



December 3, 2019

MINUTES

The Holly Springs Town Council met in regular session on Tuesday, December 3, 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, Peter Villadsen, and Dan Berry, and Councilwoman Christine Kelly.

Council Members Absent: Councilwoman Cheri Lee.

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); Cassie Hack, *Director Communications and Marketing*; Tamara Ward, *Communications and Marketing*; Mark Andrews, *Communications and Marketing*; Mathew Mutter, *IT*; Irena Krstanovic, *Director of Economic Development*; Gina Clapp, *Director of Planning and Zoning*; LeeAnn Plumer, *Director Parks and Recreation*; Kendra Parrish, *Director Engineering*; Daniel Pope, *Director Code Enforcement*; Mary Hogan, *Director of Finance*; Erika Phillips, *Director Human Resources*; Luncie McNeil, *Director Public Works*; Seann Byrd, *Director Water Quality*; John Herring, *Chief of Police*; and Leroy Smith, *Fire Chief*.

2. and 3. The Pledge of Allegiance was recited, and the meeting opened with an invocation by Pastor Jim Littleton of Holly Springs United Methodist Church.

4. Agenda Adjustment: The December 3, 2019 meeting agenda was adopted with changes, if any, as listed: None.

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:

Katherine Dunn, 5205 Lake Edge Drive, Holly Springs, spoke requesting the Town take action against speeding. She requested that traffic be slowed by 3 or 4 way stop signs within all neighborhoods in Holly Springs. And she asked that speed bumps be installed on the outgoing side of the street only, with painting continuing to the other side, or with slots for emergency vehicle's tires. She said that they will attend all Council meetings until a resolution is found.

A resident Sable Ridge Road, (who did not give her name) said that people fly down her road, including delivery trucks and service vehicles. She has seen the police pulling people over for speeding.

Mayor Sears invited the group to speak with Chief of Police John Herring in the hallway outside of Council Chambers.

6. 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:

6a. Minutes – The Council approved minutes of the Council business meeting held November 19, 2019.

6b. Budget Amendment – The Council approved a budget amendment allocating \$14,000 from federal asset forfeiture funds to assist in the purchase of two replacement police K-9 dogs and associated equipment. *A copy of the budget amendment report is attached to these minutes.*

6c. Annexation Resolution 19-34 – The Council adopted Resolution 19-34 directing the Town Clerk to investigate the sufficiency of annexation petition A19-06 and set public hearing for Tuesday, December 17, 2019. *A copy of Resolution 19-34 and map are attached to these minutes.*

6d. Duke Energy Easement for Thales Academy – The Council approved a motion to grant Duke Energy Progress an aerial powerline easement across a small tract owned by the Town necessitated by a road widening of Holly Springs New Hill Road for the Thales construction.

6e. Fiber Surplus Agreement – The Council approved a Surplus Fiber Indefeasible Right of Use Agreement awarding the highest bidder, Ting Fiber, Inc., with access to the surplus fiber capacity.

7a. Public Hearing: 202 S. Main Street Downtown Development Investment

Irena Krstanovic said that the purpose of the Downtown Development Investment (DDI) incentive is to attract certain types of economic development in the village district area and to provide an opportunity for applicants to request grants for infrastructure up to \$25,000 plus development fee waivers. She said that consideration of a DDI grant requires a public hearing.

Notice for a December 3, 2019 Public Hearing on this agenda item was published in the News and Observer on November 22, 2019. Since posting the notice of a planned December 3, 2019 public hearing, Town Staff and the applicant, Mr. Matthew Griffith, have requested additional time to refine the Downtown Development Investment (DDI) agreement and therefore request that this public hearing and DDI consideration be continued to the January 21, 2020 meeting.

Mayor Sears opened the public hearing.

Action: Motion to continue public hearing to the January 21, 2020 Council meeting.

Motion by: Berry

Second by: Villadsen

Vote: Unanimous

7b. Public Hearing: Green Oaks Tech Center/Oakview Innovation Park

Irena Krstanovic said that development agreements are a land use tool that make assurances regarding site development, zoning, and land use considerations, and benefit the town by making it easier to attract employers. Large tracts of land under single ownership are a valuable commodity for attracting targeting industrial projects. She showed where the sites are located in town. She said that installation of the sewer line will open up the basin for additional development, particularly for employment centers such as this one. Oakview Innovation Park is currently a state-certified site, and sewer access is critical for timely project development and recruitment efforts.

