



Jan. 3, 2017

## MINUTES

The Holly Springs Town Council met in regular session on Tuesday, Jan. 3, 2017 in the Council Chambers of Holly Springs Town Hall, 128 S. Main Street. Mayor Sears presided, calling the meeting to order at 7 p.m. A quorum was established as the mayor and all four council members were present as the meeting opened.

**Council Members Present:** Mayor Sears, Councilmen James Cobb, Tom O'Brien and Hank Dickson and Councilwoman Cheri Lee. There is a vacancy on the Council.

**Council Members Absent:** None.

**Planning Board Members Present:** A quorum of the planning board was present, including Chairman Tom Hughes, Peter Villadsen, Bill Rousseau, Robert Bartsch, Ernie Carpico, Debbie Kight and Jason Weishaupt.

**Staff Members Present:** Charles Simmons, town manager; John Schifano, town attorney; Daniel Weeks, assistant town manager; Joni Powell, town clerk, (recording the minutes); Linda Harper, deputy town clerk; Len Bradley, parks and recreation director; Irena Krstanovic, economic development director; Gina Clapp, director of planning and zoning; Justin Steinman, senior planner; Kendra Parrish, director of engineering; Elizabeth Goodson, development review engineer; Leroy Smith, fire chief; Tamara Ward, communications specialist, and Mark Andrews, public information officer.

**2 and 3.** The Pledge of Allegiance was recited, and the meeting opened with an invocation by Rev. Horace Fergason, pastor emeritus of the Holly Springs United Methodist Church.

**4. Agenda Adjustment:** The Jan. 3, 2017 meeting agenda was adopted with changes, if any, as listed below.

**Changes:** None.

**Motion by:** Cobb

**Second by:** O'Brien

**Vote:** Unanimous

**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 comments were recorded:

Deb Carlton – Ms. Carlton addressed the Council to invite them to an event to help educate the community about drugs and drug abuse.

Joe Fanjoy – Mr. Fanjoy addressed the Council to remind the Council of the need for improvements on Grigsby Avenue. Ms. Parrish reported that Grigsby Avenue will be on the NCDOT improvements list this summer for pothole patching and resurfacing. Curb and gutter would be a separate project.

Christine Kelly – Ms. Kelly addressed the Council to warn that motorists need to be more careful of people in crosswalks, especially at night. She reported that she was nearly hit by cars while she was walking within two of our crosswalks.

**6a. Recognition of Citizen** – Mayor Sears said that a Holly Springs resident and business owner Derek Fox, witnessed a horrific traffic accident in his rear-view mirror this fall. Will Bucher, a local teenager, was critically injured in the accident.

Derek, who is an avid long-distance runner, decided he wanted to do something to help Will and his family, so he embarked on a mission to run as long as he could to raise funds for Will's medical bills. He started running at the Womble Park track at 8:30 p.m. Dec. 2, and he kept on running for nearly 24 hours until the next evening of Dec 3. In that time, Derek ran more than 100 miles and raised more than \$8,500 for Will's medical bills.

Beyond his own efforts, Derek was an inspiration to others, who saw his personal and physical sacrifice. They did their own fund-raising efforts to help Will and another teenager who was critically injured in a separate traffic accident.

Other local runners accompanied Derek on some of his laps, logging more than 840 miles themselves.

**Action:** None. Mayor Sears presented Mr. Fox with a mayoral commendation certificate.

**7a. Joint Public Hearing: 03-PUD-01-A10, Twelve Oaks** – Mr. Steinmann the Town has received a request to modify the 12 Oaks Planned Unit Development. The amendment makes three changes to the adopted PUD.

- The first is an adjustment to the zoning table to reduce the required setback side, corner and rear yard setbacks for front-loaded townhomes to three feet.
- The second change adds a standard detail for front-loaded townhomes;
- The fourth change updates the buffer detail for landscaping along New Hill Road.

He said the joint public hearing with the planning board will need to be opened and the neighborhood meeting was held Dec. 14, 2017.

With that explanation completed, Mayor Sears opened the public hearing. The following input was recorded:

Laura Holloman, Spaulding and Norris – Ms. Holloman said the amendment would be to continue building None.

There being no input, the public hearing was continued.

**Action:** The Council approved a motion to forward Major Planned Unit Development Amendment #03-PUD-01-A10 for 12 Oaks PUD as submitted by Spaulding & Norris PA to the Planning Board for review and recommendation at its regularly scheduled meeting Jan. 24, 2017.

**Motion by:** Dickson

**Second by:** Cobb

**Vote:** Unanimous

**7b. Public Hearing: Rezoning Petition 16-REZ-11** – Mr. Ryan said this is a continuation of a public hearing opened on Nov. 1 and resumed on Dec. 6 and then further continued to Jan. 3 at the request of the applicant. The applicant has requested this item be further continued to the Feb. 21, 2017 meeting.

