



Nov. 21, 2017

MINUTES

The Holly Springs Town Council met in regular session on Tuesday, Nov. 21, 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 five council members were present as the meeting opened.

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

Council Members Absent: Councilman Tom O'Brien.

Staff Members Present: Charles Simmons, town manager; John Schifano, town attorney; Joni Powell, town clerk, (recording the minutes); Linda Harper, deputy town clerk; Adam Huffman, assistant parks and recreation director; Len Bradley, parks and recreation director; Gina Clapp, director of planning and zoning; Matt Beard, planner; Kendra Parrish, director of engineering; Elizabeth Goodson, development review engineer; Mary Hogan, finance director; Leroy Smith, fire chief; Jeff Wilson, information technology director; Irena Krstanovic, economic development director; 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. Jim Littleton, pastor of Holly Springs United Methodist Church.

4. Agenda Adjustment: The Nov. 21, 2017 meeting agenda was adopted with changes, if any, as listed below.

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:

Jackie Miller, 112 Hickory Glen Lane -- Ms. Miller addressed the Council on the issue of bicycle lane safety. She stated statistics about bike accidents and fatalities in North Carolina and she asked for the Council to keep the subject in mind as the future budget year approaches. She would like to see the Town:

- develop new and improved bicycle control and information signs for the increased safety of all highway users.
- make it easier for and encourage alternative forms of transportation
- Build more sustainable communities and connectivity between neighborhoods.
- Improve safety for pedestrians, cyclists, and motorists.

Ms. Miller said she would return to the Council in December to ask for funding in next year's budget for these programs.

Kevin Adams, 6228 Oliver Creek – Mr. Adams addressed the Council about the War on Terrorism memorial. He asked, on behalf of the Griffith family that built the memorial, for funding support through the purchase of bricks or donations. For more information, Mr. Adams pointed people to the dgwar on terrorism Web site.

Gerald Holleman, 5624 Easton Street – Mr. Holleman asked the Council – especially the new Council members who will be seated Dec. 5 -- to plan transportation, its funding and the provision of water and sewer services in the future for years

Debra Carlton, 228 Hickory Glen Lane – Ms. Carlton addressed the Council to speak regarding Item 6a. on the agenda in which independent counsel would report findings on 53 allegations of ethics violations by public officials.

She said, “After viewing the recording of the October 17 council meeting several times, I feel compelled to share my concerns on the record. I believe that Ms. Kelly’s statements influenced the outcome of the 2017 town council election. The timing of the accusations is suspicious to me. She made her statements at the last town Council meeting before the election. There was no time for an investigation or rebuttal by other candidates.

“If the investigation shows that Ms. Kelly misrepresented any facts or misstated any truths, I would respectfully request that she step down and the state and county Boards of Elections determine next steps.

“If she refuses, I request that her actions be evaluated by the county and state boards of elections to determine whether or not she has violated election campaign ethics. I would also request that her actions be investigated by the police and/or sheriff to determine whether criminal charges against her can be pursued.

“There is a right and a wrong way to become elected. In my opinion, Ms. Kelly did not do things the right way. She engaged in questionable behaviors by causing speculation about ethics of sitting council members, the mayor and the town attorney. This is not how I want my town run, nor is it how I want my tax dollars spent.

“Additionally, according to state law city and county employees can’t, in their official capacity, engage in campaign activities while on the job. Ms. Kelly signed the ethics agreement prior to running for office, but as a candidate this is exactly what she did. They can’t be fired or otherwise treated negatively because of their off-duty political actions or preferences, and they can’t use public resources for political purpose, yet again, that is exactly what Ms. Kelly did. She used town resources for her own gain.

“Employees are free to exercise their First Amendment right to engage in campaign activities, as long as they don’t do it at work and as long as no public resources are involved. Ms. Kelly’s use of the council meeting involved the use of public resources – buildings, staff and recorded – that are publicly funded and for that reason campaigning at the meeting was prohibited. I feel her behavior was intended to make her appear victimized when in fact she was not.

