

Holly Springs Town Council Minutes

Regular Meeting
Dec. 1, 2009

MINUTES

The Holly Springs Town Council met in regular session on Tuesday, Dec. 1, 2009, 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 five council members were present as the meeting opened.

Council Members Present: Councilmen Parrish Womble, Vinnie DeBenedetto, Chet VanFossen, 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; Drew Holland, finance director; Len Bradley, director of parks and recreation; Gina Clapp, director of planning and zoning; Erika Phillips, human resources director; Barb Koblich, public information assistant; Ricky Blackmon, code enforcement director; Luncie McNeil, public works director; Cecil Parker, fire chief; Eric Tayler, IT department manager; Michelle D'Antoni, publications specialist; Kendra Parish, senior engineer; Lois Ragsdale-Houck, administration; Police Chief John Herring; Police Lieutenants Robbie Parrish and Mike Patterson; Jenny Mizelle, director of economic development; and Stephanie Sudano, director of engineering.

2 and 3. The Pledge of Allegiance was recited, and the meeting opened with an invocation by Rabbi Ederly of Temple Beth Shalom.

4. Agenda Adjustment: The Dec. 1, 2009 meeting agenda was adopted with changes, if any, as listed below.

Motion By: Sack

Second By: Dickson

Vote: Unanimous

Items Added to the Consent Agenda: Appointment of Ken Henke to serve on the Parks and Recreation Advisory Committee.

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:

Marianna Heim, 309 Holly Branch Drive – Ms. Heim said that she wanted to say a special thanks to Councilman Hank Dickson for all his years of service and for the positive work he had accomplished. She said he would be missed, and she presented Councilman Dickson with a stained glass leaf of holly as a gift.

6a. Organizational Meeting: Oaths of Office - Mayor Sears presented an award of appreciation to outgoing Council member Vinnie DeBenedetto who has served on the Council for four years.

Mayor Sears then presented a proclamation and service award to retiring Council member Hank Dickson who has served on the Council since 1997.

Councilman Dickson retired from his seat, giving a farewell address urging the Council to continue its good work, to not forget the details that add to the quality of life in Holly Springs and to support staff, who he feels are top notch.

Ms. Powell then administered the oath of office to incumbent Town Council member Chet VanFossen, Mayor Dick Sears and newly-elected Council Members Linda Hunt Williams and James Cobb.

Written copies of the oaths of office that were administered are incorporated into these minutes as addendum pages.

A new quorum was established as the mayor and all five council members were present as the meeting resumed.

Council Members Present: Councilmen Jimmy Cobb, Parrish Womble, Chet VanFossen and Tim Sack and Councilwoman Linda Hunt Williams and Mayor Sears.

Council Members Absent: None

6b. Organizational Meeting: Election of Mayor Pro Tem – Mayor Sears explained that a part of the Organizational Meeting is the election of a council member to serve as mayor pro tempore, serving as vice chairman of the council and as mayor during the absence or disability of the mayor.

He said that currently, Councilman Sack serves as mayor pro tem, a position he has served during his past two years on the Council.

Mayor Sears opened the floor for nominations for mayor pro tem.

Councilman VanFossen nominated Councilman Sack.

Action: The Council approved a motion to close the nominations and designate Councilman Sack as mayor pro tempore.

Motion By: VanFossen

Second By: Cobb

Vote: Unanimous

6c. Appointment of Holly Springs Representatives – Mayor Sears said that the Town Council is to appoint and/or reappoint representatives of Holly Springs to various board, commissions, committees and task forces.

He then reviewed a list of those who have expressed an interest in individual positions.

Mayor Sears reported that the terms on these agency representatives would expire at the next Organizational Meeting, which will be the first Tuesday in December 2011 following the next municipal election.

Nominations to the agencies were as follows:

- Triangle J Council of Governments Board Member: **Councilwoman Linda Hunt Williams**

Action: The Council approved a motion to appoint Councilwoman Linda Hunt Williams to serve the Triangle J Council of Governments as a Board Member.

Motion By: Sack

Second By: VanFossen

Vote: Unanimous

- Triangle J Council of Governments Board Member Alternate: **Councilman Parrish Womble**

Action: The Council approved a motion to appoint Councilman Parrish Womble to serve the Triangle J Council of Government as an Alternate Board Member.

