

Holly Springs Town Council Minutes

Regular Meeting

April 15, 2008

The Holly Springs Town Council met in regular session on Tuesday, April 15, 2008, in the Council Chambers of Holly Springs Town Hall, 128 S. Main Street. Mayor Dick Sears presided, calling the meeting to order at 7 p.m. A quorum was established as the mayor and all five council members were present as the meeting opened.

Council Members Present: Councilmen Vinnie DeBenedetto, Parrish Womble, Chet VanFossen, Tim Sack, and Hank Dickson and Mayor Sears.

Council Members Absent: None.

Staff Members Present: Carl Dean, town manager; Chuck Simmons, assistant town manager; John Schifano, town attorney; Joni Powell, (recording the minutes); town clerk; Drew Holland, finance director; Gina Clapp, director of Planning & Zoning; Jeff Jones, planner II; Kendra Stephenson, senior engineer; Stephanie Sudano, director of engineering; Elizabeth Goodson, development review engineer; Len Bradley, parks and recreation director; Lt. Anthony Revels; Police Chief John Herring; Daniel Weeks, project analyst; Eric Tayler, IT manager; and Mark Andrews, public information officer.

2 and 3. The Pledge of Allegiance was recited, and the meeting opened with an invocation by Rabbi Ederly of Temple Beth Shalom.

4. Agenda Adjustment: The April 15, 2008 meeting agenda was adopted with changes, if any, as listed below.

Motion By: Sack

Second By: DeBenedetto

Vote: Unanimous

Items Added to the Agenda: Item 9f, appointments to the Wake County Growth Management Task Force.

Items Removed from the Agenda: None.

Consent Agenda Items Moved to New Business: None.

Other 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 input was recorded: None.

6. National Volunteer Week Proclamation – Mayor Sears presented a proclamation designating April 27 through May 3, 2008 as National Volunteer Week in Holly Springs.

Mr. Dean said the Town, at the Council's direction, will recognize more than 500 citizens who dedicate their time and talent to Town of Holly Springs programs. He said Four Oaks Bank is contributing to the effort to recognize these volunteers.

Mr. Dean said there will be a full page ad in the newspaper recognizing the Town organization's volunteers, and each volunteer will receive a certificate of appreciation and a gift card.

Action: None.

7a. Public Hearing: Rezoning Map Petition, 07-REZ-03 – Mr. Jones said the Town has received a request to rezone approximately 53.365 acres along G.B. Alford Highway from R-30 upon its annexation to Community Business.

Mr. Jones said the proposed zone map change is pending annexation of the property, and staff is requesting that the public hearing be opened and continued to resume on June 17.

With that explanation completed, Mayor Sears opened the public hearing to accept input. The following comments were recorded: None.

There being no comments, the public hearing was continued.

Action: The Council approved a motion to continue the public hearing to resume at 7 p.m. Tuesday, June 17, 2008 at Holly Springs Town Hall.

Motion By: Sack

Second By: Dickson

Vote: Unanimous.

7b. Public Hearing: Rezoning Map Petition, 08-REZ-04 – Mr. Jones said the Town has received a petition proposing to rezone approximately 123.7 acres from R-30 upon its annexation to Light Industrial. The parcel is located along Friendship Road and US Hwy 1 in the western part of the Town's future planning area.

Again, Mr. Jones explained that this rezoning would be contingent upon annexation of the property, so staff is requesting that the public hearing be opened and continued to May 6.

With that explanation completed, Mayor Sears opened the public hearing to accept input. The following comments were recorded: None.

There being no comments, the public hearing was continued.

Action: The Council approved a motion to continue the public hearing to resume at 7 p.m. Tuesday, May 6, 2008 at Holly Springs Town Hall.

Motion By: Dickson

Second By: Sack

Vote: Unanimous.

8. 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 Councilman Womble and a unanimous vote. The following actions were affected:

8a. Minutes - The Council approved minutes of the Council's winter retreat special meeting held Feb. 22-24, 2008.