“And while elected officials have First Amendment free speech rights, a board meeting is a limited public forum, even for board members. A member does not have a free speech right to speak on matters that do not relate to the business of the body. Our elected officials were not able to defend themselves because they were in fact following ethical guidelines they had already signed themselves, while Ms. Kelly used the meeting as a campaign tool.

“I have known the individuals involved in the ethics complaints for more than 20 years. During that period of time, none of them have behaved inappropriately. Our children have played together on teams, and we have worked together to grow our community into the beautiful home it has become. I believe her statements were intended to make Ms. Kelly look better as a candidate, and to disqualify incumbent council members. This is not acceptable for candidates, nor is it acceptable for elected officials.”

6a. Report on Ethics Violation Claims – Mr. Simmons said during the Council's Oct. 17 meeting, Holly Springs resident and candidate for public office Christine Kelly registered to speak under oath during a Special Use Exception hearing on Town Hall Commons. During her testimony, Ms. Kelly made allegations of ethics violations against the mayor, some Council members and the town attorney. According to the Town's ethics policy for public officials, any official complaints of violations will be investigated by the town attorney... or by outside counsel in the case that the complaint is against the town attorney.

On receiving the complaint, Mr. Simmons noted that Ms. Kelly had alleged a total of 53 allegations of ethical misconduct against those names, specifically: 18 claims against Councilman

Dickson, 16 against Mayor Sears, 14 against the town attorney, four against Councilwoman Lee and 1 against Councilman Cobb. None were filed against Councilmen O'Brien or Villadsen.

With so many complaints and with the involvement of a majority of the Council, the decision was made to retain outside counsel to investigate since a majority of the Council and the town attorney were the subject.

On recommendation of the League of Municipalities, the town retained attorney Katie Weaver Hartzog of the Cranfill, Sumner and Hartzog law firm of Raleigh to investigate the allegations by Ms. Kelly. The other law firm recommended by NCLM is located in Wilmington.

Ms. Hartzog addressed the Council with her findings. In summary, she said she found that she found no credible evidence of ethical violation in any of the 53 complaints. Ms. Hartzog said Ms. Kelly said she had actually brought the complaint in order to delay action on the closing of a portion of Raleigh Street.

Councilman Cobb asked if there was recourse to seek reimbursement of legal services.

Ms. Hartzog directed the Council to consult with its attorney on such matters.

Councilman Dickson asked how much the Town could expect the bill to be. Ms. Hartzog said she thought it would be between \$8,500 and \$9,000.

Action: The Council approved a motion to ask Ms. Kelly to voluntarily pay the bill so taxpayers don't have to do so.

Motion by: Dickson

Second by: Cobb

Vote: The motion carried following a 3-1 vote. Councilman Villadsen voted against the motion.

7a. Public Hearing: Annexation Ordinance A17-03 – Ms. Clapp said the Town has received a petition for voluntary annexation of approximately 235.52 +/- acres located along Honeycutt and Piney Grove-Wilbon Road. The property owners are Timothy W. Honeycutt, Jennifer Caviness, Teresa H. Jackson and Celinita Wood Wilson, and the property is contiguous with city limits.

The petition meets all the statutory requirements for annexation.

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 A17-03, annexing 236.52 +/- acres owned by Timothy W. Honeycutt, Jennifer Caviness, Teresa H. Jackson and Celinita Wood Wilson, and more particularly described as Wake County Pin: 0647.58-8692; 0648.40-6893; 0647.68-4957; 0647.49-5739; 0648.50-8806; 0647.48-6432; 0647.59-7422; 0648.51-5878, into the corporate limits of the Town of Holly Springs.

Motion by: Dickson

Second by: Cobb

Vote: Unanimous

A copy of Annexation Ordinance A17-03 is attached to these minutes.

7b. Public Hearing: Development Options Plan 17-DO-02 – Mr. Ryan said the Town has received a request for a Development Options Subdivision located along the north and south sides of Honeycutt Road between Cass Holt Road and Piney Grove-Wilbon Road. A total of 603 dwelling units, consisting of 392 single-family dwelling units, 209 multi-family dwelling units, and 1 two-family dwelling unit, are proposed. The total proposed gross density is 2.61 units per acre.

