



Holly Springs Town Council  
Regular Meeting

April 2, 2013

**MINUTES**

The Holly Springs Town Council met in regular session on Tuesday, April 2, 2013 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 and Councilmen James Cobb, Chet VanFossen and Tim Sack and Councilwomen Linda Hunt Williams and Cheri Lee.

**Council Members Absent:** None.

**Staff Members Present:** Carl Dean, town manager; Chuck Simmons, assistant town manager; John Schifano, town attorney; Joni Powell, town clerk, (recording the minutes); Linda Harper, deputy town clerk; Kendra Parrish, senior engineer; Aaron Levitt, engineering project coordinator; Rick Ralph, information technology technician; Len Bradley, parks and recreation director; Gina Clapp, planning director; and Niki Litts, communications specialist.

**2 and 3.** The Pledge of Allegiance was recited, and the meeting opened with an invocation by Rev. Rev. Horace Ferguson, retired.

**4. Agenda Adjustment:** The April 2, 2013 meeting agenda was adopted with changes, if any, as listed below.

**Motion By:** Sack

**Second By:** Cobb

**Vote:** Unanimous

**Items added to Agenda as New Business:** None.

**Items removed from Consent Agenda:** None.

**Items removed from the agenda:** None.

**Other changes:** None.

**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 input was recorded: None.

**6a. Consent Agenda:** The Council approved a motion to approve all items on the Consent Agenda. The motion carried following a motion by Councilman Sack, a second by Councilwoman Williams and a unanimous vote. The following actions were affected:

**6a. Resolution 13-12** - The Council adopted Resolution 13-12 relinquishing a portion of Holly Springs ETJ to Wake County. *A copy of Resolution 13-12 is attached to these minutes.*

**6b. Resolution 13-13** - The Council adopted Resolution 13-13 to direct town clerk to investigate the sufficiency of annexation petition A13-05 and setting a public hearing on the question of annexation for Tuesday, April 16, 2013. *A copy of Resolution 13-13 is attached to these minutes.*

**6c. Resolution 13-14** - The Council adopted Resolution 13-14 declaring outbuildings on the Sugg property and the downtown clothing closet building surplus to the needs of the Town. *A copy*

of Resolution 13-14 is attached to these minutes.

6d. Resolution 13-15 - The Council adopted Resolution 13-15 enacting and approving amendments to the Development Procedures Manual. *A copy of Resolution 13-15 is attached to these minutes.*

6e. Resolution 13-16 - The Council adopted Resolution 13-16 supporting continued funding for the Parks and Recreation Trust Fund (PARTF). *A copy of Resolution 13-16 is attached to these minutes*

6f. Townes at Arbor Creek - The Council approved to extend the expiration date to Oct. 2, 2013 for development plan 07-DP-13 for the Townes at Arbor Creek.

**7a. Middle Creek Bridge Project** - Mr. Levitt said the funds were collected at the time of the Woodcreek development project for the future connection of Lockley Drive (Woodcreek) and Creek Vista Drive (Sunset Ridge North.) This connection would provide increased connectivity for citizens and would include the extensions of existing roadways and the span of Middle Creek with a bridge that is approximately 240 feet long.

He said as Phase 1, Withers and Ravenel would provide the preliminary design, survey, flood study and environmental services for this project and provide a technical memorandum with bridge alternates and cost estimates. All of this work would be used in the next phase as well. The final deliverable of this contract is to obtain an alternate that can be brought forward for phase 2 design work.

He said phase 2 will be a separate contract that would come back before Town Council and would include the final roadway and structural design, permitting, easements, and construction administration for the selected alternate.

Mr. Levitt said that Withers and Ravenel has been involved with this project since the Woodcreek development, and staff is confident they are the best firm to lead us to a successful completion of the project.

**Action:** The Council approved a motion to award contract to Withers and Ravenel in the amount of \$57,000, inclusive of contingency, for the design of Middle Creek Bridge project and adopt related budget amendments.

**Motion By:** Cobb

**Second by:** Sack

**Vote:** Unanimous.

*A copy of budget amendment is attached to these minutes.*

**7b. New Police Station Property** - Mr. Schifano said pursuant to the direction of Town Council and as outlined in the Capital Improvements Plan, town staff has been looking for property to serve as the new site for the town's future police station. Recently, the remaining portion of a commercial development became available through bank foreclosure. It is located at 750 Holly Springs Road, near the Goddard School and Vantage South Bank. The site is shovel-ready and geographically would accommodate the use as it is centrally located in town.

