



June 16, 2015

MINUTES

The Holly Springs Town Council met in regular session on Tuesday, June 16, 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); Linda Harper, deputy town clerk; Daniel Weeks, senior project manager; Jeff Wilson, information technology director; Adam Huffman, assistant parks and recreation director; Gina Clapp, planning and zoning director; Sean Ryan, planner; Irena Krstanovic, economic development coordinator; Kendra Parrish, engineering director; Elizabeth Goodson, development review engineer; Aaron Levitt, senior engineer; John Herring, police chief; Leroy Smith, fire chief; Mary Hogan, finance director; 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. Doug Parlin from the South Wake Baptist Church.

4. Agenda Adjustment: The June 16, 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: 7g. Adopt Resolution 15-23 endorsing the original protected (orange) corridor for the I-540 extension and 7h. Wake Futbol Club license agreement.

Items added to Agenda: None.

Items removed from Consent Agenda: None.

Other changes: None.

Amended Motion: The Council approved a motion to approve an amended motion to add the Wake Futbol Club license agreement to New Business for discussion instead of to the Consent Agenda.

Motion by: Dickson

Second by: Williams

Vote: Unanimous

Main Motion: The Council then approved the main motion adding the resolution on the I540 corridor to the Consent Agenda.

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:

Don Carter, 4812 Cornousti Ct. – Mr. Carter addressed the Council on the golf cart ordinance, suggesting changes that would allow carts on sidewalks, crosswalks and greenways. He said it would be a benefit for many who have golf carts as they could get to major park and shopping destinations without driving in cars.

6a. Public Hearing: FY 2015-16 Operating Budget, Water and Sewer Rates – Mr. Simmons said that at the May 27 budget workshop, Council discussed revenues and expenditures and made some minor adjustments but no major changes to the budget proposal.

He said at tonight's meeting the Council will receive public comment on the budget proposal, which has been available in its original form for public inspection in the Clerk's office and online since May.

Mr. Simmons and Mr. Weeks went over key aspects of the budget, including:

General Fund Highlights -

- Tax rate remains unchanged:
 - 43.5 cents per \$100 valuation
- Solid waste fees remain unchanged:
 - Monthly garbage - \$9.50
 - Monthly recycling - \$4.25
 - Monthly yard waste - \$2.00
- Proposed increase in development and user fees:
 - Development (Engineering and Building Code fees)
 - Parks & Recreation rentals
 - Fire Inspections and Plan Review
 - Cemetery plots
 - Golf cart registration
- New positions:
 - (3) Firefighters – mid year
 - (1) Accountant
 - (1) Building Inspector
 - (1) Streets Technician
- Facility Repairs/Maintenance = \$271,750
- Capital Improvements = \$1,430,850
- No additional debt service

Utility Fund Highlights –

- Utility rates remain unchanged
- Overall fund increase due to a few factors:
 - Novartis fully operational
 - Fuquay-Varina mandatory water purchase
 - Continued residential and non-residential growth
- Transfer from water reserves is \$874k vs over \$1m previous year
- Greatest increase in expenses is Purchase for Resale from \$1.5m to \$2m
- New positions:
 - Development Inspector
 - Pump Station Technician
- No additional debt service
- Capital Improvements = \$131,200

Fee Adjustments -

- Engineering Development Fees
- Building Code Inspection Fees
- Fire Inspection and Plan Review Fees
- Parks & Recreation Rental Fees
- Golf Cart Registration Fee

Mr. Weeks explained that the budget also includes \$1,562,050 in funded Capital Outlay purchases for the year. Capital outlay includes major purchases like vehicles, equipment and structures. Examples include police vehicles, public works service trucks, performance lighting, a northeast gateway feature and ultraviolet sanitation lighting for the wastewater treatment process and much more.

He said staff recommends town council take action on the proposed budget ordinance and a proposed ordinance setting the water and sewer billing rates for FY 2015-16.

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

George Smith, 229 Stonehedge Ct. – Mr. Smith asked the Council to consider dedicating funds toward raising the Town's recycling profile. He said it would be an investment. He described for the Council some innovative recycling bins that not only would serve as receptacles for refuse and trash but also would compact refuse using solar power.

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

Action #1: The Council approved a motion to adopt Ordinance 15-05 establishing the FY 2015-16 operating budget for the Town of Holly Springs.

Motion by: Williams

Second by: Cobb

Vote: Unanimous.

A copy of Ordinance 15-05 is attached to these minutes.

Action #2: The Council approved a motion to adopt Ordinance 15-06 setting the FY 2015-16 rates to be collected in monthly water and sewer bills.

Motion by: Cobb

Second by: Sack

Vote: Unanimous.

A copy of Ordinance 15-06 is attached to these minutes.

