



April 17, 2018

MINUTES

The Holly Springs Town Council met in regular session on Tuesday, April 17, 2018 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 Dan Berry, Tom O'Brien and Peter Villadsen and Councilwoman Christine Kelly.

Council Members Absent: Councilwoman Cheri Lee (arrived at 7:45 p.m.)

Staff Members Present: Charles Simmons, town manager; John Schifano, town attorney; Joni Powell, town clerk (recording the minutes); Linda Harper, deputy town clerk; Gina Clapp, director of planning and zoning; Sean Ryan, planner; Matt Beard, planner; Melissa Sigmund, principal planner; Kendra Parrish, director of engineering; Daniel Weeks, assistant town manager; Paul Allen, real estate acquisition agent; Christopher Champion of the parks and recreation department; Jessica Stygles, farmers market coordinator; Mary DePina, project engineer; Dirk Siebenbrodt, project engineer; Rachel Jones, development plan reviewer; Mark Andrews, public information officer; John Herring, police chief; Adam Huffman, assistant parks and recreation director; LeRoy Smith, fire chief; Tamara Ward, communications specialist; and Billy Whitehead, information technology analyst.

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

4. Agenda Adjustment: The April 17, 2018 meeting agenda was adopted with changes, if any, listed below:

Remove Item 10e from New Business since it is repeated on the agenda under 13. Closed Session.

Motion by: O'Brien

Second by: Villadsen

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:

Gerald Holleman, 5625 Easton St. – Mr. Holleman recounted some of Holly Springs' early history. He urged the Council to get to know and work with their state and federal officials to bring state and federal dollars to Holly Springs.

Jeff Palumbo, 405 Anchor Creek Way -- Mr. Palumbo conveyed concerns about Mayor Sears.

Tonya Palumbo, 405 Anchor Creek Way – Mrs. Palumbo expressed similar concerns about the mayor. She presented a folder containing copies of emails and social media posts that she asked be entered into the record. The documents are hereby incorporated by reference into these minutes and are filed in Holly Springs Town Hall.

Christine Walorz, 324 Covenant Rock Lane – Ms. Walorz addressed the Council on the agenda topic regarding a turn lane from Avent Ferry Road onto Cass Holt Road. She said it has been long-awaited, and she urged the Council to approve it.

6a. Recognition of 14U Boys All-Star Basketball Team - Mr. Champion of the Parks and Recreation Department recognized the 14U boys all-star basketball team for winning the Statewide Athletic Committee (SWAC) state championship.

Action: None.

7a. Farmers Market 12th Season - Ms. Stygles provided an update on the Farmers Market Season 12 with an invitation to everyone to the Season Opening Saturday, May 5. The Farmers Market will be open each Saturday from 8:30 a.m. to 12:30 p.m. May 5 through Oct. 13 in the E. Center Street public parking lot.

Action: None.

7b. Soccer Field Barrier Netting – Mr. Huffman said to provide a greater safety barrier for soccer spectators at Ting Park, staff recommends the installation of a 20-foot high netting system to span approximately 350 feet along the eastern side of the complex. The price to install the system would be \$24,500 and could be constructed within 4-6 weeks.

Councilman O'Brien suggested that the Town encourage people at the soccer fields to stand as close to the fence as possible because it would provide the best protection.

Councilwoman Kelly suggested that, in addition, signs be provided to the same effect and language be added to lease agreements.

Action: The Council approved a motion to adopt a \$24,500 amendment to the FY 2017-18 budget for soccer field barrier netting, transferring funds from #21.95 to account #10-425-26-90.01.

Motion by: Kelly

Second by: Berry

Vote: Unanimous

8a. Public Hearing: Special Exception Use 18-SEU-01, 424 Grigsby Ave. – Mr. Ryan said in December 2015, the Town Council adopted an amendment to the Unified Development Ordinance regarding future land uses and appropriate residential densities in the Town's Village District. The Department of Planning & Zoning is gearing up for an update to the Town's Village District Area Plan and preparing an implementation program to bolster development interest and to align development proposals with the Town's plan for the area.

