

Holly Springs Town Council Minutes

Regular Meeting
Oct. 20, 2009

MINUTES

The Holly Springs Town Council met in regular session on Tuesday, Oct. 20, 2009, in the Council Chambers of Holly Springs Town Hall, 128 S. Main Street. Mayor Pro-Tem Tim Sack 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, Parrish Womble, Chet VanFossen, Tim Sack, 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; Drew Holland, finance director; Len Bradley, director of parks and recreation; Gina Clapp, director of planning and zoning; Jeff Jones, senior planner; Josh Olmeda, IT technician; Mark Andrews, public information officer; Kendra Parish, senior engineer; Stephanie Sudano, director of engineering; and Elizabeth Goodson, development review engineer; .

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

4. Agenda Adjustment: The Oct. 20, 2009 meeting agenda was adopted with changes, if any, as listed below.

Motion By: Sack

Second By: VanFossen

Vote: Unanimous

Items Added to the Agenda: Add 8l. to adopt Resolution 09-38 to add Reality Check guiding principles to growth to the town's list of guiding principles.

Items Removed from the Agenda: None.

Consent Agenda Items Removed for Discussion: 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.

Joe Signoretti, 1220 Trotters Bluff – Mr. Signoretti said he had read coverage of the council candidates' forum in the newspaper and was puzzled by a statement made by a candidate that "the town's credit card was maxed out." He said he would like clarification of that statement.

Mr. Signoretti said he did not think the Town had a credit card and that it certainly would not put construction of the Hunt Community Center on a credit card. He said he figures the candidate was speaking figuratively, but that the statement was misleading.

Mayor Sears said the town has a credit card, but it is not "maxed out" and is paid in full each month. The Hunt Center is long-term debt and that is to what the candidate was referring.

Mr. Signoretti agreed and said he had done some math regarding the 18-year loan, and he says the Town is getting a good deal for its taxpayers and that the Community Center will be a top-notch facility. He said he thinks there will be increased participation in programs and facilities there.

Joe Wade, 5225 Linksland Drive – Mr. Wade addressed the Council, alleging that the town's police department is too aggressive in writing traffic citations. He said he says this because his son received a traffic ticket about a year ago and was sent to traffic school. He said it was the traffic school

instructor who stated to students in the class that Holly Springs police had written a lot of tickets in the past. The instructor also related how he came to Holly Springs and was actually stopped by police for a traffic violation.

Mr. Wade said all of this to conclude with the point that he feels Holly Springs police are too aggressive with traffic tickets.

In response, Council members pointed out that the Town gets many complaints from citizens about speeding traffic, and when the police respond, there are complaints that they are too aggressive.

The Council spoke in support of the police department and its efforts.

6a. Financial Certificate of Achievement Award – Mr. Holland said the Certificate of Achievement for Excellence in Financial Reporting has been awarded to the Town of Holly Springs Finance Department by the Government Finance Officers Association (GFOA) of the United States and Canada for its comprehensive annual financial report (CAFR.)

The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government, its management and its financial office staff.

He said this is the fourth year that the Town of Holly Springs has earned this prestigious award. Mr. Holland will introduce for recognition members of the Town's Finance Department, who all contributed to this achievement.

Action: None.

6b. Assessment Of Community Health Services - Wake County Commissioner Lindy Brown said that she recently provided the Wake Mayors Association with an overview of a community assessment to be conducted. She thanked Mayor Sears for inviting her to the Town of Holly Springs and presented to the Town Council an abbreviated version of the same information of interest to Holly Springs.

Action: None.

7a. Public Hearing: Ordinance 09-21, UDO Amendment 09-UDO-13, Decision Matrix – Ms. Clapp said the primary purpose of the proposed ordinance is to amend the Unified Development Ordinance to increase the ability for Staff to have the final determination authority for approval or denial for certain types of development plans. Currently, all development plans require either Town Council action (gateway projects) or Technical Review Committee action (non-gateway projects.)

She said FMI, the Town's consultants during an assessment of the Town's development review processes, provided a report that states that Holly Springs is unique in that Town Staff does not have approval authority for various development projects and that all plans require either Town Council or Technical Review Committee approval. The attached ordinance would provide some staff-level action.

She said the primary significance of this change, according to FMI, would be to shorten the time delay that developers must deal with waiting for Planning Board recommendation and Town Council action for small projects. Essentially, by removing these two steps, three to four weeks would be eliminated from the review process and would allow developers to move more quickly into the construction processes.

Ms. Capp said it has been found that there are only a handful of instances over the past five to 10 years when the Town Council did not vote in accordance with Staff recommendations on development plans. There are numerous projects, however, where the Town Council added conditions of approval primarily to enhance the appearance of the building facades. The UDO, however, has been updated over the past few years to clearly specify the desires of the Council regarding architectural appearances, so such conditions no longer occur. Now, the majority of projects are approved in accordance with Staff recommendations.

As a result of this research, staff is recommending to have all projects up to 20,000 square feet to be considered through the administrative review process with appeals to Town Council (should staff deny a plan.) All projects greater than 20,000 sq. ft. would continue to be reviewed by the Planning Board for recommendation and final determination by Town Council (gateway) or the TRC process (non-gateway.)

With that explanation completed, Mayor Sears opened the public hearing to accept input. The following comments were recorded: None.

There being no comments, the public hearing was closed.

Action #1: The Council approved a motion to accept the following statement as true: "The

requested UDO Text Amendment is consistent with the Vision Holly Springs Comprehensive Plan as the proposed amendment conforms with Policies for Economy and will assist staff in implementing the plan as stated in the Executive Summary to 'make administrative decisions (and) enforce development-related codes.'

