



MINUTES

The Holly Springs Town Council met in regular session on Tuesday, February 2, 2021 in person and via video conferencing. Mayor Sears presided, calling the meeting to order at 7 p.m. A quorum was established as the Mayor and four Council members were present in the Chamber as the meeting opened.

Council Members Present: Mayor Sears, Mayor Pro Tem Dan Berry, Councilmen Peter Villadsen, Shaun McGrath and Aaron Wolff, and Councilwoman Christine Kelly.

Council Members absent: none.

Staff Members Present in Chambers: Randy Harrington, *Town Manager*; Daniel Weeks, *Assistant Town Manager*; Scott Chase, *Assistant Town Manager*; John Schifano, *Town Attorney*; Linda McKinney, *Town Clerk* (recording the minutes); Mark Andrews, *Communication and Marketing*; Jeff Wilson, *Director, IT*; Mathew Mutter, *IT*; Irena Krstanovic, *Director Economic Development*; Daniel Pope, *Development Services*; Andrew Rubley, *Development Services*; Kendra Parrish, *Executive Director Utilities and Infrastructure*

2. and 3. The Pledge of Allegiance was recited followed by an invocation by Willie J. Hunter, Jr. of St. Mary's Free Will Baptist Church.

4. Agenda Adjustment: The February 2, 2021 meeting agenda was adopted with changes, if any, as listed: Item 10, Lease Agreement, was pulled from the Consent Agenda for discussion.

Motion: Berry

Second: McGrath

Vote: Unanimous

Public Comment: Public Comment was requested in writing prior to the meeting. The following number of comments was received and provided to the Council prior to the meeting: one comment requesting that rock debris be cleaned off the streets.

Recognitions

5. Introduction of State Senator for District 17, Sydney Batch

Mayor Sears introduced State Senator Sydney Batch and mentioned some of her many accomplishments, including sponsoring the NC Family First Act and multiple bills to assist people and businesses affected by the COVID-19 pandemic, to protect safe drinking water, and to protect student loan borrowers. He said that she was the recipient of the Lillian's List Jan Allen Courage Award for advocating women's equality, and was 2019 Wake Woman of the Year for her contributions to supporting women and advancing the rights and welfare of women under the law. She was nominated for the Gabrielle Giffords Rising Star Award in 2020, and is a member of the Chief Justice's Commission on Race and Equity, the NC State Bar Child Welfare Law Specialty Committee and the National Association for the Counsel of Children.

Senator Batch thanked the Mayor for his introduction, and thanked the Council for inviting her. She commended the Council for forming the Legislative Committee with MPT Berry and

Councilman Wolff, which puts Holly Springs ahead of other municipalities. She spoke about the challenges of growth facing Holly Springs. She said she has reached out to Representative Pará to see what items they can work on together. She looks forward to working with the Town over the next years, and said that she has an open door policy and would request that people reach out to her with any concerns.

Consent Agenda

The Council passed a motion to approve all items on the Consent Agenda, with the exception of Item 10 which was pulled for discussion. The motion carried following a motion by MPT Berry, a second by Councilman Wolff and a unanimous vote. The following actions were affected:

6. Minutes – The Council approved minutes of the Council business meeting held January 19, 2021.

7. Voluntary Annexation A20-09, Regency at Holly Springs. - The Council adopted Resolution 21-03 directing the Town Clerk to investigate the sufficiency of Annexation Petition A20-09 and set public hearing for February 16, 2021.

A copy of Resolution 20-36 is attached to these minutes.

8. Farmers Market Fee Schedule Amendment - The Council approved changes in the vendor fees for the Holly Springs Farmers Market.

A copy of the fee adjustments is attached to these minutes.

9. Arbor/Middle Creek Greenway Project Amendment #1 – The Council approved a budget amendment in the amount of \$80,600 for SEPI Amendment #1 and to establish a land acquisition/easement budget for the final trail alignment.

A copy of the budget amendment is attached to these minutes.

NEW BUSINESS

11. Resolution for Town Attorney to Petition Court for Compliance with the Minimum Housing Ordinance

Andrew Rubley, Development Services, said the purpose of this item was for Council to consider the Resolution for Town Attorney to Petition the Court for Compliance with the Minimum Housing Ordinance. He said that staff was notified by the Fire Department that there had been a fire in the structure on July 24, 2020. On July 28, 2020 inspectors visited the property and found minimum housing violations. The tenant was present for the inspection. Notice of Violation was sent to the property owner, who lives in Raleigh, by certified mail and regular mail, on August 5, 2020, and she admits receiving the Notice. A hearing was set for August 18, 2020 a Minimum Housing Hearing was held, and the owner did not show up for the hearing. An Order of the Chief Code Enforcement Officer was issued on August 19, 2020 with a deadline for Compliance of November 20, 2020. The homeowner contacted staff on August 19th and said that she intended to repair the violations. From August to November 2020 staff was actively engaging with the owner in an attempt to establish an on-site meeting to discuss repairs and form a plan of action. Their attempts were unsuccessful. An electrical permit was applied for and paid for on November 17, 2020 but no building permit has been submitted to date. The Town inspector will not restore power due to the dilapidated condition of the structure. Staff has had numerous phone calls with the owner up until the end of November 2020 when the owner stopped communicating with staff. Staff attempted to contact owner six times since December 2020. The afternoon of this meeting, staff received an email from the homeowner at 4:25 pm stating her intention of making the repairs. The unit was used as a rental property, and no tenant is currently living in the house.

