



August 1, 2017

MINUTES

The Holly Springs Town Council met in regular session on Tuesday, August 1, 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 five council members were present as the meeting opened.

Council Members Present: Mayor Sears, Councilmen James Cobb, Tom O'Brien and Hank Dickson, Peter Villadsen and Councilwoman Cheri Lee.

Council Members Absent: None.

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; Adam Huffman, assistant parks and recreation director; Kendra Parrish, engineering director; Mary Hogan, finance director; Matt Beard, planner; Irena Krstanovic, economic development director; Rachel Jones, development plan reviewer; Aaron Levitt, senior engineer; Leroy Smith, fire chief; Jeff Wilson, information technology director; John Herring, police chief; Jessica Stygles, farmers market coordinator; Beth Trautz, planning technician; 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 Robert King of Douglas Chapel AME Zion Church.

4. Agenda Adjustment: The August 1, 2017 meeting agenda was adopted with changes, if any, as listed below.

Changes: None.

Motion by: Cobb

Second by: Dickson

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:

Jay Lewis, 256 Vinewood Place -- Mr. Lewis asked the Council to have something in place and to communicate with shopping center tenants to have their Dumpsters emptied no earlier than 7 a.m. There is a noise ordinance that requires this.

Dan Berry, 120 Abbeyville Lane -- Mr. Berry asked the Council to amend Resolution 17-23 that states that the Town will not bring rezoning petitions in the Southern Area Plan boundary forward to the Town Council until the presentation of the Southern Area Plan Initiative (SAPI) findings is made to Town Council or for six months (Nov. 16, 2017), whichever comes first. He asked the Council to strike the phrase "or for six months, whichever comes first" so the resumption of rezoning petitions would coincide with the presentation of SAPI findings to the Council in January.

Van Crandall, 4813 Salem Ridge Road -- Mr. Crandall questioned the lack of precision in the minutes, specifically his input during public hearings. He claimed that he attempted to check his input in the Council meeting video but that the meeting videos had not been posted to the Website

or to YouTube. He said minutes should be more verbatim, and that meeting video should be uploaded for viewing more promptly.

6a. Board of Adjustment Member Oath - Ms. Clapp said that on July 17, Wake County Board of Commissioners appointed two residents of the Town's extraterritorial jurisdiction to fill the ETJ seats on the Board of Adjustment.

Lois (Lisa) Semmens was appointed a regular member representing the ETJ. Jeremy Hudson was appointed as an alternate member representing the ETJ; however, he was not present.

Ms. Powell administered the oath of office to Ms. Semmens.

Action: None.

6b. National Farmers Market Week – Jessica Stygles, Holly Springs Farmers Market coordinator, said the farmers market is celebrating its 11th Season. The farmers market began in 2007 with a handful of vendors hoping to draw residents to downtown Holly Springs—and has grown into vibrant community event, with an average of over 850 customers each week. At our information tent we frequently talk with customers who tell us that they've just moved to Holly Springs and want to learn more about events and activities around Town—so even the newest of residents are coming downtown Saturday mornings! We diligently count customers each week, and are excited to say that we are on track to have record-breaking attendance this season.

She said the week of August 6 – 12, 2017 is National Farmers Market Week as designated by the United States Department of Agriculture. In support of Farmers Market Week, the staff of the Department of Planning & Zoning encourages all residents to come out to The Farmers Market to try the delicious, fresh produce and artisanal foods available from local farmers and small businesses each Saturday morning. On Saturday, Aug.12, the Farmers Market will be celebrating this week-long event with customer appreciation drawings and special giveaways. We invite everyone to come to the market and see why it's the place to be on Saturday mornings.

Mayor Sears presented a proclamation proclaiming Aug. 6-12, 2017 as Natinal Farmers Market Week in Holly Springs.

Action: None.

7a. Phone Application, Child Safety – Ms. Swapna Gangopadhyay gave a presentation about a free phone application designed to help keep kids safe. The app, My ePal, acts like a constant bodyguard watching kids all the time and allowing them stay in touch with their parents on a regular basis so that they can contact parents instantly in case of emergency.

Ms. Gangopadhyay gave a brief description of this free app, how it works and how it can be downloaded.

Action: None.

7b. South Wake Landfill Report – Mr. John Roberson, P.E. of Wake County Solid Waste Management, addressed the Council on operations at South Wake Landfill near Holly Springs. In addition, Mark Byers represented Byers Scientific, the odor control system manufacturer. Mr. Byers said the goal would be to lower complaints by 90% during the next year. He described the system and how it works and told Council that the system has had a lot of success all across the United States.

Installation of the system will begin this month, and it should be operational by the end of the month.

In closing, Mr. Roberson said, the Wake County South Wake Landfill would not use aerosolization since the county has access to a municipal waste water treatment plant.

