



April 7, 2015

MINUTES

The Holly Springs Town Council met in regular session on Tuesday, April 7, 2015 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, Councilmen James Cobb, Tim Sack and Hank Dickson and Councilwomen Linda Hunt-Williams 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); Daniel Weeks, senior project manager; Jeff Wilson, information technology director; Len Bradley, parks and recreation director; Adam Huffman, assistant parks and recreation director; Jenny Mizelle, director of economic development; Mary Hogan, finance director; Gina Clapp, planning and zoning director; Laura Holloman, planner; Sean Ryan, planner; Kendra Parrish, director of engineering; Aaron Levitt, senior engineer; Elizabeth Goodson, development review engineer; 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. Horace Ferguson (retired) of Holly Springs United Methodist Church.

4. Agenda Adjustment: The April 7, 2015 meeting agenda was adopted with changes, if any, as listed below.

Motion by: Sack

Second by: Cobb

Vote: Unanimous

Items added to Consent Agenda: None.

Items added to Agenda: None.

Items removed from 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 comments were recorded: None.

6a. 11-12 Girls All-Star Basketball Team – Ms. Denton said the Town Parks and Recreation 11-to-12-year-old girls all-star basketball team competed in the Statewide Athletics Committee (SWAC) tournament March 21-22. The girls finished first to become state champions. She and Mr. Huffman recognized the team with certificates.

Action: None.

7a. Wake County Transit Choices Project Report – Mr. Tim Gardiner of the Wake County Planning Department addressed the Council to present the Wake County Transit Choices Report. The report focuses on the development of a strategy for identifying and allocating transit

investments in Wake County and its municipalities. The report is one step in a multi-step planning process.

He said the report, drafted by Jarrett Walker and Associates and Kimley Horn, was available for review by the public, and feedback to the plan was accepted through March 5.

The report covers existing transit service and usage, and summaries of the following attributes:

- Maps illustrating existing transit service by route;
- Data on existing service frequency;
- Data on existing transit ridership, including mapping of highest passenger origin and destination locations;
- Land use mapping including existing and anticipated land uses, density, and major activity centers;
- Mapping of existing traffic volumes and capacity on key roadway arterials; and,
- The County's current performance against several peer cities.

The Wake County Transit Strategy is a partnership that includes Wake County, Triangle Transit, CAMPO, City of Raleigh, Town of Cary, Research Triangle Foundation, NC State University, and Raleigh Durham Airport.

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 Sack, a second by Councilman Dickson and a unanimous vote. The following actions were affected:

8a. Minutes – The Council approved minutes of the Council's meeting held Feb. 3, 2015.

8b. Resolution 15-15 – The Council adopted Resolution 15-15 declaring certain personal property surplus to the needs of the town. *A copy of Resolution 15-15 is attached to these minutes.*

8c. Microsoft Licensing Agreement-- The Council approved to enter a three-year enterprise agreement with CDWG in the amount of \$58,048.24 annually for Microsoft licensing and support.

8d. Budget Amendment, \$45,000- The Council adopted an amendment to the 2014-2015 budget in the amount of \$45,000 to cover the costs of facility maintenance and of extending the Town's landscaping contract to the end of the fiscal year. *A copy of the budget amendment is attached to these minutes.*

8e. Statewide Athletic Committee (SWAC) Tournaments – The Council directed that the Town's all-star baseball teams would play only in Statewide Athletic Committee (SWAC) tournaments.

8f. Discount Tires Plan Extension – The Council extended the plan approval expiration date for Discount Tires.

8g. Greenscape Inc. Agreement – The Council authorized a two-year contract with Greenscape Inc. in the amount of \$89,982 per year to provide landscaping services for Town properties, effective July 1.

8h. New Hill Place Apartment Plan Extension – This item was removed from the agenda during agenda adjustment.

8i. Sunset Lake Commons Shopping Center Master Plan / Phase 2 Plan Extension – The Council extended the plan approval expiration date for Sunset Lake Commons Shopping Center master plan and Phase 2 preliminary plan.

8j. Storage Max Agreement - The Council entered an agreement with Storage Max V LLC to adjust fees in the amount of \$7,000.

8k. North Main Athletic Complex Change Order, Batter's Eye – The Council approved a construction contract change order in the amount of \$3,722 for a batter's eye in the North Main Athletic Complex project.

