



August 15, 2017

MINUTES

The Holly Springs Town Council met in regular session on Tuesday, August 15, 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, Hank Dickson, and 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; Carolyn Couch, Bass Lake Park manager; Mary Hogan, finance director; Gina Clapp, planning and zoning director; Sean Ryan, planner; Kendra Parrish, engineering director; Elizabeth Goodson, development review engineer; Rachel Jones, development review engineer; Aaron Levitt, senior engineer; Irena Krstanovic, economic development director; Leroy Smith, fire chief; John Herring, police 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. Laverne Cofield, a pastor at Holly Springs United Church of Christ.

4. Agenda Adjustment: The August 15, 2017 meeting agenda was adopted with changes, if any, as listed below.

1. Add to Requests and Communications Item 6b., an update on a request to NCDOT for a traffic signal at a Main Street Extension intersection;
2. Remove from the Consent Agenda Item 8c., conveying an easement to Duke Progress Energy, for consideration following the Consent Agenda.
3. Remove Item 8f., purchase of a tractor for Bass Lake Park, for consideration at a later date.

Motion by: Cobb

Second by: O'Brien

Vote: Unanimous

4. 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:

Gerald Holleman, 5625 Easton Street – Mr. Holleman urged Council members to go to Washington D.C. and to talk with legislators in the General Assembly to get funding for transportation improvements.

6a. Bass Lake Park FEMA Reimbursements – Ms. Couch gave the Council Members a summary of the amount of funds that FEMA will reimburse the Town for repairs from the damage sustained at Bass Lake Park from Hurricane Matthew.

Ms. Couch said repairs included so far are a temporary replacement parking lot and reconstruction of the mulch trail around the lake. The last portion of repairs will be to fix the stream channel. The question with the stream channel, as it is with the final replacement parking lot, is will FEMA reimburse the Town to return the property to pre-storm condition... or will FEMA reimburse the Town if the Town were to redesign the stream channel and the parking lot to new designs that might withstand a future Hurricane.

Obviously, the second option would cost more time and money, but in the long run it might be the better investment for both the Town and FEMA.

Ms. Couch also addressed the Council to update them on the ADA restrooms and shelter planned for Sugg Farm. She said the project is moving forward, and she is hopeful she will have more detailed information to share soon.

Action: None.

6b. Main Street Extension Traffic Signal Update – This item was added during agenda adjustment.

Ms. Parrish addressed the Council, announcing that The N.C. Department of Transportation has approved a traffic light at the new intersection of South Main Street, Ralph Stephens Road and Piney Grove-Wilbon Road.

The town and NCDOT are fast-tracking installation, slashing months off the usual time required by starting with wooden poles instead of custom-designed metal ones.

The extension of South Main Street to a realigned Piney Grove-Wilbon Road opened in early August, providing a new route through southwestern Holly Springs and alleviating traffic congestion on Avent Ferry Road. However, several accidents have occurred at the new intersection. Police said some drivers have failed to stop for stop signs on Ralph Stephens Road despite numerous warning devices.

Town officials received approval of the traffic light Tuesday morning, the day after submitting traffic count and accident data required to meet state criteria for a traffic light. To save time further, the town submitted engineering plans while DOT reviewed the town's request for a traffic light. Town officials believe timesaving measures could have a traffic light up and running in less than two months instead of the usual six to nine months.

Mr. Simmons said he was pleased with DOT's approval of the light and thanked state transportation officials for helping to expedite installation. "Safety is our overriding concern," he said.

Five accidents have been reported at the intersection. Accidents occurred even after the addition of message boards, rumble strips, additional stop signs, and other measures to attract drivers' attention.

During planning and design for Main Street extension, the town had asked for a traffic light for the intersection of Main Street, Piney Grove-Wilbon Road, and Ralph Stephens Road; however, traffic forecasts completed during design a few years ago did not show that the roadway met state criteria for a traffic light. Therefore, the town and DOT agreed to a new analysis after opening that would use actual traffic counts.

In response to accidents, the town moved immediately on the new analysis.

The town built the Main Street extension and intersection in partnership with NCDOT. The roadway will be part of the state's transportation system. That is why DOT has final say over road design and the traffic control plan. DOT provided most of the funding for the roadway through federal grants.

