



September 17, 2019

MINUTES

The Holly Springs Town Council met in regular session on Tuesday, September 17, 2019 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 four council members were present as the meeting opened.

Council Members Present: Mayor Sears, Councilmen Tom O'Brien, and Peter Villadsen, and Councilwomen Cheri Lee and Christine Kelly.

Council Members Absent: Councilman Dan Berry.

Staff Members Present: Randy Harrington, *Town Manager*; Daniel Weeks, *Assistant Town Manager*; Scott Chase, *Assistant Town Manager*; John Schifano, *Town Attorney*; Linda McKinney, *Town Clerk* (recording the minutes); Latisha Butler, *Deputy Town Clerk*; Gina Clapp, *Director of Planning and Zoning*; Melissa Sigmund, *Planning and Zoning*; Mathew Mutter, *IT*; LeeAnn Plumer, *Parks and Recreation Director*; Mark Andrews, *Communications and Marketing*; Kendra Parrish, *Director Engineering*; Tim Athy, *Engineering*; Seann Byrd, *Director of Water Quality*; Mary Hogan, *Director of Finance*; Irena Krstanovic, *Director of Economic Development*; and Leroy Smith, *Fire Chief*.

2. The Pledge of Allegiance was recited and the Holly Springs High School *Colla Voce* sang the National Anthem. The Mayor requested that the Choir stay in place and give their presentation (agenda item 7) at this time.

(7.) Requests and Communications: Holly Springs High School Colla Voce

Ms. Jennifer Patchett, director of the Holly Springs High School *Colla Voce*, introduced the choir and told the Mayor, Council, and audience about their upcoming trip to London to sing at the London International Choral Festival, including a performance at the festival's New Year's Day Gala Performance.

Colla Voce then sang the English folk song *Danny Boy* and Thomas Tallis' *If Ye Love Me*.

Action: None.

3. The invocation was given by Marcia Martin of the Oasis Church.

4. **Agenda Adjustment:** The September 17, 2019 meeting agenda was adopted with changes as listed: Add item 9f: HVAC Replacement for Co-Working Building; move items 9c and 9e to New Business for discussion.

Motion by: O'Brien

Second by: Lee

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:

Phyllis Gould from the League of Women Voters, Wake County presented a certificate to Councilwoman Cheri Lee on behalf of the League. Councilwoman Kelly received the honor at an event in August that Councilwoman Lee was unable to attend.

Barb Koblich of 220 Sherman Road, Fuquay Varina, spoke against making any changes to the Citizen of the Year award.

Tony Perna of 4901 Sunset Forest Circle, Holly Springs spoke against making any changes to the Citizen of the Year award.

Kelly O'Hara, 2624 Avent Ferry Road, Holly Springs asked that Council defer a decision until they have sat down with the previous Citizen of the Year honorees to discuss the process.

6a. Oath of Office for Board of Adjustment

Mayor Sears introduced Cody Loughridge and Jayson Greene as newly appointed in-town alternate members of the Board of Adjustment.

Ms. McKinney administered the oath of office to Mr. Loughridge and Mr. Greene.

Action: None.

8. Public Hearing:

8a. 19-CPA-01 Vision Holly Springs: Section 1 Land Use & Character Plan

Melissa Sigmund, Planning & Zoning, said that the Vision Holly Springs Comprehensive Plan was adopted in 2007, with various amendments over the past twelve years. Since then the Town has seen a tremendous amount of growth and change. The plan needed to be updated to ensure that it accounts for current conditions and considers the community's values and vision for the future. Ms. Sigmund said that there was a nearly year-long project to update Section 1 of the Vision Holly Springs Comprehensive Plan (reVision Holly Springs) and she outlined the different methods used for community engagement. She said that now a draft plan is being presented for public comment. A public hearing is not required by statute, but the Town wanted to provide the public with an additional opportunity to provide input. This is a living document and can be amended as conditions change. The consultant said that they had never seen this amount of participation in a town this size. She outlined the highlights of comments from the public, and stated that the goal of the plan is to have something for everyone. One of the main benefits of this plan is that it is "character based" rather than density based. This conveys expectations, allows the town to achieve its desired result, and gives the Town some additional controls at the time of zoning.

