



MINUTES

The Holly Springs Town Council held a workshop meeting on Tuesday, November 9, 2021 at the Law Enforcement Center and via video conferencing. Mayor Sears presided, calling the meeting to order at 6:00 p.m. A quorum was established as the Mayor and four Council members were present as the meeting opened, and one Council member was present via Zoom.

Council Members Present in the room: Mayor Sears, and Councilman Aaron Wolff, Peter Villadsen, and Shaun McGrath and Councilwoman Christine Kelly

Council Members Absent: MPT Dan Berry.

Staff Members Present: Randy Harrington, Town Manager; Linda McKinney, Town Clerk (recording the minutes); Daniel Weeks, Assistant Town Manager; Scott Chase, Assistant Town Manager; Cassie Hack, Director Communications and Marketing; Jeff Wilson, IT Director; John Schifano, Town Attorney; LeeAnn Plumer, Director Parks and Recreation; Adam Huffman, Parks & Recreation; Kimberly Keyes, Utilities & Infrastructure; LeRoy Smith, Fire Chief; Irena Krstanovic, Director of Economic Development.

1. Overview: Randy Harrington, Town Manager, gave an overview of the meeting agenda.

2. Economic Development Incentives Policy

Irena Krstanovic, Director of Economic Development, said the purpose of this item was to discuss a proposed Economic Development Investment Policy, including a range of tools to assist in the Town's recruitment, retention, and expansion efforts. She outlined the Strategic Plan goals and initiatives supported by this policy, and reminded Council that they had discussed this in 2020, but had put it on hold due to two large economic development projects that were in the works. Key updates are additional investment tolls and aligning the town's policy with Wake County's target industries. Since Council last saw this policy, in November of 2020, the minimum requirements for investment and jobs have been restructured to recruit and retain smaller local businesses.

Ms. Krstanovic described the six specific tools, and ranked them by level of risk. She then discussed the seventh "tool" which is a provision to allow Council flexibility to deal with unique situations. She said that next steps would be to incorporate Council's feedback into a new Economic Development Investment Policy, which would come before Council for a vote at their next meeting.

There was discussion about the meaning of "local area median income" and whether that referred to Holly Springs, Wake County or the broader Triangle area. Town Attorney, John Schifano, said that the state statute makes clear that it refers to the county. Randy Harrington, Town Manager said that using the word "competitive" was intentional, because it gives the town more flexibility.

3. Non-Discrimination Ordinance

John Schifano, Town Attorney, said that Council had asked staff to investigate the ramifications of adopting Wake County's non-discrimination ordinance. He outlined the background of the General Assembly's action in reaction to the Charlotte non-discrimination bill. This Statute had an expiration date of December 2020. There is an open question in the law as to whether municipalities are authorized to pass anti-discrimination ordinances. He outlined provisions of the Wake County ordinance, including the broad definition of Protected Class which includes race, natural hair or hairstyles, ethnicity, creed, color, sex, pregnancy, marital or familial status, sexual orientation, gender identify or expression, national origin or ancestry, National Guard or veteran status, religious belief or non-belief, age, or disability. He said it is a very broad protected class. It however does exclude religious organizations, fraternal organizations, member-only organizations. Mr. Schifano discussed the challenges involved in signing on to the County's ordinance, including enforcement, which requires an injunction in the event conciliation fails, and requires an agreement to enforcement procedures through an interlocal agreement in order to opt-in. The County's requirement for an interlocal agreement may not be enforceable if municipalities opt in. He discussed staffing needed for enforcement, and case law that might cause an issue with opting in. He said that he thinks this will be litigated at some point. And he said one option would be to narrow the scope of which situations would be covered. He said that Raleigh had passed a Resolution opting in, and that Apex had drafted their own separate ordinance. He said one option would be to beef up our internal procedures and contract management.

Randy Harrington, Town Manager, said he spoke to both the County manager and the Raleigh city manager. They are working on how the enforcement would work. One avenue might be to hire a third party to manage the investigations. Raleigh City Council had some discussion about excluding the employment aspect of the ordinance, but in the end they chose to do both. But Holly Springs might be able to sign on to one part but not the other. He said the County ordinance goes into effect February 2022.

Council discussed the enforcement mechanism for the County's ordinance, and what the Town Attorney anticipated the work load for staff would be. They discussed what gaps in the EEOC and other federal provisions this would cover, and that companies coming to the area want to know what municipalities are doing to make them welcoming places for all of their employees. They discussed what the Council could do to send the message to the community that this was important to the Town. They discussed the risks involved in such an ordinance given the lack of explicit authority from the General Assembly. They discussed how to make a real difference, without increasing risks.

Consensus was Council was not comfortable signing on to the County ordinance without knowing how enforcement would work, but they wanted to investigate further. They requested that staff bring back a draft ordinance that covers the same classes, but without the injunction language, and continue to monitor and engage with Wake County and Raleigh to see how the process worked.

