



MINUTES

The Holly Springs Town Council met in regular session on Tuesday, December 6, 2022. Mayor Mayefskie presided, calling the meeting to order at 7 p.m. A quorum was established as the Mayor and five Council members were present in the Chamber as the meeting opened.

Council Members Present: Mayor Mayefskie, Mayor Pro Tem Dan Berry, Council members Aaron Wolff, Shaun McGrath, Timothy Forrest, and Kristi Bennett.

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); Mathew Mutter, *IT*; Corey Petersohn, *Budget and Sustainability*; Antwan Morrison, *Finance Director*; Christopher Morse, *Assistant Finance Director*; Sonal Mehta, *Finance*; Chris Hills, *Director, Development Services*; LeeAnn Plummer, *Director, Parks and Recreation*; Kristen Denton, *Parks and Recreation*; LeRoy Smith, *Fire Chief*; Cassie Hack, *Director, Communications & Marketing*; Paul Liquorie, *Police Chief*; Officer Jimmy Cherry, *Animal Control*; Irena Krstanovic, *Director, Economic Development*; Kathy White, *Deputy Clerk*.

2. and 3. The Pledge of Allegiance was recited followed by an invocation by Father Chris Koehn, of the St. Mary Magdalene Roman Catholic Church.

4. Agenda Adjustment: The December 6, 2022 meeting agenda was adopted with changes, if any, as listed: none.

Motion: Berry

Second: Forrest

Vote: Unanimous

Public Comment: At this time, an opportunity was provided for members of the audience who had registered to speak to address the Council, and the Clerk was asked for any written comments received prior to the meeting.

The following public comments were received in writing: none.

The following comments were received in person:

Donna Friend said she was here to talk about the adoption of the Wake County nondiscrimination ordinance (NDO). On Nov 30th the US Department of Homeland Security issued a national terrorism advisory bulletin. She presented the text of that Homeland Security alert to the Mayor and Council. She said that the groups that Homeland Security is warning could be targeted include: perceived ideological opponents; government personnel; religious minorities; media; racial minorities; LGBTQIA+ community. The targeted places include: public gatherings; schools; faith-based institutions; government facilities; and US critical infrastructure. She said it might surprise Council members to see that they are on this targeted list; not just because they are government officials, but for many reasons. She said that the attack on the substations in Moore County is an example of something that will probably turn out to be a hate crime. She said Council may think the NDO will

not protect anyone. But by choosing to ignore what is going on around you and not signing the NDO, it sets the tone that discrimination is accepted and welcome in our town. She asked Council to look at the NDO seriously. The NDO covers many groups and if Council doesn't think it is strong enough, they should write a stronger one that will protect all the citizens of Holly Springs.

Shaquana Mack said she was here because Pine Springs Academy, Bruce Friend and Glenn Dansky posed a safety risk to the community. On November 9th her daughter and two other black students were targeted and threatened by a white student, who said "I am Jeffery Dahmer and I kill black people." She informed the principal that she had an urgent matter to by discuss with him and he told her to send an email to schedule a meeting. She removed her daughter from class for her safety. The principal said this behavior would not be tolerated, there would be a thorough investigation, and this matter would be handled, but that has not happened. That afternoon her daughter received a message that the offender was angry that she turned him in and said she was "too sensitive". Her husband went to the school and informed them of the message her daughter received. She met with the parents of the other targeted students and learned that the school had not informed the other students' families about the incident. Later that day Mr. Dansky informed her that he did not believe it was a serious threat because the student did not act on it. He said that the offender was in school and would not be suspended or expelled. They met with Bruce Friend, hoping for a safety plan that would allow her daughter to return to school. He said he did not consider the threat to be serious and he knew personally that the parents initiated consequences at home; but there are no clear consequences at school. Mr. Friend said the student was just in the wrong place at the wrong time. His comment is reckless and this should be handled on facts, and not on how Mr. Friend thinks the student will react or that the student is connected to members of the school board. We cannot allow this to happen in our community.