Motion By: Sack

Second By: VanFossen

Vote: Unanimous

- Triangle J Smart Growth Committee: **Staff members Jeff Jones and Gina Clapp**

Action: The Council approved a motion to appoint Jeff Jones and Gina Clapp to serve on the Triangle J Smart Growth Committee.

Motion By: Sack

Second By: Womble

Vote: Unanimous

- Transportation Advisory Committee of CAMPO: **Mayor Sears and Councilman VanFosser as alternate.**

Action: The Council approved a motion to appoint Mayor Sears to serve on the Transportation Advisory Committee as a Board Member and Councilman Chet VanFosser to serve as a Board Member Alternate.

Motion By: Sack

Second By: Womble

Vote: Unanimous

- Holly Springs Parks and Recreation Advisory Committee Ex-Officio (non-voting) member. **Councilwoman Linda Hunt Williams**

Action: The Council approved a motion to appoint Councilwoman Linda Hunt Williams to serve on the Holly Springs Parks and Recreation Advisory Committee as an ex- officio member.

Motion By: VanFosser

Second By: Womble

Vote: Unanimous

- Holly Springs Technical Review Committee: **Councilman Chet VanFosser and Councilman Jimmy Cobb as alternate.**

Action: The Council approved a motion to appoint Councilman Chet VanFosser to serve on the Holly Springs Technical Review Committee as a Board Member and Councilman Jimmy Cobb to serve as Alternate Member.

Motion By: Sack

Second By: Womble

Vote: Unanimous

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

7a. Town Council Schedule – The Council adopted the calendar of regular meetings in calendar year 2010. *A copy of the CY Town Council meeting schedule is incorporated into these minutes as an addendum page.*

7b. Budget Amendment, \$3,660 – The Council adopted an amendment to the FY 2009-10 budget in the amount of \$3,660 to receive insurance proceeds for repair of a damaged police vehicle. *A copy of the budget amendment is incorporated into these minutes as an addendum page.*

7c. Budget Amendment, \$3,235 – The Council adopted an amendment to the FY 2009-10 budget in the amount of \$3,235 to receive insurance proceeds for repair of a damaged public works vehicle. *A copy of the budget amendment is incorporated into these minutes as an addendum page.*

7d. Resolution 09-41 – The Council adopted Resolution 09-41 declaring certain personal property of the Town to be surplus to the needs of the town. *A copy of Resolution 09-41 is incorporated into these minutes as addendum pages.*

7e. Parks and Recreation Advisory Board Member – The Council appointed Ken Henke to serve as a member on the Parks and Recreation Advisory Board.

8a. Planning and Zoning / Board of Adjustment Appointments – Ms. Clapp explained that on Dec. 31 of each year, the terms of several members of the Planning Board and Board of Adjustment expire. She said at the Council's first December meeting, the Council is to review the applications for vacancies and re-appoint interested members or appoint new members to the respective boards.

Ms. Clapp said the Council is responsible for the appointment of "in-town" members to the Holly Springs Planning Board and Board of Adjustment. The members representing the town's extraterritorial jurisdiction officially are appointed by the Wake County Board of Commissioners; however, the Town Council makes recommendations to the county board.

Ms. Clapp said the Council needs to appoint two in-town members to the Board of Adjustment with a term ending Dec. 31, 2012 and appoint one in-town member with a term ending Dec. 31, 2010 and nominate one ETJ alternate in-town member with a term ending Dec. 31, 2012.

Ms. Clapp said that if Glen Walker, a current alternate, is appointed as a regular in-town member, the Council will need to appoint another alternate in-town member to fulfill the remainder of Walker's vacated term ending December 31, 2010.

She added that the Council is to appoint two in-town members to the Planning Board with terms ending Dec. 31, 2012.

Ms. Clapp reviewed the list of applicants who expressed interest in serving as in-town or ETJ members of the Board of Adjustment and Planning Board.

Mayor Sears asked the Council members to make individual nominations before acting on appointments as a board.

Board of Adjustment: 2 In-Town Members (3-year terms, Jan. 1, 2010 – Dec. 31, 2012):

Action: The Council approved a motion to appoint Brian Adornetto as an in-town member of the Holly Springs Board of Adjustment, with a three-year term to expire Dec. 31, 2012.

Motion By: Sack

Second By: Cobb

Vote: Unanimous.

Action: The Council approved a motion to appoint Glen Walker as an in-town member of the Holly Springs Board of Adjustment, with a three-year term to expire Dec. 31, 2012.

Motion By: Cobb

Second By: Womble

Vote: Unanimous.

