can be accommodated within the channel. Please note that this option will require additional field exploration to locate all tributary drainage. In addition an easement will need to be provided along the channel.
2. The following items are to be addressed on revised plans submitted within 10 days of Town Council approval:
  - a. The minimum width of the non-residential driveway must be 22'. The curb-cut will need to be revised to meet this requirement.
  - b. ~~Revise parking lot to show required curb, gutter and storm drainage per Engineering Design and Construction Standards section 3.02-G unless otherwise approved by Town Council as an exception.~~
  - c. Revise the Landscape Plan to indicate that an Alternate Landscape Plan is requested to move the required Foundation Landscape along the west building elevation to the western perimeter landscape area.

**Motion By:** Atwell

**Second By:** Womble

**Vote:** Unanimous.

Councilman Atwell made a motion to readmit Councilman VanFossen back into the meeting and seconded by Councilman Womble. The vote was unanimous.

**6c. Hwy. 55 Bypass Name** – Mrs. Clapp explained as development is beginning to occur along NC 55 Hwy. (a.k.a. NC 55 Bypass) it has come to our attention that we must actually “name” the street so that we can provide addresses for these properties. She said staff is requesting that the name be selected and approved by the Town Council.

Ms. Clapp said staff has discussed ideas for names. However, Wake County does not allow the use of street names that are already in use anywhere in the County and also suggests that street names not exceed 13 letters in length.

She said names that staff had considered but are already in use within Wake County include the following: Martin Luther King, Jr., Mims, and Tuscarora (after the Tuscarora Indians).

Names that may be available, but have not been confirmed are:

### **Col. G.B. Alford Highway**

Alford was a man on the move. He ran a general mercantile, sawmill, cotton gin, turpentine works and brick kiln. He even drained a local lake to plant rice paddies. Alford, along with twenty other Holly Springs men, helped bring a railroad (to become the Durham and Southern) to the community. He also established the Holly Springs Land and Improvement Company which encouraged economic development in Town, and the Cape Fear News and Advertising Company which published the Cape Fear Enterprise newspaper. Alford also led a successful effort to petition the North Carolina General Assembly to incorporate the Town of Holly Springs in 1877. After its establishment, the Holly Springs Town boundary remained a solid, one-mile square for 110 years.

Other information about Col. Alford includes - he built the first commercial building in Holly Springs (now Dewar's Antiques), provided money to the Holly Springs Methodist Church, and was a member of the Holly Springs Masonic Lodge.

### **Rhamkatte Highway**

Rhamkatte Road was the original name of Holly Springs Road until the late 1980's or early 1990's.

### **Archibald Leslie Highway**

It was at this crossroads that Scottish settler Archibald Leslie opened a tailoring business and store and began construction on a 180-acre estate that contained freshwater springs. Today, all that remains is the main house, listed on the National Register of Historic Places as the Leslie-Alford-Mims House, and the springs, accessible to the public by a short, winding dirt trail that winds through the woods and past a family cemetery. The house is a commanding landmark, visible from Main Street in the heart of downtown Holly Springs. It is the most noted historic landmark in Town, having weathered nearly two centuries and a two-week occupation by Union troops during the Civil War.

### **John Norris Jr. Highway**

John Norris, Jr., who most likely was one of the first English settlers of the community, was a veteran of the Revolutionary War. In 1935, the Daughters of the American Revolution erected a memorial stone for Norris on the west side of Avent Ferry Road, not far from where Norris is reported to be buried in the Norris Family graveyard.

### **Seagraves Highway**

Another downtown commercial structure developed at the turn of the century that remains today is the Seagraves Drugstore building. Initially a general mercantile, the building was later used as a dress shop and an auto parts store. The Town purchased and renovated the two-story brick building in 2003 and currently uses it as a police station. During the renovations, the Town preserved much of the original old-growth heart pine flooring and reused other original wood pieces to construct a conference table and bookcases.

After much discussion all Council Members were in consensus to submit Col. Alford Highway to Wake County for approval and defer final action until May 11, to allow Councilman Womble more time to further research more possibilities.