Lesslie Corner said she is a Holly Springs resident and is here to talk about the NDO. She thanked MPT Berry for responding to her email. As a constituent she appreciates when her elected officials respond to her written remarks. She addressed his arguments for why he has neglected to support the NDO. First, he states that future costs are unclear. While this is technically true, there is no reason to believe that there would be a significant cost. Campbell University's Restorative Justice Center has been an enthusiastic partner and that seems likely to continue. Second, he states that the NDO lacks teeth: this is not true because the process has been designed to enable reconciliation without the expense of a lawsuit, but and if there is still an issue after that process that business would face an injunction. Thirdly, Mr. Berry said that Federal protections offer more recourse. It is important to note that the Wake County NDO addresses groups that are not included under federal law. But the biggest issue is that passing the NDO sends a message. Holly Springs is becoming more diverse and as more companies move here, workers from across the globe, and their families, are relocating here. Members of Town Council have said that Holly Springs is already a welcoming place, but many of our town's residents do not feel that way. Not passing the NDO makes some of us feel excluded; passing it will show all of us that Holly Springs is truly a welcoming community.

Bob Nester said he moved here 8 years ago and was amazed by how welcoming everyone was. But he said he is an overweight middle-aged white guy – he fits in everywhere. He looked around and realized that people who look like him don't have to worry. But he has a lot of friends who don't look like him, or believe the way he does, who do not feel welcome. You don't hear about it because when they speak out they are not ridiculed or not believed. When there is no recourse, people often don't speak up. He apologized to Ms. Mack for what her child had to endure. To feel that you have to worry about the safety of your child based on some aspect of who they are – no one wants that. But members of community experience that every day. What happens when someone loses a life? Or what happens when it's that moment when we send a message, and make someone who needs an opportunity feel like they can't have that opportunity in Holly Springs? He's heard that we don't know what the NDO will cost. We don't know what any law will cost. There's a program that is willing to donate their time and efforts for restorative justice. It's a

way to send a message that says we are a welcoming community and passing the NDO is how we can guarantee that we are welcoming.

Kathy O'Dette said this was her 3rd time speaking on the issue of the NDO. She is discouraged and baffled on why, after 7 months of meetings and emails, there has been no movement on this issue. This is about fair treatment for everyone in Holly Springs. It is not about elevating one group over another, which is a recent comment made by a Holly Springs resident who was viewing a diversity and inclusion display at a holiday gathering. It's not about giving one group more rights than others. Giving equal rights to any one group does not mean that anyone else's rights and protections are taken away. If you will not agree with non-discrimination, it sends a strong message that you are ok with discrimination, and she would like to know why, and she would like an answer without a dollar sign attached to it. The Homeland Security warning does not come as a surprise to those of us who belong to groups that were warned to stay vigilant. There was no exclusion for Holly Springs in this warning. Holly Springs is not exempt from hate. Many examples have been given here. One example of discriminatory treatment of any Holly Springs resident should be enough for you to take action. Town Council should have the courage to take action, and lead by example. Sign the NDO today.

Diane Wetsel said Town Council says we don't have a problem in Holly Springs. We have a problem. She said that the people of Colorado Springs didn't think they had a problem either, until they did. We don't know what the motivation in Moore County, but we can agree that there's a high probability that it was a terrorist attack. And the people of Moore County didn't expect this to happen either. You have heard it already; you have the homeland security warning in front of you. Why aren't you listening? There are people, higher than you, who are telling you that we have a problem in this country. Holly Springs is not exempt. Are you waiting for something to happen here? And if it does, what are you going to tell the news media you did when the NDO was in front of you? Are you going to say it cost too much? How much is your equality worth? Can you put a dollar amount on equality? Do the right thing. Sign the NDO.