He said the project area is zoned R-10 Conditional Use and, as such, must meet all of the commitments made as part of the approved rezoning. In addition, as a Development Options Subdivision, the project must provide a higher quality product in accordance with the residential design façade requirements, provide a minimum of 10% of the project area as open space, and sidewalks on both sides of all streets.

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

Bob Zimwold, McAdams design firm – Mr. Zimwold submitted the firm’s applications into the record that the plan will meet the findings of fact

In response to Planning Board member Dan Berry’s concerns, Mr. Zimwold said the developer is committed to making lots adjacent to Garrison at 10,000 square feet and to retain the same buffer.

Jeremy Merrill, 201 Airedale Drive – Mr. Merrill wrote comments and questions to the Council and submitted them via email on Nov. 21. His email is below:

“Mayor Sears and Town Council, First, thank you for taking the time to read this email. I appreciate the minimal replies I received to my original request, but it appears no action will be taken upon my request. To say that’s frustrating is an understatement – having something like this on the Agenda where there’s a big WCPSS meeting and it’s the Tuesday before a long holiday weekend, I feel, is a disservice to the citizens.

Today, on your agenda is an item, 17-DO-02, which is the Honeycutt Farms (sic) Subdivision Development option. There are a few questions I raised on the planning board that went unaddressed and I’m hoping you can help get the answers to them.

The first one relates to the layout of the proposed development and the cut through to Garrison. I’m grateful the applicant saw fit to install a roundabout, but looking at the layout of the lots (page 69 of the meeting packet for this item), it’ll be easier for about 97 homes (if not more) to cut through Garrison by going down Cabot drive and exiting to Piney-Grove Wilbon road. As you may know, Garrison is a small, fully complete neighborhood with only 100 homes in it. The proposed development layout would increase by 2-3x the number of cars coming down Cabot drive, assuming 1/3 to 1/2 of the current residents use that road as it’s not a main road.

I understand there’s a need for connectivity, but the connectivity option, combined with the layout, does nothing but encourage drivers to use this as a cut through. With the school zone also going in around Buckhorn Creek Elementary, I fear the road will be used by more than just residents of Honeycutt Farm as a cut through road, making the road even less safe for the residents. To illustrate this point, when the applicant presented at the planning board, there was even a member of the planning board that stated, “I’d definitely use the road through to avoid Buckhorn Elementary and the school zone”. This concerns me from a safety perspective as we have young children in the area and I’d hate for us to have an accident due to increased traffic.

The next topic I’d like to cover is with regards to the transitioning of lot sizes along the area by the Garrison neighborhood. Overall the lots in that area of Garrison are over 10,000 sq. ft. and the lots in Honeycutt are around 7,500 sq. ft. I don’t see this as a transition, but much rather a large leap. This question was raised at the planning board meeting as well, and it was stated that there’s a 20’ buffer, so that is OK. I’m sorry, but I firmly disagree with that. There should be lot sizes increasing in size to help ease the transition into our existing neighborhood. I understand if you look at “gross density” it looks appealing, but that number is inflated by open space that may not even be developable. I ask that you have the applicant look at a better transition of the lots closer to Garrison.

The next concern I have with the layout is around the Townhome and Carriage home placement. I believe to help with the transition to Garrison, it would make more sense to swap the location of the Carriage homes and the Townhomes. First, this would help with the natural transition to the existing (and new) single family homes. In addition, this would also place the Townhomes closer to the new elementary school, which seems to be the precedent in areas where both exist. I would like for you to ask the applicant if there is the ability to do this.

The final concern I have is with the request for the waiver of parking. The application and finding of fact says they believe with walking trails most residents will walk to the amenity center. I agree, that would be the case, if the entire neighborhood were in the same area. Given that the neighborhood will be spread across Honeycutt Rd (which is slated to be a 4 lane median divided road), I don’t believe that finding of fact to be completely accurate. The applicant stated at the Planning Board meeting they had the land available, so in order to comply with the UDO, I ask that the town council not grant this waiver.”

There being no further input, the public hearing was closed.

Councilmen Dickson and Villadsen agreed that swimming pool parking lots rarely are full unless there are swim meets.