Additional acreage will be rezoned from Residential to Research and Technology, which is in-line with the Council's strategic goal of enhancing the non-residential tax base. It will also open up road frontage to provide easier access to the site. This will increase our competitive edge with businesses looking to invest in the area.

John Schifano, Town Attorney, said that this agreement is both a reimbursement agreement and a land use plan. It calls for the town to rezone 12.6 acres as mixed-use commercial (office and retail) subject to certain zoning restrictions. In exchange the developer to set aside two tracts of land, one thirty acre tract and one fifty acre tract, for a period of three years for "Employment Center Tracts" which the town's Economic Development Department can market. There is an option to extend the time an additional year, if there is an interested company that is doing their due diligence. The developer agrees to sell those tracts at the appraised value. This keeps the price from rising after a buyer is located, and makes it easier for the Town to market it. The Town agrees to contribute \$500,000 and a 2.3 acre tract and the developer agrees to design, permit, and construct sewer outfall and pump station improvements according to the timeline.

Questions were asked about the transportation impact and what commitments the Town would be making. Mr. Schifano said that the Town would not be funding any transportation improvements. Ms. Krstanovic said that the commitment of the Town was to market the two large tracts. She said that this is the most shown site in Wake County over the last two years, and getting the sewer line in is the last piece of the puzzle. She clarified that if Helix/Trustwell fails to construct the sewer line the plans, designs, and permits would come to the Town and the Town could construct it.

Mayor Sears opened the public hearing. The following input was recorded: none.

There being no input, Mayor Sears closed the Public Hearing.

Action: Motion to approve Ordinance 19-12 to enter into a development agreement with Helix/Trustwell and to reimburse developer up to \$500,000 from sewer reserves for the installation of a sewer main.

Motion by: O'Brien

Second by: Kelly

Vote: Unanimous

8. Organizational Meeting

8a. Recognition of Outgoing Council Members - Mayor Sears said that Tom O'Brien was elected in 2015, he has coached football, agreeing to coach one team even before he moved here. He has served on the Parks & Recreation Advisory Committee, the Sugg Farm committee, and the Transportation Review Board. He is active in the community and serves on Meg's Smile Board, and he worked on the MLK Golf Tournament. He has worked hard with state and county officials, to work on solutions to the odor problem at the landfill. Mayor Sears congratulated him and thanked him for his service.

Councilman O'Brien said it was an honor and a privilege to serve the Town. He outlined the progress the Town has made in the last four years, and thanked the staff for all their hard work and dedication.

Mr. O'Brien was presented with a few mementos as he left office.

8b. Oaths of Office – Linda McKinney, Town Clerk, explained that the Holly Springs Town Council is to hold an organizational meeting at the first regular meeting in December following a municipal election. During the Organizational Meeting, the newly-elected officials are administered the Oath of Office.

Ms. McKinney administered the oath of office to Councilman-elect Shaun McGrath and Councilman-elect Aaron Wolff.

A new quorum was established as the mayor and all five council members were present as the meeting resumed.

Council Members Present: Mayor Sears, Councilmen Dan Berry, Pete Villadsen, Shaun McGrath, and Aaron Wolff, and Councilwoman Christine Kelly.

Council Members Absent: None

8c. Election of Mayor Pro Tempore: Mayor Sears explained that during the Organizational Meeting, the Council elects a vice chairman who is to act as mayor pro tempore, more commonly known as mayor pro tem. In case of the absence or disability of the mayor, the mayor pro tem shall act as mayor during the continuance of the absence or disability.

Mayor Sears said that the council members had decided, in discussion with him, to discuss nominations in advance rather than nominating from the floor. Dan Berry had expressed interest in the position, and all agreed.

Action: Motion to elect Dan Berry as mayor pro tempore.

Motion by: Villadsen

Second by: Kelly

Vote: Unanimous

8d. Appointment of Holly Springs Representatives: Mayor Sears said that the Town Council is to appoint and/or reappoint representatives of Holly Springs to various board, commissions, committees and task forces. He then reviewed a list of those who had expressed interest in individual positions.