During this evaluation period, all new single-family homes in the R-10 and R-15 residential zoning districts are required to obtain approval through the Special Exception Use process so that the development of that parcel can be evaluated through the Special Exception Use findings of fact to ensure that it is appropriate for the neighborhood.

The applicant is requesting Special Exception Use approval for one single-family dwelling located at 424 Grigsby Avenue.

With that explanation completed, Mayor Sears opened the public hearing. The following sworn testimony and evidence was submitted by those who had been administered the oath by the deputy town clerk: None.

There being no testimony, the public hearing was closed.

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 #18-SEU-01 for 424 Grigsby Avenue to allow for (1) single-family dwelling within the adopted Village District Area Plan boundary as indicated in the Comprehensive Plan, in the R-10 District, Wake County PIN 0649907269, as submitted by Thompson & Associates.

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: O'Brien

Second by: Kelly

Vote: Unanimous

A copy of Special Exception Use 18-SEU-01 findings of fact are attached to these minutes.

Action #2: Having made the necessary findings of fact, the Council approved a motion to grant Special Exception Use Petition #18-SEU-01 for 424 Grigsby Avenue to allow for a single-family dwelling within the adopted Village District Area Plan boundary as indicated in the Comprehensive Plan, in the R-10 District, Wake County PIN 0649907269, as submitted by Thompson & Associates with the following condition(s).

1. All operations must adhere to the evidence submitted by the applicant as stated in the findings of fact submitted and those findings of fact specified by the Town Council in conjunction with 18-SEU-01.
2. Minor modifications to the height, bulk, orientation of the structure on the lot, location of the structure on the lot, and site design may be authorized by the Director of Planning & Zoning. If the Director determines that the proposed minor modifications are of such a nature as to adversely impact the purpose or intent of this approval, the petitioner shall be required to file a new petition for Special Exception Use approval.
3. Prior to issuance of Building Permit, the following must be completed:
 - a. Documentation in the form of a recorded plat showing the cross-access easement along the rear of the property will be required.
4. This project is required to utilize nonstructural SCM's, such as disconnected impervious surfaces.

Motion by: Berry
Second by: O'Brien
Vote: Unanimous

8b. Public Hearing: Special Exception Use 18-SEU-02, 410 Grigsby Ave. – Mr. Ryan said in December 2015, the Town Council adopted an amendment to the Unified Development Ordinance regarding future land uses and appropriate residential densities in the Town's Village District. The Department of Planning & Zoning is gearing up for an update to the Town's Village District Area Plan and preparing an implementation program to bolster development interest and to align development proposals with the Town's plan for the area.

During this evaluation period, all new single-family homes in the R-10 and R-15 residential zoning districts are required to obtain approval through the Special Exception Use process so that the development of that parcel can be evaluated through the Special Exception Use findings of fact to ensure that it is appropriate for the neighborhood.

The applicant is requesting Special Exception Use approval for a single-family home at 410 Grigsby Avenue.

With that explanation completed, Mayor Sears opened the public hearing. The following sworn testimony and evidence was submitted by those who had been administered the oath by the deputy town clerk:

Jason Brown, 728 Piney Grove-Wilbon Road, the applicant – Mr. Brown entered the petition addressing the findings of fact into the record and said he was available to answer any questions.

Councilwoman Kelly asked if he planned to preserve trees on the lot. He responded that he would preserve one tree that is of size, but a lot of the tiny ones on the lot would be removed.

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

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 #18-SEU-02 for 410 Grigsby Avenue to allow for (1) single-family dwelling within the adopted Village District Area Plan boundary as indicated in the Comprehensive Plan, in the R-10 District, Wake County PIN 0649907269, as submitted by Thompson & Associates.

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: Berry

Second by: O'Brien

Vote: Unanimous

A copy of Special Exception Use 18-SEU-02 findings of fact are attached to these minutes.

