



Dec. 17, 2013

MINUTES

The Holly Springs Town Council met in regular session on Tuesday, Dec. 17, 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 all five council members were present as the meeting opened.

Council Members Present: Mayor Sears and Councilmen James Cobb, Hank Dickson and Tim Sack and Councilwomen Linda Hunt-Williams and Cheri Lee

Council Members Absent: None.

Staff Members Present: Chuck Simmons, town manager; John Schifano, town attorney; Joni Powell, town clerk, (recording the minutes); Jeff Wilson, information technology director; Len Bradley, parks and recreation director; Adam Huffman, assistant parks and recreation director; Stephanie Sudano, engineering director; Elizabeth Goodson, development review engineer; Gina Clapp, planning and zoning director; Laura Holloman, planner I; Sean Ryan, planner I; Mary Hogan, finance director; Daniel Weeks, senior programs manager; John Herring, police chief; and Mark Andrews, public information officer.

2 and 3. The Pledge of Allegiance was recited, and the meeting opened with an invocation retired Rev. Horace Ferguson Holly Springs United Methodist Church.

4. Agenda Adjustment: The Dec. 17, 2013 meeting agenda was adopted with changes, if any, as listed below.

Motion by: Sack

Second by: Cobb

Vote: Unanimous

Items added to the Agenda: None.

Item removed from Public Hearing Agenda: None.

Items removed from the Consent 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:

Sam Griffith, Oakridge Duncan Road -- Mr. Griffith addressed the Town Council to update member's on his son David's progress in selling bricks for his Eagle Scout project to establish a War on Terror memorial monument in Veterans Park. Mr. Griffith reported that David has collected 48 percent of the 50 percent he needs to place the granite order by the first of the year.

People wishing to purchase a brick can do so by going to thatsmybrick/eaglescoutdg.com or by making a Paypal payment to dgwaronterror@gmail.com.

6a. Public Hearing: Rezoning Petition 13-REZ-14 – Ms. Holloman said the Town has received a request to rezone 13.07 acres from R-30: Residential to PUD: Planned Unit Development. The property is located along Holly Springs New Hill Road and was annexed into the town limits in July of this year when it automatically was zoned R:30: Residential. At that time, the Twelve Oaks Planned Unit Development master plan was amended to include this property, and a rezoning to

the PUD: Planned Unit Development classification should have occurred concurrently with that request; however, it was not so this rezoning is completing the intent of this property to be formally a part of the Twelve Oaks development.

Ms. Holloman said the applicant did not hold the required neighborhood meeting prior to this public hearing. The applicant is requesting the item be tabled until Jan. 21, 2014 to organize and hold the neighborhood meeting.

With that explanation completed, Mayor Sears opened the public hearing. The following comments were recorded: None.

There being no comments, the public hearing was continued.

Action #1: The Council approved a motion to continue the public hearing and action on Zone Map Change Petition #13-REZ-14 to change the zoning of 13.07 acres of Wake County PIN #0639843646 from R-30: Residential to PUD: Planned Unit Development as submitted by Spaulding & Norris, PA to January 21, 2014.

Motion By: Sack

Second By: Williams

Vote: Unanimous.

6b. Public Hearing: #13-SEU-07, Triangle Veterinary Referral Hospital - Ms. Holloman explained that the Town has received a request for a veterinary hospital, Triangle Veterinary Referral Hospital, to be located within the Main Street Square Planned Unit Development. This proposed business would be approximately 4,815 square feet and would be located within the current mixed use building (office/retail below, apartments above) along Werrington Drive. All business operations would be conducted within the building with no outdoor runs.

She said under the approved PUD criteria proposed, commercial uses follow the LB: Local Business zoning district's list of special exception uses. Since veterinary hospitals are special exception uses in Local Business, Triangle Veterinary Referral Hospital must go through this process to be permitted to locate within Main Street Square.

With that explanation completed, Mayor Sears opened the public hearing to accept sworn testimony. The following testimony was recorded under oath administered by the Town Clerk:

Mike Graffinger, Raleigh – Dr. Graffinger explained that the Triangle Veterinary Referral Hospital is for animal patients that are critically ill or injured and would be most likely very quiet. In addition, sound proofing would be provided to two rooms.