Linda Hewitt said she is a resident of Holly Springs. She moved here in 2020 and she received lots of welcome, but she needs there to be something behind the face. She needs action. The signs are all around us in our country, state and town. It's not going to go away because you aren't doing anything about it. The brave and smart thing to do is to be proactive and sign the NDO. She quoted from the News & Observer from a Morrisville Council member upon the passing of the NDO in Morrisville. "We make an impact when we stand with organizations like Equality NC and the NAACP to put in writing that discrimination will not be tolerated in our town. It is important to put it down on paper." She asked the Council to take a stand. Look at the signs around you. Listen to the eloquent citizens who are coming before you and saying they have a problem, and they need you to address it.

Chuck Tryon said he was here to express support of the NDO. He said in light of the ongoing attacks on the rights of LGBTQ people to assemble in public, we need these protections so that people and businesses will feel safe. Throughout the state and country, there have been threats, some of them acted upon, to businesses, that have hosted LGBTQ events. These are a deterrent to businesses that might want to host events. As to the potential cost to businesses, there are no requirements for businesses to update policies or procedures, or incur any other expense. He said that Chambers of Commerce across the county have welcomed the NDO. Small businesses in the towns that signed the NDO have not complained. They continue to do what they do best – serve their customers. The claim that the NDO lacks teeth is also false. There have been claims that the NDO does not go beyond federal protections. That is also not true. Federal protections cover large businesses that engage in interstate commerce; this would cover small businesses. Others have said that it is not worth passing because it is not forceful enough. If that is your objection, make it stronger. Instead of looking for reasons not to pass it; look for reasons to pass it.

Carrie Curtis said he is nonbinary, and moved here in 2020 with his wife. He has seen an escalation of negativity. When he hears the excuses and reasons for not passing the NDO what he hears is that money is more important than their protection in places they frequent and spend their money. They want to feel safe to walk around as who they are. Passing the NDO will offer more security. It will show people that discrimination is not tolerated here and we are going to stand up for our community. That people who spend their tax dollars here can be confident that they are safe. The threats identified by Homeland Security make them afraid to keep their Equality flag up at their house. Please sign the NDO.

Matthew Carpenter with Parker Poe said he was here to request that Council delay the public hearing for the North East Gateway Masterplan to allow more time for stakeholder feedback on the plan. He represents Jayco, the developer of the property just north of the 540 extension. That project is in what the Town calls the gateway core. He knows that a lot of thought has been put into that site. We have worked with staff for about a year, and were surprised when a new draft of the plan came out that was significantly different from the previous version. The new plan shows significant office development toward the interior of the site. He said that presents a number of problems down the road. Post COVID there has been a big change in the office market. There are a lot of vacant office space in Wake County. Also office tenants want visibility and to be close to the highway. He said that neighbors in Tuscany were unaware that a revised plan was out, approved by the Planning Board, and set to go before Council on Dec 20th. He asked for more time for stakeholder input. The property owners also want more time to digest the plan and provide feedback, since it impacts their property.

Eli Zabrud said he was the developer of Village Gate and was here because they went through several tough years due to COVID and supply and labor shortages and other delays. But Thanksgiving is past and the holidays are here. Fourteen years ago he stood here and heard a lot of complaints about everything they encountered. Today things are very different. With all the difficulties he had, the help and participation and support that he got from staff was tremendous. He said that if he complained 10 years ago, he should come and compliment the staff this time. He said it was the most pleasant experience with any town staff that he has had and he wanted to thank them publicly. They presented a plaque to hang in Town Hall thanking Building Inspectors, Site Inspectors, Economic Development, Development Services, and Utilities and Infrastructure.

RECOGNITIONS

5. Holly Springs High School's Colla Voce Choir

The Choir sang three holiday selections for Mayor Mayefskie, the Council, and the audience.

REQUESTS AND COMMUNICATIONS

6. Presentation of the Annual Comprehensive Financial Report for Fiscal Year Ended June 2022

Antwan Morrison, Finance Director, introduced April Adams with the Cherry Bekaert accounting firm. He said that this annual audit is required by statute and he would let her present the findings.