The town has received a request to rezone approximately 30 acres located along the west side of NC 55 Bypass / G.B. Alford Highway, north of Avent Ferry Road and south of Green Oaks Parkway. The request involves three parcels of land – a 25-acre vacant property currently zoned R-20, a 3.23-acre vacant property currently zoned as part of the Ballenridge Planned Unit Development, and the right-of-way for the town-maintained Treatment Plant Road. The applicant is requesting to have all three properties zoned as CB: Community Business. The requested rezoning is consistent with the Regional Center Future Land Use designation, which encourages the development of high intensity, commercial and retail power centers.

With that explanation completed, Mayor Sears reopened the public hearing. The following input was recorded:

There being no input, the public hearing was continued.

**Action:** The Council approved a motion to continue the public hearing for Zone Map Change #16-REZ-11 to resume at the Council's meeting on Feb. 21, 2017.

**Motion by:** Cobb  
**Second by:** Dickson  
**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 Cobb, a second by Councilman Dickson and a unanimous vote. The following actions were affected:

**8a. Minutes** – The Council approved the minutes of the Council’s regular meeting held Dec. 6, 2016.

**8b. Set Special Meeting** – The Council set a special meeting date of 5 p.m. Jan. 17 to review wayfinding program sign design drafts.

**8c. Council Meetings Calendar Year 2017** - The Council adopted the Calendar Year 2017 regular Town Council meeting schedule. *A copy of the Calendar Year 2017 is attached to these minutes.*

**8d. Ordinance 16.07.3**- The Council adopted Ordinance 16-07.3 to amend the FY 2016-17 fee schedule for the Farmers Market.

**8e. Hope Community Church Joint Use Agreement** – The Council entered into a joint use agreement with Hope Community Church for the shared use of basketball and parking facilities. *A copy of the draft joint use agreement is attached to these minutes.*

**9a. Council Vacant Seat Nominations** – Mayor Sears said there is a vacancy on the Holly Springs Town Council, and the remaining term of that vacant seat will expire in December 2017. NCGS 160A-63 states, in part: “Vacancies. A vacancy that occurs in an elective office of a city shall be filled by appointment of the city council. If the term of the office expires immediately following the next regular city election, or if the next regular city election will be held within 90 days after the vacancy occurs, the person appointed to fill the vacancy shall serve the remainder of the unexpired term...”

There is no mention in the statutes as to how the Council will fill the vacancy... just that it will.

The current seat would expire with the next election; therefore, the person invited to fill the seat will serve until the person elected during the November 2017 municipal election is administered the oath of office.

Mayor Sears suggested that each Council member suggest two nominations and share a brief explanation as to why for each.

Mayor Sears accepted two nominations from each Council member, and – after open discussions on the merits of the nominees -- an initial vote was taken to narrow the field.

Councilman O’Brien nominated Christine Kelly, a resident since 1992 and Peter Villadsen, an 11-year resident of Holly Springs and a member of the Planning Board.

Councilwoman Lee nominated Peter Villadsen, a planning board member, and she said she appreciates his knowledge; and Baxter Walker, a very active citizen who has served on the Board of Adjustment. She said residents speaking to her seemed to be very supportive of Peter and Baxter.

Councilman Dickson nominated Ernie Carpico, a planning board member and a member of the Technical Review Committee; and Tom Hughes, chairman of the planning board and who is an architect.

Councilman Cobb nominated Larry O’Neal a longtime resident, Boy Scout master, food cupboard volunteer and citizen of the year. Councilman Cobb said Larry could hit the ground running and do a good job for the town; and Peter Villadsen, who has impressed Councilman Cobb who reports that he is cooperative and non-confrontational.

**Action:** The Council approved a motion to appoint Peter Villadsen to the Town Council, effective with his being administered the oath of office on Jan. 17 should he accept the appointment.

**Motion by:** Lee  
**Second by:** all members  
**Vote:** Unanimous.

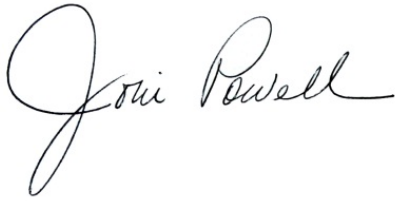
**10. Other Business:** None that resulted in Council action.

**11. Manager's Report:** None that resulted in Council action.

**12. Closed Session:** The Council entered Closed Session, pursuant to G.S. 143-318.11(a)(3) to discuss with the town attorney under the client-attorney privilege a matter of potential litigation related to the *Quality Homes vs. Town of Carthage* State Supreme Court decision.

**13. Adjournment:** There being no further business for the evening, the Jan. 3, 2017 meeting of the Holly Springs Town Council was adjourned.

Respectfully Submitted on Tuesday, March 7, 2017.

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