8l. North Main Athletic Complex Change Order, Transportation -- The Council approved a construction contract change order in the amount of \$287,109 for road improvements related to the North Main Athletic Complex project as discussed and directed during the winter retreat.

8m. Hunt Recreation Center Fitness Memberships Rates – The Council approved Hunt Recreation Center fitness memberships to include basic group exercise classes at current membership rates.

9a. 13-DP-02-A01, North Main Athletic Complex, Phase 1 Amendment – Ms. Holloman said the North Main Athletic Complex has been steadily moving through the construction process situated between North Main Street and G.B. Alford Highway. With soccer fields, a tennis complex and a multi-sport stadium, the complex will be outfitted with athletic field lighting suitable for tournament-level play.

When the North Main Athletic Complex development plan originally was approved by Town Council, it was done so with the understanding, through a condition of approval, that at such time a lighting plan was established throughout the park, it would be brought back to Town Council for discussion.

Ms. Holloman said built into the Unified Development Ordinance is the possibility to increase maximum light levels at property lines for athletic field lighting to accommodate tournament-level play, so long as a waiver is requested. Consequently, there has been a waiver submitted to increase the maximum light levels along the eastern property line, specifically along North Main Street and the property line that is contiguous to commercial properties along North Main Street.

It is important to note, Ms. Holloman said, that lighting levels would not exceed maximum requirements adjacent to the existing Oak Hall subdivision. The lighting consultant also has included documentation stating these lights would be fitted with shields and would be cut off within one hour of the conclusion of any game/event.

If the lighting exceeds maximum light levels as stated in the UDO, a permit must be approved by Town Council.

Action #1: The Council approved a motion to make and accept the findings of fact to be recorded in the minutes for a waiver of UDO Section 7.02 B. e. Lighting Standards Special Regulations to allow an increase in maximum light levels allowed at the property line in association with Development Plan #13-DP-02-A01.

A petition for Waiver of Regulations of UDO Section 7.02 B. e. Lighting Standards Special Regulations to allow for a waiver of the regulations that would result in an increase in maximum light levels may be granted only 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: Dickson

Second by: Sack

Vote: Unanimous.

A copy of waiver findings of fact is attached to these minutes.

Action #2: Having made findings of fact that the project meets the requirements, the Council approved a motion to grant a waiver of regulations in UDO Section 7.02 B. e. Lighting Standards Special Regulations to allow an increase in maximum light levels allowed at the property line in association with Development Plan #13-DP-02-A01 for North Main Athletic Complex.

Motion by: Dickson

Second by: Cobb

Vote: Unanimous.

9b. 15-MAS-01, Kensington Place – Mr. Ryan said the Town has received a request for a preliminary plan for an 18-lot subdivision off of Sunset Lake Road. The project is on 5.84 acres located adjacent to Woodcreek and Heritage Meadows Lane (private easement.) The proposed subdivision meets all the development standards of the R-10 zoning district and is consistent with the comprehensive plan.

Action: The Council approved a motion to approve Preliminary Plan #15-MAS-01 for Kensington Place as submitted by EDR Engineering, Project Number 8584.6, dated 03-09-15 with the following conditions:

1. A fee-in-lieu of upgrade will be required for this project for the Pump Station and/or Force Main
2. This project will be required to meet the Town of Holly Springs NPDES Ph. II Post Construction Stormwater Ordinance.
3. The following items will be required with the first construction drawing submittal:
 - a. Documentation in the form of a recorded plat for the offsite right-of-way required
 - b. Show the adjustment of the street trees to not be within the drainage or other utility easements.
 - c. All items listed on the Stormwater Submittal Checklist, Form #16003, must be included
 - d. Per the TOHS – SCIMMP, an environmentally sensitive area is shown near your project. Provide documentation supporting that this species is not present within the site boundary.
 - e. Homeowner Environmental education packet must be submitted.
4. The following items will be required prior to the first construction drawing approval:
 - a. Payment of the following fees-in-lieu of construction of road improvements are required:
 - i. A fee-in-lieu will be required for the difference between the road cross-section built and the portion of the road cross-section required that is not built. A cost estimate will need to be provided for review and approval.
 - ii. A fee-in-lieu of constructing the ½ of the median along the frontage of the project. A cost estimate will need to be provided for review and approval.
 - b. Payment of the Stormwater Fee-in-Lieu will be required.
 - c. Stormwater sureties are required on this project. A performance surety in the form of a bond, letter of credit or cash is required in the amount of 150% estimated construction cost of the stormwater BMP prior to the preconstruction meeting and a maintenance surety in the form of a cash escrow account in the amount of 35% the actual construction cost of the BMP is required at the end of the performance monitoring period for the project.
 - d. Approval of Stormwater Management Plan is required prior to issuance of a land disturbance permit or construction drawing approval.
5. The following items are required prior to recording the first plat associated with this subdivision:
 - a. HOA covenants shall be recorded with the first plat associated with this subdivision.
6. HOA covenants shall include that the fence along the east property line adjacent to Heritage Meadows Lane shall be maintained by the HOA.

