

Holly Springs Town Council Minutes

Regular Meeting June 6, 2006

The Holly Springs Town Council met in regular session on Tuesday, June 6, 2006, in the Council Chambers of Holly Springs Town Hall, 128 S. Main Street. Mayor Dick Sears presided, calling the meeting to order at 7:05 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, Peter Atwell and Hank Dickson and Mayor Sears.

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); Gina Bobber, director of planning and zoning; Jeff Jones, planner II; Kendra Stephenson, senior engineer; Cecil Parker, director of public safety; Mark Andrews, public information officer; Drew Holland, finance director; Elizabeth Goodson, development review engineer; Len Bradley, director of parks and recreation; Daniel Weeks, project analyst; Stephanie Sudano, director of engineering; Thomas Tillage, water quality director; and Jenny Mizelle, director of economic development.

2 and 3. The Pledge of Allegiance was recited, and the meeting opened with an invocation by Pastor Lewis Gentry.

4. Agenda Adjustment: The June 6, 2006 meeting agenda was adopted with changes, if any, as listed below.

Motion By: Dickson

Second By: Atwell

Vote: Unanimous

Items Added to the Agenda: Item 8j., Resolution 06-26, a water and sewer easement condemnation resolution.

Agenda Items Removed: None.

Other Changes: Item 7d., a grant request from Interact, was removed from the Consent Agenda for further discussion.

5a. Mayor Sears Youth Advisory Board Report – Jenny Mizelle, co-director of the Youth Advisory Board updated the Town Council with the youth board's efforts and activities during the year. Also addressing the council were youth board members.

Action: None.

5b. New Community Center Site Selection – Ms. Mary Beth Henrick, a representative of the Parks and Recreation Advisory Committee, addressed the Council on the topic of the planned community center to emphasize that a new community center is a priority of the committee. The committee's recommendation, Ms. Henrick said, is that the Town retain the Hunt Center and site a second facility in another location. Ms. Henrick pointed out that the Hunt Center has historical significance for the community and provides valuable space for programs that could continue in that location during construction of a new community center.

Mr. Dean suggested that the Town include locating a site for a new community center in the scope of the Parks Master Plan.

Councilman DeBenedetto asked if a citizens committee should be recruited, as was suggested by Councilman VanFossen during the budget workshop.

Mr. Dean pointed out that a citizens committee is working with the Parks Master Plan consultant.

Councilman VanFossen clarified that his suggestion was that perhaps the Parks and Recreation Advisory Committee could identify areas of town that would be the best locations for a community center, but he strongly supports the existing site because the town already owns it.

Members of the council and staff agreed that the need for a new community center is priority for the town.

Construction could be funded in 2008, but site selection and design can be done in the current year, Mr. Dean said, adding, that he felt that the Parks Master Plan, the steering committee for which includes a parks committee member, will provide a list of options for the town.

Action: None.

6. Public Hearing: FY 2006-07 Operating Budget – Mr. Dean reviewed his Fiscal Year 2006-2007 budget message,

which remains unchanged from when he presented his proposed budget to the Council in May.

Since the Council's budget workshop on May 10, Mr. Dean said, he made adjustments as requested by the Council. The changes to the budget total about \$201,000 in added expenditures, and revenues were likewise adjusted.

Mr. Dean said he made the following adjustments to expenditures: He added \$100,000 to the Jones Park account; \$30,000 to the comprehensive master plan; \$10,000 to the equipment lease line item for the periodic lease of a tub grinder; \$53,325 for advancing half-year police positions to full-year positions; \$8,100 for advancing the cultural center position from a half-year position to a three-quarter year position; and \$1,575 for moving the requested inspections position in FY 2006-07 to the current FY 2005-06 year, \$1,575. He also noted a \$2,000 reduction in property insurance.

Mr. Dean added that \$78,000 in the budget is included as a separate line item to accommodate any expenses related to the potential division of the public safety department into two separate departments: police and fire.

The General Fund is now balanced at \$16,665,000.

The Utility Fund is now balanced at \$7,307,000.

The ad valorem tax rate remains at 53 cents.

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

There being no input, the public hearing was closed.

Action #1: The Council approved a motion to adopt Ordinance 06-10 adopting the FY 2006-07 operating budget.