Ms. Adams gave an overview of the audit process. She said that the Town drafting the financial statements in house shows ownership of the process. She said that they have issued an unmodified opinion, which is the highest possible result. She said they issued Financial Statements, Yellow Book reports, Federal Single Audit, and State Single Audit. The Single Audits were required because of increased federal and state funding through the Coronavirus State and Local Fiscal Recovery Funds and the Powell Bill funds. Ms. Adams said that there were no material weaknesses identified. There was one significant deficiency identified around separation of duties between finance and human resources, and steps are being taken to remedy that procedure. She

said that the audit found no difficulties or disagreements with management or outside consultations, other findings or issues, no fraud or illegal acts, and no going concerns.

Ms. Adams said that highlights of the audit report include an increase in property tax revenue, with 99.80% of the levy collected, which is a higher rate than both the statewide average for municipalities our size and the statewide average for all population sizes. She said that the fund balance and net position have continued to increase both in the General Government and Proprietary Funds. The Town's policy is to maintain an unassigned fund balance between 20-25% of General Fund expenditures. The General Fund Fund Balance was at 23% on June 30th. She outlined the debt position of the Town as of June 30th and said that the Town is in good shape in both debt overview and debt compliance. Mr. Morrison gave an overview of planned debt issuances. He said that the town had planned for these and is in good shape to issue this debt.

Mr. Morrison said that key takeaways from the audit were the benefit of being in Wake County for both property tax collection rates and sales tax receipts; that the town has strong financial reserves; that the credit ratings of AAA from Standard & Poor's and Aa1 from Moody's have been recently reaffirmed; and that there are solid, unrestricted cash balances. He said the town obtained the Certificate for Achievement of Excellence in Financial Reporting from the GFOA and will be applying for it again this year. He thanked Communications Department for designing the cover, and the Finance staff for all their hard work on this.

Council member Forrest asked whether changes were being implemented to address the deficiency mentioned. Mr. Morrison said that he and the Human Resources Director were meeting this week to put new processes in place. Randy Harrington, Town Manager, said that one of the things identified in this was the need for more staff in Human Resources. He said that the current budget approved a new Human Resources Analyst and we are recruiting for that position now but like others, we are having difficulties finding the right person.

Council member McGrath asked for clarification on the response letter. Ms. Adams said it would start the sixty days starts today, and that the letter needed to be signed by every Council member.

MPT Berry asked if the risk of the deficiency could be quantified. Ms. Adams said that they do not typically do that. She said that what they are saying is, there is a potential for an employee to not receive the correct pay because there is no segregation in the process.

Council member Forrest asked where does this put us in terms of that 2.5? Mr. Morrison said that it would affect the town, but the 2.2 – 2.5 guideline is based on current valuation, and our assessed valuation keeps rising. We will not issue all this debt at the same time. If you time the debt appropriately, it is well within our debt model. Council member Forrest asked if this would limit our ability to issue bonds. Mr. Morrison said not for revenue bonds. It would have an impact on limited obligation bonds, but that impact was accounted for within that debt model.

7. Holly Springs Police Department Annual Report

Police Chief Paul Liquorie said this was the annual report of the Holly Springs Police Department. He said there were two overarching themes in the report. One is that the men and women of the Holly Springs Police Department continue to diligently work to prevent crime and to keep our roadways safe. And second, our officers and staff provide an outstanding level of community engagement activities from small events like Coffee with a Cop, to large events like National Night Out. He said that by all measures Holly Springs remains one of the safest places to live, work, and raise a family. Chief Liquorie said that calls for service increased at a slower pace than the Town's population growth and overall, crime remains low. He said that arrests remain relatively unchanged and the incidence of use of force by officers decreased slightly. The department has maintained its staffing and is more diverse than ever before. He said that the Police-Community Advisory Group and Citizen Police Academy have been fully implemented and have received great feedback. He said the 2nd session of the CPA graduated a few weeks ago.