Ms. Parrish pointed out that, while the new intersection received much of the news attention, the bigger news is that the road project performed as expected to relieve traffic on Avent Ferry Road. Officials estimate that 70% of the morning and evening commuter traffic has been rerouted away from Avent Ferry Road, which should provide residents who live in subdivisions off Avent Ferry Road with much-needed traffic relief during rush hours.

Action: None.

7a. Public Hearing: 17-REZ-02, Trinity Creek – Mr. Ryan said the Town has received a request to rezone properties within the Trinity Creek subdivision, a Development Option Subdivision approved in 2015. The request is to rezone approximately 156 acres located on the south side of New Hill Road from R-10: Residential Conditional Use to R-10 CU: Residential Conditional Use. The purpose of the rezoning is not to change the underlying zoning district, R-10, but to modify the conditions associated with the zoning. If approved, the new conditions will not change the development standards of the underlying R-10 district in terms of density, lot size and dimensions, or building setbacks. The conditions being modified relate to the architectural and landscaping commitments and were further detailed in agenda packets.

With that explanation completed, Mayor Sears opened the public hearing. The following input was recorded: None.

There being no input, the public hearing was closed.

Action #1: The Council approved a motion to accept the following statement as being true:

"The requested zone map change from R-10 CU to R-10 CU with modified conditions is consistent with the Vision Holly Springs Comprehensive Growth Plan since the Future Land Use Plan Map indicates this property as Residential, which allows for residential development between 2 and 8 units per acre, and the proposed R-10 CU: Residential Conditional Use District allows for single-family residential development with a maximum 2.5 dwelling units an acre which is appropriate for the subject properties since they are not located within a Community Growth Area."

Motion by: Lee

Second by: Cobb

Vote: Unanimous.

Action #2: The Council approved a motion to adopt Zoning Ordinance 17-REZ-02 to approve and enact Zone Map Change Petition #17-REZ-02 to terminate the conditional use permit for 14-REZ-09 recorded in Wake County Registry Book 15811 page 552 and to change the zoning of 156.48 acres of Wake County PIN #0639413800; 0639425873; 0639427725; 0639522804; 0639612382; from R-10 CU: Residential Conditional Use to R-10 CU: Residential Conditional Use, as submitted by Crescent Holly Springs, LLC with the following conditions offered by the applicant:

1. Gross residential density will not exceed 2.5 units per acre.
2. Lots will not be less than 7,500 square feet in size.
3. Each house shall provide at least a standard two-car garage.
4. Vinyl siding shall be prohibited, except for accent elements of the façade, which will be limited to 20% of the total facade area.
5. Lots shall show house foundations of a colored parge coat over the entire foundation.
6. Each lot shall have the following landscape improvements in addition to the required street tree(s):
 - a. In the rear yard, the following landscaping will be required:
 - i. (1) Large Deciduous Tree (2" caliper)
 - b. Along the foundation of the front façade (including areas in the front yard if the Small Deciduous Tree option is chosen), the following landscaping will be required:
 - i. (6) Medium Shrubs (24" tall) and (14) Small Shrubs (18" tall)
 - ii. Either (2) Small Evergreen Trees (4' tall) or (1) Small Deciduous Tree (1.5" caliper)
 - c. The Trinity Creek Declaration of Covenants, Conditions, and Restrictions will require that each homeowner is responsible for maintaining the minimum landscaping requirements provided at each home.
7. Decorative garage doors, if front loaded.
8. Architectural shingles will be required.

Motion by: Dickson

Second by: Cobb

Vote: Unanimous.

A copy of the Zoning Ordinance #17-REZ-02 is attached to these minutes.

7b. Public Hearing: Annexation Ordinance A17-02 – Ms. Clapp said the Town has received a petition for voluntary annexation of 23.64 +/- acres located along Bass Lake Road. The property owners are Herbert B. and Sharon Stephens, Glenn N. and Barbara Stephens, and James M. and Nancy S. Sears. The property is contiguous with city limits. The petition meets all the statutory requirements for annexations.

With that explanation completed, Mayor Sears opened the public hearing. The following input was recorded: None.