Motion By: Womble

Second By: Atwell

In discussion, Councilman Dickson suggested the addition of shelters for bleachers at Jones Park. Mr. Dean said that, rather than amending the upcoming budget, that a budget amendment to the current FY 2005-06 year budget be adopted instead. In anticipation of Councilman Dickson's suggestion, Mr. Dean provided such an amendment.

Councilman Dickson asked about the town's support of the chamber and the community band. The town's financial support of the chamber was clarified, and Mr. Holland and Mr. Bradley explained that the community band is a program of the parks and recreation department.

Vote: Unanimous

A copy of Ordinance 06-10 is incorporated into these minutes as addendum pages.

Action #2: The Council approved a motion to adopt Ordinance 06-11 setting the FY 2006-07 water and sewer rates.

Motion By: VanFossen

Second By: Atwell

Vote: Unanimous

A copy of Ordinance 06-11 is incorporated into these minutes as addendum pages.

Action #3: The Council approved a motion to adopt budget amendment to the FY 2005-06 budget in the amount of \$20,000 to cover the cost of bleachers for Jones Park.

Motion By: Atwell

Second By: Dickson

Vote: Unanimous

A copy of the budget amendment is incorporated into these minutes as an addendum page.

7. Consent Agenda: All remaining items on the Consent Agenda were approved following a motion by Councilman Atwell, a second by Councilman Womble and a unanimous vote. The following actions were affected:

7a. Minutes - The Council approved the minutes of the council's regular and special meetings held in May, 2006.

7b. Budget Amendment \$75,000 - The Council adopted an amendment to the FY 2005-06 budget in the amount of \$75,000 to cover the cost of additional consulting fees incurred by the town. *A copy of the budget amendment is incorporated into these minutes as an addendum page.*

7c. Holly Springs Historical Preservation Society Grant - The Council approved a \$1,000 Community Agency Grant for the Holly Springs Historical Preservation Society.

7d. Family Violence Prevention Center Interact Grant - This item was removed from the Consent Agenda during agenda adjustment.

7e. Resolution 06-25 - The Council adopted Resolution 06-25 directing the town clerk to investigate the sufficiency of annexation petition A06-10 and setting a public hearing on the question of annexation for Tuesday, June 20, 2006. *A copy of Resolution 06-25 is incorporated into these minutes as an addendum page.*

7f. Fire Station Contract Change Order - The Council approved final change orders to the fire station construction contract. *A copy of the contract change orders and budget amendment are incorporated into these minutes as addendum pages.*

7g. Budget Amendment \$100,000 - The Council adopted amendments to the FY 2005-06 budget in the amount of \$100,000 to pay consultant fees from the BFI Reserve Fund. *A copy of the budget amendments are incorporated into these minutes as addendum pages.*

7h. Allied Waste Systems Name Change – The Council approved the first reading of an amendment to the town's franchise agreement with Allied Waste Systems to change the name of the franchisee to BFI Waste Systems. *A copy of town's franchise agreement is incorporated into these minutes as addendum pages.*

7i. Personnel Policy Amendments – The Council approved amendments to the town's personnel policy. *A copy of town's personnel policy, as amended, is incorporated into these minutes as addendum pages.*

7j. Budget Amendments \$292,000 – The Council adopted amendments to the FY 2005-06 budget in the amount of \$292,000 to cover additional water purchases, utility billing and chemical costs. *A copy of the budget amendment is incorporated into these minutes as an addendum page.*

7d. Interact Grant Request – Councilman Dickson said he favors the local volunteer community agencies to be supported from the Special Programs line item. He said he has difficulty considering grant approval for the more corporate types of organizations with high overhead and paid staff.

He stressed that he feels Interact does good work, but he just feels the local groups should be given preference.

Councilman Womble suggested approving a lesser amount, like \$1,000. He said he feels Interact provides a good service to citizens in Holly Springs and that it should be supported.

Councilman DeBenedetto suggested that the town look at its policy, but supports the grant request since the application indicates 351 Holly Springs residents were served in the last year.

Councilman Dickson said the policy on the grant program might need to be tightened up so that the town does not become a perennial financial source for organizations that are not locally-based.

Action #1: The Council approved a motion to approve a Community Agency Grant in the amount of \$2,500 to the Family Violence Prevention Center (Interact) as requested.

Motion By: Womble

Second By: DeBenedetto

Vote: Unanimous

Action #2: The Council approved a motion to reserve \$1,000 each for the new Holly Springs High School Athletic Booster Club and Band Booster Club in the FY 2006-2007 budget Special Programs Contribution line item.