Action #2: Having made the necessary findings of fact, the Council approved a motion to grant Special Exception Use Petition #18-SEU-02 for 410 Grigsby Avenue to allow for a single-family dwelling within the adopted Village District Area Plan boundary as indicated in the Comprehensive Plan, in the R-10 District, Wake County PIN 0649907269, as submitted by Thompson & Associates with the following condition(s).

1. All operations must adhere to the evidence submitted by the applicant as stated in the findings of fact submitted and those findings of fact specified by the Town Council in conjunction with 18-SEU-02.
2. Minor modifications to the height, bulk, orientation of the structure on the lot, location of the structure on the lot, and site design may be authorized by the Director of Planning & Zoning. If the Director determines that the proposed minor modifications are of such a nature as to adversely impact the purpose or intent of this approval, the petitioner shall be required to file a new petition for Special Exception Use approval.
3. Prior to issuance of Building Permit, the following must be completed:
 - a. Documentation in the form of a recorded plat showing the cross-access easement along the rear of the property will be required.
4. This project is required to utilize nonstructural SCM's, such as disconnected impervious surfaces.

Motion by: Kelly

Second by: Berry

Vote: Unanimous

8c. Public Hearing: Special Exception Use 18-SEU-03 for 140 W. Holly Springs Road – Mr. Beard said the applicant is requesting Special Exception Use approval for a bar located at 104 W Holly Springs Rd within an existing commercial building. Since the parcel is zoned LB Local Business and is located within the boundaries of the Village District Area Plan, a Special Exception Use is required to evaluate the appropriateness of a bar in this location.

With that explanation completed, Mayor Sears opened the public hearing. The following sworn testimony and evidence was submitted by those who had been administered the oath by the deputy town clerk:

Catherine Nicholson and Stephen K. Smith, 1400 Olde McKenzie Dr., the applicants – The applicants gave an overview of their business plan for The Black Dog pub. They envision a neighborhood gathering spot where patrons and their pets could gather and socialize over specialty beer.

Councilwoman Kelly asked if operations would be enclosed in the building. Mr. Smith said they would except in the event of an occasional outdoor special event.

Wendy Harris -- Ms. Harris spoke in favor of the petition and the petitioners.

Neighboring business owner -- a neighboring business owner in the space at 140 W. Holly Springs Road spoke in favor of the petition. He said he feels it will bring life to the long vacant business center, and all the tenants would benefit.

Councilwoman Kelly asked if provisions would be made for animal waste since the applicants will be encouraging customers to bring their pets.

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

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 #18-SEU-03 to allow for a bar at 140 W Holly Springs Rd in the LB District within the adopted Village District Area Plan boundary as indicated in the Comprehensive Plan, as submitted by Catherine Nicholson.

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: Lee

Second by: O'Brien

Vote: Unanimous

A copy of Special Exception Use 18-SEU-03 findings of fact are attached to these minutes.

Action #2: Having made the necessary findings of fact, the Council approved a motion to approve Special Exception Use petition #18-SEU-03 as specified in Unified Development Ordinance Section 3.02 LB Local Business District to allow for a bar within the adopted Village District Area Plan boundary as indicated in the Comprehensive Plan, in the LB District at the

property located at 140 W Holly Springs Rd, Wake County PIN 0649837658, as submitted by Catherine Nicholson with the following conditions:

1. All operations must adhere to the evidence submitted by the applicant as stated in the findings of fact submitted and those findings of fact specified by the Town Council in conjunction with 18-SEU-03.