Chief Liquorie then outlined five-year trends for property crimes and violent crimes. He said that most of the larceny incidents are against commercial / retail establishments (such as shoplifting) and not in residential homes. Most of the burglaries are in commercial, storage, or unoccupied buildings. Motor vehicle thefts are down by 31% this year. The arrest of a prolific

offender and public education efforts have contributed to this reduction. While there appears to be a large spike in robberies, in raw numbers there was an increase from one robbery last year, to four this year, all of which have been solved and the offenders in custody. He said that most of the aggravated assaults were domestic violence related. The majority of vandalism was in the form of graffiti in public or commercial spaces. A significant number of them were connected to one offender, who has been adjudicated. He said the uptick in DWI arrests was due to an increase in impaired driver detection training and awareness as well as targeted enforcement. Officers are seeing an increase in impairment other than or in conjunction with alcohol.

Chief Liquorie outlined statistics around total arrests by race and residency, and said use of force was down, and none involved Tasers or firearms. He compared Holly Springs' crime rate to state and national rates, stating that Holly Springs had a 12 to 13 times lower rate for violent crimes, and a 5 times lower rate for property crimes. He said that motor vehicle collisions are down over last year and the bulk were property damage only. Injury collisions have gone down and he said it is due to targeted enforcement in areas where collisions happen most often. He said the department is out and engaged with the community in a positive way, and have an ongoing dialogue with the community.

Mayor Mayefskie expressed his appreciation to Chief Liquorie and the department.

Council member McGrath said that statewide and county statistics on number of collisions and deaths are increasing exponentially. Ours are decreasing. He asked what we could learn by comparing ourselves to other jurisdictions that are demographically similar. Chief Liquorie said he had no data on collisions in other municipalities. He said collisions in Holly Springs are down because of data driven, purposeful policing, by putting assets in the right place, to reduce injuries and death. This is usually on arterial routes in town like Highway 55 and Main Street. Council member McGrath asked for clarification on the weapons charges. Chief Liquorie said overwhelmingly the weapons charges were attached to traffic stops where someone without a concealed carry permit, or a felon who should not have a weapon, had one. Council member McGrath asked if there was any specific feedback from the Police Community Advisory Group. Chief Liquorie said the purpose of the group was to provide feedback to the department of things that they hear in town. It helps to lower the heat of rumors and expand the department's engagement opportunities.

MPT Berry asked about the spike in burglaries. Chief Liquorie said these are attributed to commercial. A number were in homes under construction having construction materials stolen. There was no pattern, so they worked with developers and contractors to monitor sites when supplies were delivered. Also there was a rash in a particular location of storage units. He wanted to emphasize that less than a handful occurred in residential homes. One was domestic; one was juveniles, friends of a resident; and one other. Also lawn and landscaping equipment from storage sheds. MPT Berry asked if there was anything the department needs that it does not have. Chief Liquorie said they were well prepared. After the Uvalde incident we shifted funds to make sure we had assets to cover what we needed to be prepared in case of an incident. We have already addressed that in our training, but in the coming budget will be asking for equipment to protect officers. We are also working with the Fire Department to do more preplanning to be more prepared for an incident should one happen.

Council member Wolff said that community members reached out to him, concerned about the parade after the tragedy in Raleigh. He knows that the town has been working on this, and asked if there was anything the Chief could say. Chief Liquorie said they have been working diligently to create a plan with creative solutions. They are going to do a pre-inspection of vehicles before the parade. There will be plastic, water-filled jersey barriers to protect spectators and/or stop a vehicle which has lost braking power. There will be many officers on site. There are also things being done behind the scenes. And Wake County's Emergency Command Vehicle will be set up at the old Rite Aid parking lot for better command and control.