There being no input, the public hearing was closed.

Action: The Council approved a motion to adopt Annexation Ordinance A17-02, annexing 23.64 +/- acres owned by Herbert B. and Sharon Stephens, Glenn N. and Barbara Stephens, and James M. and Nancy S. Sears, and more particularly described as Wake County Pin: 0658.97-0076 and 0658.96-4674, into the corporate limits of the Town of Holly Springs.

Motion by: O'Brien

Second by: Cobb

Vote: Unanimous.

A copy of the Annexation Ordinance A17-02 is attached to these minutes.

7c. 17-DDI-01 919 Marketing Downtown Development Agreement – Ms. Krstanovic said a request for a Downtown Development Investment has been submitted by 919 Marketing business owner Mr. David Chapman for the property located at 102 Avent Ferry Road. In accordance with the Town's DDI Policy, he has requested that all Town development-related fees be waived and to be reimbursed up to 50% for public infrastructure that is required to be upgraded and added as a part of the Development Plan approval for the proposed new 3,735 square foot commercial building. The associated expenditure of public funds being considered is estimated at \$29,000.

The community will benefit from the expansion since jobs will be increased and the business will be retained in Holly Springs.

With that explanation completed, Mayor Sears opened the public hearing. The following input was recorded: None.

There being no input, the public hearing was closed.

Action: The Council approved a motion to enter into a Downtown Development Investment Agreement with 919 Marketing business owner David Champman for property located at 102 Avent Ferry Road to reimburse all Town development fees in an amount not to exceed \$17,000 and to reimburse up to \$12,000 in public infrastructure improvements for a total expenditure estimated at \$24,530.

Motion by: Dickson

Second by: Cobb

Vote: Unanimous.

A draft copy of the 919 Marketing Downtown Development Investment agreement is attached to these minutes.

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 minutes of the Council's regular and special meetings held in July.

8b. Budget Amendment, \$100,100– The Council adopted amendment to the FY 2017-18 budget in the amount of \$100,100 to cover reimbursement of Mills of Avent Ferry (Union Ridge) infrastructure reimbursement agreement. *A copy of budget amendments are attached to these minutes.*

8c. Duke Energy Progress Easement - This item was removed during agenda adjustment for consideration following the Consent Agenda.

8d. Wake Board of Education Agreement - The Council approved a contract with Wake Board of Education for staffing of emergency medical services personnel at home high school football games.

8e. Ting Park HVAC Agreement – The Council approved to Piedmont Service Group full service HVAC contract for Ting Park.

8f. Bass Lake Tractor Purchase – This item was removed during agenda adjustment and will be scheduled for a future Council meeting.

8g. Engineering Design and Construction Standards supplement #2 – The Council approved Engineering Design and Construction Standards supplement #2.

8h. Town's Tennis Program - The Council approved to enter into a contractual agreement with Brian Smith Sports, LLC to oversee the Town's tennis program.

8i. Budget Amendment, \$25,850 – The Council adopted an amendment to the FY 2017-18 budget in the amount of \$25,850 to cover costs of employee transfer to Facilities Maintenance Mechanic. *A copy of budget amendments are attached to these minutes.*

8j. Budget Amendment, \$16,592 – The Council adopted an amendment to the FY 2017-18 budget in the amount of \$16,592 to cover Southern Crossroads Infrastructure Reimbursement Agreement. *A copy of budget amendments are attached to these minutes.*

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

8l. Main Street and Ballentine Street Projects – The Council approved to enter contract with Kimley-Horne in the amount of \$19,000 for a traffic impact analysis study for Main Street and Ballentine Street and adopt an associated budget amendment. *A copy of budget amendments are attached to these minutes.*

8m. Veolia Odor Control Contract Settlement – The Council approved to enter into settle agreement to close out 2016 Veolia odor control contract.

Action: At this time, the Council approved a motion to excuse Councilman Dickson from the meeting since he is employed with Duke Energy Progress that has a company policy prohibiting employees from voting on government matters that involve the company.

Motion by: Cobb

Second by: O'Brien

Vote: Unanimous.

8c. Duke Energy Progress Easement - The Council approved a motion to convey easement to Duke Energy Progress.