Motion By: VanFossen

Second By: Sack

Vote: Unanimous.

Action #2: The Council approved a motion to adopt Ordinance #09-21 to approve and enact UDO Text Amendment #09-UD0-13 to modify the text of UDO Section 9.09 Decision Matrix as submitted by the Town of Holly Springs.

Motion By: VanFossen

Second By: Womble

Vote: Unanimous.

A copy of Ordinance 09-21 is incorporated into these minutes as addendum pages.

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 Dickson and a unanimous vote. The following actions were affected:

8a. Minutes – The Council approved minutes of the Council's meeting held Oct. 6, 2009.

8b. Budget Amendment Report – The Council received a monthly report of amendments to the FY 2009-10 budget approved by the town manager.

8c. Quarterly Financial Report – The Council received their quarterly financial report.

8d. Resolution 09-36 – The Council adopted Resolution 09-36 declaring a vehicle surplus property. *A copy of Resolution 09-36 is incorporated into these minutes as addendum pages.*

8e. Methodist Church Parking Lot – The Council approved a construction materials and testing contract for the Methodist Church downtown parking lot project. *A copy of the contract and budget amendment are incorporated into these minutes as addendum pages.*

8f. Methodist Church Parking Lot – The Council approved construction contract change order No. 1 in the Methodist Church downtown parking lot project, the updated project budget worksheet and budget amendments. *A copy of contract change order #1 and budget amendment are incorporated into these minutes as addendum pages.*

8g. Main Street Enhancement Project – The Council approved construction contract change order No. 1 in the Main Street Enhancement project. *A copy of contract change order #1 is incorporated into these minutes as addendum pages.*

8h. Utley Creek Modeling, Task 2 – The Council approved Task 2 in the Utley Creek modeling contract with CH2MHill in the amount of \$10,000 and adopted the associated project budget worksheets and budget amendment in the amount of \$54,000 to fund Tasks 1, 2 and 3. *Copies of the budget amendments are incorporated into these minutes as addendum pages.*

8i. Resolution 09-37 – The Council adopted Resolution 09-37 changing Springstone Drive to the name of Crossway Lane, effective Jan. 1, 2010. *A copy of Resolution 09-37 is incorporated into these minutes as an addendum page.*

8j. Budget Amendment, \$3,375 – The Council adopted an amendment to the FY 2009-10 budget in the amount of \$3,375 to accept insurance proceeds for repairs to a police vehicle. *A copy of the budget amendment is incorporated into these minutes as an addendum page.*

8k. Budget Amendment, \$5,335 – The Council adopted an amendment to the FY 2009-10 budget in the amount of \$5,335 to accept insurance proceeds for repairs due to water damage. *A copy of the budget amendment is incorporated into these minutes as an addendum page.*

8l. Resolution 09-38 – The Council adopted Resolution 09-38 endorsing the Reality Check guiding principles of Transit; Vibrant Centers; and Sustained Green Space to augment the already-adopted guiding principles of the Town that are Economy; Innovation; Investment; Managed Growth; and Partnerships. *A copy of Resolution 09-38 is incorporated into these minutes as an addendum page.*

9a. Public Safety Telephone System Upgrade – Mr. Schifano said it has been determined that the Town's Public Safety Answering Point (PSAP) needs to be upgraded with new telephone equipment.

He said the original provider of the equipment was Wireless Communications, Inc, which has provided a sales proposal for \$173,003.50. This contract ordinarily would need to be advertised and bid under formal bidding rules; however, staff would like to take advantage of what is known as

"piggybacking," which would allow the Town to purchase the equipment on the same terms as a recently bid unit of local government.

Mr. Schifano said that Beaufort County recently purchased a substantially similar package from the vendor on Dec. 22, 2008. NCGS 143-129(g) would allow the Town to "piggyback" on any bid that is less than 1 year old.

Action: The Council approved a motion to authorize the Town Manager to execute a contract with Wireless Communications Inc. in the amount of \$173,003.50 for an upgrade to the Town's PSAP equipment.

Motion By: Sack

Second By: Womble

Vote: Unanimous.

A copy of the contract is incorporated into these minutes as addendum pages.

10. Other Business: Councilman Sack said he wanted to respond to some comments made during the recent candidate forums. Specifically, he said he feels the statements made that over a million dollars could be cut out of the budget were misleading to citizens. He said a lot of work goes into formulating each budget, a careful process that takes a number of months as officials go through it line by line. He said the budget had been adopted and had been in place for nearly six months but now a few candidates were claiming that a million dollars could be cut out of it. He defied anyone to follow through on that claim because it is not true.

He said he hears claims about car allowances, but he pointed out that over a million dollars in cuts would have to include some pretty major expenses... like the police department or the public works department.

He said the Town is running an efficient organization, that the budget is sound and contains no wasteful spending, and allegations that the Town Board has been remiss in putting together a lean budget are not true. He said he takes issue with such claims, and he said he felt like he needed to address the public with the truth because so many untrue sound bytes are circulating in the community.

11. Manager's Report: Mr. Dean reminded the Council that Hollyfest is Oct. 31.

12. Closed Session: None.

13. Adjournment: There being no further business for the evening, the Oct. 20, 2009 meeting of the Holly Springs Town Council was adjourned following a motion by Councilman Womble, a second by Councilman VanFossen and a unanimous vote.

Respectfully Submitted on Tuesday, Nov. 3, 2009.

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Joni Powell, CMC, Town Clerk

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