Motion by: O'Brien

Second by: Villadsen

Vote: Unanimous

8d. Public Hearing: Special Exception Use 17-SEU-16 and Development Plan 17-DP-16, United Community Bank – Ms. Goodson explained that the Town of Holly Springs Timbering Ordinance regulates the removal and preservation of trees and shrubs within a perimeter buffer zone prior to development. In September 2017 a tree within the buffer zone on this site was removed without an approved timbering plan. If timbering activities are conducted such that buffer requirements for development are not met, the Town Council can determine whether a penalty shall apply to the property. The following penalties are listed in the ordinance for the Council's discretion:

- (1) The town may deny a building permit or refuse to approve a site or subdivision plan for a period of three years following completion of the harvest if all or substantially all of the perimeter buffer trees that should have been protected were removed from the tract of land for which the permit or plan approval is sought.
- (2) The town may deny a permit or refuse to approve a site or subdivision plan for a period of two years if the owner replants the buffer area within 120 days of harvest with plant material that is consistent with buffer areas required under the municipality's ordinances.
- (3) No penalty

Durwood Stephenson, general contractor for the project -- Mr. Stephenson said the removal of the trees was inadvertent as the developer strove to clean up the lot because someone was piling debris on the property. The contractor removed the trees after seeing on the plan the sidewalk and underground utilities that would seem to require the removal of the trees.

He apologized that it happened, but the mistake was an honest one, he said.

In discussion, Council members discussed the possibility of alternative penalties, such as the planting of larger trees than are required.

Council members agreed they would proceed with the special exception use hearing and act on the tree ordinance separately after considering the site plan.

Mr. Ryan said the United Community Bank is proposing a new 4,501 square foot, two-story bank building with two drive-through service lanes. The bank, formerly Four Oaks Bank, would be relocating from the current location in the Mims Town Square building adjacent to Town Hall.

He highlighted the development plan and building elevations.

Chet VanFossen, architect -- Mr. VanFossen addressed the Council and said design of the building is better with windows with an entrance with full length glass but not all around. He said it would create a more village look rather than a shopping center look.

Councilman Berry asked if a drive-through is necessary. Representatives of the bank said yes, and the drive-through is out of the public way.

Councilwoman Kelly asked if there would be a walk-up ATM. Mr. Stephenson said there is not a walk-up ATM planned, but a drive-through.

She asked if contractors were doing something to save some of the historic material from the house that was removed.

Mr. Stephenson said nothing of historic or architectural value was determined to be in the house; however, the bank offered the salvage material for reuse by others. Everyone who was made aware of the material declined, he said.

With that explanation completed, Mayor Sears opened the public hearing. The following sworn testimony and evidence was submitted by those who had been administered the oath by the deputy town clerk: No further.

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

Mr. Ernie Carpico, representing the Planning Board, reported that the planning board had reviewed the petition and recommended approval of the waivers, variances, special exception use and development plan. He did say the planning board did recommend a walk-up ATM to promote the walkability of the downtown.

Councilwoman Kelly asked the applicant if the bank would be amenable about a walk-up ATM. The applicant said the bank believes – and police agree -- that a walk-up ATM was not a safe option for patrons. Ms. Kelly said the village district would be safe, and she felt the walk-up ATM would be more pedestrian-friendly.

Council members noted that the site plan calls for an entrance into the property from Main Street. Councilman O'Brien questioned if that was necessary or if other options had been considered. He said he felt it might create a "cut-through" for people in traffic on Main Street to cut through the bank property to access Raleigh Street or Earp Street.

Council consensus was that it wants to hear further from the applicant on what the bank would be willing to do to mitigate the damage of the removal of trees; whether a walk-up ATM would be possible; and whether the access from Main Street was necessary or could that entrance be reconfigured.

Mr. Stephenson said he felt sure the applicant would retain the Main Street access on the plan, but he would check. He said he felt the walk-up ATM also would be out of the question for bank patron safety concerns, but he would ask bank representatives about that, too.

Action: The Council approved a motion to table action on the waivers, variances, special exception use and development plan for United Community Bank until May 15.

Motion By: Berry

Second By: Lee

Vote: Unanimous.

9. 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 Councilman Berry and a unanimous vote. The following actions were affected:

9a. Minutes – The Council approved minutes of the Board's recent regular and special meetings held April 3, 2018.