**Action:** The Council approved a motion to submit Col. Alford Highway to Wake County's approval to name the NC 55 Bypass and delay final action until May 11, 2007.

**Motion By:** VanFossen

**Second By:** Atwell

**Vote:** Unanimous

**6d. Amendment of the Town Council Procedures Manual** - Mayor Sears said this item was added to the agenda during the agenda adjustment to consider amending the Town Council Procedures Manual, modifying Chapter 1 whether to place the public comment segment of the Town Council meetings near the beginning of regular meeting agendas or at the end of the meeting and the speaker limit of three minutes be enforced.

After much discussion of the pros and con's of having the public comment section at the beginning of the regular meeting agendas verses at the end of the meeting. Councilmen DeBenedetto, VanFossen and Womble were in consensus of moving the public comment period near the beginning of the meeting agendas and Councilmen Atwell and Dickson was in favor of leaving the public comment period segment at the end of the meeting.

**Action:** The Council made a motion to amend the Town Council Procedures Manual to move the public comment period segment near the beginning of the regular meeting agendas and comments will be limited to three minutes.

**Motion:** Womble

**Second:** DeBenedetto

**Vote:** The vote carried with a 3 to 2 vote. Councilmen Womble, DeBenedetto and VanFossen in favor and Councilmen Atwell and Dickson against.

**7. 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.

Gerald Holleman 5625 Easton Street – He requested the Town Council to consider adding additional funds to the police budget to provide education materials to the citizens regarding the rising problems of gangs in the community.

Jennifer McKeon of 312 Arbor Crest Road – Ms. McKeon requested the Town Council to consider a feasible rental rate fee for the use of the Holly Springs High School baseball fields.

Van Crandall of 4813 Salem Ridge Road – Mr. Crandall voiced his concerns of the misuse of the public comment period.

Tim Sack of 232 Elam Street – Mr. Sack said that he had several concerns, one being the speed limit sign, speeding traffic and the poor road conditions on Avent Ferry Road and the second concern was the building at Veteran's Park needs be demolished because of the structure is to far gone for repairs.

**8. Other Business:** There were further discussion on the speeding of trucks and traffic on Avent Ferry Road and the need for road repairs and that it takes time to get things done when working with other agencies.

Ms. Sudano reported on the status of Bass Lake Road crosswalk and progress of the sidewalk project between Food Lion and Wendy's.

**9. Manager's Report:** Mr. Dean said the Turtle Festival is scheduled for May 12, at Bass Lake Retreat Center.

He also reported that at the next Town Council meeting staff will be giving their recommendation regarding the demolishing of the building at Veteran's Park and staff is aware of the condition of the building.

Mr. Dean explained to the Council Members regarding the Holly Springs Baseball Field rental fee rates are based on a joint agreement with Wake County Public School Systems for upgrades of the fields, lighting, fencing and irrigation, scoreboard, bathroom facilities and maintenance of the fields. The Town's cost is estimated at \$100,000 that is not covered by Wake County Public School System. Mr. Dean suggested that the coach and parents meet with Len Bradley and discuss the matter further.

**10. Closed Session:** The Council approved a motion to enter into Closed Session, pursuant to G.S. 143-318.11(a)(5) to discuss two matters with the town attorney a matter acquiring a utility easement from Progress Energy and purchase of land for parks and recreation.

**Motion By:** Atwell  
**Second By:** Dickson  
**Vote:** Unanimous

**General Account of Closed Session – May 1, 2007**

In Closed Session, the Town Council discussed with the town attorney and gave direction to submit a resolution to condemn Progress Energy property for a utility easement at the next Town Council meeting and directed the town attorney to move forward with the land purchase process.

**-- End General Account**

Councilman Atwell made a motion to return to Open Session and seconded by Councilman Dickson. The vote was unanimous.

**11. Adjournment:** There being no further business for the evening, the May 1, 2007, meeting of the Holly Springs Town Council was adjourned following a motion by Councilman Dickson, a second by Councilman Atwell and a unanimous vote.

Respectfully Submitted on Tuesday, June 5, 2007.

---

Linda Harper, CMC, Deputy Town Clerk

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