8b. Budget Amendment Report – The Council received a report of monthly amendments to the FY 2007-08 budget approved by the Town Manager. *A copy of the budget amendment report is incorporated into these minutes as addendum pages.*

8c. Resolution 08-14 – The Council adopted Resolution 08-14 directing the town clerk to investigate the sufficiency of annexation petition A08-02, Ransdell property, and setting a public hearing for Tuesday, May 6, 2008. *A copy of Resolution 08-14 is incorporated into these minutes as addendum pages.*

8d. Resolution 08-15 – The Council adopted Resolution 08-15 directing the town clerk to investigate the sufficiency of annexation petition A08-03, Sasser property, and setting a public hearing for Tuesday, May 6, 2008. *A copy of Resolution 08-15 is incorporated into these minutes as addendum pages.*

8e. Set Special Growth Forum Meeting – The Council set a special meeting for April 17 for a growth forum and public hearing.

8f. Budget Amendment, \$42,750 The Council adopted amendments to the FY 2007-08 budget in the amount of \$42,750 for the installation of a traffic signal on Avert Ferry Road as approved on April 1. *A copy of the budget amendment is incorporated into these minutes as an addendum page.*

8g. Budget Amendment, \$3,475 – The Council adopted an amendment to the FY 2007-08 budget in the amount of \$3,475 to accept insurance proceeds for law enforcement vehicle maintenance and replacement. *A copy of the budget amendment is incorporated into these minutes as an addendum page.*

8h. Budget Amendment, \$18,700 – The Council adopted an amendment to the FY 2007-08 budget in the amount of \$18,400 for the rain barrel program. *A copy of the budget amendment is incorporated into these minutes as an addendum page.*

8i. Budget Amendment, \$4,000 – The Council adopted an amendment to the FY 2007-08 budget in the amount of \$4,000 for the purchase of one-inch and over water meters. *A copy of the budget amendment is incorporated into these minutes as an addendum page.*

8j. Resolution 08-16 – The Council adopted Resolution 08-16 authorizing application for NCDOT Safe Routes to School grant funding. *A copy of Resolution 08-16 is incorporated into these minutes as an addendum page.*

8k. Cape Fear River Collective Study – The Council agreed to participate in a Triangle J Council of Governments collective study of the Cape Fear River in the amount of \$1,378. *A copy of the contract is incorporated into these minutes as addendum pages.*

9a. Garrison Subdivision Pump Station – Ms. Sudano said to be consistent with the Town's Engineering Design and Construction standards, the proposed site plan for the Garrison Pump Station needs the Council's endorsement.

She said this site plan was approved by Town Council on June 20, 2006; however, due to site plan changes, a revised pump station site plan and location of the pump station is being presented for consideration.

Ms. Sudano said the pump station is surrounded by future Garrison subdivision lots. It is buffered per design standards put in place previously by the Town Council to address this situation. Staff also will require the developer to have future purchasers of adjacent lots sign documents acknowledging their proximity to the Town-owned pump station that will require maintenance and future expansion.

Councilman VanFossen suggested that the pump station site plan was not changing due to the change in layout of the Garrison Subdivision, so he did not believe it really needed to come back before the Council.

Action: The Council approved a motion to approve the amended site plan for the Garrison Subdivision pump station with the following conditions of plan approval to be addressed with the construction drawing review of the pump station:

1. This pump station is located in a wetland area. Appropriate revisions to the applicable state and federal permits for this project will be required.
2. Access to this site should include 40' long paved strip from roadway into the site.
3. The pump station site shall be conveyed to the Town via deed and/or recordation.

Motion By: Sack

Second By: Womble

Vote: Unanimous.

9b. Main Street Sidewalk – Ms. Stephenson said staff has worked with Kimley Horn & Associates to complete the design for the five-foot concrete sidewalk to be constructed on the west side of Main Street from Third street to Oak Hall Drive. She said bids were advertised formally March 17, 2008 and were opened at Town Hall on April 10, 2008.

She said bids were informally solicited, and staff recommends award of the work to the lowest responsible bidder, White Oak Construction.

Action: The Council approved a motion to award contract for Main Street sidewalks from Third Street to Oak Hall Drive to White Oak Construction in the amount of \$75,460, inclusive of 10% contingency.

Motion By: Dickson

Second By: DeBenedetto

Vote: Unanimous.

A copy of the Kimley Horn & Associates contract is on file in the Town Clerk's and Engineering Departments and will follow retention and disposition schedule.

9c. Forest Springs IRA – Ms. Sudano explained that meetings are resulting in terms that are evolving, and she recommended that the Council defer action until the May 6 meeting when final terms can be presented.

Action: None

9d. Stonemont Subdivision IRA Terms – Ms. Sudano said the Town Council approved Stonemont Subdivision in August 2007. In accordance with the Town's Policy Statement on utility infrastructure reimbursements, an Infrastructure Reimbursement Agreement is proposed as follows.