6b. Public Hearing: Rezoning Petition 15-REZ-01- Mr. Ryan said the Town has received a request to rezone one parcel of land totaling approximately 0.51 acres from R-15: Residential to R-8: Residential. The property is situated along the north side of Earp Street, in between Collins Street and Johnson Street. The property is located within the Village District area, and the R-8: Residential request is consistent with the Village District area plan.

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

Frank Sturino, 104 Carrita Ct. -- Mr. Sturino addressed the Council to ask questions about the rezoning. Mayor Sears explained that the Council might not answer questions as a matter of practice but they want to hear if he has concerns.

Mr. Sturino asked if the planned development would be single-family homes; what they would look like; and how they may affect the value of his property.

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

Mayor Sears said he would expect that any development would increase property values in the area but that he couldn't promise.

Councilman Sack said the question is one of zoning so there is no exact development plan to describe what is planned. He said the rezoning request, however, is asking for a zone to allow single-family residences and not multi-family homes.

Action #1: The Council approved a motion to accept the following statements as being true: *“The requested zone map change from R-15 to R-8 is consistent with the Vision of Holly Springs Comprehensive Plan since the Village District Area Plan encourages the development of residential uses and indicates these properties as Residential on the Future Land Use Map. The R-8: Residential District will provide for residential uses in the Village District and will expand upon the already built environment of the Village Core.”*

Motion by: Dickson

Second by: Cobb

Vote: Unanimous.

Action #2: The Council approved a motion to adopt ordinance 15-REZ-01 to approve and enact Zone Map Change Petition #15-REZ-01 to change the zoning of 0.51 acres of Wake County PIN #0659025743 from R-15: Residential to R-8: Residential as submitted by John Brown.

Motion by: Sack

Second by: Cobb

Vote: Unanimous.

A copy of Ordinance 15-REZ-01 is attached to these minutes.

6c. Public Hearing: Development Plan 15-DP-02, 501 Commons Drive - Mr. Ryan said the plan proposes construction of one 4-unit townhome building on a 0.36-acre site in the Arbor Creek Planned Unit Development (PUD.) The site is located on a parcel designated by the PUD for mixed use development. Mixed use, as defined by the PUD, includes multi-family residential units. Per the standards established by the PUD, the townhome site plan and building design are regulated by R-MF-8 district guidelines as established within section 2.06 of the UDO. The proposed townhomes would be two stories in height and include an attached one-car garage.

He said the townhomes would be constructed with a combination of stone and fiber cement siding.

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

Howard Yelle, the applicant -- Mr. Yelle addressed Councilman Sack’s questions about grading.

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

Action: The Council approved a motion to approve Development Plan #15-DP-02 to allow for multi-family dwellings in the Arbor Creek Planned Unit Development - Mixed Use District for 501 Commons Drive as submitted by Aiken & Yelle Associates, PA, dated 05/30/2015, with the following conditions:

1. All previous approval conditions for *Arbor Creek PUD* will apply to this plan as well.
2. A fee-in-lieu of upgrade will be required for this project for the Pump Station and/or Force Main.
3. Prior to installation of sewer, the private sewer permit must be obtained for this project.
4. The following items are to be included on construction drawings:
 - a. Written approval from the Post Master regarding the provision of individual mailbox delivery. If approval for individual mailboxes is not received, a cluster mailbox unit, in conformance with the Town of Holly Springs UDO, will be required.
 - b. All street trees shall utilize the Town of Holly Springs standard root guard.

Motion by: Williams

Second by: Cobb

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. Minutes – The Council approved minutes of Town Council meetings held May 27 and June 2, 2015.

7b. Council Tax Order 2015-01 – The Council adopted Council Order 2015-01 directing Wake County to levy and collect property taxes for the Town of Holly Springs. *A copy of Council Order 2015-01 is attached to these minutes.*

7c. Personnel Policy Revisions – The Council approved personnel policy revisions.

7d. 2015 Street Improvement Project Change Order – The Council approved a contract change order to the 2015 Street Improvement project to add repairs in Ballenridge subdivision.

7e. Avent Ferry Road Widening Project – The Council approved to award a contract and approve funding in the amount of \$2,800 to Ramey Kemp for sub consulting costs for environmental work in the Avent Ferry Road widening project.

7f. Novartis / CSL Agreement – The Council approved assignment documents to transfer agreements with the Town of Holly Springs from Novartis to the company's new owner, CSL. *A copy of draft agreement is attached to these minutes.*

7g. Resolution 15-23 – The Council adopted Resolution 15-23 endorsing the original protected (orange) corridor for I540 extension. *A copy of Resolution 15-23 is attached to these minutes*

7h. Wake Futbol Club, Inc., - *This item was moved to New Business during agenda adjustment.*

8a. FY 2014-15 Community Agency Grant – Councilwoman Williams said that the fiscal year began in July 2014 for civic groups to submit applications for funding from this year's grant program.

