

Holly Springs Town Council Minutes

Special Session May 21, 2008

The Holly Springs Town Council met in a duly-called special session on Wednesday, May 21, 2008, in the Holleman Room of Holly Springs Town Hall, 128 S. Main Street. The purpose of the meeting was to discuss the proposed FY 2008-09 operating budget. Mayor Dick Sears presided, calling the meeting to order at 5:45 p.m. A quorum was established as the mayor and four council members were present as the meeting opened.

Council Members Present: Councilmen Vinnie DeBenedetto, Parrish Womble, Chet VanFossen, Tim Sack and Mayor Sears. Councilman Hank Dickson arrived at 6:10 p.m.

Council Members Absent: None.

Staff Members Present: Carl Dean, town manager; Charles Simmons, assistant town manager; John Schifano, town attorney; Joni Powell, town clerk (recording the minutes); Linda Harper, deputy town clerk; John Herring, police chief; Gina Clapp, director of planning and zoning; Daniel Weeks, project analyst; Eric Tayler, information technology manager; Luncie McNeil, public works director; Erika Phillips, human resources director; Amy Moore, interim director of water quality; Stephanie Sudano, director of engineering; Drew Holland, finance director; Jenny Mizelle, director of economic development; Ricky Blackmon, director of code enforcement; Barb Koblich, Clerk's Office information assistant; and Len Bradley, director of parks and recreation.

Mr. Dean reviewed his budget message providing highlights of his proposed budget with the Town Council. Personnel and program needs were discussed, and Mr. Dean and department heads fielded questions.

Councilman DeBenedetto opened discussions asking why many salary grades of staff members had changed from July 2007 to June 2008. Mr. Dean and Ms. Phillips explained how those changes came to be, but Councilman DeBenedetto said he felt it was the Council's role to approve individual grades and salaries with the results of independent personnel studies.

There was consensus among Councilmen Dickson, VanFossen and Sack that it is a town management and human resources staff to assign grades for positions and the Council's function to set the salary grades for each position.

In discussions that ensued during the evening, the Town Council requested that the following items be given further consideration. Some of the items would not represent changes to the budget.

- o **Action:** A motion was made by Councilman Womble, seconded by Councilman Sack and carried unanimously for the Police Department to go forward with its motorcycle program before the new budget year so that the assigned officers could register for training in June.
- o The Council approved of the planned purchase of one Segway vehicle for the Police Department to use in patrolling, particularly at the Wal-Mart shopping area.
- o **Action:** Noting an estimated cost of \$14 million to be borrowed, a motion was made by Councilman Sack, seconded by Councilman Womble and carried unanimously to approve a proposed rate increase for water and sewer and to proceed with and commit to negotiations with Harnett County to acquire an additional 8 million gallons of water per day capacity in the Harnett County water plant, which will meet the town's water needs for the next 25 years.
- o **Action:** Noting revenue generated by the service and the continued ability to provide a locally-based service, a motion was made by Councilman Womble, seconded by Councilman Sack and carried unanimously to keep the town's Emergency Medical Services program as it is and to not merge with Wake County EMS.
- o Councilman VanFossen suggested that the town look into methane recovery at the wastewater treatment plant. He also said he would be interested in seeing if the town could acquire or lease the BFI C&D closed landfill property for park development or open space.
- o Councilman DeBenedetto questioned the manager's proposed 4% cost of living adjustment, saying he believed it should be lower. Ms. Phillips explained how the annual COLA amount is figured, based on the consumer price index, among other things. She said the 4% actually is lower than the actual estimated cost of living increase of 4.8%. Consensus of the Council was to approve the 4% amount.
- o To gain some sense of finality on the issue of the Town Attorney position, Mr. Dean asked the Council to take definitive action. Councilman VanFossen said it disturbed him that it was even an issue for one council member because he sees the town attorney position as representing the best legal interests of the town, regardless of whether the position is a paid employed one. He said it would be wasteful to have an additional attorney on retainer to represent the Town Council because the role of the town attorney is to represent the Town, not the staff and not the Council.

Councilman Dickson said it was a non-issue to him.

Councilman DeBenedetto maintained his position that the town attorney cannot represent both staff and the Council because there would be a conflict of interest.

Councilman Sack said he understands that the town attorney represents the Town and can do so as an employee or on retainer. He said he saw no conflict.

Action: A motion was made by Mayor Sears, seconded by Councilman Dickson and carried by a 4-1 vote to make no changes to the position of town attorney and to not budget funds for hiring separate legal counsel for the Town Council. Councilmen Womble, VanFossen, Sack and Dickson voted for the motion. Councilman DeBenedetto voted against.

- o Councilman DeBenedetto asked why Mr. Dean had left travel allowances in the budget proposal. Mr. Dean responded it was because the budget proposal to be deliberated at the budget workshop is the "Manager's Recommended Budget," and he left them in his proposal because he recommends them. Mr. Dean added that he would, like he would with any other changes directed by the Council during the workshop, make those changes to the final budget plan to be compiled after the workshop.

Councilman Sack said he feels the travel allowances provided some employees with a bonus benefit and that it was not equitably applied in the organization. He said the surest way for the Town to provide equitable travel expenses is to pay actual mileage to all employees, including the mayor. The mayor said, that in his case, he feels the travel allowance given to him was a board decision in 2003 that considered it compensation for the hours he spends in the office.

Councilman VanFossen said the Council in 2003 chose to provide a travel allowance over salary because the Council – at that time – would not be allowed by the town's charter to increase the salary of the current mayor's position, only the next mayor's salary. Because the 2003 board could not increase the mayor's salary, the board provided a monthly travel allowance, which it was allowed to do by law and the charter. He said he was in favor of it remaining.

Councilman DeBenedetto disagreed.

Councilman Womble said he does not believe travel allowances should be provided, but if the town wanted to provide extra compensation to the mayor or to employees, that it be called salary and not a travel allowance.

Action: The Council approved a motion to establish and enforce a policy whereby Town employees and elected officials would be provided actual mileage reimbursement and not travel allowances, with the provision that the Town Manager could recommend to the Council individual exceptions as warranted.

Motion By: DeBenedetto

Second By: Womble

Alternate Motion: Councilman Dickson offered an alternate motion to provide travel allowances to all management and department heads at an equal rate as a recruitment and retention tool, with staff members having the option of declining the offer.

Alternate Motion Seconded by: VanFossen

Alternate Motion Vote: The motion failed, following a 2-3 vote. Councilmen DeBenedetto, Womble and Sack voted against the motion. Councilmen Dickson and VanFossen voted for.

Main Motion Vote: The motion carried following a 3-2 vote. Councilmen DeBenedetto, Womble and Sack voted for the motion. Councilmen VanFossen and Dickson voted against.

Mr. Dean was asked to look into these topics and report back to the Council and make any adjustments to the proposed budget that might be necessary and prudent.

Adjournment: There being no further business for the evening, the May 21, 2008, special meeting of the Holly Springs Town Council was adjourned following a motion by Mayor Sears, a second by Councilman Sack and a unanimous vote.

Respectfully Submitted on Tuesday, Aug. 5, 2008,

Joni Powell, CMC, Town Clerk