Planning Board Recommendation:

The Planning Board held a meeting on 08/27/19 to which the Town Council and re:Vision Holly Springs Community Advisory Committee were invited and participated in a roundtable discussion following a presentation from the project consultant. The Planning Board discussed the following:

- Support for the plan's intention of providing additional housing variety and options
- The need to ensure and appropriately communicate to long-time residents and property owners that the plan does not require development/redevelopment of property, but serves as a road map if private parties wish to develop land.
- Question regarding how to include more parks in neighborhoods (staff indicated that this will be addressed in the forthcoming update to the Parks & Recreation section of the Comprehensive Plan)

- The need to include a statement in the introduction to the effect that this is intended to be a living document that is deliberative in nature and not directive. The plan will be implemented through the actions of the Planning Board and Town Council going forward.

The Planning Board recommended approval (8-0-1)

Those voting against the motion were:

- None

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

Kim Yarborough Vuncannon, 1024 S. Main Street, Holly Springs spoke in support of the land use plan for the southern gateway of the Town and said she would like to see it become an inviting and special part of Holly Springs.

Late comers, who had not had an opportunity to sign up to speak were asked if they wished to speak. No one responded.

Council discussed how this is a very long range plan, and was flexible. It is a guide that gives the Town options on land use. It is meant to last for 30 to 40 years, as a vision, and is not set in stone.

There was discussion of when the final draft would be presented to Council if they were to vote on it on October 1st, and when Councilman Berry's comments would be shared with them.

Action: Motion to close the public hearing and continue consideration of 19-CPA-01: Vision Holly Springs: Town of Holly Springs Comprehensive Plan, Section 1: Land Use & Character to the October 1, 2019 Town Council Meeting.

Motion by: Lee

Second by: O'Brien

Vote: unanimous

9. Consent Agenda

The Council approved a motion to approve all items on the Consent Agenda except 9c and 9e, which were moved to New Business. The motion carried following a motion by Councilman O'Brien, a second by Councilman Villadsen, and a unanimous vote. The following actions were affected:

9a. Minutes – The Council approved minutes of the Council special meeting held August 27, 2019, the business meeting held September 3, 2019, and the workshop held September 10, 2019.

9b. Monthly Administrative Budget Amendments – The Council received a report of monthly administrative budget amendments approved by the Town Manager. *A copy of the budget amendment report is attached to these minutes.*

9d. Finalize Adoption of S. Main Street – The Council approved execution of the required municipal certificates to finalize the adoption of S. Main Street from NCDOT.

9f. HVAC Replacement for Co-Working Station – The Council awarded a contract for replacement of the HVAC system at the Co-Working Station to Piedmont Service Group.

10. NEW BUSINESS

9c. Renaming a portion of Tullich Way

Beth Trautz said that the 90 foot stretch of Tullich Way has no houses addressed off of it. It will connect to Third Street when the road is extended. There are four houses, a church, and the Post Office on Third Street. None of them want to change their addresses. Renaming this section would allow all currently addressed residences and businesses on both Tullich and Third Street to keep their current addresses.

Action: Motion to adopt Resolution 19-29 renaming a portion of Tullich Way to Third Street.

Motion by: Kelly

Second by: Villadsen

Vote: Unanimous

A copy of Resolution 19-29 is attached to these minutes.

9e. Ralph Stephens Road Quitclaim

John Schifano, Town Attorney, explained that when a road is abandoned, by statute the land reverts to the property owners. The Town will keep the easements it currently has. The Quitclaim deed makes it easier for the property owner to show clear title to the property and does not prejudice the Town in any way.

Action: Motion to approve execution of a Quitclaim deed for that portion of Ralph Stephens Road that was abandoned during the re-aligning of South Main Street.

Motion: Villadsen

Second: Kelly

Vote: Unanimous

10a. Citizen of the Year Award

Linda McKinney, Town Clerk, said that at the July 9, 2019 Council Workshop, staff was asked to compile background information on the Citizen of the Year Award, the Town's current funding support for the award, and considerations associated with the Award. At the September 10, 2019 Council Workshop, staff provided background on the Citizen of the Year award and possible scenarios the Council might consider going forward. The Council asked staff to bring back for consideration at the September 17, 2019 Council meeting a motion for continuing the Town's logistical and minimal funding support and identifying the composition of the seven member award selection committee.