Councilwoman Williams said the town received eight applications requesting \$17,000 in funding. There is \$15,000 available in that line item.

The committee of Councilwomen Linda Hunt Williams and Cheri Lee and Councilman Hank Dickson reviewed the applications, requested supporting information from some and deliberated over the applications.

Councilwoman Lee said she has talked with some residents and was asked to reconsider the committee's recommendation to not provide funding for Interact of Wake County. She said she would recommend a grant of \$500. Councilwoman Williams agreed.

Councilman Dickson said he has no problems with Interact or YMCA and their service missions, but he feels the Town's grant program should be reserved for grassroots service groups in Holly Springs.

Councilwoman Williams commented on the application from the Martin Luther King Jr. Celebration Committee. She said the Council in years past has provided partial funding for new groups and efforts until a group gets its footing and has a proven track record. She said she looks forward to next year when the MLK committee can report on how it used the funding. She said the committee members agreed to a \$500 contribution.

The committee recommendations totaled between \$11,000 and \$12,500. The Council agreed that it had no issues with leaving any unspent funds to be placed in the fund balance if not spent in the next two weeks.

Councilman Dickson said his thought is that the money is still available even if it is in the fund balance and can be pulled down from fund balance if needed during the year to fund other needs that might arise during the year or be used to pay to support community charitable golf tournament entry fees, etc.

Beginning July 1, the community agency grant program line item will be replenished with 15,000 new dollars.

Action: The Council approved a motion to award FY 2014-15 community agency grants as follows:

Agency	Requested Amt.	Committee Recommended	Council Award
Gold Hawks Club Inc.	\$2,500	\$2,500	\$2,500
Holly Springs Arts Council	\$2,500	\$2,500	\$2,500
Holly Springs Community Band	\$2,000	\$2,000	\$2,000
Holly Springs Food Cupboard	\$2,500	\$2,500	\$2,500
Holly Springs High School PTSA	\$2,000	\$1,500	\$1,500
Interact of Wake County	\$2,500	\$500	\$500
Kraft Family YMCA	\$500	\$500	\$500
MLK	\$2,500	\$500	\$500
TOTAL	\$17,000.00	\$12,500.00	\$12,500.00

Motion by: Sack
Second by: Cobb
Vote: Unanimous.

8b. Holly Springs Parks and Recreation Advisory Committee Appointments – Mr. Bradley said the Parks and Recreation Advisory Committee has three vacancies that need to be filled due to terms expiring for three members. After advertising on the Town’s website, the Parks and Recreation office has received five applications.

Councilman Dickson remarked how difficult the decision is because of the high quality and unique qualifications of all of the applicants.

Action #1: The Council approved a motion to reappoint LeeAnn Plumer and Elizabeth Stone and to appoint Alice Reese to the Holly Springs Parks and Recreation Advisory Committee with terms expiring June 30, 2018.

Motion by: Dickson
Second by: Williams
Vote: Unanimous.

8c. Engineering Design and Construction Standards Amendments – Ms. Parrish said the Town’s Engineering Design and Construction Standards give guidance and govern projects that are built within the Town of Holly Springs. These design and construction guidelines have not been updated since 2007. Since then many of the statutes, ordinances, industry standards, means and methods have changed.

She said staff recommends numerous updates to text and details that have been incorporated over the last several months. These updates are fairly significant and necessary to continue the high standards of the Town and to minimize future infrastructure costs to the Town in later years.

Since the updates encompass all sections and details, a new updated version will be given to staff and contractors, developers and engineers to replace the existing document that was approved and published in 2007. The updates will be available for free download via the Web or via hard copy with a nominal cost. Below is a summary of the more significant changes. Going forward, quarterly updates will be processed.

- Clarified standards for secondary access requirements for subdivisions
- Clarified standards for phasing of subdivisions
- Several requirements of the Fire Department have been updated in the standards
- Organized and cleaned up cross section descriptions
- Revised all paving/asphalt sections to current standards
- Reference the street tree ordinance

- Updated all soil and erosion control device information with the current state standards
- Clarified the requirements for residential lot erosion control
- Sewer or water crossing details under streams
- Ductile iron cement lined force main no longer allowed, as well as updated sewer and water installation requirements per the industry standard and state standards
- Created new pump station standard section
- Greatly reduced the stormwater section to reference state standards
- Revised the as-built checklist to represent the items we actually need to maintain a GIS system
- Updated the entire reclaimed section to reference the new state standards.

Action: The Council approved a motion to adopt Resolution 15-22 to adopt and enact a significantly modified Town of Holly Springs Engineering Design and Construction Standards manual.