Motion By: Dickson

Second By: Atwell

Vote: Unanimous.

Councilmen stressed that the town's Community Agency Grant Program policy should be brought back to the Council for further review and possible revisions.

8a. 06-DP-06 for Wachovia Bank – Mr. Jones said the town had received development plan application 06-DP-06 for Wachovia Bank. He said the plan proposes construction of a 4,020 square foot, one-story bank building to be located on out-parcel No. 2 in the Sunset Lake Commons Shopping Center near the intersection of Sunset Lake Road and Holly Springs Road. Mr. Jones said the property is zoned Local Business, which allows banks. He said the plan proposes to have 32 parking spaces, five teller lanes and one walk-up ATM. The access to the bank would be through the existing driveway into the shopping center and a new right in/right out access point along Holly Springs Road. He said the plan proposes sidewalk connections for pedestrian movement throughout the shopping center and adjacent out-parcels.

Mr. Jones said the project is located within a Gateway Corridor and would be subject to a higher degree of architectural standards. He said the facility would be constructed primarily with a red colored brick with gray accent and a slate gray standing seam metal roof.

Mr. Jones said the Planning Board discussed the drive-thru teller roofline and the lack of architectural features; access off Holly Springs Road; and the non-native plantings (*Euonymus alatus*) along the mechanical enclosure and recommended planting a different native plant (winterberry holly). He said both staff and the Planning Board recommend approval with conditions.

There was much discussion about the appearance of the building's drive-through canopy. The Council directed that new elevations be provided to the Planning Board showing attempts at making the roofline more appealing.

Action: The Council approved a motion to approve Development Plan #06-DP-06 for Wachovia Bank as submitted by Little Diversified, project number 141-9431-00, dated revised May 08, 2006 with the following condition:

1. The following items are to be addressed with 1st construction drawing submittal (later in the approval process):
 - a. Show and label backwater easements (to be recorded) at storm drainage inlets; provide 100-year calculations accordingly. *Calculations have been received and are still under review.*

Motion By: DeBenedetto

Second By: Womble

Vote: Unanimous

Mr. Jones asked for clarification on the requirement for new elevations. Councilman VanFossen explained that his

intent would be that new elevations be provided to the Planning Board and that those elevations show any feasible improvements to the appearance of the drive-through canopy. He added, however, that the plan is approved and progress can continue with Wachovia Bank. He said he feels if the Planning Board has a concern, then those concerns should be addressed.

Councilman VanFossen said if, in the architect's opinion, dormers or eyebrows added to the canopy would detract from the appearance of the building, then the developer would not have to provide them. If, in the architect's opinion, dormers or eyebrows would enhance the appearance of the building, then the town would request – not necessarily require – that they be added.

8b. 06-MAS-04, Tuscany Subdivision – Mr. Jones said the town had received a preliminary plan for Tuscany Subdivision. He said the plan proposes 33 single-family lots on approximately 16 acres of land.

Mr. Jones said the main access into the development is onto Sunset Lake Road. He said the developer is proposing a total of 4 acres of open space throughout the subdivision.

Mr. Jones said the Planning Board discussed the proposed stub out along the southern property line and the impacts of future development along I-540; and the lack of private recreation facilities within the subdivision. He said both staff and the Planning Board recommend approval with conditions.

Action: The Council approved a motion to approve Preliminary Plan #06-MAS-04 for Tuscany Subdivision as submitted by Mike Stewart of Stewart & Proctor, project number RJ-Sunset, dated revised May 8, 2006, with the following conditions:

- 1) Fee-in-lieu of pump station upgrade will be required.
- 2) Prior to Final Plat, the following must be completed:
 - a) Payment of fees-in-lieu of land dedication in the amount of \$904/unit.
- 3) Prior to 1st construction drawing submittal the following items will need to be addressed:
 - a) Show and label backwater easements (to be recorded) at stream crossings and storm drainage inlets; provide 100 year calculations accordingly prior to 1st construction drawing submittal.
 - b) Provide a drainage area map and supporting calculations at 1st construction drawing submittal.
 - c) Provide a signed USACE wetland map.
 - d) Riparian Buffer Homeowner education packet must be submitted with first erosion control plan submittal.
 - e) Submit a Flood Study to reflect this project. Note all applicable fees will be due at time of submittal. Once flood study is updated the following items will need to be shown on the plans:
 - i) Graphically show location and label 100-year flood plain elevation.
 - ii) Minimum lot square footages must be provided outside the flood plain areas (per flood plain ordinance – section 9-6020(1)) without fill placement to achieve them.
 - iii) Provide minimum FFE 2' above 100-year floodplain or backwater elevation for all lots adjacent to the floodplain.
 - f) Provide a sewer basin map showing the area that the manhole will serve for each sewer stub. The information provided during preliminary plan review does not show that the sewer stub is at a location and/or depth to serve the entire adjacent upstream property. Evaluate the location and depth and provide the sewer stub at a location where it will serve the entire upstream property. The sewer basin map should include topography and location of existing sewer lines.
 - g) Provide documentation of all off-site utility easements.
 - h) Show proposed grade lines and impacts to streams and wetlands. It appears that the limits of disturbance shown at present through the wetland/buffers are not in sufficient detail to address this comment. Please show existing topography and proposed grade lines to determine if the limits of disturbance shown on this plan are accurate. It will be critical for all environmental permits for the entire project to be submitted with 1st construction drawing submittal. Provide the supporting information including but not limited to proposed grade lines, impacts to streams, wetlands and buffers, and written verification from NCDWQ that the fill into zone 2 will not compromise the function of the buffer.

Motion By: Womble

Second By: DeBenedetto

Vote: Unanimous

8c. 06-MAS-05, Garrison Subdivision – Mr. Jones said the town had received a preliminary plan for Garrison Subdivision. He explained that the plan proposes 97 single-family lots on approximately 44 acres of land. The access would be obtained off of Piney Grove-Wilbon Road. He said a total of 10 acres of open space is proposed throughout the subdivision. The open space includes a 10-foot greenway easement along the northern boundary of the site.

Mr. Jones said that the Council is to consider this item along with a request for a waiver associated with Lots 36-47 that are adjacent to the pond. He said the UDO does not permit minimum lot area that is under water in a pond, lake or other impoundment.

The Technical Review Committee, Mr. Jones reported, recommends that the applicant's request for a waiver be approved, provided that any primary structures located on those lots be no closer than 35 feet from the bank of the pond.

Mr. Jones said the Planning Board discussed the proposed open space around the pond and the ability of homeowner to use the space; waiver request; road connection to Brayton Park; and the potential impact of flooding along Piney Grove-Wilbon Road. He said both staff and the Planning Board recommend approval with conditions.

Action #1: The Council approved a motion to make and accept the findings of fact to be recorded in the minutes for a waiver to allow land under water in a pond to satisfy the minimum lot requirements in the R-10 Zoning District in association with Development Petition #06-MAS-05, as submitted by John Teel of Stewart & Proctor, project number SS-Piney, dated revised May 8, 2006:

1. The granting of the waiver will not be detrimental to public safety, health or welfare or injurious to other property.
2. Conditions upon the request for a waiver are unique to the property for which a waiver is sought and are not applicable generally to other property.
3. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is not carried out.
4. The waiver will not contravene the provisions of this UDO or the Comprehensive Plan.
5. Where the waiver impacts on the design, construction or maintenance obligations of public facilities, that the appropriate public agency has reviewed and approved the proposed development in writing and the subdivider has submitted a copy of such approval.

Motion By: VanFossen

Second By: Womble

Vote: Unanimous

Action #2: Having made findings of fact that the petition meets the requirements to be granted a waiver, the Council approved a motion to approve a waiver of regulations of UDO Section 7.06, B., 3., b., Lot Dimensions, to allow land under water in a pond to satisfy the minimum lot requirements in the R-10 Zoning District in association with Development Petition #06-MAS-05, as submitted by John Teel of Stewart & Proctor, project number SS-Piney, dated revised May 8, 2006, provided that any primary structures located on those lots be no closer than 35 feet from the bank of the pond.