Ms. McKinney gave a brief history of the Citizen of the Year award from its creation in 1996 by the Holly Springs Chamber of Commerce to the present. In 2010 the Town Council voted to provide "logistical and minimal funding" support to the award. In recent years, the nominations have been submitted by the Town to a committee of previous Award recipients who have served as the selection committee. She outlined the involvement of town staff and the cost to the town in previous years.

Council discussed having a meeting with Tony Perna and other members of the previous Citizen of the Year committee to discuss how to move forward. They mentioned the possibility of creating a new award, similar to Cary's Hometown Spirit Award.

Action: Motion to table discussion of the Citizen of the Year Committee to October 1st.

Motion by: O'Brien

Second by: Villadsen

Vote: Unanimous.

10b. Interlocal Agreement for Building Inspection Services

Daniel Pope, Director of Code Enforcement, said that certified inspectors are becoming more difficult to replace in the current job market and recently passed legislation requires jurisdictions to complete inspections within two days of scheduling. The Town of Apex has requested an agreement to provide mutual aid assistance in performing building, electrical, mechanical and plumbing inspections. The interlocal agreement will enable each town's building inspectors to provide building inspection services to the other town participating in this agreement.

Mr. Pope said that the town has a history of these interlocal agreements, having had agreements in the past with Apex, Lillington, and Angier.

He said that demand for services will not exceed approximately twenty (20) hours per week on average and such demand will only be provided by the current workforce without disruption to the services of citizens of the assisting party. For the services, the requesting party will pay \$50/hour to the assisting party at a 5-hour minimum and reimburse mileage to the assisting party at the current IRS allowable rate. The duration of the agreement is one (1) year from the date of execution unless mutually terminated by the parties upon 60 days' notice. He said that Apex Town Council is considering this agreement at their meeting tonight.

Councilman Villadsen asked if the Town had received assistance from the agreements in the past. Mr. Pope said that the Town had given assistance but not received it in the past, but that the agreement allows for both.

Action: Motion to approve the interlocal agreement with the Town of Apex for building inspection services.

Motion by: O'Brien

Second by: Lee

Vote: Unanimous.

10c. Locally Administered Projects Program

Tim Athy, Engineering, said the Locally Administered Projects Program (LAPP) was adopted by the NC Capital Area MPO on October 20, 2010. The program is used by the MPO to prioritize and program local transportation projects in the region that utilize federal funding and are the responsibility of the MPO.

Mr. Athy outlined the LAPP Grant Application Process Timeline:

- Pre-Submittal mid-September 2019
- Pre-Submittal Interview with CAMPO end of September 2019
- LAPP Project Submission deadline end of October 2019
- CAMPO selects FFY 2021 LAPP Grant projects January/February 2020
- Signed Municipal Agreement September 2020
- FFY 2021 Funds Obligated October 2020 – September 2021

He said that this process does not commit the Town to funds, and any potential grant award from NCDOT would come back to Council for acceptance.

He said that based on the Town's population Holly Springs is eligible to receive LAPP grants for up to three road improvement projects and three sidewalk/pedestrian projects. CAMPO requires that all funds programmed through LAPP have a minimum 20% local cash match. The FFY2021 LAPP Call for Projects is open from August 21, 2019 through October 31, 2019. Administration of the LAPP Program involves a once-a-year call for all local roadway, transit, bicycle and pedestrian projects, and results in an annual program of projects in the Transportation Improvement Program (TIP). The 2018 Transportation Bonds included an intent to request and leverage partnership funding from NCDOT to create the greatest possible impact on the Town's roadway infrastructure.

Action 1: Motion to approve LAPP Grant application for the following Transportation

Bond Road Projects:

- Sunset Lake Road Widening
- Holly Springs Road Widening
- NC 55 Bypass Right Turn Lane
- Main Street Right Turn Lane

Motion by: Villadsen

Second by: Kelly

Vote: Unanimous.

Action 2: Motion to approve LAPP Grant application for the following Capital Improvement (CIP) Sidewalk Projects:

- Sunset Lake Road – Stephenson Road to Kenmont Drive
- Holly Springs Road – NC 55 Bypass to Main Street & Flint Point Lane to Sunset Lake Road
- Avent Ferry Road – Cotten Lane to Stinson Avenue

Motion by: Kelly

Second by: Lee

Vote: Unanimous.