Action: None.

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 meetings held in June, 2017.

8b. Resolution 17-33 – The Council adopted Resolution 17-33 directing the town clerk to investigate the sufficiency of annexation petition A17-02 and setting a public hearing on the question of annexation for Aug.15. *A copy of Resolution 17-33 is attached to these minutes.*

8c. FY 2017-18 Budget Ordinance Amendment - The Council adopted amendments to the FY 2017-18 budget ordinance to correct engineering development fee schedule text.

8d. Resolution 17-34 - The Council adopted Resolution 17-34 declaring old phone system servers surplus to the needs of the Town and authorizing the donation of them to Bladen County. *A copy of Resolution 17-34 is attached to these minutes.*

8e. Budget North Main Street Project – The Council adopted an amendment to the FY 2017-18 budget to establish a project budget for the sidewalk project on North Main Street.

8f. Candidate Information Meeting - The Council set a candidate information meeting to be held 5:30 to 7:30 p.m. Wednesday, Sept. 13 in Rooms Holly A and B of the Holly Springs Cultural Center.

8g. Holleman Room Audio/Visual System – The Council adopted an amendment to the FY 2017-18 budget and authorize purchase of an audio/visual system for the Holleman Room. *A copy of budget amendment is attached to these minutes.*

8h. Budget Amendment, Maintenance /Splicing Contractor Fees – The Council adopted an amendment to the FY 2017-18 budget to cover maintenance and splicing contractor fees charged to the town. *A copy of budget amendment is attached to these minutes.*

8i. Budget Amendment Report – The Council received monthly report of administrative budget amendments. *A copy of budget report is attached to these minutes.*

8j. Town Hall Commons Project Budget – The Council adopted an amendment to the FY 2017-18 budget to establish and fund a project budget for the Town Hall Commons project.

8k. Budget Amendment, \$15,180 – The Council adopted an amendment to the FY 2017-18 budget in the amount of \$15,180 to cover costs of land. *A copy of budget amendment is attached to these minutes.*

8l. Town Hall Access Control and Security System – The Council approved purchase of new access control and security system for Town Hall.

9a. 16-MAS-02-A01, Southern Crossroads – Mr. Beard said the Town has received a request for a master subdivision plan amendment for Southern Crossroads, located primarily in the southeast corner of the future intersection (S Main St Extension Project) of Piney Grove – Wilbon Rd and Ralph Stephens Rd. The project was approved in February for a maximum of 120 commercial and multifamily residential lots for future development with a maximum of 537 total dwelling units associated with the multi-family projects permitted. In accordance with UDO Section 3.08, Architectural and Site Design Requirements, all buildings located within a common master plan area shall utilize and repeat selected architectural design requirements that are in harmony with area developments and other recent developments within Holly Springs. A Master Architecture Plan, or Design Guidelines, are required to promote consistency among buildings within a development and enhance compatibility of design and appearance requirements. A Master Architecture Plan, or Design Guidelines, must be approved prior to the erection, location, or placement of any building within the master plan area.

The amendments requested:

- Satisfies an original condition of approval for the Southern Crossroads Master Plan (design guidelines were not previously submitted nor reviewed with the original master plan) and allow outlot development plans to move forward.

- Provides greater detail regarding the location of open space, recreation areas and trails across the residential portion of the project.
- Revises the potential driveway locations on their interior access road based on information submitted with the first development plan currently under review.
- Creates a Master Sign Plan for all permanent signage associated with the projects within the Southern Crossroads Master Plan area. The applicant has submitted to waiver requests associated with the Master Sign

Action #1: The Council approved a motion to adopt Resolution #17-35 making and accepting the findings of fact to be recorded in the minutes for Waiver of Sign Regulations 17-WAV-17; and Waiver of Sign Regulations 17-WAV-18 as submitted by H Brantley Powell, as specified in exhibit A (with the following additional findings, if any).

Motion by: Dickson

Second by: Cobb

Vote: Unanimous

A copy of Resolution 17-35 is attached to these minutes.

Action #2: Having made the necessary findings of fact, a motion to approve Waiver of Regulations of UDO Section 7.03, E., 4., c. Maximum Sign Surface Area of Wall Signs 17-WAV-17 and Waiver of UDO Section 7.03, E., 5., c. & d., Maximum Sign Surface Area of Incidental Signs and Maximum Height of Incidental Signs 17-WAV-18, in association with Detailed Master Plan #16-MAS-02-A01 for Southern Crossroads as submitted by H Brantley Powell.