She said the developer is installing oversized gravity sewer lines through the development in order to service future upstream development, plus is installing an oversized pumping station that will service future development of a portion of the upstream tributary basin. (Note that the oversized pumping station is not being oversized to handle development of the entire drainage basin, as is normally the case, because it is anticipated that the pump station will be taken off line with the

development of downstream properties in the fairly near future.)

She said the developer is eligible to receive fee credits against sewer acreage plus a small portion of sewer capacity replacement fees for the Town-approved eligible oversizing costs of the gravity sewer lines and pump station in the estimated amount of \$63,391.

Ms. Sudano said a draft agreement has been prepared and is in review between the developer and Town staff, and will be brought to the May 6 Town Council meeting for approval, if these terms are approved by the Town Council this evening.

She said the agreement will limit the amount of eligible fee credits to the engineer's estimated, or \$63,391 or actual costs, whichever is less.

Action: The Council approved a motion to approve infrastructure reimbursement agreement terms with the developers of Stonemont for upsizing of utilities.

Motion By: Womble

Second By: Dickson

Vote: Unanimous.

9e. Green Oaks Parkway – Mr. Dean reported that he had entered an agreement with TRIGON Engineering Consultants, Inc. related to lime stabilization operations proposed for portions of Green Oaks Parkway that are currently under construction. The lime stabilization was considered by the town at the request of the developer – Wakefield – who is constructing the roadway. The lime stabilization was approved by the Town with the requirement for third party monitoring to be provided by the Town at the developer's request.

Action: None. For information only.

9f. Task Force – Wake County has advised the Town that it is reestablishing the Wake County Growth Management Task Force and is seeking municipal representatives. Councilmen DeBenedetto and Sack volunteered to be members. Councilman Womble volunteered to an alternate.

Action: The Council approved a motion to appoint Councilmen DeBenedetto and Sack to serve on the Wake County Growth Management Task Force as regular members and Councilman Womble to serve as an alternate.

Motion By: Sack

Second By: DeBenedetto

Vote: Unanimous.

10. 2008 Legislative Agenda Items - Mr. Dean said staff is preparing the legislative agenda for the local delegation, and he asked the Council to vote as a board on the proposed list of topics.

He noted that Councilman DeBenedetto had suggested some topics, and he added that staff is requesting that flexibility in how the Town can spend 911 surcharges be added to the list.

He asked the Council, too, if the Town should request state authorization to purchase land for schools in order to meet Councilman Womble's objectives.

In discussion, Councilman Womble said he was suggesting that the Town purchase park land to be used as parks until such time if and when the school system wanted to purchase the land from the Town. No legislative authority would be required to purchase land for parks because towns already are authorized to do so.

Councilman VanFossen suggested adding legislative authority for the Town to back-charge developers for road improvements that already have been installed. Mr. Schifano suggested that changes to the street assessment statute be a topic for a legislative long session and not the short session.

The following legislative agenda topics were approved:

- no tolls, but expeditious construction of I-540;
- modification of the election method for Wake County Board of Education;
- removing the cap on charter schools;
- add flexibility to how the town can spend 911 surcharges.

Mayor Sears said he would deliver this letter to the Wake Delegation by April 21 in advance of the April 28 meeting that is scheduled.

Action: The Council approved a motion to approve the following list of topics to be included in the Council's 2008 Legislative Agenda to be forwarded to the Wake Delegation:

- no tolls, but expeditious construction of I-540;
- modifying the election method for Wake County Board of Education;
- removing the cap on charter schools;
- adding flexibility to how the town can spend 911 surcharges.

Motion By: Sack

Second By: DeBenedetto

Vote: Unanimous.

Hold assessment statute changes for long session

11. Other Business: Councilman Sack asked the engineering department to look into the newly-paved portion of New Hill Road, which is deteriorating.

12. Manager's Report: Mr. Dean reminded the Council of the super streets field trip and the growth forum on Thursday.

Mr. Weeks reported that the Town sold 81 rain barrels at the most recent sale.

13. Closed Session: None.

14. Adjournment: There being no further business for the evening, the April 15, 2008 meeting of the Holly Springs Town Council was adjourned following a motion by Councilman Sack, a second by Councilman Dickson and a unanimous vote.

Respectfully Submitted on Tuesday, June 17, 2008.

Joni Powell, CMC, Town Clerk

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