9b. Budget Amendment Report– The Council received a report of monthly administrative budget amendments approved by the Town Manager. *A copy of the budget amendment report is attached to these minutes.*

9c. Resolution 18-14 - The Council adopted Resolution 18-14 directing the town clerk to investigate the sufficiency of annexation petition A18-01 and setting a public hearing on the question of annexation for Tuesday, May 1, 2018. *A copy of Resolution 18-14 is attached to these minutes.*

9d. Waste Industries Contract Renewal - The Council approved a 5-year contract extension with Waste Industries for solid waste service to expire June 30, 2023.

9e. Budget Amendment, \$22,000 – The Council adopted a \$22,000 amendment to the FY 2017-18 budget for Parks and Recreation instructors, transfer funds from Community Center leisure programs #10-327.08 to programs instructors #10-425-27-55.01.

9f. Budget Amendment \$80,000 - The Council adopted an \$80,000 amendment to the FY 2017-18 budget to cover the cost of a new camera for stormwater and sewer outfall investigation. *A copy of the budget amendment is attached to these minutes.*

9g. Budget Amendment \$20,000 – The Council adopted a \$20,000 amendment to the FY 2017-18 budget to cover the cost of a Gator for stormwater and sewer outfall investigation. *A copy of the budget amendment is attached to these minutes.*

9h. Budget Amendment \$30,000 – The Council adopted a \$30,000 amendment to the FY 2017-18 budget for fitness equipment on the Carl Dean Greenway to transfer funds from Account #21.95 Parks and Recreation Reserves to 10-425-26 90.01 Capital Outlay Equipment.

9i. Budget Amendment \$37,000 – The Council adopted a \$37,000 amendment to the FY 2017-18 budget to cover the cost of replacing the grinder at Twelve Oaks pump station and changing the Business Park pump station to a five float operation, transferring funds from sewer reserve fund #24.95 to account #30-434-35-41.01.

9j. Budget Amendment \$20,000 – The Council adopted a \$20,000 amendment to the FY 2017-18 budget for the purchase of sample stations for collecting water samples in the distribution system, transferring funds from water reserve fund 23.95 to account #30-441-40-90.01.

9k. Budget Amendment \$20,500 – The Council adopted an amendment to the FY 2017-18 budget in the amount of \$20,500 to cover the cost of replacing the tank mixer at the Avent Ferry water tower, transferring funds to water reserve fund 23.95 to account #30-440-40.41.01.

10a. Town Hall Commons Project – Mr. Levitt said the Town Hall Commons (THC)- infrastructure project originally was bid and received no bids on the first attempt. Since then, Council has awarded 10% of the THC Parking Deck project so that the construction of the 242 Main Building/Parking Deck could proceed and to lock in the prices bid on the Parking Deck project (a performance bond in the amount of \$63,852.59 has been added to the parking deck cost).

Town Staff then advertised the project again and actively advertised the project for bids and received two bids at the second bid opening on March 23, 2018. The bids exceeded the estimated cost but both bids were within 7% of each other. The low bid (Fred Smith Company) was \$4,164,000. The second bid (Hine Site Development) was \$4,457,800.

The high cost, Mr. Levitt said, is due to a combination of market conditions, material price escalation, complexity of the project, and coordination with two adjacent projects and nine dry utility relocation/installation contracts. Value engineering was done and three scope reductions are possible to reduce the cost of the project. The maximum reduction for the three options is \$207,000.

Mr. Levitt said that if council directs staff to take advantage of any of the value engineering options, change orders would be presented at a future meeting with a revised budget.

Budget and Funding:

In order to close the gap between the funding previously estimated and the funding required with the increased construction and utility relocation costs staff proposes to transfer some of the funding from the Mims Stormwater Project to the THC Project. Both the Mims and THC projects were conceived to spark downtown development and as discussed, the transfer of funding was always the back-up plan if costs escalated. The Mims project was bid twice and no bids were received given the current construction climate. Staff plans to revisit the project in the future once funding sources can replenish and the construction market conditions improve. A revised Mims budget will be presented to Council in the future that shows the transfer in funding.

