



Oct. 7, 2014

## MINUTES

The Holly Springs Town Council met in regular session on Tuesday, Oct. 7, 2014 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:** Mayor Sears, Councilmen James Cobb, Tim Sack and Hank Dickson and Councilwomen Linda Hunt-Williams and Cheri Lee.

**Council Members Absent:** None.

**Staff Members Present:** Charles Simmons, town manager; John Schifano, town attorney; Joni Powell, town clerk, (recording the minutes); Linda Harper, deputy town clerk; Daniel Weeks, senior projects manager; Jeff Wilson, information technology director; Len Bradley, parks and recreation director; Adam Huffman, assistant parks and recreation director; Gina Clapp, planning and zoning director; Leroy Smith, fire chief; Stephanie Sudano, director of engineering; Jenny Mizelle, director of economic development; Ricky Blackmon, director of code enforcement; Kendra Parrish, senior engineer; Tamara Ward, communications specialist and Mark Andrews, public information officer.

**2 and 3.** The Pledge of Allegiance was recited, and the meeting opened with an invocation by Bishop Brian Evans of the Church of Jesus Christ of Latter Day Saints Church.

**4. Agenda Adjustment:** The Oct. 7, 2014 meeting agenda was adopted with changes, if any, as listed below.

**Motion by:** Sack

**Second by:** Cobb

**Vote:** Unanimous

**Items added to Consent Agenda:** None.

**Items added to Agenda:** None.

**Items removed from Consent 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.

Tom O'Brien, 5232 Lake Edge – Mr. O'Brien advised the Council about Sean Horton, a local young boy with a single mother and who has been diagnosed with Hodgins Disease. Mr. O'Brien and some other of the boy's coaches and former coaches want to do a basketball tournament fundraiser and would like the fee for the gymnasium rental to be waived for this purpose. He said it was an emotional issue for him and he thought it was the right thing for the Council to do.

**6a. Community Planning Month** – Mayor Sears presented to Planning and Zoning staff a proclamation declaring October as Community Planning Month. Ms. Clapp briefed the Council on the goals, objectives and work of the town's Department of Planning and Zoning.

**Action:** None.

**7a. Kraft Family YMCA Report** – Mr. Charles Archer, Holly Springs resident and member of the Kraft Family YMCA Advisory Board, addressed the Town Council, together with Kraft Family YMCA Executive Director Marco Ramirez. They briefed the Council on the activities of Kraft Y, particularly as the organization impacts Holly Springs.

**Action:** None.

**7b. Little Free Library Program** - Ms. Marguerite Greene, representing the Holly Springs Rotary Club, addressed the Council on a program called the Little Free Library project, a “take-a-book, return-a-book” gathering place where neighbors share their favorite literature and stories. In its most basic form, a Little Free Library is a box full of books where anyone may stop by and pick up a book (or two) and bring back another book to share.

She said the idea is to promote literacy and a love of reading as well as build a sense of community. The Holly Springs Rotary Club plans to:

- Purchase and build two units with donated supplies, including posts;
- Secure the talent of a local artist;
- Assemble two units and accessorize them;
- Confirm locations and install;
- Landscape the areas around unit bases;
- Maintain the units in perpetuity (and refill when necessary);

Ms. Greene says the Rotary Club would build two units, assist with installation and is in talks with the Garden Club to select indigenous plantings for the bases of the units.

The Rotary Club would like to install one Little Free Library at the Hunt Center by a bench so children can read while waiting for parents (or for parents waiting for children); and one at Holly Springs Town Hall by a sidewalk next to a bench.

The Rotary Club would like from the Town of Holly Springs:

- Permission to place Little Free Libraries as described;
- Verification of water or electrical line placement near installation sites prior to installation and
  - Periodic checks of the units by police/public works staff (notification information will be located inside the unit in the case of vandalism or other issues that need immediate response.)

There was some discussion, and the Council was generally very supportive. Members asked the Rotary Club to coordinate efforts with the town manager’s office.

**8. 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 Williams and a unanimous vote. The following actions were affected:

**8a. Minutes** – The Council approved minutes of the Council’s meetings held Aug. 20 and Sept. 16, 2014.

**8b. Resolution 14-27** – The Council adopted Resolution 14-27 directing the town clerk to investigate the sufficiency of annexation petition A14-06 and setting a public hearing. *A copy of Resolution 14-27 is attached to these minutes.*

**8c. Resolution 14-28** -- The Council adopted Resolution 14-28 urging a safe and courteous Halloween. *A copy of Resolution 14-28 is attached to these minutes.*

**8d. Fee Schedule Amendment** – The Council adopted an amendment to the FY 2014-15 budget fee schedule to add a development petition expiration extension fee.