Action #1 of 5: The Council approved a motion to adopt Resolution #17-50 to make and accept the findings of fact for Development Option Plan Petition #17-DO-02 for Honeycutt Farms to allow for development options to be used in the R-10 residential zoning district and waivers of off-street parking regulations 17-WAV-20 and 17-WAV-22 as submitted by the McAdams, project number MIH-16010, dated revised 10-09-17, and as specified in Exhibit A (with the following additional findings, if any).

Motion by: Lee

Second by: Villadsen

Vote: Unanimous

A copy of Resolution 17-50 and findings of fact are attached to these minutes.

Action #2 of 5: Having made the necessary findings of fact, the Council approved a motion to grant waivers of UDO Section 7.04 E. 4. Maximum Number of Off-Street Parking Spaces 17-WAV-20 and 17-WAV-22 in association with Development Options Plan Petition #17-DO-02 Honeycutt Farm.

Motion by: Dickson

Second by: Cobb

Vote: Unanimous

Action #3 of 5: The Council approved a motion to make and accept the findings of fact to be recorded in the minutes for a waiver of regulations of UDO Section 7.04 E. 1 Minimum Number of Required Off-Street Parking Spaces to allow a reduction of 22.5% (11 parking spaces), from 49 spaces to 38 spaces, in association with Development Options Plan Petition #17-DO-02 for Honeycutt Farm.

Motion by: Cobb

Second by: Dickson

Vote: Unanimous

Action #4 of 5: Having made the necessary findings of fact, the Council approved a motion to grant a waiver to allow a reduction of 22.5% (11 parking spaces), from 49 spaces to 38 spaces, in association with Development Options Plan Petition #17-DO-02 for Honeycutt Farm, with the following conditions:

1. Upon determination by the Planning Director that the reduced parking spaces are needed, the 11 spaces placed into the land-banked area as future off-street parking shall be constructed within six months receipt of such notice.

Motion by: Villadsen

Second by: Cobb

Vote: Unanimous

Action #5 of 5: Having made the necessary findings of fact, the Council approved a motion to approve Development Option Plan Petition #17-DO-02 for Honeycutt Farm, project number MIH-16010, dated revised 10-09-17, with the following conditions (included the added the condition #12):

1. This project will be required to meet the Town of Holly Springs NPDES Ph. II Post Construction Stormwater Ordinance.
2. A proportionate fee for the construction of a new right turn lane on Avent Ferry Road at the intersection of Cass Holt Road is required with this project.
3. At time of petitioning for the first Final Plat for this subdivision: Homeowner's Association covenants shall be submitted for review prior to recording. Covenants shall include information on maintenance of street trees, maintenance of champion trees, assurances that sufficient variation shall exist in the design and appearance of adjacent dwelling units necessary to avoid a monotonous building design and streetscape.