Construction Phase Services:

In order to proceed with awarding the infrastructure construction contract the project would also require a construction administration contract (CLH) and a materials and testing contract (S&ME).

Dry Utility Relocations:

A number of dry utility relocations are needed to construct the THC project including contracts from PSNC (Gas), Century Link (Comm), City of Wilson (TOHS Fiber Optic), Spectrum (Cable). Town staff is still in the process of coordinating relocation plans, soliciting contracts, and confirming relocations for this work. Some contracts are ready for execution and include TOHS Fiber relocation, communications relocation (Avent Ferry), communications relocations (Main Street). The selected contractor for the infrastructure project will be responsible for coordinating

this work. Anticipated relocation contracts to be presented to Town Council in the future include: electric overhead to underground (Avent Ferry), gas relocation and cable relocation

Action: The Council approved a motion to approve a \$7,666,756 project budget for the Town Hall Commons public infrastructure project.

Motion by: Villadsen

Second by: Berry

Vote: Unanimous

A copy of the project budget and budget amendment are attached to these minutes.

Action: The Council approved a motion to award contract to Fred Smith Company and approve funding for the construction of the infrastructure project in the amount of \$4,164,000.

Motion by: Lee

Second by: Villadsen

Vote: Unanimous

Action: The Council approved a motion to approve funding for the remainder of the parking deck project (\$3,454,533.59 - \$340,000 previously awarded for retaining wall) in the amount of \$3,114,533.59 to be deposited into escrow.

Motion by: Berry

Second by: O'Brien

Vote: Unanimous

Action: The Council approved a motion to award a contract to S&ME and approve funding for Materials and Testing services in the amount of \$126,000.

Motion by: O'Brien

Second by: Kelly

Vote: Unanimous

Action: The Council approved a motion to award a contract to CLH Design and approve funding for construction administration services in the amount of \$72,500.

Motion by: Villadsen

Second by: Lee

Vote: Unanimous

Action: The Council approved a motion to award a contract to the City of Wilson (fiber contractor) and approve funding in the amount of \$64,186 for Town of Holly Springs fiber relocation.

Motion by: Kelly

Second by: Berry

Vote: Unanimous

Action: The Council approved a motion to award a contract to Century Link and approve funding in the amount of \$32,463.47 for communications relocation (Avent Ferry Rd).

Motion by: O'Brien

Second by: Lee

Vote: Unanimous

Action: The Council approved a motion to award a contract to Century Link and approve funding in the amount of \$93,073.01 for communications relocation (Main St).

Motion by: Berry

Second by: Villadsen

Vote: Unanimous

10b. Avent Ferry Road / Cass Holt Road Project - Mr. Levitt said that a right turn lane on Avent Ferry Road was to be constructed by Lochridge Subdivision, then the same right turn lane was to be lengthened by Wake County Public School System for Buckhorn Elementary, and then the same turn lane was to be lengthened by Honeycutt Subdivision.

He said in addition over the last 2 to 3 years the background traffic and existing subdivisions have added to the need to have an even longer right turn lane from Avent Ferry on to Cass Holt Rd.

Staff saw an opportunity to have WCPSS construct the full right turn lane and gather funds from proposed developments to make the improvement so that the traveling public only had to be inconvenienced once.

There is a gap in funding for the improvements of existing subdivisions and background growth in which there is not a developer to represent and gather funds. The gap would be covered from the Town's street reserve funds.

Action: The Council approved a motion to award a contract to Wake County Public School System for lengthening the right turn lane from Avent Ferry Road to Cass Holt Road and to adopt a budget amendment in the amount of \$64,500 to transfer funds from street reserves #22.95 to project account #48-616-12.03.