Mayor Sears reported that the terms on these agency representatives would expire at the next Organizational Meeting in 2021.

Nominations to the agencies were as follows:

- Triangle J Council of Governments Board Member: Councilman Shaun McGrath
- Triangle J Council of Governments Board Member Alternate: Councilman Aaron Wolff
- Transportation Advisory Committee of CAMPO: Mayor Dick Sears and member, and Councilman Shaun McGrath as alternate.
- Holly Springs Parks and Recreation Advisory Committee: Councilman Pete Villadsen, and Councilwoman Christine Kelly as alternate.
- Holly Springs Technical Review Committee: Councilwoman Christine Kelly and Councilman Dan Berry as alternate
- Holly Springs Local Nonprofits Grants Committee: Councilmen Dan Berry and Aaron Wolff
- Transit Planning Advisory Committee: Councilman Shaun McGrath and alternate Councilman Dan Berry
- Holly Springs Tree Advisory Committee: Councilman Aaron Wolff and alternate Councilwoman Christine Kelly.

He then called for a motion.

Action: Motion to appoint the above-named officials to represent Holly Springs on area boards and commissions.

Motion by: Berry

Second by: Wolff

Vote: Unanimous

8e. Adoption of Town Council Meeting Calendar: Linda McKinney, Town Clerk, said that the Town Council meets at 7 p.m. the first and third Tuesday of each month, and holds workshops at 6 p.m. on the second Tuesday of each month, and an official calendar of these meetings is adopted by the Town Council and filed each year in the Town Clerk's office for the public. By adopting an official schedule each calendar year, the Town Council also has the opportunity to consider in advance any conflicts the regular meeting schedule may have with events or holidays and make changes to times or dates accordingly.

She said the following changes to the typical schedule were recommended by the Mayor and Town Manager:

- Cancelling the first Tuesday meeting in July (July 7th) due to the Independence Day holiday;
- Cancelling the first Tuesday meeting in August (August 4th) and the August workshop meeting (August 11th) as a reduced summer meeting schedule.

She asked that the Town Council adopt the Calendar Year 2020 regular meeting schedule with or without these changes, at the Council's discretion.

Action: The Council approved a motion to adopt the Calendar Year 2020 regular meeting schedule with the cancellation of the July 7th, August 4th, and August 11th meetings.

Motion By: Berry

Second By: Kelly

Vote: Unanimous.

A copy of the 2020 Town Council Regular Calendar is attached to these minutes.

9. OTHER BUSINESS

Mayor Sears spoke about crosswalk safety, reminding people to stand close enough to the road that drivers know they are waiting to cross, and to use the lighted cross walks where available.

Councilwoman Kelly said she was excited to see the traffic light on Ballentine. She also asked Randy Harrington, Town Manager, to expand on landfill odor issues and the traffic calming items. Mr. Harrington said that there are two areas that John Robeson at the Southwest Wake Landfill says they are working on. One is a pilot project to use foam for the next 60 to 90 days to mitigate odor. He expects to get report back from Mr. Robeson. The 2nd is the development of an app to allow residents to report odor more easily in real time. It will be for iPhone and Android devices and should be ready soon.

Regarding traffic calming, he said that at the last workshop staff shared some ideas and got some feedback from Council. Staff will be working over the next weeks to develop some ideas to implement and will be bringing them to Council in the future.

Mayor Pro Tem Berry said he that was looking forward to working with Councilmen Wolff and McGrath, and Councilman Villadsen said that he echoed that sentiment.

Councilman Wolff thanked staff for preparing him and Councilman McGrath well so that they could hit the ground running.

10. MANAGER'S REPORT

Town Manager, Randy Harrington congratulated the new council members and said that he looks forward to working with them.

He reminded everyone that the Town tree lighting is Friday the 12th at the Cultural Center, and the Happy Holly Days Parade is on Saturday the 14th. Both will be fun for the whole town.

11. Closed Session: None.

12. Adjournment: Councilman Villadsen made a motion to adjourn at 7:52 pm. It was seconded by Councilman McGrath and passed unanimously.

Respectfully Submitted on Tuesday, December 17, 2019.



Linda C. McKinney, Town Clerk

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