He said the purchase price is \$391,650. The town submitted the winning bid through the foreclosure auction.

**Action:** The Council approved a motion to authorize the town manager and town attorney to purchase property located at 750 Holly Springs Road and adopt a budget amendment in the amount of \$395,000.

**Motion By:** Williams

**Second by:** Cobb

**Vote:** Unanimous.

*A copy of budget amendment is attached to these minutes.*

**7c. Surplus property** - Mr. Schifano said the Town has received an offer to purchase 5.44 acres of property that is part of the Sugg Farm that recently was acquired. This section of the Sugg tract

is separated from the rest by a stream, and is not encumbered by the conservation easement. The parks and recreation director and manager have determined that 5.44 acres would not likely have a town purpose and would otherwise remain vacant.

The offer received was \$300,000, and Mr. Schifano said he estimated that this would be about fair market value. The entire property, which is 116 acres, was purchased Dec. 31, 2012 for \$1 million.

He said pursuant to statute, if the Town Council decides to surplus this property, an advertisement would be placed in the newspaper describing the property and the offer, and anyone can upset the bid by offering an amount in excess of 5% and submitting a bid deposit. This procedure shall repeat until there are no other offers.

**Action:** The Council approved a motion to adopt Resolution 13-17 declaring 5.44 acres of Town-owned property surplus to the needs of the town.

**Motion By:** Cobb

**Second by:** Williams

**Vote:** Unanimous.

*A copy of Resolution 13-17 is attached to these minutes.*

**7d. Womble Park Project** - Mr. Bradley said the town received bids for the construction of Womble Park on March 12, 2013. After receiving base bids as well as alternate bids, the apparent low bidder was J.M. Thompson Company with a total construction budget of \$2,722,672. The Parks and Recreation department is requesting approval to enter into a contract with J.M. Thompson Company in the amount of \$2,722,672. This request also includes testing of \$25,000 and a Progress Energy payment of \$15,000.

Councilman Sack asked about the alternate bids. Mr. Bradley explained that the Town advertised for a base bid plus three alternates with the hopes of keeping the construction cost under \$3 million. Fortunately, Mr. Bradley said, the base bid and all three alternates came in under \$3 million so the Town will be able to get all of the extras that it wanted at a value price.

**Action:** The Council approved a motion to enter contract with J.M. Thompson Company in the amount of \$2,722,672, plus a 5% contract contingency of \$136,128, \$25,000 for testing and \$15,000 to Progress Energy; and to adopt a budget amendment in the amount of \$2,898,800.

**Motion By:** Sack

**Second by:** Cobb

**Vote:** Unanimous.

*A copy of budget amendment is attached to these minutes.*

**7e. Bass Lake Outfall Greenway** - Mr. Bradley said bids for the construction of the Bass Lake Outfall Greenway were opened March 19. After receiving bids from four firms, bids were reviewed and the apparent low bidder was McQueen Construction, Inc. with a project total of \$686,736. Parks and Recreation is requesting approval to enter into a contract with McQueen Construction, Inc. in the amount of \$686,736.

Mr. Bradley said he was pleased because estimates for the work were at \$800,000.

**Action:** The Council approved a motion to enter into a contract with McQueen Construction, Inc in the amount of \$686,736 plus a 5% contract contingency amount of \$34,264 for construction of the Bass Lake Outfall greenway and to adopt a budget amendment in the amount of \$721,000.

**Motion By:** Cobb

**Second by:** Sack

**Vote:** Unanimous.

*A copy of budget amendment is attached to these minutes.*

Mr. Bradley said that both the Womble Park and Bass Lake greenway projects would begin this

summer and be completed by October.

**8. Other Business:** Councilman Sack said he was glad to see the resurfacing of a portion of Main Street; Mayor Sears reported on the hospital appeals status.

**9. Manager's Report:** Mr. Dean reported on upcoming events.

**10. Closed Session:** None.

**11. Adjournment:** There being no further business for the evening, the April 2, 2013 meeting of the Holly Springs Town Council was adjourned following a motion by Councilman VanFossen, a second by Councilman Sack and a unanimous vote.

Respectfully Submitted on Tuesday, April 16, 2013.

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These minutes follow and are a part of the official