There would be 24-hour staffing but patients would be referrals so there would be no walk-in traffic.

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

Ms. Holloman added that the Planning Board had reviewed the petition and had the same operation concerns. Once the petitioner explained, they had no objections and recommended approval.

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 #13-SEU-07 for a veterinary hospital as submitted by Triangle Veterinary Referral Hospital, dated 11/5/13.

Special Exception Use Findings of Fact:

A special exception use may only be granted upon the presentation of sufficient evidence to enable a written determination that:

- a. The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare;
- b. The proposed use will not injure or adversely affect the adjacent area;
- c. The proposed use will be consistent with the character of the district, land uses authorized therein, and the Town of Holly Springs Comprehensive Plan;
- d. The proposed use shall conform to all development standards of the applicable district (unless a waiver of such development standards is requested as part of the special exception use petition and approved as set forth above, in which case the proposed use shall conform to the terms and conditions of such waiver).

- e. Access drives or driveways are or will be sufficient in size and properly located to: ensure automotive and pedestrian safety and convenience, traffic flow as set forth in Section 7.09 – Pedestrian Circulation and Vehicular Area Design; and, control and access in case of fire or other emergency;
- f. Off-street parking areas, off-street loading areas, trash enclosures, trash pick-up and removal, and other service areas are located so as to be safe, convenient, allow for access in case of emergency, and to minimize economic, glare, odor, and other impacts on adjoining properties and properties in the general neighborhood;
- g. The lot, building or structure proposed for the use has adequate restroom facilities, cooking facilities, safety equipment (smoke alarms, floatation devices, etc.), or any other service or equipment necessary to provide for the needs of those persons whom may work at, visit or own property nearby to the proposed use;
- h. Utilities, schools, fire, police and other necessary public and private facilities and services will be adequate to handle the needs of the proposed use;
- i. The location and arrangement of the use on the site, screening, buffering, landscaping, and pedestrian ways harmonize with adjoining properties and the general area and minimize adverse impacts; and,
- j. The type, size, and intensity of the proposed use (including but not limited to such considerations as the hours of operation and numbers of people who are likely to utilize or be attracted to the use) will not have significant adverse impacts on adjoining properties or the neighborhood.

Motion By: Williams

Second By: Cobb

Vote: Unanimous

A copy of Special Exception Use Petition 13-SEU-07 addressing the findings of fact is attached to these minutes.

Action #2: Having made findings of fact, the Council approved a motion to approve Special Exception Use Petition #13-SEU-07 for a veterinary hospital as submitted by Triangle Veterinary Referral Hospital, dated 11/5/13 with the following condition:

1. Business operations must adhere to the evidence submitted by the applicant as stated in the findings of fact submitted in conjunction with 13-SEU-07.

Motion by: Dickson

Second by: Cobb

Vote: Unanimous

6c. Public Hearing: 13-SEU-05 and 13-SEU-06, Law Enforcement Center – Mr. Weeks provided a history of the project, which began with discussions two years ago. He explained the property was selected for a number of reasons, including an attractive price and favorable bank loan rates; its proximity to schools and businesses; and its proximity to a fire station.

Mr. Ryan said the Town has initiated a request for a new Law Enforcement Center situated on 3.31 acres along Holly Springs Road near the intersection with Bass Lake Road and north of Earp Street. Under the Local Business District, police stations are Special Exception Uses and therefore are required to go through the associated required approval process.

He said in order to protect a village friendly and pedestrian environment, the Local Business District also limits the size of single use buildings to 12,000 square feet of gross main floor area. With a Special Exception Use, a single use building is allowed to exceed 12,000 square feet of gross main floor area but shall not exceed 16,000 square feet of gross main floor area. The proposed Law Enforcement Center would have 16,000 square feet of gross main floor area which requires an additional Special Exception use request for this project.

One variance and several waivers for architectural requirements and parking standards are also being requested as part of this project.