Motion by: Williams

Second by: Cobb

Vote: Unanimous.

9c. 07-DP-14-A04, Green Oaks Business Center – Ms. Holloman said Green Oaks Business Center is located on the corner of Premier Drive and Green Oaks Parkway. The business center consists of 25,840 square feet. This includes the building that fronts along Green Oaks Parkway (15,840 square feet) and the former Doggie Village flex space (10,000 square feet.)

She said this amendment request is to add a third building in the northwest corner of the site. This building would be 6,600 square feet and would consist of the same building materials and colors as the existing buildings. When Green Oaks Business Center was approved, it was with this identical building envelope and design; however, when the Doggie Village business came to locate in the center, the plans were amended to remove the building to make way for the outdoor dog runs. That business has since located elsewhere, and the owners recognize that the market can once again support additional industrial flex space.

Action: The Council approved a motion to approve Preliminary Plan #07-DP-14-A04 for Green Oaks Business Center as submitted by DHM Design, Project Number 15018, dated 03/09/2015 with the following conditions:

1. All previous approval conditions for Green Oaks Business Center will apply to this plan amendment.
2. A fee-in-lieu of upgrade will be required for this project for the Pump Station and/or Force Main.

Motion by: Sack

Second by: Williams

Vote: Unanimous.

9d. North Main Athletic Complex Project Contract Change Order – Mr. Bradley said North Main Athletic Complex Phase 2 bid had a number of alternates, including a second set of bathroom facilities (\$327,000.) This alternate was not selected in the initial contract with T. A. Loving. Since then, the Wake County Commissioners awarded a grant in the amount of \$1,000,000 for the project. Staff would like to use a portion of those grant funds to change the project contract for Phase 2 to include the second set of bathroom facilities at a contract change order cost of \$379,654.

The additional facilities would result in four restrooms with 18 fixtures per restroom, Mr. Bradley said.

Action: The Council approved a motion to approve construction contract change order #025 from T. A. Loving in the amount of \$379,654 for a second set of bathroom facilities in the North Main Athletic Complex project.

Motion by: Dickson

Second by: Cobb

Vote: Unanimous.

9e. Utley Creek Water Reclamation Facility Project – Ms. Parrish said this request is for approval of an agreement with CH2M Hill for the National Pollutant Discharge Elimination System permit modification that is necessary once the Town receives the Finding of No Significant Impact – environmental assessment amendment (action to resolve the line extension past Greentree Reservoir.) Also included was additional support that was required for the State out of scope items and general support that is a per hour basis. The total cost would be \$41,950.

The result would be about a \$20 million savings for the Town. With the modification, the Town will be permitted to treat and discharge 6 million gallons per day and up to 8 million gallons per day.

Action: The Council approved a motion to enter into an agreement with CH2M Hill in the amount of \$41,950 for professional services for the NPDES permit modification.

Motion by: Cobb

Second by: Dickson

Vote: Unanimous.

9f. Holly Springs Parks and Recreation Advisory Committee Appointments – Mr. Bradley said the Parks and Recreation Advisory Committee has one vacancy that needs to be filled. Daniel Price submitted his resignation March 12 at the last Parks and Recreation Advisory Committee meeting. After advertising on the Town's website, the Parks and Recreation office has received three applications.

Action #1: The Council approved a motion to accept Daniel Price's resignation from the Parks and Recreation Advisory Committee.

Motion by: Sack

Second by: Cobb

Vote: Unanimous.

Action #2: The Council approved a motion to appoint Howard Slinkard to the Holly Springs Parks and Recreation Advisory Committee.

Motion by: Dickson

Second by: Cobb

Vote: Unanimous.

At this time, Councilman Dickson asked to be excused from the meeting since he is employed by a party in the next agenda item.