Motion by: Lee

Second by: Berry

Vote: Unanimous

10c. Holly Springs Road Widening Project - Ms. DePina said staff applied for and was awarded the Locally Administered Projects Program (LAPP) funds for construction and right-of-way acquisition to widen Holly Springs Road to a consistent cross section (4-lane median-divided.) The preliminary limits of the project extend from Flint Point Lane to Main Street.

She said staff is in the process of hiring an engineering firm to design the project. The grant award comes with stringent milestones to which we must adhere. Per the grant, construction authorization is required by Sept. 30, 2019. We anticipate it taking about 18 months for design; however, these dates will be more closely examined once an engineering firm is selected.

Survey data must be gathered prior to beginning the design process. To expedite the design process and ensure the milestone date is met staff is initiating the survey activity in the scope of the attached proposal from Bass, Nixon & Kennedy, Inc.

Action: The Council approved a motion to award the contract to Bass, Nixon & Kennedy, Inc., (BNK) for topographic survey and approved funding in the amount of \$35,000 (including contingency), transferring funds from street reserves #22.95 to project account #48-818-90-12.05.

Motion by: Villadsen

Second by: O'Brien

Vote: Unanimous

10d. Northeast Gateway Sign - Mr. Ryan said in February, the Town Council approved a contract with Rodney's Sign Company for the Northeast Gateway Signs at the intersection of Holly Springs Road and Sunset Lake Road. At the request of the Town Council, the final design is being presented for approval.

Over the past several months, staff has met with representatives from Rodney's Sign Company to finalize construction details and make material selections.

Selected Design Items, Primary Gateway Sign:

- Brick columns, approximately 8 feet in height, using a similar brick to the brick used for the Ting Park sign;
- Gate design using the leaf and water portions of the Town logo;
- The sign will be interiorly illuminated;
- "Holly Springs" be lit using halo letters;
- Green background will glow from behind.

Selected Design Items, Secondary Gateway Sign:

- These signs are only being designed for future use in different locations as funding is available or development occurs at their selected locations;
- The secondary sign will be substantially similar in design and materials to the primary gateway sign;
- The sign will be interiorly illuminated when power is available;
- The back of the sign may be either black or blue, depending on the Council's preference.

In addition to finalizing the design, the location of the signs is being modified to account for grade and utility concerns at the west corner of the intersection (C-Store). One primary gateway sign will remain at the southern corner (Dollar Tree) while the other primary gateway sign will be moved to the north corner (CVS). This will allow the signs to be visible from drivers entering the intersection in all directions.

Action: The Council approved a motion to approve final design of the primary and secondary gateway signs for the Northeast Gateway Sign project with blue back and Welcome instead of "Welcome to."

Motion by: Lee

Second by: Villadsen

Vote: Unanimous

10e. Appointment Interim Town Manager - This item was moved from New Business during agenda adjustment to be discussed during agenda item 13. Closed Session.

11. Other Business: None that resulted in Council action.

12. Manager's Report: None that resulted in Council action.

13. Closed Session: The Council approved a motion to enter into closed session, pursuant to N.C.G.S. 143-318.11(a)(6) to discuss the appointment of an interim manager and to conduct evaluations of the town attorney and town clerk and pursuant to N.C.G.S. 143-318.11(a)(4) to discuss matters of economic development.

Motion By: Lee

Second By: O'Brien

Vote: Unanimous

In closed session, the Council gave direction to Town staff regarding some matters of economic development and the location or expansion of a business.

After speaking with the town clerk and town attorney, the Council spoke with Mr. Weeks about the possibility of his assuming an interim town manager position.

No action was taken in closed session, other than a motion to return to open session. The motion to return to open session passed unanimously.

In open session, the Council approved a motion to name Daniel Weeks as interim town manager. The motion passed unanimously.

14. Adjournment: There being no further business for the evening, the April 17, 2018 meeting of the Holly Springs Town Council was adjourned.

Respectfully Submitted on Tuesday, May 15, 2018.

Joni Powell _____

are a part of the official record.