With that explanation completed, Mayor Sears opened the public hearing to accept sworn testimony. The following testimony was recorded under oath administered by the Town Clerk: None.

There being no testimony, the public hearing was closed.

In preparing to take several actions, the Council held discussion that enabled them to make the findings of fact necessary for a Special Exception Use, for a variance and for a number of waivers of Unified Development Ordinance regulations.

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 #13-SEU-05 for Law Enforcement Center to allow for a police station in the LB: Local Business District as submitted by the Town of Holly Springs.

Special Exception Use Findings of Fact:

A special exception use may only be granted upon the presentation of sufficient evidence to enable a written determination that:

- a. The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare;
- b. The proposed use will not injure or adversely affect the adjacent area;
- c. The proposed use will be consistent with the character of the district, land uses authorized therein, and the Town of Holly Springs Comprehensive Plan;
- d. The proposed use shall conform to all development standards of the applicable district (unless a waiver of such development standards is requested as part of the special exception use petition and approved as set forth above, in which case the proposed use shall conform to the terms and conditions of such waiver).
- e. Access drives or driveways are or will be sufficient in size and properly located to: ensure automotive and pedestrian safety and convenience, traffic flow as set forth in Section 7.09 – Pedestrian Circulation and Vehicular Area Design; and, control and access in case of fire or other emergency;
- f. Off-street parking areas, off-street loading areas, trash enclosures, trash pick-up and removal, and other service areas are located so as to be safe, convenient, allow for access in case of emergency, and to minimize economic, glare, odor, and other impacts on adjoining properties and properties in the general neighborhood;
- g. The lot, building or structure proposed for the use has adequate restroom facilities, cooking facilities, safety equipment (smoke alarms, floatation devices, etc.), or any other service or equipment necessary to provide for the needs of those persons whom may work at, visit or own property nearby to the proposed use;
- h. Utilities, schools, fire, police and other necessary public and private facilities and services will be adequate to handle the needs of the proposed use;
- i. The location and arrangement of the use on the site, screening, buffering, landscaping, and pedestrian ways harmonize with adjoining properties and the general area and minimize adverse impacts; and,
- j. The type, size, and intensity of the proposed use (including but not limited to such considerations as the hours of operation and numbers of people who are likely to utilize or be attracted to the use) will not have significant adverse impacts on adjoining properties or the neighborhood.

Motion By: Sack

Second By: Williams

Vote: Unanimous

A copy of Special Exception Use Petition 13-SEU-05 addressing the findings of fact is attached to these minutes.

Action #2: Having made findings of fact, the Council approved a motion to approve Special Exception Use Petition #13-SEU-05 for Law Enforcement Center to allow for a police station in the LB: Local Business District as submitted by the Town of Holly Springs with the following condition:

1. Operations must adhere to the evidence submitted by the applicant as stated in the findings of fact submitted in conjunction with 13-SEU-05.

Motion by: Williams

Second by: Cobb

Vote: Unanimous

Action #3: The Council approved a motion to make and accept the findings of fact to be recorded in the minutes for Special Exception Use Petition #13-SEU-06 for Law Enforcement Center to allow for a 16,000 square foot gross main floor area single use building in the LB: Local Business District, as submitted by the Town of Holly Springs with the following condition:

1. Operations must adhere to the evidence submitted by the applicant as stated in the findings of fact submitted in conjunction with 13-SEU-06.

Special Exception Use Findings of Fact:

A special exception use may only be granted upon the presentation of sufficient evidence to enable a written determination that:

- a. The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare;
- b. The proposed use will not injure or adversely affect the adjacent area;
- c. The proposed use will be consistent with the character of the district, land uses authorized therein, and the Town of Holly Springs Comprehensive Plan;
- d. The proposed use shall conform to all development standards of the applicable district (unless a waiver of such development standards is requested as part of the special exception use petition and approved as set forth above, in which case the proposed use shall conform to the terms and conditions of such waiver).
- e. Access drives or driveways are or will be sufficient in size and properly located to: ensure automotive and pedestrian safety and convenience, traffic flow as set forth in Section 7.09 – Pedestrian Circulation and Vehicular Area Design; and, control and access in case of fire or other emergency;
- f. Off-street parking areas, off-street loading areas, trash enclosures, trash pick-up and removal, and other service areas are located so as to be safe, convenient, allow for access in case of emergency, and to minimize economic, glare, odor, and other impacts on adjoining properties and properties in the general neighborhood;
- g. The lot, building or structure proposed for the use has adequate restroom facilities, cooking facilities, safety equipment (smoke alarms, floatation devices, etc.), or any other service or equipment necessary to provide for the needs of those persons whom may work at, visit or own property nearby to the proposed use;
- h. Utilities, schools, fire, police and other necessary public and private facilities and services will be adequate to handle the needs of the proposed use;
- i. The location and arrangement of the use on the site, screening, buffering, landscaping, and pedestrian ways harmonize with adjoining properties and the general area and minimize adverse impacts; and,
- j. The type, size, and intensity of the proposed use (including but not limited to such considerations as the hours of operation and numbers of people who are likely to utilize or be attracted to the use) will not have significant adverse impacts on adjoining properties or the neighborhood.

Motion By: Dickson

Second By: Williams

Vote: Unanimous

A copy of Special Exception Use Petition 13-SEU-06 addressing the findings of fact is attached to these minutes.

Action #4: Having made findings of fact, the Council approved a motion to approve Special Exception Use Petition #13-SEU-06 for Law Enforcement Center to allow for a 16,000 square foot

gross main floor area single-use building in the LB: Local Business District, as submitted by the Town of Holly Springs with the following condition:

1. Operations must adhere to the evidence submitted by the applicant as stated in the findings of fact submitted in conjunction with 13-SEU-06.

Motion by: Lee

Second by: Cobb

Vote: Unanimous

Action #5: The Council approved a motion to make and accept the findings of fact to be recorded in the minutes for a variance from the Unified Development Ordinance Section 7.01, D. 1. Required Landscaping to allow for the removal of the landscaping requirement for a portion of the west-facing buffer yard due to the location of a sewer easement in association with #13-DP-04 Law Enforcement Center as submitted by the Town of Holly Springs.

A variance findings of fact:

1. There are practical difficulties or unnecessary hardships that would result from carrying out the strict letter of the UDO. The Board may reach this conclusion if it finds each of the following:
 - a. Based on the size, shape, topography, location, or surroundings, the applicant is prohibited from enjoying the same privileges as other properties in the vicinity and zoning classification in which the property is situated when the UDO is strictly applied;
 - b. The hardship of which the applicant complains results from unique circumstances related to the applicant's property;
 - c. The hardship results from the application of the UDO to the property;
 - d. The hardship is not the result of the applicant's own actions; and,
 - e. The variance if granted must be the absolute minimum needed in order to correct the hardship.
2. The variance is in harmony with the general purpose and intent of the UDO and preserves its spirit.
3. Granting the variance assures the public safety and welfare and does substantial justice.

Motion by: Cobb

Second by: Williams

Vote: Unanimous

A copy of the variance application addressing the findings of fact is attached to these minutes.

Action #6: Having made findings of fact, the Council approved a motion to approve a variance from UDO Section 7.01, D. 1. Required Landscaping to remove the landscaping requirement for a portion of the west-facing buffer yard due to the location of a sewer easement in association with #13-DP-04 Law Enforcement Center as submitted by the Town of Holly Springs.

Motion by: Williams

Second by: Dickson

Vote: Unanimous

Action #7: 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 3.08 A. 1. c. 2. b.: Variation in Massing for Development Petition #13-DP-04 for Law Enforcement Center, to allow building bays to exceed 30 feet in width, as submitted by CLH Design, PA, Project Number 1354, dated Revised November 25, 2013.