Council member Forrest expressed his appreciation of the community policing philosophy. He said he met with members of the PCAC and has gotten positive feedback from them. He asked where the department was on the license plate reading software included in the budget. Chief Liquorie said they are in the vendor determination phase trying to find the best asset for Holly

Springs, and to find one that allows flexibility to move it to locations where it is needed. He hopes to get it the trial phase up and running early next year. Council member Forrest asked about minority complaints, or anything considered a hate crime. Chief Liqueur said he was not aware of any charges filed this year, and doesn't know that we have reported out those statistics. Council member Forrest asked where are we on actual planning of continuity of operations with schools, businesses and local civic organizations in the event of an incident. Chief Liqueur said we are in the initial phases. Wake County Public Schools is the largest footprint that they are looking at, and they work well with their security department. Incident Action Plan and Incident Contingency Plans are in the works. One of the dispatchers is working on her master's degree and has taking this on as a graduate school project. We may be asking for a position of Incident Planner to put things in the language needed for federal and state funds. He said he was confident in the capabilities of both the immediate public safety departments and the cooperation with Wake County. While we are waiting to formalize a written plan, we are taking steps and moving forward to create them. Council member Forrest asked how many officers carry and are able to administer Narcan. Chief Liqueur said he knows of one instance with a young adult where a K-9 officer was able to revive someone. He knows of one other instance. But the number of incidents is not high.

8. Holiday Happenings and Events Update

Kristen Denton, Parks and Recreation, said that this item was to provide an update on Holiday happenings and events around town. She said that Santa's mailbox is up in front of Town Hall and is accepting letters through the evening of December 11th. Children who include a return address on their letter will receive a response. The Holly Day Express is bringing Santa, escorted by the Holly Springs Fire Department, to neighborhoods around town from December 5th – 14th. The Santa Tracker on the Town website will show you where the Jolly Elf is and when to expect him in your neighborhood. Ms. Denton said that Saturday at 10 am is the annual Happy Holly Days Parade. The route is two blocks longer than last year, and there is accessible viewing from the Food Lion parking lot for those with mobility challenges. She reminded people that roads around the parade will close at 8am, so arrive early.

Also coming up is the Santa Cares program, a sensory-friendly event for children with all types of special needs to visit Santa which is in its 3rd year. Appointments are available through the Town website. There are toy and donation drives going on in Town Hall, at the Law Enforcement Center and other locations to provide gifts for those in need. Check the website for full details as these have different end dates. Recent events include the Tree Lighting last Thursday at the Cultural Center, which included performances by local choirs and a visit from Santa, and the WinterFest and Tree Trail at Ting Park last weekend.

Consent Agenda

The Council passed a motion to approve all items on the Consent Agenda. The motion carried following a motion by MPT Berry, a second by Council member McGrath and a unanimous vote. The following actions were affected:

9. Minutes – Council approved the minutes of the October 18, 2022 and November 1, 2022 business meetings and the November 8, 2022 workshop meeting.

10. Quarterly Budget Amendments – The Council received the monthly budget amendment report and approved quarterly budget amendments. Council adopted the following budget ordinances: PAYGO Project Ordinance 22-34; Waster Water Project Ordinance 22-36; Water Project Ordinance 22-37; Grants and Special Revenue Fund Ordinances 22-38; Streets Project Fund Ordinance 22-39; and Utility Capital Reserve Fund Ordinance 22-40.

Copies of Ordinances 22-34, 22-36, 22-37, 22-38, 22-39, and 22-40 are attached to these minutes.

11. Position Reclassification of Public Works Concrete Crew Leader to Fleet Technician – The Council approved the reclassification of Public Works Technician Concrete Crew Leader (position #422-038) to Fleet Technician.

12. Retirement of LEO Service Weapon, Badge, and K-9 to Sergeant Denton – The Council adopted Resolution 22-35 authorizing the award of badge and sale of service side arm to retiring police Sergeant Keith Denton per North Carolina General Statute 20-187.2, and retired K-9 officer Ziggy.

A copy of Resolution 22-35 is attached to these minutes.

13. Retirement of LEO Service Weapon and Badge to Sergeant Gledhill – The Council adopted Resolution 22-36 authorizing the award of badge and sale of service side arm to retiring police Sergeant Dan Gledhill per North Carolina General Statute 20-187.2.

A copy of Resolution 22-36 is attached to these minutes.