4. No champion tree designated on this plan to meet the requirements of conditional use rezoning 16-REZ-13 shall be removed without approval from the Department of Planning & Zoning after receipt of a report from a certified arborist declaring that the removal of the tree is necessary due to death, disease or threat of danger to human life or property.
5. No more than 85% of building permits shall be issued prior to the completion of all developed recreational open space.
6. Street Trees on all interior streets shall be positioned as to not interfere with any lighting fixtures or site distance triangles. A revised street tree plan shall be submitted to the Department of Planning and Zoning for review and approval upon completion of an approved street lighting plan by Engineering.
7. A point-by-point photometric lighting plan for parking area lighting must be submitted with the first review of construction drawings.
8. The following items must be addressed prior to the first construction drawing submittal:
 - a. Provide documentation in the form of a recorded plat of any required offsite sewer easements.
 - b. Thoroughfares, collectors and boulevards will require a calculated pavement design and will require NCDOT approval.
 - c. Documentation in the form of a plat must be provided for offsite right-of-way to be dedicated for this project.
 - d. The following note must be clearly reflected on the plats and construction drawings for lots 374, 375 and any other adjacent lots: "Pump station site owned by the Town of Holly Springs may be expanded in the future and there will be routine operation inspections and maintenance on the premises once the pump station is in operation".
 - e. Pump station site must be platted and conveyed by deed to the Town of Holly Springs before pump station final acceptance.
 - f. Provide a sealed engineer's report including calculations to verify hydraulic capacity of existing pond. Identify primary and secondary outlet structures and/or spillways.
 - g. Provide a sealed engineer's report and recommendations to verify structural integrity of dam(s).
 - h. All items listed on the Stormwater Submittal Checklist, Form #16003, must be included.
 - i. Show 20' maintenance easement surrounding pond and dam. This comment will apply if lots are closer than 20' to the pond.
 - j. Verify that pond meets NCDENR Dam Safety requirements.
 - k. A breach analysis is required for all ponds within the project area.
 - l. A flood study will be required for this project. All flood plain shall be delineated based on the built out condition of the drainage basin.
9. The following items must be addressed prior to construction drawing approval:
 - a. Homeowner's Association covenants shall be recorded with the first plat associated with this subdivision. Submit a draft copy for review during construction drawing review.
 - b. Approval of Stormwater Management Plan is required prior to issuance of a land disturbance permit or construction drawing approval.
 - c. Payment of the Stormwater Fee-in-Lieu will be required.
 - d. Stormwater sureties are required on this project. 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 SCM 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 SCM is required at the end of the performance monitoring period for the project.
 - e. All environmental permits must be obtained prior to the issuance of a land disturbance permit.
10. An Infrastructure Reimbursement Agreement (IRA) is expected for this project. Any changes required as a result shall be incorporated into the plans through an amendment.
11. Prior to moving to Town Council, the following must be addressed:
 - a. The Pump Station Site Plan must be approved by Town Council prior to or with the

approval of this Development Petition.

12. Lots adjacent to Garrison Subdivision will be a minimum of 10,000 square feet.

Motion by: Lee

Second by: Cobb

Vote: The motion carried following a unanimous vote on the motion and then an amendment to include Condition #12.

7c. Public Hearing: Ordinance 17-UDO-03 – Mr. Ryan said that staff is proposing an amendment to UDO Section 3.04 04 OR: Office, Research & Development Park District to change Hospital from a permitted primary use to a permitted special exception use in the OR district.

Special exception uses are land uses that may be beneficial to the overall development and quality of life in the Town of Holly Springs and its extra-territorial jurisdiction when appropriately located. However, due to certain characteristics and vocational impacts, these may be detrimental to other permitted uses within the Town of Holly Springs and its extra-territorial jurisdiction and thus need to be examined on a case-by-case basis. In addition, special exception uses, due to their unique characteristics, do not always meet the specified district development standards and typically require variances or waivers as part of their development process

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 make and accept the following statements:

“The requested UDO Text Amendment is consistent with the Vision Holly Springs Comprehensive Plan: *Executive Summary* in regards to “Using the Plan to Implement the Town’s Vision” and “Adopting and Implementing the Plan”; Section 1: *Future Land Use* “Objectives”, “Community Growth Areas”, and “Future Land Use Plan Details”; Section 4: *Community Character* “Objectives”; Section 6: *Community Facilities* “Objectives”; and Appendix 2.1: *Village District Area Plan.*” The proposed UDO Amendments provide the tools necessary for staff and the development community to implement the goals and objectives stated in the Plan. “

Motion by: Cobb

Second by: Dickson

Vote: Unanimous

Action #2: The Council approved a motion to adopt Ordinance 17-09, 17-UDO-03 to change hospital from a permitted primary use to a permitted special exception use in the OR: Office, Research & Development Park zoning district.

Motion by: Lee

Second by: Villadsen

Vote: Unanimous

A copy of Ordinance 17-09 is attached to these minutes.

7d. Public Hearing: Special Exception Use 17-SEU-09 and Development Plan 17-DP-11 for Sunset Lube and Tire – Mr. Beard said the Town has received a request to allow for a Special Exception Use as specified in Unified Development Ordinance Section 3.02 LB: Local Business District to allow for Automotive Repair – Minor and a modification to the building elevations for the property located at 101 Matthews Drive, Wake County PIN 0669077249.

With that explanation completed, Mayor Sears opened the public hearing. The following sworn testimony and evidence was submitted by those who had been administered the oath by the deputy town clerk: None.