Motion By: VanFossen

Second By: Womble

Vote: Unanimous

Action #3: The Council approved a motion to approve Preliminary Plan #06-MAS-05 for Garrison Subdivision as submitted by John Teel of Stewart & Proctor, project number SS-Piney, dated Revised May 8, 2006 with the following conditions and allowing an exception for the developer for Condition No. 5:

- 1) Prior to Final Plat, the following must be completed:
 - a) Payment of fees-in-lieu of land dedication in the amount of \$904/unit.
 - b) Please show a greenway trail behind lots 1 – 19 extending from DOT Row to WCBOE property lines. This trail may be put in the outer 50' of the 100' of stream buffer. This trail may be constructed of improved top soil surface covered by hardwood mulch, 8' in width. Credits will be given for the greenway easement and trail construction.
- 2) Prior to 1st construction drawing submittal, the following items will need to be addressed:
 - a) Show and label backwater easements (to be recorded) at stream crossings and storm drainage inlets; provide 100 year calculations accordingly.
 - b) Provide a sealed engineer's report and calculations to verify capacity of existing pond and verify structural integrity of dam(s). The following information will need to be shown on the plans once pond and dam report is completed:
 - i) Provide 100-year water surface area of the pond.
 - ii) Show 20' maintenance easement surrounding pond and dam – please show and label the easement on all plan sheets.
 - c) Riparian Buffer Homeowner education packet must be submitted with first erosion control plan submittal.
 - d) A flood study will be required for this project. Please contact Kendra Stephenson with the Engineering Department to determine the scope.
 - i) Graphically show location and label 100-year flood plain elevation.
 - ii) Minimum lot square footages must be provided outside the flood plain areas (per flood plain ordinance – section 9-6020(1)) without fill placement to achieve them. If the maintenance easement is more restrictive once flood plain is established, verify that house can be constructed outside of the easement while meeting all setback requirements.
 - iii) Provide minimum FFE 2' above 100-year floodplain or backwater elevation for all lots adjacent to the floodplain.
 - e) Provide a drainage area map and supporting calculations.
 - f) All environmental permits for the entire project will be required with the first set of construction drawings (including the following supporting information but not limited to verification that diffuse flow is provided into the buffer, all

wetlands shown and labeled on plans, a signed USACE wetland map, the USACE and NCDWQ jurisdictional determination, and the amount of impacts to jurisdictional features).

- g) There may be a need to have a PRV on the 12" waterline at connection to the 30" waterline or on the individual houses due to the location of this connection. There needs to be additional study of this tap. Please provide a hydraulic analysis to determine if a PRV will be needed at the entrance.
 - h) Provide documentation of all off-site sewer easement (including easements needed on Piney Grove Wilbon for the force main).
 - i) It is the town's objective that the upstream Autumn Park pump station be taken off-line with this pump station. The sewer stub location, size of sewer lines and pump station will need to be designed to handle this objective. Note that gravity sewer stub to the Brown property needs to be verified that it is in a location that it will serve the upstream properties (Brayton Park as well as Autumn Park).
 - j) An off-site sewer plan showing how this site will be served by sewer (where force main will be located) will need to be included, please label clearly where the force main is located and where the sewer will be tying into the existing manhole. Note that location of force main tie needs to be verified and shown on this overall utility plan. The town will determine which manhole the force main will tie into. Verify size and adequacy of all downstream sewer lines. The developer will be responsible for any upgrades of gravity sewer downstream due to the addition of the force main discharge. This should be provided in a sealed sewer report.
 - k) Section 7.07 the Town's Engineering Design and Construction Standards gives more information about requirements for pump stations. The following items will need to be submitted:
 - (1) Plan showing the corridor for the force main
 - (2) Pump station sealed report (showing calculations and design for entire basin).
- 3) It is the town's understanding that an infrastructure reimbursement agreement will be prepared for this project. Please note that there is information that must be provided by the developer to the Director of Engineering to prepare that agreement.
 - 4) The road connection and water stub to Mabe Drive is required for interconnectivity. Revise plans to reflect this connection. In addition to the road connection water & sewer need to be extended to property line. (The 12" waterline will need to extend from the entrance to Mabe Drive stub out)
 - 5) ~~The maximum allowable length of a cul-de-sac (or dead-end street) is 1000', measured from the last point of alternate access within the subdivision. Please revise road layout to satisfy this requirement. The developer is requesting an exception to this requirement which will require Town Board approval. The current road network shows two locations that exceed the maximum of 1000' requirement with over 1600' length of dead-end roads. The required connection to Mabe Drive will eliminate this concern.~~
 - 6) This project will require the approval of the site plan of a pump station on this site. The lot layout may need to change to accommodate the pump station layout. Revised plans reflecting the approved pump station layout will need to be submitted within 10 business days of Town Council approval.