14. Fujifilm Diosynth Biotechnologies Company Performance Agreement – The Council approved Company Performance Agreement (CPA) between Fujifilm Diosynth Biotechnologies and the Town of Holly Springs and authorized the Town Manager, Attorney, and Finance Director to sign and execute the agreement and receive funds when made available by the Department, and distribute according to the terms of the CPA.

NEW BUSINESS

15. Animal Control Ordinance Amendments

John Schifano, Town Attorney, said the purpose of this item was to modernize the definition of a nuisance animal and increase the fine for animal cruelty in the Town Code. He said that Officer Jimmy Cherry would go over some of these changes.

Officer Cherry said they are a team of 3 who responded to about 3,500 calls last year. He said the current code prohibits animals that run at large and “repeatedly disturb interfere, or annoy humans.” The revised language lists 12 specific actions by animals or owners that declare them a nuisance, such as walking on or sleeping on automobiles; unsanitary confinement; being vicious, chasing, snapping; restrained less than 5 feet from public street; being a danger to public health, safety, and welfare. He said the current fine is \$50 - \$100, at the discretion of the officer. The new language includes changes required by NC Statute to specifically address the ability to charge an offender criminally, and to have a fine over \$50. The fine for animal cruelty is being increased to reflect the severity of the offense. The revised fine is \$150 for the first violation; \$250 for the second; and \$350 for the third. In addition the officer is given discretion to punish criminally.

Council member Forrest asked how these fines compare to Fuquay Varina or Apex. Officer Cherry said that he used to work for the City of Raleigh, and their fines are \$50, \$100, \$150 and haven’t changed from ten years ago. Those could even be 20-year old fines. He is asking that Town Council be proactive and increase these fines. If a barking dog fine is \$50, a citation for cruelty should be higher. Council member Forrest asked if these fines were high enough. Officer Cherry said they reserve these fines for situations where the conditions are bad, but not terrible. He said these fines are great, but in instances where conditions are terrible, it will not be a civil fine, it would be a criminal charge.

Mayor Mayefskie asked for clarification on the dollar amounts of the fines. John Schifano, Town Attorney, said the \$150, \$250, and \$350 fines are for cruelty; not for nuisance animals. Council member Bennett asked how they control cats. Officer Cherry said that cats are not allowed to leave your property. To be honest, the first time we come out we educate the cat owner. Most of the time, after said education, the owners comply. Council member Bennett asked if that meant cats should stay inside. Officer Cherry said they should stay indoors. Council member Wolff said that his opinion as a veterinarian is that it is better for the cat to stay indoors. Officer Cherry said we see injured cats when they are allowed to run free.

Action: Motion to adopt Ordinance 22-41 amending the Town's Animal Control Ordinance.

Motion by: Forrest

Second by: McGrath

Vote: unanimous

A copy of Ordinance 22-41 is attached to these minutes.

16. Adopt Calendar Year 2023 Town Council Meeting Schedule

Linda McKinney, Town Clerk, said this item was to approve the Calendar Year 2023 Town Council meeting schedule. By law the schedule is required to be filed in the Clerk's office each year. This year at their November workshop, Council directed the Town Clerk to revise the schedule for 2023 as follows: Council workshop meetings to be held on the second Tuesday of each month with the exception of February and August; Council business meetings to be held on the third Tuesday of each month; Quarterly business meetings as needed on the first Tuesday of March, June, September, and December. She said that once adopted the meeting schedule would be posted to the Town's website and kept on file in the Clerk's office.

Action: Motion to adopt the 2023 Calendar Year Meeting Schedule.

Motion by: Berry

Second by: Bennett

Vote:

Aye: Berry, Wolff, McGrath, Bennett

Nay: Forrest

The motion passed.

OTHER BUSINESS

Mayor Mayefskie thanked the Colla Voce choir for singing. He said that next week he is going along with Town Manager Randy Harrington, to the Metro Mayors meetings in Winston-Salem.