**8e. Copy Machine Lease Agreement** - The Council approved a copy machine lease agreement and adopted a budget amendment to cover the cost of the lease. *A copy of the budget amendment is attached to these minutes.*

**8f. North Main Athletic Complex Project** – The Council approved to enter into an agreement with PSNC Energy for \$27,604 to extend natural gas facilities to the North Main Athletic Complex.

**8g. Bass Lake Bridge Sidewalk Project** – The Council approved to enter into a municipal agreement with NCDOT in the amount of \$4,615 for Bass Lake Road bridge sidewalk and to adopt

a budget amendment to provide the funds. *A copy of the budget amendment is attached to these minutes.*

**8h. Union Ridge Pump Station Preliminary Site** – The Council approved an amendment to the Union Ridge pump station preliminary site plan with a buffer exception.

**8i. Permit Specialist Position** – The Council approved the creation of a temporary extra permit specialist position in the Code Enforcement Department.

**8j. SCADA Equipment Budget Amendment** - The Council adopted an amendment to the FY 2014-15 budget to assign \$21,240 collected from Fuquay-Varina for the installation of SCADA equipment. *A copy of the budget amendment is attached to these minutes.*

**9a. Reclaimed Water Ordinance Amendment** – Ms. Parrish said the Town is progressive and long ago saw the benefit of the reclaimed water system and its indirect increase to our existing water and sewer capacity. By providing a reclaimed system, staff ensured that all of the irrigation and cooling tower consumption will not exhaust our valuable potable water capacity. Likewise not having this same amount of water return to Utley Creek via our wastewater treatment plant effluent will ensure longevity in the sewer effluent permit.

The reclaimed system ordinance has a delineated service area that needs to be expanded due to our future land uses and area of coverage. Ms. Parrish described the revised service area and an additional paragraph that provides stronger verbiage for the Town’s intent. This same verbiage already exists in the Unified Development Ordinance, and this is just to copy that verbiage over to the stand-alone reclaimed ordinance.

**“Utility Extension Requirements**

**Each lot in a major residential subdivision, non-residential incremental subdivision, multifamily project, commercial / mixed use project or industrial project within the Town of Holly Springs and its extra-territorial jurisdiction shall be provided, at the developers or subdividers expense, with municipal reclaimed water services. Any reclaimed water lines connections, services, and equipment so extended shall be installed in accordance with the Town of Holly Springs' Engineering Design and Construction Standards.”**

**Action:** The Council approved a motion to adopt Ordinance 14-09 amending the Holly Springs Town Code of Ordinances to add Article IV, Reclaimed Water Regulations.

**Motion by:** Williams

**Second by:** Cobb

**Vote:** Unanimous.

*A copy of Ordinance 14-09 is attached to these minutes.*

**10. Other Business:** None requiring Council action.

**11. Manager’s Report:** None requiring Council action.

**12. Closed Session:** The Council approved a motion to enter Closed Session, pursuant to North Carolina General Statute 143-318.11(a)(5) to discuss with the town attorney a legal matter regarding property acquisition downtown.

**Motion by:** Sack

**Second by:** Cobb

**Vote:** Unanimous

***General Account of Closed Session – Oct. 7, 2014.***

In general, the Council received a report from the town attorney on the matter described and provided him with direction as to how to proceed. The matter involves the master planning and potential non-residential development of blocks of property adjacent to Holly Springs Town Hall.

The Council then approved a motion to return to open session.

**-- End of General Account**

In open session, Councilwoman Lee broached the subject of Mr. O'Brien's public comment. One side of the discussion was themed by a feeling that the Town should do anything it can legally do – including providing the free use of public property – to help a local family in need.

Another side of the discussion was that the role of government is not to help an individual family because that is best left to non-profit agencies, but the Town could provide free use of public property if a non-profit were to administer a fund-raising effort.

The consensus of the Council was that raising funds for the boy was a noble cause, and they empathize and sympathize with the boy and his family; however, allowing free public use of public property even for noble causes is not a responsible precedent to set and is not something for which staff could have given permission. The Council said it would favor providing a waiver of fees to a non-profit organization like Meg's Smile if the foundation wanted to help the family.

Mayor Sears said he would talk further with Mr. O'Brien to see if there were other options.

**13. Adjournment:** There being no further business for the evening, the Oct. 7, 2014 meeting of the Holly Springs Town Council was adjourned.

Respectfully Submitted on Tuesday, Oct. 21, 2014.

*Joni Powell* \_\_\_\_\_

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minutes follow and are a part of the official record.