Mr. Rubley showed photos of the violations including frayed wiring, and loose insulation hanging next to loose-hanging wires, both of which are fire hazards. He showed large gaps in rotted wood, which could allow ingress for vermin, and could indicate the presence of termites.

Daniel Pope, Development Services, said that the correspondence was received at 4:25 pm and said that the owner did indicate the desire to repair the structure. In this letter, the owner requested an extension to May 1st and said that she would have the home up to standards by that time. The structure is vacant, and has no power or water to it. There is no risk to anyone in the structure at this time. In light of the commitment the applicant has made, he recommended deferring this action for 90 days.

There was discussion about whether the homeowner would be more motivated with a shorter deferral, and whether there could be a phased compliance. Mr. Pope said that he believed it would take the 90 days, because of the time it takes to get contractors. Because no one is living in the structure, full compliance would be expected. Council then discussed whether there was an option to grant the deferral without requiring the action to come before them again. John Schifano, Town Attorney, said that changes in North Carolina General Statute 160D will alter the process and make it both more streamlined and more successful, but that the item would come back to Council under New Business if compliance was not met. Questions were asked about repairs being done with the electricity shut off, and Mr. Pope explained that with a building permit there could be a temporary power pole erected to bring power for construction without bringing it into the structure. When the structure is up to code, then the power could be turned on.

Randy Harrington, Town Manager, said as a side note that there are plans to bring updates to the minimum housing code to Council in the spring.

Action: Motion to defer Resolution 21-04 directing the Town Attorney to petition the Superior Court for an order directing owner to comply with Minimum Housing Standards for 90 days to May 1, 2021.

Moved by: Wolff

Second by: Kelly

Vote: Unanimous

10. Lease Agreement for 376 & 378 Raleigh Street – The Council moved this item from the Consent agenda to discuss. MPT Berry said he requested it be pulled as a matter of principle. He understands from the Manager's email that it was put on Consent because these funds were already budgeted, but he felt that it needed discussion. The budgeted money was earmarked to purchase these properties, but that has changed to a lease. It is from restricted funds that can only be used for certain things, so this money could not be used for operating expenses. In a way, this is a savings, because it is using less of the funds than was budgeted.

Randy Harrington, Town Manager, said that MPT Berry was exactly right. It is coming from restricted funds, and this is one of the eligible uses. These are funds that cannot be used for general operating expenses.

Action: Motion to approve lease agreement for 376 & 378 Raleigh Street.

Moved by: Villadsen

Second by: Berry

Vote: Unanimous

OTHER BUSINESS

Mayor Sears said that as of Monday Wake County reported 66,925 cases of COVID-19 and 428 deaths. Holly Springs' zip code reported 1,821 cases of COVID-19 and 3 deaths. He said if you haven't gotten vaccinated, please check to see if you are eligible, and get an appointment. If

you are on the fence, he recommends that you get the vaccine when you are eligible. He said in real estate news, there were 30 closings last week in Holly Springs with a \$428,999 average selling price, average days on the market was 13, and there are more than 50 active listings.

Councilwoman Kelly said that February is Black History Month and there are upcoming events sponsored by the M. L. King Committee for residents to participate in.

Councilman Wolff said that as Senator Batch mentioned, he and MPT Berry have had good, productive, conversations with our state representatives. There is more work to be done in the committee, but there are two very active and engaged representatives representing Holly Springs.

MPT Berry said he was looking forward to the retreat. It's going to be different this year, due to COVID, and he appreciates the staff effort towards making it work in this environment. He asked a question relating to Parks and Recreation programs. He said that neighboring towns are having youth programs filled up but Holly Springs is having trouble filling some of our programs, particularly for younger children. He requested that staff look at data and anecdotal evidence to see why that is.

Councilman McGrath said the TJ COG had a discussion on GoTriangle and broader transportation issues. The Holly Springs bus service is averaging 3 people per ride. The low ridership is partially due to COVID, but he would like to look in to all the reasons for it.

Mayor Sears said he watched the Governor's press conference this afternoon, and was pleased at how strongly he and his staff were recommending getting children back to school.

MANAGER'S REPORT

Randy Harrington, Town Manager, said he had one item. He is looking forward to spending time together at the retreat this Friday and Saturday. It is not open to the public physically, but people are able to watch or listen via Zoom. The links will be on the town's webpage.

CLOSED SESSION: The Council entered into closed session, pursuant to N.C.G.S. 143-318.11(a)(4) to discuss two economic development matters. No grants will be made in this closed session.

Motion by: Berry
Second by: McGrath
Vote: Unanimous

General Account of Closed Session:

Irena Krstanovic, Director of Economic Development, updated Council on two potential development partnership opportunities. Counsel directed staff to continue engagement on the projects.

-End of General Account

Motion to seal the minutes of the closed session was made by Councilwoman Kelly seconded by Mayor Pro Tem Berry and passed with a unanimous vote.

Motion to return to open session was made by Councilwoman Kelly seconded by Councilman Villadsen and passed with a unanimous vote.

Adjournment: Mayor Pro Tem Berry made a motion to adjourn at 9:03 pm. It was seconded by Councilwoman Kelly and passed with a unanimous vote.

Respectfully Submitted on Tuesday, February 16, 2021.



Linda C. McKinney, Town Clerk

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