The Town Manager was asked if there was enough time to bring something back to the November 16th meeting, at which point he informed Council that there were not enough of them able to attend to have a quorum, so that meeting needed to be rescheduled. Council discussed possible meeting dates and decided on November 30th.

Action: Motion to amend Town Council 2021 Calendar of meetings to cancel the November 16th meeting for lack of a quorum, and add a meeting on November 30th.

Motion by: Villadsen

Second by: Wolff

Vote: Unanimous

4. Sugg Farm House

LeeAnn Plummer, Director of Parks and Recreation, said that Council had asked staff to bring them estimates on the probable costs of bringing the Sugg Farm Park house up to current building code standards. She said that the land was purchased in 2012 under Triangle Land Conservancy with a conservation easement that limits the places where there can be buildings. The house was built in the 1980s and Capital Area Preservation reports that it has no historic significance. The Sugg Farm Master Plan drafted in 2013 recognized that there was office and storage potential, but it needed major renovations.

She reminded Council of the condition of the building, that it had been unoccupied for the last nine years and was now the focus of safety and vandalism concerns. She said deciding what to do with this structure is the next step in fulfilling the Sugg Farm Master Plan.

She gave broad based cost estimates for architectural and design fees, structural improvements, HVAC, Plumbing and Electrical and necessary exterior and site work. For just the first floor, providing office and storage space, would be between \$175,000 and \$275,000. To include the second floor and assembly space would add an additional \$100,000. Removing the building would cost approximately \$15,000.

Ms. Plummer outlined the possible options: to renovate the building, remove the structure, possibly harvesting some architectural details; attempt to sell with relocation, or to use for a training burn for the Holly Springs Fire Department. Staff recommends removing the structure. There is no clearly defined use for the building, and there are uses for those funds that are a higher priority.

There was discussion about the cost difference between renovating and removing the structure, and consensus was to remove it and try to salvage any architectural details worth saving. Council discussed moving forward with the Sugg Farm Park Master Plan, and implementing a quiet use, like the community gardens proposed in the Master Plan.

Council asked for messaging from staff to educate the public early on.

5. Fire Station 3

Daniel Weeks, Assistant Town Manager, said the purpose of this item was to review the comparison of the three potential sites for Fire Station 3. He showed where the three sites were and discussed the advantages and disadvantages of each site feature. The Duke site is the only one that gives the Town control of the schedule. The Carolina Springs Town Center and Duke sites only require normal grading. Transportation and traffic issues make the Carolina Springs triangular site problematic, because NCDOT will not approve a driveway connection from that site due to sight lines. Potential shared Storm Water Mitigation efforts are not sharable in the Carolina Springs Triangular site. There are site visibility issues at the Carolina Town Center site, because the station would be located behind a large retail building. Response times are worst at the triangular site, because NCDOT will not approve a driveway connection, next best at the Town Center site where they could be impacted by retail development. But the Duke Energy site is an excellent location considering the current and future needs in surrounding area. This makes the Duke Energy site staff's recommendation.

Mr. Weeks said that next steps include identifying appropriate acreage needed and working with Duke Energy on the appraisal and land purchase process and moving forward with full site and facility design.

Council discussed the cost differences between the three options. They discussed how the cost of road improvements would be dependent upon how close to the corner the site is located. Fire Chief LeRoy Smith said that when the process started the first originally proposed sites made more sense. But with Amgen coming in and the new elementary school, this site would be better in terms of serving the community and maintaining our ISO rating.

Council discussed the agreement with Carolina Springs, and John Schifano, Town Attorney told them the agreement was they would give the town 3-5 acres for a fire station and fees would be refunded in exchange. If we do not accept land from them, they keep their land and pay the full fees.

Consensus of Council was to proceed with the Duke Energy site for Fire Station 3.

OPEN DISCUSSION

Mayor Sears asked if there was any open discussion.

Randy Harrington asked Council whether they wanted to choose members of the Housing Affordability Advisory Committee at their November 30th meeting and consensus was yes.

Linda McKinney, Town Clerk, asked Council to think about how they were going to decorate their tree at the Ting Park Tree Trail.

Council member Kelly asked if landfill metrics could be brought back to a future meeting.

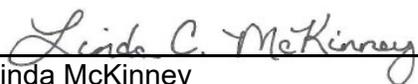
Council member McGrath reminded people that Thursday is Veterans Day. He also said a new opportunity with his job will prevent his being present on November 30th.

Council member Wolff said that the Woods Creek Elementary ground breaking was today. It was a great event and the school is planned to take a lot of the Carolina Springs families.

Closed Session: none.

5. Adjournment: There being no further business, Motion to adjourn was made by Council member Villadsen seconded by Council member Kelly and passed with a unanimous vote. The November 9, 2021 workshop meeting of the Holly Springs Town Council was adjourned at 7:33 pm.

Respectfully Submitted on Tuesday, November 30, 2021.



Linda McKinney
Town Clerk