Motion by: Cobb

Second by: Villadsen

Vote: Unanimous

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

Motion by: Cobb

Second by: Lee

Vote: Unanimous.

9a. SAPI Resolution Amendment– Ms. Clapp said 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 (through November 16, 2017) or the presentation of the SAPI findings, whichever comes first. Since the SAPI findings are now scheduled to be presented to the Council in January 2018, some Council members expressed a desire to extend the rezoning petition rule.

Ms. Clapp said Resolution #17-23.1 is an amended form of the original resolution that deletes the reference to six months altogether and adds that the SAPI findings will be presented

and accepted by the Town Council before rezoning petitions in that area are brought forward to Council.

Action: The Council approved a motion to adopt Resolution 17-23.1 stating that no rezoning petitions will be brought forward to Town Council in the Southern Area Planning Initiative boundary until the SAPI study findings are presented and accepted by the Town Council.

Motion by: Villadsen

Second by: Cobb

Vote: Unanimous

A copy of Resolution 17-23.1 is attached to these minutes.

9b. Holly Springs Town Commons Project – Mr. Levitt said the design for the Holly Springs Town Commons project is underway and construction is planned for late 2018. This project is located between Avent Ferry Road and Main Street, south of Ballentine Street. As downtown development requests continue to increase, with new developments come utility upgrades, sidewalk-, parking lot- and building additions/modifications as well as road/right of way widening and speed limit modifications.

He said the two streets in the described area are under NCDOT maintenance and include a portion of Main Street (S.R. 55) from Holly Springs Road to NC Bypass 55 (1.07 miles) as well as a portion of Avent Ferry Road (S.R. 1115) from Center Street to NC Bypass 55 (0.67 miles).

Adoption of this roadway by the Town of Holly Springs would give the Town more flexibility and control over how and when work in the Downtown Village District is completed, Mr. Levitt said.

Assuming maintenance also would give the Town more opportunities for street closures for festivals and events to create a more pedestrian-friendly downtown during events.

Action: The Council approved a motion to adopt Resolution 17-36 authorizing the Town to adopt a 1.07-mile portion of Main Street (S.R. 55) from Holly Springs Road to NC Bypass 55 and a 0.67-mile portion of Avent Ferry Road (S.R. 1115) from Center Street to NC Bypass 55 from the State-maintained highway system.

Motion by: Cobb

Second by: O'Brien

Vote: Unanimous

A copy of Resolution 17-36 is attached to these minutes.

9c. New Hill Apartments IRA – Ms. Parrish said the New Hill Apartments project is preparing to start construction on 288 apartment units. The project consists of 12 garden-style buildings with surface parking, a clubhouse, swimming pool, garage buildings and storage units. The developer brought the Town the Kite development for the Holly Springs Town Center and also contributed to a large portion of the construction of Bennet Knoll Parkway.

The proposed product includes upgraded plumbing fixtures, which include WaterSense approved showerheads, toilets, and bathroom faucets. These type fixtures are EPA sponsored to meet criteria for efficiency and performance. The project also will be Holly Springs' first National Green Building Standard (NGBS) certified multifamily community. The NGBS is a third party company that verifies the community is built to achieve high efficiency performance in six key areas: Site Design, Resource Efficiency, Water Efficiency, Energy Efficiency, Indoor Environmental Quality, and Building Operation and Maintenance.

Based on these merits, staff and the Town Attorney have met with the developer several times and discussed a 20% reimbursement in the water and sewer capacity debt repayment fees, which are paid at building permit time. A 20% reimbursement is \$547,200.

Action: The Council approved a motion to enter an Infrastructure Reimbursement Agreement with the developer of New Hill Apartments for 20% reimbursement of water and sewer capacity fees.

Motion by: O'Brien

Second by: Dickson

Vote: Unanimous


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

11. Manager's Report: Mr. Simmons got Council endorsement to proceed with retaining a design firm for a gymnasium project.

12. Closed Session: None.

13. Adjournment: There being no further business for the evening, the Aug. 15, 2017 meeting of the Holly Springs Town Council was adjourned.

Respectfully Submitted on Tuesday, Sept. 5, 2017.

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