Motion by: Cobb

Second by: Villadsen

Vote: Unanimous

Action #3: The Council approved a motion to approve Detailed Master Plan 16-MAS-02-A01 for Southern Crossroads as submitted by H Brantley Powell dated revised 6/19/2017 with the following conditions:

1. All previous conditions of approval for Southern Crossroads shall apply to this amendment.

Motion by: Lee

Second by: Cobb

Vote: Unanimous

9b. 17-MAS-02, Hemlock Preserve Subdivision – Mr. Beard said the Town has received a request for a 25 lot subdivision on a 23.84 acre property located at 1040 Bass Lake Rd. The property is located just south of the southern entrance/parking lot for Bass Lake Park and just north of the Natures Reach subdivision. The proposed subdivision has a zoning of R-30 Residential and a proposed density of 1.06 units per acre.

Councilman O'Brien asked if the property would be clear cut during development.

Mr. Beard said the plan meets Town spec

Shawn Smith, applicant – Mr. Smith said clearing would be limited to the clearing of trees to make room for the streets. He said custom builders will buy the lots and selectively clear them at the direction of their buyers.

Councilman Villadsen asked if the mail kiosk would be screened with heavier landscaping than what is indicated.

Mr. Smith said they have not devised a landscaping plan yet but will pay attention to the mail kiosk when they do. He added that neighbor concerns about traffic can be put to rest because they will have plenty of parking at the kiosk.

Action: The Council approved a motion to approve Preliminary Plan #17-MAS-02 for Hemlock Preserve as submitted by The Curry Engineering Group, PLLC, Project Number 2016-019, dated Revised 06-12-17 with the following conditions:

1. At the time of construction drawing submittal, a street lighting plan shall be submitted to Planning & Zoning for review and approval. Street Trees on all interior streets shall be positioned as to not interfere with any lighting fixtures provided or any site distance clearance areas.
2. This project will be required to meet the Town of Holly Springs NPDES Ph. II Post Construction Stormwater Ordinance.
3. No increase is allowed for the 10 yr., 25 yr., 50 yr., or 100 yr. storm event flows.
4. The following items must be addressed prior to the first construction drawing submittal:
 - a. Thoroughfares, collectors and boulevards will require a calculated pavement design. This may result in a pavement cross section bigger than the specified minimum.
 - b. All items listed on the Stormwater Submittal Checklist, Form #16003.
5. The following items must be addressed prior to construction drawing approval:
 - a. Approval of Stormwater Management Plan is required prior to issuance of a land disturbance permit or construction drawing approval.
 - b. Payment of the Stormwater Fee-in-Lieu will be required.
 - c. A performance surety in the form of a bond, letter of credit or cash is required in the amount of 125% estimated construction cost of the stormwater BMP prior to plat recordation and a maintenance surety in the form of a cash escrow account in the amount of 35% the actual construction cost of the BMP is required at the end of the performance monitoring period for the project.
 - d. All environmental permits must be obtained prior to construction drawing approval and/or issuance of a land disturbance permit for the entire project.
6. Prior to Final Plat, the following must be completed:
 - a. Homeowner's Association (HOA) covenants shall be recorded with the first plat associated with this subdivision.
7. There will be an Infrastructure Reimbursement Agreement (IRA) for this project. If any of the terms of the agreement cause a change to the plans provided, an amendment may be required to the plans.
8. Construction drawings are not to be accepted until such time that the property has been annexed into the corporate limits of the Town of Holly Springs.

Motion by: O'Brien

Second by: Cobb

Vote: Unanimous

9c. Southern Area Planning Initiative (SAPI)– Ms. Clapp said the Southern Area Planning Initiative was discussed and authorized to proceed to the RFQ process at the Town Council Workshop May 10.

She said the purpose of this study is to conduct a public evaluation and assessment of the southern area of the Town's Future Land Use Plan. This study is not anticipated to result in a separate planning document, rather provide an implementation program to provide clarity to the exiting plan map and text.

The Southern Area Planning Initiative is expected to accomplish the following goals:

- Review and assess the study area with staff, elected and appointed officials, citizens, and other interested parties to determine current development and trends;
- Identify and analyze the issues and needs;
- Evaluate different approaches for future development patterns and determine the most effective plan for the Town of Holly Springs which provides a clear vision and direction for future development;
- Evaluate the current Future Land Use Plan and determine modifications needed to ensure the highest and best use for lands within the study area and that the plan adequately reflects the development goals of Town Staff and Officials;
- Specify the appropriate locations for commercial, multi-family residential (townhomes), and single-family residential;

- Clearly define the expectations of the Town in regard to appearance, quality, infrastructure, density and type of residential development and the transition of land uses;
- Outline practical implementation strategies and address modifications to the Unified Development Ordinance and other Town development ordinances and policies.