Council member Bennett congratulated staff on the recognition given by Eli Zabrud. She said that it speaks volumes. She said she has done the Santa Mailbox, the Tree Lighting and the Tree Trail and is looking forward to the other holiday events. She said there was some disappointment in the past when the special mailbox comes down, and asked if it can be left up and just not have the letters answered. LeeAnn Plumer, Director of Parks and Recreation said staff has removed the mailbox at the deadline because the expectation of children is that they will get a response. And if kids do not get a response they are disappointed. The deadline is Dec 11th this year. But children can always use the US mail if they want to mail a letter to Santa after that date.

Council member McGrath said it was great to be back in person, and he appreciated the patience and cooperation of staff and colleagues in working with him while he did some "cool things for the Air Force." But he's glad to be back. He said he went to the tree lighting and was impressed with the number of residents who showed up. And he thanked the Holly Springs High School Choir for singing tonight and putting us in the holiday spirit.

MPT Berry asked if the people on Occidental Drive had been notified of the imminent construction of the project on Main Street across from the hospital. Chris Hills, Director of Development Services said they had contacted those residents. MPT Berry said that he wanted to highlight a story from last weekend. Jared Brigante, Battalion Chief with the Holly Springs Fire Department is a hockey player and was getting ready to play, when a spectator of the game before his fell unconscious. He was the first to offer first aid. The spectator was in cardiac arrest, and Battalion Chief Brigante's quick actions saved a life. We have awesome employees in public safety. And he offered congratulations to him.

Council member Forrest asked about Ms. Mack's issue at Pine Springs and wants to know what the Town's authority is in this regard. Are we looking into it or do we have that authority to look into it? Council member Wolff said he had been contacted by a resident earlier this week. He reached out to School Board Representative Mahaffey and authority is limited, even at the school board, because Pine Springs is a charter school with a private board. Parents can contact Department of Public Instruction (DPI), which has a Charter School Advisory Board. Even they have limited authority on disciplinary matters within schools. But this is part of the process of charter accountability. And it is very limited. He asked the Town Attorney for a legal opinion. Town Attorney, John Schifano said that was correct and also that privacy laws that cover public schools also cover charter schools. We can get information from the complainant and they can make a report to the Police Department. But there is limited information on issues involving juveniles. To the point that Charter Schools operate under a charter, which is a contract and a right issued by DPI, it is important that someone gets that information. Council member Forrest asked for someone to reach out to Ms. Mack to make sure she knows the right channels and the right thing to do. Council member Wolff said that parents should know that the public schools allow mid-year transfers from charter schools to the base public school, so that is an option as well. And our representative will connect any resident with staff to ease that transition. They are welcome at the base school at any time.

MANAGER'S REPORT

Randy Harrington, Town Manager, said the main item he has is related to Dr. Wolff's question about safety with the parade. Chief Liquorie did a good job of summarizing what we are going to do. He reminded everyone that the parade is Saturday. Finally, he said that he is an avid NORAD Santa tracker. Staff has connected to that and we have a really great device to predict when Santa will be in your neighborhood, so please check that out.

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, and pursuant to N.C.G.S. 143-318.11(a)(3) to discuss *Meritage v. Town of Holly Springs* with the Town Attorney.

Motion by: Forrest

Second by: Berry

Vote: Unanimous

Irena Krstanovic, Director of Economic Development, briefed the Town Council on an Economic Development incentive effort.

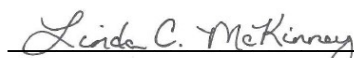
No action was taken by the Council.

John Schifano, Town Attorney, briefed the Council on the *Meritage v. Town of Holly Springs* lawsuit the details of which have been sealed until such time as the matter is resolved.

Motion to seal the closed session minutes and leave closed session was made by Council member McGrath, seconded by Council member Forrest and passed with a unanimous vote.

Adjournment: MPT Berry made a motion to adjourn at 10:23 pm. It was seconded by Council member Wolff and passed with a unanimous vote.

Respectfully Submitted on Tuesday, December 20, 2022.



Linda C. McKinney, Town Clerk

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