10d. 2020 Street Resurfacing Program

Kendra Parrish, Director of Engineering, said that in 2016 a consultant completed the pavement conditioning survey for all town maintained roadways. The pavement condition survey provides an objective evaluation by visual observation of pavement distress and the relative amount of severity of each type of distress. Surveys included the street properties and pavement distress including cracking, rutting, weathering, and patching. The Town maintains over 140 miles of roadway, primarily subdivision streets. She explained that Powel Bill funds only cover resurfacing of about a mile and a half of streets. This equates to an approximate 90 year resurfacing cycle, when the typical life span of asphalt for a subdivision street is 25 years. Furthermore, the town is adding about 7 miles of road per year. Best practices advise that if the Town is not resurfacing on an at least 20-25 year resurfacing cycle, we will be deferring maintenance and not keeping up with the system maintenance needs.

Ms. Parrish said that the selection of streets to be resurfaced is determined by a pavement condition analysis which provides an objective evaluation. Internal design plans will begin once a project budget is approved.

The following draft list of streets from the 2016 pavement condition survey are being considered for resurfacing upon completion of design and completing an engineer's opinion of probable costs:

- Elm Street
- Theophilous Trace, Braxton Village
- Shady Porch Ct, Holly Glen
- Gable Ridge Lane, Sunset Ridge South
- Holly Meadow Dr, Holly Glen
- Cabrita Court
- Wescott Ridge Dr, Wescott
- Acorn Falls Ct, Holly Glen
- Hornholly Way, Braxton Village
- St Vincent Dr, Windward Pt
- Summit Woods Ct, Holly Glen
- Crossfire Rd, Valleyfield
- Turner St

Ms. Parrish said that staff is requesting that a project budget be approved anticipating the following schedule

- Sept-November 2019
 - In-House design and contract specification
- December
 - Advertise
- February
 - Award
- March - October
 - Construction duration

She said streets west of NC Highway 55 have different soil conditions which make them not last as long as streets east of the highway. Councilman Villadsen asked if there were other factors that made roads wear more quickly. Ms. Parrish said that there were other factors and that the survey had taken them into account. Councilwoman Kelly asked about streets in the old part of town and was told that Earp Street was resurfaced a few years ago. Grigsby was resurfaced through a deal with NCDOT. She also said that Elm Street is at the top of the list. Streets that came into town since the 2015 study are probably still under warranty so if there are issues the repairs would be covered under the warranty. Ms. Parrish talked about getting together with other nearby municipalities and improving the construction standards for streets, and requiring extended warranties and bonds. Councilman Villadsen asked if the lifespan of roads is improving or getting worse. Ms. Parrish said the lifespan has been very consistent through her 18 years with the Town. Councilman Villadsen asked when the next review of roads will be. Ms. Parrish said that she would recommend working down the list of streets already identified to need repair before reviewing the town streets again. She said it would make sense to do another survey after three solid years of resurfacing have been completed.

Action 1: Motion to approve project budget in the amount of \$1,200,000 for a spring resurfacing contract for town maintained roadways.

Motion by: Villadsen

Second by: Kelly

Vote: Unanimous.

Action 2: Motion to approve fund balance appropriation from Fund 10 355.11 and Powell Bill 10 355.12 to Powell Bill Infrastructure (10.432.23.90.04).

Motion by: Kelly

Second by: Villadsen

Vote: Unanimous.

10e. Board Appointments Policy Revisions

Linda McKinney, Town Clerk, said that she had been working with Gina Clapp, Director of Planning and Zoning, and LeeAnn Plumer, Director of Parks and Recreation, to update Policy 44, Board Appointment Procedures. The original Policy was adopted in February of 2017. The updates are needed to incorporate references to the Tree Advisory Committee, which was created after the adoption of Policy 44, and to clarify the responsibilities of the various departments connected to these boards in filling vacancies. Time frames for advertising the positions were brought into agreement with current best practice, and the retention of applications was updated to reflect the current NCDCCR guidelines.

Action: Motion to approve Policy 44.1, amending previous Policy 44, Board

Appointment Procedures.

Motion by: O'Brien
Second by: Lee
Vote: Unanimous.