A petition for a waiver of regulations of UDO Section 3.08 A. 1. c. 2. b.: Variation in Massing may only be granted upon the presentation of sufficient evidence to enable a written determination that:

1. The proposed development represents the use of (building materials, building massing and façade treatment, building orientation, signs, landscaping, lighting or open space which will result in a development pattern which is equivalent to or superior to that achievable under

- the applicable regulations;
2. The proposed development will be compatible with and will enhance the use or value of area properties;
 3. The proposed development is consistent with the intent of the Comprehensive Plan; and,
 4. The proposed development is consistent with the intent and purpose of this UDO.

Motion by: Sack

Second by: Cobb

Vote: Unanimous

A copy of the waiver of regulations application addressing the findings of fact is attached to these minutes.

Action #8: Having made findings of fact, the Council approved a motion to approve a waiver of regulations of UDO Section 3.08 A. 1. c. 2. b.: Variation in Massing for Development Petition #13-DP-04 for Law Enforcement Center, motion to approve a waiver to allow building bays to exceed 30 feet in width, as submitted by CLH Design, PA, Project Number 1354, dated Revised November 25, 2013.

Motion by: Dickson

Second by: Cobb

Vote: Unanimous

Action #9: 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 3.08 A. 1. c. 2. g. i.: Roof Treatment for Development Petition #13-DP-04 for Law Enforcement Center to allow rooflines to exceed 50 feet in a continuous plane, as submitted by CLH Design, PA, Project Number 1354, dated Revised November 25, 2013.

A petition for a waiver of regulations of UDO Section 3.08 A. 1. c. 2. g. i.: Roof Treatment may only be granted upon the presentation of sufficient evidence to enable a written determination that:

1. The proposed development represents the use of (building materials, building massing and façade treatment, building orientation, signs, landscaping, lighting or open space which will result in a development pattern which is equivalent to or superior to that achievable under the applicable regulations;
2. The proposed development will be compatible with and will enhance the use or value of area properties;
3. The proposed development is consistent with the intent of the Comprehensive Plan; and,
4. The proposed development is consistent with the intent and purpose of this UDO.

Motion by: Lee

Second by: Williams

Vote: Unanimous

A copy of the waiver of regulations application addressing the findings of fact is attached to these minutes.

Action #10: Having made findings of fact, the Council approved a motion to approve a waiver of regulations of UDO Section 3.08 A. 1. c. 2. g. i.: Roof Treatment for Development Petition #13-DP-04 for Law Enforcement Center, motion to approve a waiver to allow rooflines to exceed 50 feet in a continuous plane, as submitted by CLH Design, PA, Project Number 1354, dated Revised November 25, 2013.

Motion by: Cobb

Second by: Dickson

Vote: Unanimous

Action #11: 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 3.08 A. 2. c. ii. : Animating Features for Development Petition #13-DP-04 for Law Enforcement Center to allow a reduction in

the amount of windows and glass doors, as submitted by CLH Design, PA, Project Number 1354, dated Revised November 25, 2013.

A petition for a waiver of regulations of UDO Section 3.08 A. 2. c. ii. : Animating Features may only be granted upon the presentation of sufficient evidence to enable a written determination that:

1. The proposed development represents the use of (building materials, building massing and façade treatment, building orientation, signs, landscaping, lighting or open space which will result in a development pattern which is equivalent to or superior to that achievable under the applicable regulations;
2. The proposed development will be compatible with and will enhance the use or value of area properties;
3. The proposed development is consistent with the intent of the Comprehensive Plan; and,
4. The proposed development is consistent with the intent and purpose of this UDO.

Motion by: Williams

Second by: Cobb

Vote: Unanimous

A copy of the waiver of regulations application addressing the findings of fact is attached to these minutes.

Action #12: Having made findings of fact, the Council approved a motion to approve a waiver of regulations of UDO Section 3.08 A. 2. c. ii. : Animating Features for Development Petition #13-DP-04 for Law Enforcement Center, motion to approve a waiver to allow a reduction in the amount of windows and glass doors, as submitted by CLH Design, PA, Project Number 1354, dated Revised November 25, 2013.

Motion by: Sack

Second by: Cobb

Vote: Unanimous

Action #13: 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. 4. : Maximum Number of Off-Street Parking Spaces for #13-DP-04 for Law Enforcement Center to allow for 77 parking spaces, or 133% of the minimum number of required parking spaces, as submitted by CLH Design, PA, Project Number 1354, dated Revised November 25, 2013.