There being no testimony, the public hearing was closed.

Action #1: The Council approved a motion to make and accept the findings of fact to be recorded in the minutes for Special Exception Use Petition #17-SEU-09 for Sunset Lube and Tire to allow for Automotive Repair – Minor in the LB: Local Business District as submitted by Bass, Nixon & Kennedy, Inc.

Motion by: Dickson

Second by: Cobb

Vote: Unanimous

A copy of 17-SEU-09 findings of fact is attached to these minutes.

Action #2: Having made the necessary findings of fact, the Council approved a motion to approve Special Exception Use Petition #17-SEU-09 and Development Plan 17-DP-11 for Sunset Lube and Tire as prepared by Bass, Nixon & Kennedy, Inc. Project Number 03-17127, dated Revised 10/3/2017 with the following conditions:

Special Exception Use Conditions:

1. All operations must adhere to the evidence submitted by the applicant as stated in the findings of fact submitted and those findings of fact specified by the Town Council in conjunction with 17-SEU-09

Development Plan Conditions:

1. The following previous conditions of approval for *Sunset Lube & Tire (07-SEU-07-A01)* shall continue to apply:
 - a. All conditions of approval for Sunset Lake Commons Master Plan (06-MAS-10) and Sunset Lake Commons Phase 2 (07-MAS-03) will also apply to this project.
 - b. Fee-in-lieu of pump station upgrade will be required.
 - c. The following items are to be included with 1st construction drawing submittal (later in the approval process):
 - i. A comprehensive drainage area map and supporting calculations.
 - d. Prior to submittal of Construction Drawings, Sunset Lake Commons Phase 2 Preliminary Plan (07-MAS-03) must be approved.

Motion by: Villadsen

Second by: Cobb

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. Budget Amendment Report – The Council received report of monthly administrative budget amendments approved by the Town Manager. *A copy of budget amendment report is attached to these minutes.*

8b. Main Street Closing - The Council adopted ordinance to close Main Street for the Christmas parade. *A copy of ordinance is attached to these minutes.*

8c. Pecan Grove South Plan Extension - The Council approved request for extension of plan approval for Pecan Grove South.

8d. Ting Stadium Lease Agreement - The Council approved lease agreement assignment for Ting Stadium.

8e. Resolution 17-51 - The Council adopted Resolution 17-51 recommending Holly Springs review officers. *A copy of Resolution 17-51 is attached to these minutes.*

8f. Resolution 17-52 - The Council adopted Resolution 17-52 declaring equipment surplus to the needs of the Town. *A copy of Resolution 17-52 is attached to these minutes.*

8g. Town Facilities Closed Dec. 13 - The Council approved the closing of non-essential Town facilities for the annual employee holiday luncheon Dec. 13.

8h. Customer Service Representative Position - The Council approved to change a part-time customer service representative position to full-time and authorize the related funding.

8i. Budget Amendment, \$171,000 - The Council adopted an amendment to the FY 2017-18 budget to allocate \$171,000 in park reserve funds to a number of projects at various facilities.

8j. Budget Amendment, \$876,758 - The Council adopted an amendment to the FY 2017-18 budget to allocate \$876,758 from park reserve funds – to be reimbursed by FEMA -- for Hurricane Matthew repairs at Bass Lake Park.

8k. Budget Amendment, \$70,000 - The Council adopted an amendment to the FY 2017-18 budget to increase fiber revenue and fiber expense by \$70,000 to cover costs of construction, equipment and splicing. *A copy of budget amendment is attached to these minutes.*

8l. Budget Amendment, \$41,402.28 - The Council adopted an amendment to the FY 2017-18 budget to move \$41,402.28 from insurance proceeds to vehicle maintenance. *A copy of budget amendment is attached to these minutes.*

8m. Main Street Extension Project - The Council approved to enter contract with Greenscape for \$31,659 to install landscaping along the Main Street Extension project.

8n. Main Street Extension Project Change Order - The Council approved contract change order with Fred Smith Company for \$34,813.92 to install emergency vehicle preemption devices in the Main Street Extension project.