11. UNFINISHED BUSINESS

11a. Norris-Holland-Hare House

John Schifano, Town Attorney said that North Carolina general statutes require a town to dispose of surplus real property through an offer, bid, and upset bid process. On August 27, 2019, the town council unanimously elected to receive a bid from Corey & Nichole Reed. Pursuant to statute, an advertisement was placed allowing anyone to upset the bid for 10% above the bid. No upset bids were received, therefore the Reeds were the successful bidders for the Norris Holland Hare house. This action authorizes the transfer of real estate, subject to execution of the rehabilitation agreement. The town manager and attorney will effectuate a closing by executing a deed with restrictions, subsequent to execution of a rehabilitation agreement between the Reeds and Capital Area Preservation, Inc. He clarified that \$5,000 will go at closing to Capital Area Preservation for administering the agreement.

Randy Harrington, Town Manager, clarified that the money would go back into the Parks and Recreation Reserve account, which is where the money to purchase the house came from.

Action: Motion to award bid of surplus real estate, the Norris Holland Hare house, (2329 Avent Ferry Road) pursuant to NCGS §160A-269 to Corey & Nichole Reed in the amount of \$25,000, and to authorize the Town Manager to execute a deed with certain restrictions requiring compliance with a rehabilitation agreement between the Reeds and Capital Area Preservation, Inc.

Motion by: Villadsen
Second by: Lee
Vote: Unanimous.

12. OTHER BUSINESS

Crosswalk safety was discussed. Councilwoman Kelly said that she has received comments that the pedestrian flags are working well and suggested that they be used on Main Street. Councilwoman Lee would also like to see the use of the flags spread.

Councilwoman Kelly said that Council is continuing to work with the County on landfill odor issues.

Councilman O'Brien said that there is an issue with parking adjacent to town hall. Businesses are saying that people are parking longer than one hour, and he would like the town to take a look at parking restrictions or some other way to help the businesses. Councilwoman Kelly said she has heard complaints about parking issues also. Randy Harrington, Town Manager, said it might be time for the Town to undertake a parking study so that one problem isn't solved by exacerbating another.

Councilman O'Brien also said that he had received calls about backflow devices in Sunset Ridge, and residents wanting to know why they should be inspected every year if they have a brand new device. John Schifano, Town Attorney, said that if the devices get left out and freeze, they are destroyed and so the yearly inspections are necessary.

Councilman Villadsen said that Dog Day in the Park was a good time for residents, and the September 11th ceremony at the fire station was amazing and Fire Chief LeRoy Smith's speech was moving. Councilwoman Lee agreed, and said that the fire department also gave a great experience to a Holly Springs High School student with special needs, by driving her to school in the fire engine.

13. Manager's Report:

Randy Harrington, Town Manager, said he had three quick items.

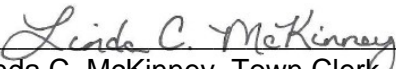
1. He introduced Cassie Hack, the new Director of Communications and Marketing and gave a brief overview of her career.
2. He acknowledged the importance of a good agenda to running a smooth meeting. He said Council had asked for guidance on how decisions are made as to which items get put on Consent and which on New Business. Guidelines were sent to Council by email. If there are any questions about the guidelines, he would be happy to address them. If Council has any suggestions regarding the guidelines, he asked for them to share those.
3. Finally, he spoke about last week's staff-candidate forum where he shared information about the Council Manager form of government, and introduced the department directors and explained what their responsibilities are to those running for office. Councilmembers who were not up for reelection were also present at that meeting.

14. Closed Session: At 9:16 pm Councilman Villadsen made a motion to go into closed session to discuss an economic development matter, pursuant to NCGS 143-318.11(a)(4) and to instruct staff concerning negotiations on the acquisition of real property, pursuant to NCGS 143-318.11(a)(5). The motion was seconded by Councilman O'Brien and passed with a unanimous vote.

Councilwoman Kelly made a motion to seal the minutes of the closed session and return to open session. It was seconded by Councilman O'Brien and the vote was unanimous.

15. Adjournment: Councilwoman Kelly made a motion to adjourn at 10:20 pm. It was seconded by Councilman O'Brien, and passed unanimously.

Respectfully Submitted on Tuesday, October 1, 2019.



Linda C. McKinney, Town Clerk

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