A petition for a waiver of regulations of UDO Section 7.04 E. 4. : Maximum Number of Off-Street Parking Spaces may only be granted upon the presentation of sufficient evidence to enable a written determination that:

1. A parking demand study (please attach all documentation) completed by a third party that provides evidence regarding:
 - a. Peak usage estimates based on reliable data collected from comparable uses located within the same or similar market areas as the Town of Holly Springs. Comparable uses will be determined based on density, scale, bulk, area, type of activity, and location; and,
 - b. Number of employees on the largest shift; and,
 - c. Minimum number of spaces needed to meet the parking demand for the specific use.
2. The granting of a waiver will not cause negative impacts on the environment or adjacent properties without the necessity of including mitigating elements such as additional screening, pervious pavement, shared parking, rain gardens, or that such elements are provided under the plan to the extent necessary to lessen the effects of any negative impacts:
3. The proposed development is consistent with the intent of the *Comprehensive Plan*:

4. The proposed development is consistent with the intent and purpose of this UDO:

Motion by: Dickson

Second by: Cobb

Vote: Unanimous

A copy of the waiver of regulations application addressing the findings of fact is attached to these minutes.

Action #14: Having made findings of fact, the Council approved a motion to approve a waiver of regulations of UDO Section 7.04 E. 4. : Maximum Number of Off-Street Parking Spaces for #13-DP-04 for Law Enforcement Center, motion to approve a waiver to allow for 77 parking spaces, or 133% of the minimum number of required parking spaces, as submitted by CLH Design, PA, Project Number 1354, dated Revised November 25, 2013.

Motion by: Lee

Second by: Dickson

Vote: Unanimous

Action #15: The Council approved a motion to approve Development Petition #13-DP-04 for Law Enforcement Center as submitted by CLH Design, P.A., Project Number 1354, dated Revised November 25, 2013 with the following conditions:

1. Conform to previously approved *Beal Tract (Village at Bass Lake) Master Plan* and note that all previous approval conditions for that plan will apply to this plan as well.
2. The outstanding punch list items for the Village at Bass Lake must be addressed with this site.
3. The following items must be addressed on the construction drawings or prior to the first submittal of this project:
 - A. Offsite right-of-way must be dedicated for this project prior to construction drawings submittal.
 - B. Revise the depressed emergency median crossing per NCDOT's comments to a max of 30'.
 - C. A site lighting plan shall be submitted for review and approval by the Town of Holly Springs Planning and Zoning Department.
4. Annexation of the portion of parcel 0659237650 shall be completed once the property is acquired by the Town of Holly Springs.

Motion by: Cobb

Second by: Dickson

Vote: Unanimous

7. 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 Councilman Cobb and a unanimous vote. The following actions were affected:

7a. Budget Amendment Report – The Council received monthly report of amendments to the FY 2013-14 budget approved by the town manager. *A copy of the budget amendment report is attached to these minutes.*

7b. Resolution 13-49 - The Council adopted Resolution 13-49 declaring certain personal property surplus to the needs of the town. *A copy of Resolution 13-49 is attached to these minutes.*

7c. DukeNet Communications Contract – The Council approved to allow DukeNet Communications to lease space in the Town's network equipment room at Town Hall.

7d. DukeNet Communications Contract – The Council approved to allow the Town and DukeNet Communications to enter a contract to use assets on each other's networks.

8a. North Main Athletic Complex, Phase 1 – Mr. Bradley said following a decision to rebid Phase I of North Main Athletic Complex, bids were accepted on Dec. 6. He said five companies participated in the bid. The bidding was very close with the Fred Smith Company the low bidder. The bid included a base bid of \$7,147,998.85 with alternate bids for turf grass being X-Grass

(\$7,182,498) and Field Turf (\$7,269,198.) He said both staff and consultants agreed, it is recommended the Council approve Fred Smith Company as the acceptable bidder and include Alternate II (Field Turf.) The addition of Alternate II adds \$121,199.85 to the base bid for a total of \$7,269,198.