8o. Needham Norris House - The Council approved offer and purchase agreement for the Needham Norris House. *A copy of purchase agreement is attached to these minutes.*

9a. Certified Entrepreneurial Community Designation Announcement – Ms. Krstanovic said the Holly Springs Economic Development Department is pleased to announce that Holly Springs was named the first Certified Entrepreneurial Community!

She said a year ago, Holly Springs Economic Development began the two-year process of earning a Certified Entrepreneurial Community designation for the Town. The designation was awarded Oct. 23. This shows that the Holly Springs culture supports small businesses and believes this strategy will equip the community to further create an overall climate and ecosystem that supports current entrepreneurs and those looking to start and/or grow their business in Holly Springs.

Action: None.

9b. Duke Health Medical Office Gateway Feature Design - Mr. Ryan said on April 18, 2017, Town Council approved the development plan for Duke Health Medical Office at the corner of NC 55 Bypass/GB Alford HWY and New Hill Road. Condition of approval #1 stated, *“In accordance with UDO Section 3.08 A. 4. C. Gateway Feature, this project is located at an intersection which is designated as a gateway in the Comprehensive Plan. A gateway feature shall be constructed in connection with the development of this project. Prior to issuance of a building permit, detailed design specifications shall be submitted to the Department of Planning and Zoning for review and the Town Council for approval.”*

He said staff has received the proposed design for the gateway feature, which includes a round shaped plaza and bench with a decorative wall and staircase at the corner of NC 55 Bypass/GB Alford HWY and New Hill Road. This design is very similar to the design approved for Holly Springs Town Center directly across New Hill Road from this project and will form of cohesive look for the western side of this intersection.

Action: The Council approved a motion to approve the draft design for the required gateway feature at the intersection of NC 55 Bypass/GB Alford HWY and New Hill Road for 16-DP-18 Duke Health Medical Office as presented on 11/21/2017.

Motion by: Dickson

Second by: Cobb

Vote: Unanimous

9c. Twelve Oaks IRA Extension - Ms. Parrish said the Twelve Oaks Infrastructure Reimbursement Agreement expires December of 2017.

Ms. Parrish said staff is recommending extending the agreement for 18 additional months.

She said the original intent of the agreement is still valid. Landeavor continues to make progress and is in the build-out of their final phase. The only remaining reimbursements that are due are the reimbursement of a portion of the reclaimed infrastructure.

Action: The Council approved a motion to extend the infrastructure reimbursement agreement with Landeavor in Twelve Oaks for 18 additional months.

Motion by: Cobb

Second by: Dickson

Vote: Unanimous

9d. Thales Infrastructure Reimbursement Agreement- Ms. Parrish said Thales School will begin construction soon at the site located on New Hill Road, just west of Old Holly Springs-Apex Rd.

She said the Holly Springs New Hill pump station is located next door to the Thales site. Thales is required to stub the upstream property and at the completion of the Thales and Hensley sewer line construction, one of the Town's oldest pump stations could be removed and the flow could go to the Twelve Oaks pump station.

Thales has agreed to remove the pump station, and the Town will reimburse the cost of demolition.

The agreement commits the town to reimbursing the developer the cost of the additional work to take the pump station off line, and such work will be inspected, receipts verified, and includes a one year warranty.

Action: The Council approved a motion to approve an infrastructure reimbursement agreement for the removal of one of the town's oldest pump stations.

Motion by: Dickson

Second by: Lee

Vote: Unanimous

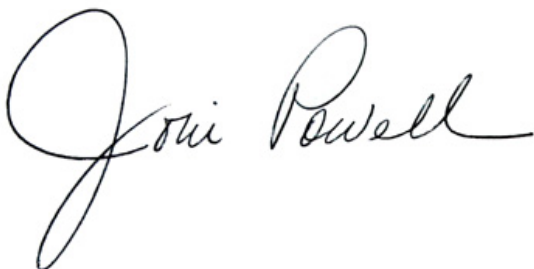
10. Other Business: None that resulted in Council action.

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

12. Closed Session: none.

13. Adjournment: There being no further business for the evening, the Nov. 21, 2017 meeting of the Holly Springs Town Council was adjourned.

. 5, 2017.



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

