



March 6, 2018

## MINUTES

The Holly Springs Town Council met in regular session on Tuesday, March 6, 2018 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 Tom O'Brien, Dan Berry and Peter Villadsen and Councilwomen Christine Kelly and Cheri Lee.

**Council Members Absent:** None.

**Staff Members Present:** Charles Simmons, town manager; John Schifano, town attorney; Joni Powell, town clerk, (recording the minutes); Linda Harper, deputy town clerk; Paul Allen of the town attorney's office; Adam Huffman, assistant parks and recreation director; Gina Clapp, director of planning and zoning; Kendra Parrish, director of engineering; Aaron Levitt, senior engineer; Billy Whitehead, information technology technician; 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. Jamal Brown, pastor of the United Church of Christ.

**4. Agenda Adjustment:** The March 6, 2018 meeting agenda was adopted with changes, if any, as listed below.

Approval of the Feb. 20 minutes removed from the agenda; and item 8i. removed from the Consent Agenda for discussion under New Business.

**Motion by:** O'Brien

**Second by:** Berry

**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:

Christine Quante, 344 Raleigh St. – Ms. Quante has been named interim director of the Holly Springs Chamber of Commerce, and she introduced herself and briefed the Council on recent Chamber activities.

**6a. Oaths of Office to Board Members -** Ms. Powell said in January, the Town Council appointed residents to fill the remainder of terms on the Board of Adjustment and Planning Board.

Ms. Powell administered the oath of office to Erin Pare to serve as Board of Adjustment member and to Mark Brady, Rick Madoni and Courtney Patterson, serving as Planning Board members.

**Action:** None.

**7a. Public Hearing: FY 2018-19 Budget –** Mr. Simmons said the public has been invited via the Town's Web site and local media to provide comments on the preparation of the Town's FY 2018-

19 budget. Citizens have been invited to provide input as to what they feel are important programs, facilities or services.

The purpose of this pre-budget preparation hearing is to give folks a chance to have input before the budget process actually begins instead of having to wait until the end of the process when it may not be feasible to make adjustments.

This hearing is being held in addition to – and not instead of – the public hearing that is required by law later in the budget process. That hearing will be held in May or June.

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

Jackie Miller -- Ms. Miller addressed the Council to request funding for bike signage on local roads urging motorists to share the road safely with cyclists. She noted sad statistics about cyclist deaths and devastating injuries. She noted that bicycle drivers have, by law, the same full lane rights as motorists, although many drivers don't realize it. She said there were 24 miles of streets and roads in Holly Springs that are commonly used by cyclists who usually are trying to use those avenues to get to less travelled roads. She asked that the Council consider future road improvements to include simple educational signage to be included.

She said the cost of adding signs per mile is \$6,000 to \$8,000 for a total of between \$142,000 and \$192,000.

Mr. Joe Fanjoy via email -- "Please allocate money in the FY 2018-19 budget to fill the gaps for curb, gutter, and/or sidewalk on Grigsby Avenue between Maple Street (entrance to Lakeside) and Waterpoint Road (entrance to Parkside). As you know, this stretch is narrow and is subject to the most punishment from everyday use. Why is the road so narrow? Why is it lacking curb, gutter, and sidewalk? Because the respective developers for Lakeside and Parkside likely paid a fee-in-lieu and only partially installed it. Thus, I believe that TOHS must address this deficiency. I also believe that addressing this deficiency is way overdue.

Even better, please allocate money in the FY 2018-19 budget to complete curb, gutter, and sidewalk from Maple all the way around the outside of the curve to Fair Glen Road (entrance to Fair Hill). This would avoid the patchwork effect and really bring that section closer to town standards. Again, this would benefit not only the residents who use the road every day, but also the many, many visitors who come to Womble and Sugg.

The TOHS Engineering Department has already surveyed the road. I am sure that they identified deficiencies beyond the ones listed above. So, please allocate the appropriate funds to address as many of the deficiencies as possible"

Hank Dickson, via email -- "In the event that development costs for Town Hall Commons are waived, I recommend that the council withhold the usual HS Chamber program contribution this budget year. In prior years, the program grant was approximately \$20,000. Since the town is in a partnership with the chamber for Town Hall Commons, I expect that there will be a number development fee waivers which would easily exceed \$20,000. Therefore, withholding this program grant is appropriate."

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

**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 O'Brien, a second by Councilwoman Kelly and a unanimous vote. The following actions were affected:

8a. Minutes – *This item was removed from the agenda during agenda adjustment.*

8b. Town's Water Supply Plan Contract – The Council approved to hire CDM Smith and adopt an amendment to the FY 2017-18 budget to transfer \$27,700 from water reserves (account 23.95) to account 30 432 12.01 for an update to the Town's water supply plan.

8c. Budget Amendment, \$5,362 - The Council adopted a \$5,362 amendment to the FY 2017-18 budget for emergency water main repairs *A copy of budget amendment is attached to these minutes.*

8d. Budget Amendment, \$9,000 - The Council adopted a \$9,000 amendment to the FY 2017-18 budget for Laserfiche software upgrade. *A copy of budget amendment is attached to these minutes.*

8e. Resolution 18-10 - The Council adopted Resolution 18-10 declaring certain personal property surplus to the needs of the town. *A copy of Resolution 18-10 is attached to these minutes*

8f. Resolution 18-11 - The Council adopted Resolution 18-11 declaring property surplus to the needs of the Town. *A copy of Resolution 18-11 is attached to these minutes.*

8g. Fee Schedule Amendment – The Council adopted amendments to 2018 fee schedule for new cell tower fees.