Motion By: VanFossen

Second By: Womble

Vote: Unanimous

8d. Southern Wake Montessori School, 06-UP-16 – Ms. Bobber explained that in July 2005, the Town Council approved a UDO permit for a temporary use for the Southern Wake Montessori School to place a 7,000 square foot modular classroom building located at 925 Avent Ferry Road across from the Trotter Bluffs subdivision. She said the permit was approved with the condition that the permit is to expire on June 30, 2006. The school has submitted a request to extend the use for an additional year beyond the initial approval.

Ms. Bobber said the property is zoned LB: Local Business, which does not allow schools as either a permitted or special exception use. However, since the request is for a temporary use of the property as a school, the request is being processed as a temporary use permit.

Ms. Bobber explained that the Unified Development Ordinance (UDO), Section 3.07, B. provides regulations related to temporary uses within the Town's commercial districts.

She also noted that Montessori School officials, because the school likely will be in a new location next year, have asked that the school be relieved from requirements to reimburse the Town for the right of way for Avent Ferry Road along the site's road frontage and from paving requirements.

Action: The Council approved a motion to authorize the Director of Planning & Zoning to issue UDO Permit #06-UP-16 for the Southern Wake Montessori School for temporary classrooms located at 925 Avent Ferry Road with the following conditions, including an exception for the developer for Condition No. 3:

1. The UDO Permit is to expire on June 30, 2007. No further extensions shall be granted in accordance with UDO Section 3.07, B.

2. All future site lighting shall be submitted to the Department of Planning & Zoning for review and approval prior to installation.
3. ~~The Montessori School will be responsible for reimbursing the Town for the right-of-way for Avent Ferry Road along the site's road frontage in the amount of \$0. This shall be paid to the Town by _____.~~ *(insert date by the Council)*

Motion By: Womble

Second By: DeBenedetto

In discussion, Councilman Atwell asked when a company leases property long-term, at what point does the town force the improvements.

Ms. Bobber said it is the town's position that when the use provides an impact, the town requires the improvements, and it is up to the leasee and lessors to decide who pays. Ultimately, the town would require the property owner to provide the improvements.

Councilman Atwell stressed that the town and community are eager to see the Montessori School in a permanent home this year.

All members of the Council voiced support of the Montessori School.

Vote: Unanimous

8e. Naming Rights to Town Facilities – Councilman Dickson explained that he feels the town has the opportunity to earn additional revenue through sponsorship (naming rights) of parks facilities. He said the Town of Holly Springs should create a policy to provide a framework, process and limitations for facility sponsorships. He explained that the intent of the policy would be to encourage individual and business sponsorships and reinvest this revenue back into the recreation programs and facilities. Councilman Dickson is seeking council concurrence to direct staff to proceed with the creation of a final draft policy.

Councilman Dickson reviewed the ideas, which he had put together in the form of a very preliminary draft policy statement, which, he said, would need some work, but provided a starting point.

Councilman Atwell suggested offering multiple sponsor opportunities, like signs in a baseball outfield.

In agenda packets, Mr. Bradley had said that staff supports the concept of the sale of naming rights and sponsorships. He said that staff recommends not to recommend the process for naming of parks unless it is for permanent naming. He explained that changing the park names could cause confusion when names could be changed after short periods of time. He said this would not be a problem for amphitheater, athletic fields, gyms, etc. The addition of specialized staff for the purpose of marketing the program, keeping track of benefactors and organizing appropriate sponsorship benefits might be necessary in order for the program to be profitable.

Mr. Schifano asked if it was the Council's intent that staff include in the policy statement specific values for sponsorships in the policy.

Councilman Dickson said he hoped that the town would provide sponsorships at a bargain at first to draw sponsors in and then adjust rates gradually.

Action: The Council approved a motion to direct staff to create a policy providing for naming rights of Holly Springs parks facilities using suggestions as provided and returning with a final draft for Council consideration in 60 days.

Motion By: Womble

Second By: Dickson

Vote: Unanimous

8f. Harnett County Water Capacity – Mr. Dean said the town staff discussed with Harnett County over the past few years about purchasing additional water capacity in the Harnett County water treatment plant. He said recently, Harnett County's Public Utilities Director indicated that Harnett County does have capacity to sell and Holly Springs could secure an additional 1 million gallons of water capacity for \$1.65 per gallon.

Mr. Dean said with the growth the town is experiencing, including industrial prospects, there is a need for additional water capacity. He said the next available capacity will likely be when the Harnett County water treatment plant is expanded in the future.

He added that the Town has remaining authorized bond funding that would cover the \$1.65 million cost.