Phase I of the North Main Athletic Complex will include:

- 8 adult tennis courts
- 4 youth tennis courts
- 183,000 sq. ft. of synthetic turf (appx. 2 High School regulation soccer fields)
- Associated parking
- Connector street from North Main Street

He said the plans are to execute the contract and deliver a notice to proceed by Jan. 1.

The duration of the project is 270 days, completing the facilities the first of October. An important date in the contract will be delivering the pad to the stadium contractor on April 1.

In response to questions about the choice of field turf, Mr. Bradley said he preferred the Field Turf over X-Grass.

Action: The Council approved a motion to award contract to Fred Smith Company for construction of North Main Athletic Complex Phase 1, to include the base bid plus Alternate II (Field Turf,) in the total amount of \$7,269,200 and adopt budget amendment.

Motion by: Sack

Second by: Williams

Vote: Unanimous.

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

8b. 2014 Winter Retreat – Ms. Powell said that this year’s Town Council retreat meeting will be in February. In the past few years, she said, staff has scheduled the meeting to occur all day on a Friday and a half day on Saturday at Pine Needles Lodge in Southern Pines.

Consensus of the Council was that members prefer going to Pine Needles and will take Friday and a half day Saturday Feb. 14-15 as first choice and Feb. 7-8 as second.

Council members asked for the following topics to be added to the agenda: A citizens guide on public hearings; social media policy; providing more real time (live Tweeting); town facilities director position; sports tourism; establishing criteria going forward for Chamber support in funding and in-kind services; update or revisit greenway plans with North Main coming online what we can accomplish in the short term and future; sidewalks, especially with connections to Sugg Farm and NMAC and Wescott; park project updates, especially Sugg Farm; NMAC Phase 2 and a strategy for getting information out and answering questions; funding issues and what are we going to do with unused bond funds; and an update on HSTV 11 programming

8c. Wake County ETJ Expansion Agreement – Mr. Schifano said that Wake County has drafted the inter-local agreement (ILA) that it is asking the town to consider regarding the town’s extraterritorial jurisdiction expansion request, which is precipitated by the Apex annexation line amendment. The ILA requires the town to give the county two years notice prior to terminating any ETJ powers, if the town were to desire to do so in the future. This is a requirement in the statute, so the ILA is an added measure requested by the County.

He said to be aware that by supporting this ILA, the Town also would support a request made by the Wake County Department of Environmental Services to remove the two parcels that are a part of the active South Wake Landfill (PINs 0740402618 and 0740324814) that were included in the Town’s ETJ extension request resolution. (See attached Map) They have requested this since these areas are being developed and adding these parcels to the Holly Springs ETJ would then require permits, if any, for the remaining work on these parcels to be obtained from Holly Springs instead of continuing to be obtained by Wake County. This request was supported by a recommendation of the Wake County Planning Board to approve the ETJ excluding these two parcels and is expected to be supported by the Wake County Commissioners.

Action: The Council approved a motion to approve entering into an inter-local agreement with Wake County regarding expansion of the Town's extraterritorial jurisdiction.

Motion by: Dickson

Second by: Cobb

Vote: Unanimous.

9. Other Business: Councilman Sack said he would vote for sunshine for next year's Christmas parade.

Mayor Sears announced that it is a state law for drivers to stop for pedestrians in crosswalks, and he urged citizens to observe the law.

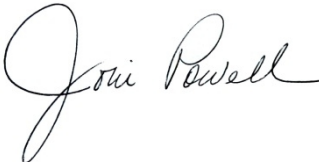
Councilwoman Lee announced that there will be a winter choir concert at Holly Springs High School.

10. Manager's Report: None.

11. Closed Session: None.

12. Adjournment: There being no further business for the evening, the Dec. 17, 2013 meeting of the Holly Springs Town Council was adjourned following a motion by Councilman Sack, a second by Councilman Cobb and a unanimous vote.

Respectfully Submitted on Tuesday, Feb. 4, 2014.

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... these minutes follow and are a part of the official record.