Board of Adjustment: 1 In-Town Member (1-year term, ending Dec. 31, 2010):

Action: The Council approved a motion to appoint Robert Goldfinger as an in-town member to the Holly Springs Board of Adjustment, with a one-year term to expire Dec. 31, 2010.

Motion By: Sack

Second By: VanFossen

Vote: Unanimous.

Board of Adjustment: 1 Alternate In-Town Member (3-year term, ending Dec. 31, 2012):

Action: The Council approved a motion to appoint John Sadler as an in-town alternate member to the Holly Springs Board of Adjustment, with a three-year term to expire Dec. 31, 2012.

Motion By: Williams

Second By: Womble

Vote: Unanimous.

Board of Adjustment: 1 Alternate In-Town Member (vacated term ending Dec. 31, 2010):

Action: The Council approved a motion to appoint Vinnie D'Agostino as an in-town alternate member to the Holly Springs Board of Adjustment to fulfill the remainder of a vacated term ending December 31, 2010.

Motion By: Sack

Second By: Womble

Vote: Unanimous.

Planning Board: 2 In-Town Members (3-year term, Jan. 1, 2010 – Dec. 31, 2012):

Action: The Council approved a motion to appoint Joe Signoretti as an in-town member to the Holly Springs Planning Board, with a three-year term to expire Dec. 31, 2012.

Motion By: Cobb

Second By: VanFossen

Vote: Unanimous.

Action: The Council approved a motion to appoint Pete Utley as an in-town member to the Holly Springs Planning Board, with a three-year term to expire Dec. 31, 2012.

Motion By: Womble

Second By: VanFossen

Vote: Unanimous.

8b. NCDOT Bicycle and Pedestrian Grant – Ms. Parrish said the North Carolina Department of Transportation has announced the initiation of a program to encourage the development of comprehensive municipal bicycle plans.

She said staff concurs with NCDOT that a comprehensive planning document would be very beneficial to the Town, and would allow a prioritized list of future bicycle improvements throughout the town.

Ms. Parrish said all North Carolina municipalities are eligible to apply. The Town of Holly Springs is eligible for up to \$28,000 to prepare a bicycle plan from these grant funds. The Town would have to contribute a matching amount of \$12,000. The grant plus Town contribution would total \$40,000 for a consultant to prepare the Town's bicycle planning document.

Action: The Council approved a motion to adopt Resolution 09-42 authorizing submission of a grant application to NCDOT for funding assistance for a bicycle and pedestrian plan.

Motion By: Womble

Second By: VanFossen

Vote: Unanimous.

A copy of Resolution 09-42 is incorporated into these minutes as an addendum page.

9. Other Business: Mayor Sears asked Ms. Mizelle to explain the 25th Emerging Issues Forum.

10. Manager's Report: Mr. Dean reported that the Novartis ribbon cutting dedication event was a success. Mr. Dean invited the Council members to the Town employee Christmas party scheduled for 12 to 1:30 p.m. Wednesday, Dec. 16 at the W. E. Hunt Community Center gym.

11. Closed Session: The Council approved a motion to enter Closed Session, pursuant to N.C.G.S. 143.318(a)(4) to discuss an economic development incentive agreement and pursuant to N.C.G.S. 143.318(a)(6) to consider qualifications, competence, performance or character of a public employee.

General Account Closed Session – Dec. 6, 2009

In Closed Session, the council received a report from John Herring, Holly Springs Police Chief, regarding an internal investigation of an unnamed former employee of the police department. He advised the council that his investigation is ongoing, that the employee is no longer employed with the town, and that if there was any information he could provide to the council, he would. No member of the town council had any questions for Chief Herring.

Secondly, the council discussed the possibility of entering into an economic development incentive agreement with Novant Healthcare for the location of a hospital in Holly Springs. The council was advised by the town manager and economic development director that the company was denied a Certificate of Need from the North Carolina Department of Health and Human Services, and that the company has withdrawn its appeal. The council reached the consensus that any economic incentive would be futile absent the state's approval of the health care facility and decided against further action.

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

12. Adjournment: There being no further business for the evening, the Dec. 1, 2009 meeting of the Holly Springs Town Council was adjourned following a motion by Councilman Sack a second by Councilman VanFossen and a unanimous vote.

Respectfully Submitted on Tuesday, Jan. 19, 2010.

Joni Powell, CMC, Town Clerk

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