Action: The Council approved a motion to authorize the Town Manager to negotiate with Harnett County for an additional 1 million gallons of water capacity at \$1.65 per gallon.

Motion By: Womble

Second By: Atwell

Vote: Unanimous

8g. Morgan Park Terms for IRA – Ms. Sudano said the developer of Morgan Park is interested in participating in the Town's Avent Ferry Road widening project and the re-alignment of the Piney Grove-Wilbon Road intersection. She said this would accomplish a transportation improvement project that is on the Town's long-range plan and would improve the safety of the intersection for more future traffic and development in this area.

Ms. Sudano explained that in exchange for the developer's paying the construction costs of the necessary change

order on the Town's Avent Ferry Road project, staff recommends to provide fee credits against development fees to the developer up to the amount of construction. She said the preliminary engineer's opinion of cost for construction is \$185,000.

Ms. Sudano said there are many details related to the developer's required schedule for design, funding, etc. that also would be included in the agreement. She said to insure that this change order does not increase the Town's cost or date of completion of the current road widening project. In addition, the improvements for road frontage along the property is required by the developer.

Ms. Sudano said the agreement would provide for the Town to sign the environmental permit for the realignment project. She explained that if the Town approves this concept, then staff would put it into the format of an Infrastructure Reimbursement Agreement that would come back before the Town Council at a subsequent meeting for final approval.

Action: The Council directed staff to prepare for final review and consideration an infrastructure reimbursement agreement with the developer of Morgan Park, with terms as described.

Motion By: Womble

Second By: Atwell

Vote: Unanimous

8h. Bass Lake Road Sidewalk Project – Ms. Stephenson recounted that at the Town Council's winter retreat, direction was given to move forward with a portion of the Bass Lake Road sidewalk project from Earp Street to Dogwood Lane.

Ms. Stephenson said that in order to select the proper side for sidewalk, the entire route from the Holly Crossing Shopping Center to the Bass Lake Retreat Center needs to be surveyed. She said the proposed plan is to out-source surveying and to design and perform construction administration in-house.

She said staff recommends the top two firms as Bateman Civil Survey Company and Davis-Martin-Powell and Associates.

Ms. Stephenson said based on the criteria of the selection process, staff recommends that the town enter into negotiations with Bateman Civil Survey Company and return with a final contract for council approval. She also requested the Council's approval on if the discussions with Bateman Civil Survey Company are unsuccessful, to start the negotiations discussions with Davis-Martin-Powell and Associates.

Action: The Council directed staff to negotiate a professional services contract for surveying the Bass Lake Road Sidewalk project with Bateman Civil Survey Company, if negotiations is not successful, start negotiations with Davis-Martin-Powell and Associates.

Motion By: VanFossen

Second By: Womble

Vote: Unanimous

At this time, Councilman VanFossen asked about the status of a crosswalk across Bass Lake Road from Sunset Ridge to Bass Lake Park.

In the engineering department's last report to the Council on this topic, it was stated that NCDOT had denied the Town's request to lower the speed limit on Bass Lake Road to 45 miles per hour, which is necessary for the installation of a safe crosswalk.

NCDOT also denied permission for the Town to install the crosswalk without and to install a crosswalk.

Mr. Dean said he agreed a crosswalk was needed at that location and perhaps the best thing for the town to do is install the crosswalk, regardless.

Councilman VanFossen agreed.

8i. Gable Ridge Storm Water Project – Ms. Stephenson explained that at the last meeting, staff presented the revised options for the Gable Ridge Lane storm water improvement project for information to the Council and feedback. She said the revised options are a result of the escalated construction cost between the original engineer's estimate and the December 2005 revised consultant engineer's estimate at the completion of 50% plans.

Ms. Stephenson said that the escalated costs were due to the discovery of an engineered foundation of an affected home and the construction market.

Ms. Stephenson said staff and Kimley-Horn consulting engineers worked on modifications to the scope of the project with the objective of upgrading storm drainage to convey the 25-year design storm underground. She said this option is consistent with the development standards that would be required of a current development and with the requirements of other municipalities in this area for storm water at street crossings.

Ms. Stephenson said with the following Kimley Horn & Associates recommendation, both the damaged portion of the existing pipe and the longevity of the pipe system is adequately addressed.