Motion by: Williams

Second by: Cobb

Vote: Unanimous.

A copy of Resolution 15-22 is attached to these minutes.

8d. Bass Lake Sewer Line Project – Mr. Levitt said the Bass Lake interceptor gravity sewer line is critical to the operation of the Town’s wastewater collection system. The line serves a large drainage basin, and it is located in an environmentally sensitive area near the shores of Bass Lake.

He said flow projections in previous studies indicate that the existing line may be near its hydraulic capacity. Flow monitoring was performed in a previous study and indicated a significant amount of infiltration and inflow into the interceptor which further diminishes the capacity of the line and also causes increased flow to the Bass Lake pump station. This infiltration and inflow is caused by stormwater and groundwater entering the pipeline in various unwanted manners.

The scope of the contract prepared by Diehl and Phillips, P.A. includes cleaning and television inspection of the 2,400 feet of pipeline, a report regarding the sources of infiltration and inflow detected by the inspection, and recommendations for improvements to reduce this unwanted flow.

Action: The Council approved a motion awarding contract and approving \$25,000 in funding, inclusive of contingency, to Diehl and Phillips, P.A. for Bass Lake sewer line inspection.

Motion by: Williams

Second by: Cobb

Vote: Unanimous.

8e. No Parking Ordinance Amendment – Ms. Parrish said that Earp Street recently was improved to meet current standards. Due to the volume of traffic and this road’s providing a parallel facility to Holly Springs Road, the lanes were widened to 12-foot width, and a centerline was painted. As a result of these improvements, there is no longer room for on-street parking.

Action: The Council approved a motion to adopt Ordinance 15-07 to amend the municipal code Chapter 12 Article VII to include no on-street parking along Earp Street from Bass Lake Road to Main Street.

Motion by: Cobb

Second by: Dickson

Vote: Unanimous.

A copy of Ordinance 15-07 is attached to these minutes.

8f. Union Ridge Infrastructure Reimbursement Agreement – Ms. Parrish said the Union Ridge Subdivision development plan was approved by Town Council in July 2005. An infrastructure agreement memorializes several items associated with the development plan and the reimbursements for oversized infrastructure.

- Construct an oversized gravity sewer line to handle upstream development and the developer to be reimbursed the difference in the cost between what is needed for the subdivision and what is proposed for build-out. \$170,540.00 available for reimbursement.

- Construct the Union Ridge pump station and force main to handle upstream development and be reimbursed the difference in the cost between what is needed for the subdivision and what is proposed for build-out. \$330,072.00 available for reimbursement.

Ms. Parrish said per Unified Development Ordinance requirements the developer is responsible for building one half of the thoroughfare improvements for a 4-lane median divided facility along Avent Ferry Road. Staff recommends installation of the necessary turn lanes and receiving a payment of the difference between the ½ of the thoroughfare section and the turn lane widening. This payment can be used toward active construction projects along Avent Ferry Road closer to the Bypass. The fee-in-lieu of \$300,000 will be received and is approximately 150% of the cost difference.

Action: The Council approved a motion to enter into an infrastructure reimbursement agreement with the developer of Union Ridge.

Motion by: Williams

Second by: Sack

Vote: Unanimous.

A copy of draft Union Ridge infrastructure reimbursement agreement is attached to these minutes.

8g. Wake Futbol Club, Inc. – Councilman Dickson asked about section 9 of the agreement regarding exclusivity. He said the clause seems to be restrictive and might send other groups away from Holly Springs.

Mr. Schifano explained that the Wake Futbol Club does not want their home field at North Main Athletic Complex that they are leasing used for other soccer groups tournaments and that the intent of the clause is to send other soccer clubs to other fields in the community.

Mr. Schifano said the word “ordinary” instead of “regular” might clarify that Wake Futbol Club has exclusive use of NMAC fields for soccer but the fields are usable by others for non-tournament play when not in use by WFC.

Action: The Town Council approved a motion to enter into a license agreement with Wake Futbol Club, Inc. for joint use of athletic fields subject to editorial revisions discussed.

Motion by: Sack

Second by: Cobb

Vote: Unanimous

9. Other Business: None resulting in Council action. Councilman Sack reported that the Dumpsters at Buffalo Wild Wings are not contained in an enclosure; he also reported that there have been people playing on the NMAC fields. There are no signs advising people that the facility is still under construction and not open for public use yet. Mr. Simmons said the complex should be completed within the next month.

10. Manager’s Report: None resulting in Council action.

11. Closed Session: None.

12. Adjournment: There being no further business for the evening, the June 16, 2015 meeting of the Holly Springs Town Council was adjourned.

Respectfully Submitted on Tuesday, July 7, 2015.

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