Action: The Council approved a motion to excuse Councilman Dickson from the meeting during discussion and action on Item 9g.

Motion by: Cobb

Second by: Sack

Vote: Unanimous.

9g. Main Street Extension Project – Ms. Parrish updated the Council on the project. She noted that the Town is paying 20 cents on the dollar for this project, and the State and Federal government are paying 80 percent. It is expected that the project will take about a third of the traffic off of Avent Ferry Road.

She then presented an agreement with Duke Energy Progress for the relocation and installation of new facilities that would accommodate the road extension for the Main Street Extension project. DPE would prepare plans, sketches or drawings of existing facilities for temporary and permanent changes. The work would begin upon notification from the Town to DPE. The total cost would be \$449,474.20.

Ms. Parrish said the facilities mostly would be relocated to underground.

Action: The Council approved a motion to enter into an agreement with Duke Energy Progress in the amount of \$449,474.20 for relocation and installation of new facilities for the Main Street Extension project.

Motion by: Sack

Second by: Williams

Vote: Unanimous.

Action: The Council approved a motion to readmit Councilman Dickson into the meeting..

Motion by: Cobb

Second by: Lee

Vote: Unanimous.

9h. North Main Athletic Complex Modular Office Building – Mr. Bradley said on March 15, Town posted an invitation to bid for the purchase of a modular office building to be placed at the North Main Athletic Complex to house office space for the Holly Springs Salamanders, Wake Futbol Club and Parks and Recreation staff. Bids were received and opened on March 25:

Bidder	Bid Amount
Williams Scotsman, Inc.	\$117,093.60
Modular Solutions, Inc.	\$104,300.00
M Space Holdings LLC	\$116,374.00
Sustainable Modular Management, Inc.	\$125,068.00
Touax Modular	\$112,215.00

The apparent low bidder was Modular Solutions Inc. with a bid price of \$104,300.

Action: The Council approved a motion to award a bid to low bidder Modular Solutions, Inc. for \$104,300 for a modular office building at North Main Athletic Complex.

Motion by: Williams

Second by: Cobb

Vote: Unanimous.

9i. North Main Athletic Complex Scoreboard – Mr. Bradley said the North Main Athletic Complex project had \$177,000 earmarked for a new scoreboard at the beginning of the project. In the first proposal from Daktronics, the unit included a powerful sound system, a small picture/display board, multiple advertising panels, and a traditional baseball scoreboard. The unit was functional; however, it would not make the impact desired by the Town.

He said the Parks and Recreation Department, Holly Springs Salamanders, and Daktronics representative then decided to research methods to maximize the display and cut back on the sound components, advertising space, and scoreboard, all while considering costs. After exploring many variations, securing a \$24,000 commitment from the HS Salamanders, and acquiring more funds from the Wake County Commissioner’s grant, staff is recommending purchasing a 36-foot wide scoreboard that has a 14’8” x 25’6” LED video display, four advertising panels, and a solid sound system (but not as robust as the original.)

Mr. Huffman said the new proposal also eliminates the need for a traditional baseball scoreboard, as the video board will display the scores and stats. The bigger LED board also would display videos, ads, and movies in HD quality, which would improve the experience at any stadium event. Due to quickly approaching deadlines, the Parks and Recreation Department has chosen to contract the work through T. A. Loving, which would give the Town the best chance to have the board operational for the May 28 Holly Springs Salamander opening game. The overall cost to purchase and install the scoreboard through TA Loving is \$299,781. The net result increase for the Town would be about \$98,000 from the Wake County grant for this project.

Action: The Council approved a motion to approve the purchase and installation of the specified Daktronics scoreboard from T. A. Loving for a price of \$299,781, with the Town’s funding \$275,781 of the total.

Motion by: Sack

Second by: Cobb

Vote: Unanimous.

10 . Other Business: None requiring Council action.

11. Manager’s Report: None requiring Council action.

12. Closed Session: The Council approved a motion to enter into closed session, pursuant to N.C.G.S. 143-318.11(a)(5), to provide input to the Town Attorney regarding a matter of real estate acquisition.

Motion By: Sack

Second By: Cobb

Vote: Unanimous.

13. Adjournment: There being no further business for the evening, the April 7, 2015 meeting of the Holly Springs Town Council was adjourned.

Respectfully Submitted on Tuesday, April 21, 2015.

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minutes follow and are a part of the official record.