She said Kimley-Horn & Associates recommends the following: slip lining the damaged lower portion of the corrugated metal pipe (approx. 100 feet) with a 54-inch high-density polyethylene (HDPE), and replace the remaining portion (approx. 325 ft.) with 54-inch HDPE plus a new 66-inch smooth-wall metal pipe (aluminized steel) running parallel to the existing drainage pipe. She said staff supports this recommendation. She said with the Councils approval the next step is to

secure a professional services amendment to prepare construction drawings.

Ms. Stephenson said that in addition of improving the pipe system, the consultant and staff recommends the Town pursue adding new detention at areas R8 and R9. She said the detention at those areas would help reduce the peak storm event and provide added relief to the downstream properties. She said staff has obtained a draft proposal for these professional services; however, continued negotiation of the fees are ongoing with the consultant.

She said the consultant's preliminary opinion of cost for pipe replacement, parallel pipe installation, and detention installation (construction costs only) is \$541,000.

Action: The Council approved a motion to approve a Gable Ridge Lane storm water improvement project to include: slip lining the damaged lower portion of the existing corrugated metal pipe (approx. 100 ft.) with a 54-inch high-density polyethylene pipe (HDPE); replace remaining portion of existing CMP (approx. 325 ft.) with 54-inch HDPE, add a new 66-inch smooth-wall metal pipe (aluminized steel) running parallel to the existing CMP pipe; and installing two detention areas upstream and to authorize staff to secure a professional services proposal to design the project.

Motion By: Womble

Second By: Dickson

Vote: Unanimous

8j. Resolution 06-26 – Mr. Schifano explained that underground utility easements from landowners are required in order to provide water and sewer to the Twelve Oaks Subdivision.

He stressed that the town would continue to work with the landowners, but that Resolution 06-26 would give the town authorization to condemn the property, if it becomes necessary.

Councilman VanFossen asked if he should be recused because of his involvement with the Twelve Oaks Subdivision developer.

Mr. Schifano said he did not believe so; however, Councilman VanFossen said he would feel better if he did so just to avoid the appearance of impropriety.

Action: The Council approved a motion to excuse Councilman VanFossen from the meeting.

Motion By: Atwell

Second By: Womble

Vote: Unanimous.

Action: The Council approved a motion to adopt Resolution 06-26 to authorize condemnation proceedings, if necessary, to acquire property needed for underground utilities from Mosely Family Ventures II, LLC and Mabel Scott Mosley.

Motion By: Dickson

Second By: Atwell

Vote: Unanimous.

A copy of Resolution 06-26 is incorporated into these minutes as addendum pages.

Action: The Council approved a motion to readmit Councilman VanFossen into the meeting.

Motion By: Atwell

Second By: Dickson

Vote: Unanimous

9. 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.

David Reitmeyer – Mr. Reitmeyer said he appreciated the town's support of the Holly Springs Community Band, which is about a year old. He said he is excited about building up the band and to its participation in community events.

Joe Signoretti – Mr. Signoretti suggested that police patrol the intersection of Piney Grove-Wilbon Road and Avent Ferry Road for motorists who roll through without coming to a complete stop.

10. Other Business: Councilman Atwell asked about the landscape materials used in the Main Street median. He said the materials are dying.

11. Manager's Report: Mr. Dean reported that Town Hall Day in Raleigh is set for June 7. He added that the fire station dedication is scheduled for 5 to 7 p.m. June 28 and that the Rockin' at the Crossings even will be June 29. He also thanked department heads for their work on the budget.

12. Closed Session: The Council approved a motion to enter into Closed Session, pursuant to G.S. 143-318.11(a)(4) to discuss an economic development issue and pursuant to G.S. 143-318.11(a)(3) to hold consultations under the attorney-client privilege.

Motion By: Atwell
Second By: VanFossen
Vote: Unanimous

General Account of Closed Session – June 6, 2006

In Closed Session, the town manager updated the Council on a company that is exploring the possibility of locating in Holly Springs. The Council also discussed with its attorney any recourse the town may still have in response to the County's approving the South Wake County Landfill with the operator as Waste Industries.

-- End General Account

The Council approved a motion to return to Open Session. The motion was made by Councilman Atwell, seconded by Councilman Womble and carried unanimously.

12. Adjournment: There being no further business for the evening, the June 6, 2006, meeting of the Holly Springs Town Council was adjourned following a motion by Councilman Atwell, a second by Councilman Womble and a unanimous vote.

Respectfully Submitted on Tuesday, July 18, 2006.

Joni S. Powell, CMC, Town Clerk

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