



**March 1, 2016**

## **MINUTES**

The Holly Springs Town Council met in regular session on Tuesday, March 1, 2016 in the Council Chambers of Holly Springs Town Hall, 128 S. Main Street. Mayor Pro Tem Jimmy Cobb presided, calling the meeting to order at 7 p.m. A quorum was established as five council members were present as the meeting opened.

**Council Members Present:** Councilmen James Cobb, Tom O'Brien and Hank Dickson and Councilwomen Linda Hunt-Williams and Cheri Lee.

**Council Members Absent:** Mayor Sears

**Staff Members Present:** Charles Simmons, town manager; Daniel Weeks, assistant town manager; John Schifano, town attorney; Joni Powell, town clerk, (recording the minutes); Linda Harper, deputy town clerk; Eric Tayler, information technology technician; Mary Hogan, finance director; Len Bradley, parks and recreation director; Gina Clapp, planning and zoning director; Leroy Smith, fire chief; Kendra Parrish, director of engineering; 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 Pastor Rev. Doug Parlin, pastor of South Wake Baptist Church.

**4. Agenda Adjustment:** The March 1, 2016 meeting agenda was adopted with changes, if any, as listed below.

**Changes to Agenda:** Add to New Business a change order in the amount of \$250,000 for the repair of the force main along Irving Parkway.

**Changes to Consent Agenda:** None

**Motion by:** Williams

**Second by:** Dickson

**Vote:** Unanimous

**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 comments were recorded:

Christine Kelly, 201 Grigsby Ave. – Ms. Kelly addressed the Council to announce that the Relay for Life of southern Wake County will be held May 20 at North Main Athletic Complex. She invited the Town of Holly Springs to field a team for the event that will be held from 5 p.m. to midnight.

**6a. Wake County Transit Report** - Mr. Timothy W. Maloney, director of Wake County Planning, Development & Inspections, addressed the Council to present the final Wake County Transit report. In summary the report contains "four big moves:"

- Stronger Regional Connections
- Connections to all Communities
- Frequent, Reliable Bus Service in Urban Areas
- Enhanced Access to Transit

Mr. Maloney reviewed in greater detail what options are being offered for each of the objectives and projected costs and funding sources.

**Action:** None.

**6b. 14-DDI-01, Mims House** – Ms. Clapp said that in accordance with the Town's Downtown Development Investment program, any recipient of funds is to provide a one-year report to the Town Council to provide an update on their business, the use of the funds that were waived/provided, and a status of the required improvements.

Ms. Clapp reported that the party in this agreement have requested a later appearance before the Council since some of the details on which they are to report are not yet finalized.

**Action:** None.

**6c. 14-DDI-02, 300 Earp Street** – Ms. Clapp said in accordance with the Town's Downtown Development Investment program, any recipient of funds is to provide a one-year report to the Town Council to provide an update on their business, the use of the funds that were waived/provided, and a status of the required improvements.

On March 3, 2015, the Town Council granted a DDI Agreement to Larry Bernstein for Holly Springs Counseling Center to locate at 300 W. Earp Street. The DDI that was awarded included the waiving of various Town Fees in the amount of approximately \$10,502 – 11,802.

The following are the motions that were made granting the Downtown Development Investment for Holly Springs Counseling Center:

Motion to enter into a Downtown Development Investment Agreement with the owners of 300 W. Earp Street to waive certain Town Development Fees for a total expenditure estimated at approximately \$10,502 – 11,802.

Larry Bernstein, 300 Earp Street -- Mr. Bernstein reported that property development costs escalated and project delays have cost him significantly. In conclusion, he said, he and his wife-business partner Nancy are nomadic, having set up their business in temporary quarters because the Earp Street project is being weighed down. He claimed that the \$14,000 maximum incentive determined for this property is more like between \$6,000 and \$7,000, when delays and cost overruns are figured in. He calls the assistance insignificant in light of his \$500,000 investment so far. He asked the Council to increase the infrastructure reimbursement to a flat \$25,000 for anyone who applies in the downtown area and has to provide infrastructure. He also asked that a committee of businesses be created to review the process and make suggestions for speeding it up and making improvements.

**Action:** None.

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

7a. Minutes – The Council approved minutes of the Council's regular meeting Feb. 16 and special meeting held Feb. 19 and 20, 2016.

7b. Fire Marshal Vehicle Purchase – The Council authorized the purchase of a fire marshal vehicle.

7c. Air Packs Purchase - The Council authorized the purchase of air packs for the fire department.

7d. Farmers Market Fee Schedule Amendment - The Council approved amendments to the FY15-16 budget/fee schedule to modify the fees for the Farmers Market.

7e. Personnel Policy Amendment – The Council approved amendments to the personnel policy to allow clarifications to the section on Parks and Recreation incentives to Town employees and elected officials.

7f. Parks and Recreation Policy – The Council approved to update the Parks and Recreation Policy to prohibit motorized recreational passenger vehicles in all parks without written authorization.

**New Business: Irving Parkway Force Main** -- This item was added to the agenda during agenda adjustment.

Ms. Parrish said that this past weekend there was a force main emergency repair that resulted in the need for a sewer bypass and approximately 1,300 feet of 16-inch force main to be done quickly. She said we are finalizing a change order with the contractor; however, we are asking that \$250,000 be allocated for these repairs so that we can address the issue immediately.

**Action:** The Council approved a motion to authorize a change order in the amount of \$250,000 from sewer reserves to Sanford Contracting to be signed by the Town Manager once finalized for the repair of the 12 Oaks force main.

**Motion by:** Lee

**Second by:** Dickson

**Vote:** Unanimous

**Changes:** None.

**8. Other Business:** None that resulted in Council action.

**9. Manager's Report:** None that resulted in Council action.

**10. Closed Session:** The Council approved a motion to enter into Closed Session, pursuant to N.C.G.S. 143.11(a)(3) to meet with the Town Attorney under the attorney-client privilege on a matter involving Town of Holly Springs vs Fred Smith Contracting Co.

Councilmembers approved a motion to reenter open session.

-- *End of General Account*

**11. Adjournment:** There being no further business for the evening, the March 1, 2016 meeting of the Holly Springs Town Council was adjourned.

Respectfully Submitted on Tuesday, April 5, 2016.



These minutes follow and are a part of the official record.