8h. Budget Amendment, \$20,795 – The Council adopted a \$20,795 amendment to the FY 2017-18 budget for firefighting supplies. *A copy of budget amendment is attached to these minutes.*

8i. Town Hall Commons – *This item was removed from the Consent Agenda during agenda adjustment for discussion.*

**8i. Town Hall Commons Parking Deck** – Mr. Levitt addressed the Council to explain that the Town is continuing work on the Town Hall Commons project, a project which proposes to transform the Village District into a vision held by the town for more than 15 years. Town Council previously approved two development agreements with 242 Main Street Holly Springs, LLC and Malbec, LLC for the construction of 90,000-110,000 square feet of office, retail, restaurant, services and other similar active uses. Holly Springs is responsible for delivering public infrastructure including 180 parking spaces, streetscape improvements, the extension of Rogers St., and a regional stormwater facility serving the area.

He added that this private public partnership is anticipated to ignite development downtown and interest in downtown development projects has already increased significantly.

Plans have been completed for the design by CLH Design, PA. and Little Architecture. The "Parking Deck project" includes the table top parking structure and all improvements within the Main St, Ballentine, Avent Ferry and proposed W. Rogers St (excluding the 242 building and property).

This portion of the project has been separated from the "Infrastructure Project" (roads, storm, sidewalks, utilities) and was bid along with the proposed building named 242 Main Street. The reason for this, as previously explained, is to have the parking deck constructed by the same contractor as the building given their close proximity to each other and common structural elements necessary for both projects. Costs for the parking deck portion of the project were bid by 242 Main, LLC and are \$3,390,681. Town council previously approved a budget on Jan. 16, as required in the developer agreement, with a cost of \$3,569,370. The construction costs came in under budget by \$178,689.

The infrastructure project was advertised and two "mandatory" pre-bid meetings were held prior to the bid opening. Attendance at one of the meetings was required. Seven general contractors and one sub-contractor attended the meeting(s). Bids were scheduled to be received and opened on Feb. 27. No bids were received.

After the scheduled bid opening, contractors were contacted to inquire as to why they did not submit a bid. The common denominator answer with several contractors was that they were too busy to bid the project. Contractors wanted more time to review the project.

The infrastructure project has been re-advertised for bids and a bid opening will be held in Town Hall March 23, and presented to Council April 3. This will give contractors three additional weeks to bid the project.

From discussions with some contractors, this will allow them the time to confidently submit a bid.

This month delay will negatively affect both the 242 Building and the Town's parking deck project. Delays now will increase material costs and overall project costs, and also may disturb agreements with tenants of the 242 Main building. This project has followed an aggressive and tight schedule for approximately 18 months, and we are currently only a few weeks behind schedule. The contractor for the 242 Building and parking deck was planning to start work on March 2.

The first major step for construction is to construct a large retaining wall that will support the earth that the 242 building is supported by and will support the structure of the table top parking deck. The wall, while necessary for both projects, was included in the cost of the parking deck and is part of the Town's parking deck project cost. If this wall is not constructed as part of the parking deck project the 242 Main project cannot proceed with construction.

Per the developers agreement, previously approved by town council, the cost of the parking deck project (if within budget) is to be deposited into an escrow account and to be drawn upon by 242 Main, LLC, with approval from the town. 50% of the cost is to be the initial deposit and once those funds are exhausted the remainder of the cost is to be deposited for the completion of the parking deck project. With the time delay being a concern to both parties, a mutually agreed upon compromise was reached and is as follows:

- 10% of the parking deck project cost, or \$340,000, will be deposited, if approved by Town Council, to facilitate the construction of the retaining wall. This money will allow the projects to continue progressing with limited delays. Upon the receipt of an acceptable bid for the infrastructure project the remaining 40% would be deposited into escrow and then the final 50% would be deposited when the funds are exhausted for completion of the parking deck.

Councilman Berry asked if the parking deck was bid as part of the 242 building.

Mr. Levitt said all the work within the block that is public parking was included .

Councilman O'Brien asked what will happen if we don't receive any bids the second time.

Mr. Levitt said the Town will readvertise, and only one bid response is required. If none are received, the Town could arrange a change order with the 242 building contractor for some of the work; and our public works department could do some of the work..

**Action:** The Council approved a motion to approve 10% funding or \$340,000 of the Town Hall Commons parking deck project to be deposited into an escrow account as detailed above and to adopt an amendment to the budget to facilitate the transaction

**Motion By:** Berry

**Second By:** O'Brien

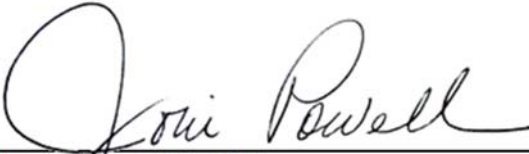
**9. Other Business:** None that resulted in Council action.

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

**11. Closed Session:** None.

**12. Adjournment:** There being no further business for the evening, the March 6, 2018 meeting of the Holly Springs Town Council was adjourned.

Respectfully Submitted on Tuesday, March 20, 2018.

  
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Joni Powell, NCCMC  
Town Clerk  
Addenda pages as referenced in these minutes follow and are a part of the official record.