She said the Departments of Planning & Zoning, Engineering, Economic Development and Parks & Recreation have been working together in this study. As a result of the qualification statements received and interviews conducted that two consulting firms be selected to move forward with this study. O'Brien Atkins (OBA) as the primary and Benchmark Planning as the secondary. These two firms were selected by the evaluation committee due to the strengths that both groups bring to this endeavor.

It is anticipated that there will be three major public community outreach through a special social media platform, community meetings (September – November) as well as stakeholder meetings and other small workshops. This phase of the study will not result in a direct land use plan or other town policy document amendment. This study will end in January with the presentation of findings/ suggested amendments and studies needed to consider any recommended changes to the Town's Land Use Plan, zoning regulations or other ordinances and policies.

The proposed budget for this phase of the project is:

O'Brien Atkins: \$74,105 plus incidental expenses (including \$6,000 for the MindMixer community engagement platform- may be a separate contract)

Benchmark Planning: \$25,000

Contingency: \$9,900

Total: \$109,005

Ms. Clapp the final presentation meeting in January is approximately two months later than originally anticipated. The Town Council adopted Resolution #17-23 on May 16, 2017 specifying that staff is not to present any rezoning petitions to the Town Council for consideration for six months (November 16, 2017) or the presentation of the SAPI findings, whichever comes first. It is at the Council's discretion if you would like to consider an extension of this Resolution until the findings are presented in January 2018

Action: The Council approved a motion to approve to retain O'Brien Atkins and Benchmark Planning to provide planning services for the Southern Area Planning Initiative and authorize the town manager to enter into contract in the following amounts:

O'Brien Atkins for \$74,105, plus incidental expenses and to include a possible \$6,000 contract for MindMixer public engagement platform to be used; Benchmark Planning for \$25,000; contingency and incidental expenses \$9,900 for a total project budget of \$109,005.

Motion by: Villadsen

Second by: O'Brien

Vote: Unanimous

9d. Avent Ferry Phase 2 Project – Ms. Parrish said the Town Council previously approved the NCDOT municipal agreement for the Town to administer the TIP project for improvements to Avent Ferry Road from Piney Grove-Wilbon to Cass Holt Rd. The first step will be to determine the limits of the improvements and the type of improvement. In order to make these determinations the Town will contract with VHB Engineering for a traffic forecasting document that will become a part of the future Purpose and Need document for NCDOT.

Action #1: The Council approved a motion to retain VHB Engineering in the amount of \$70,000 for a traffic forecasting document in the Avent Ferry Road improvement project.

Motion by: Dickson

Second by: Cobb

Vote: Unanimous

Action #2: The Council approved a motion to adopt an amendment to the FY 2017-18 budget to create and fund the Avent Ferry Road Improvement project through street reserves.

Motion by: Cobb

Second by: Dickson

Vote: Unanimous

9e. Hemlock Preserve Infrastructure Reimbursement Agreement – Ms. Parrish said as part of the development process, the Hemlock Preserve development was identified as a great opportunity to provide less density to accommodate the surrounding development and remain consistent. Since the project is on the outskirts of the Town's utility service area the expense of building wastewater infrastructure was unnecessary. The lots will be annexed, and potable water will be supplied to the subdivision. The water line extension will benefit the Bass Lake Park pavilion in the future; therefore, in combination with a lower density and getting water service to this area, town staff is proposing that the contractor be reimbursed for water capacity fees in the amount of the construction to extend the waterline to the subject property in the amount not to exceed \$ 67,000.

Action: The Council approved a motion to approve to enter into an infrastructure reimbursement agreement with the developer of Hemlock Preserve for the extension of waterline.

Motion by: Cobb

Second by: Dickson

Vote: Unanimous

10. Other Business: None that resulted in Council action. Councilwoman Lee did ask about comments made during the Public Comment segment of the meeting in reference to Council meeting minutes and video.

Ms. Powell said Council meeting minutes are, by previous direction of the Council, summary in nature and not verbatim. Additionally, she said, video typically is uploaded to the town Website on Thursday following a Council meeting on Tuesday. There were no known issues that would have caused the videos not to appear as Mr. Crandall claimed, she added.

Video of Council meetings is uploaded to YouTube as time and resources permit, usually about once a month, she said.

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

12. Closed Session: The Council entered into closed session, pursuant to N.C.G.S. 143-318.11(a)(3) to discuss with the town attorney under the attorney-client privilege the matter of *Currin Builders vs. Town of Holly Springs*.

In closed session, the Council gave direction to the Town's attorney.

No action was taken in closed session, other than a motion to return to open session. The motion to return to open session was made by Councilman Cobb and seconded by Councilman Dickson. The vote was unanimous.

13. Adjournment: There being no further business for the evening, the Aug. 1, 2017 meeting of the Holly Springs Town Council was adjourned.

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

