

Holly Springs Town Council Minutes

Regular Meeting Nov. 20, 2007

The Holly Springs Town Council met in regular session on Tuesday, Nov. 20, 2007, in the Council Chambers of Holly Springs Town Hall, 128 S. Main Street. Mayor Dick Sears presided, calling the meeting to order at 7 p.m. A quorum was established as the mayor and three council members were present as the meeting opened.

Council Members Present: Councilmen Vinnie DeBenedetto, Parrish Womble and Hank Dickson and Mayor Sears.

Council Members Absent: Councilmen Peter Atwell and Chet VanFossen.

Others Present: Planning Board members Glen Myrto, Tim Sack, Deidre Brice, James Cobb, Joe Fanjoy and Joseph Signoretti. A quorum of the Planning Board was established.

Staff Members Present: Carl Dean, town manager; Chuck Simmons, assistant town manager; John Schifano, town attorney; Joni Powell, (recording the minutes); town clerk; Daniel Weeks, project analyst; Drew Holland, finance director; Mark Zawadski, planner I; Alison Huffman, planner I; Beth Trautz, planning technician; Elizabeth Goodson, development review engineer; Len Bradley, parks and recreation director; Mark Andrews, public information officer; and Michelle D'Antoni, publications specialist.

2 and 3. The Pledge of Allegiance was recited, and the meeting opened with an invocation by Rev. Lewis Gentry.

4. Agenda Adjustment: The Nov. 20, 2007 meeting agenda was adopted with changes, if any, as listed below.

Motion By: Dickson

Second By: VanFossen

Vote: Unanimous

Items Added to the Agenda: None.

Items Removed from the Agenda: None.

Consent Agenda Items Moved to New Business: 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:

Rob Goldfinger, 301 Flint Point Lane – Mr. Goldfinger addressed the Council on the issue of phone book deliveries. He said he feels it has gotten out of hand. He said not only is it a nuisance, but it also is an environmental issue. He said the town has an obligation to pursue any local or state legislation to address the problem.

6. Bass Lake Draft House Golf Tournament – Mr. Dean said that in September, the Bass Lake Draft House sponsored a golf tournament to support the Town's parks and recreation programs. The golf tournament raised \$6,620, and these funds will be used to provide equipment, such as cleats, baseball gloves, etc., for children in need. The Town also will use any remaining funds to improve playground equipment within the Town parks system.

Mr. Bradley expressed appreciation to the staff and owners of Bass Lake Draft House for their work and generosity.

At this time, Mr. Andrew Stafford of Bass Lake Draft House presented a check to the Town. He thanked all the tournament sponsors and said the tournament would be an annual event.

Action: None.

7a. Public Hearing: Main Street Square Element H, PUD Amendment 05-PUD-01-A01– Ms. Huffman said the applicant is proposing an amendment to the Main Street Square Planned Unit Development to change the following:

- 1) Currently the number of single family lots allowed in the PUD is 15 lots; the applicant is proposing to add one single family unit making the total 16 single family lots in the Planned Unit Development. The single family lots are designated within Element A of the PUD.
- 2) Adding a Master Sign Plan to the Planned Unit Development to regulate the type and size of signage that will be permitted in the PUD.
- 3) Adding parcel number 0658-16-2629; 0.54 acres to the Planned Unit Development. The parcel is located at the intersection of Main Street and G. B. Alford Highway.

Ms. Huffman explained that the PUD criteria for approval as specified in UDO Section 5, in its determination of the appropriateness of the

proposed PUD and whether to recommend approval or disapproval of the PUD district zoning map change and PUD Master Plan, the Town Council and the Planning Board shall be guided by the extent to which the proposal:

- A. Accomplishes the intent of the Planned Unit Development District set forth in Section 5.01, above; and,
- B. Provides for the protection or provision of the following site features and amenities:
 1. Protection and preservation of natural site features, including, but not limited to, slopes, streams, natural water features, wetlands and areas of special flood hazard;
 2. Protection and preservation of wooded areas, individual trees of significant size, or other environmentally sensitive features;
 3. Development of common open space and recreational areas (passive or active) accessible to the residents or users of the PUD by way of sidewalks, footpaths, walkways or bikeways;
 4. Efficient utilization of the land, including the reduction of land area disturbed for utility lines and motor vehicle access;
 5. Creation of innovative residential and business environments;
 6. Protection and preservation of important view corridors, and scenic vistas;
 7. Diversity and originality in lot layout or site design;
 8. Utilization of individual building designs which achieve an enhanced relationship between the development and the land;
 9. Relationship to surrounding properties;
 10. Conformance with the Comprehensive Plan; and,
 11. Extent to which the development proposed by the PUD can be developed under the general use districts of this UDO, other than the PUD District, as a matter of right.

With that explanation completed, Mayor Sears opened the public hearing to accept input. The following comments were recorded: None. There being no comments, the public hearing was closed.

Action: The Council approved a motion to forward Main Street Square Planned Unit Development amendment #05-PUD-01-A01 to the Holly Springs Planning Board for review and recommendation.

Motion By: Dickson

Second By: VanFossen

Vote: Unanimous

7b. Public Hearing: Ordinance 07-18, UDO Amendment (07-UDO-10), Section 9 – Mr. Zawadski explained since the adoption of the UDO, staff has been reviewing and evaluating its text.

He said during the drafting of the UDO in 2002, the Town Council requested authority to review all plans and most amendments until they became comfortable with the UDO's regulations. The following revisions would change the review authority for certain plan amendments and provide some clarification to UDO Section 9 UDO Requirements and Procedures.

Proposed Amendments to Section 9:

#	Suggested Modification and Staff Recommendations
i.D.5.	Revise minor amendment criteria for staff level approval. (Part 1) Change “Recorder” to “Register” (Part 2)
-A	Add conditional use permit/district and zoning vested rights to the Decision Matrix. (Part 3)

Mr. Zawadski said the most significant amendment to this section is a revision to the criteria that defines minor amendments that can be approved by staff and major amendments that require Town Council action. Currently any type of increase in intensity of land use (e.g. increased number of lots, increased building size, increased project size, reduced open space, etc.) requires Town Council action. The following proposed changes to UDO Section 9.05.,D.,5. would only require Town Council review and action on amendments that include increases in intensity as listed below; amendments less than specified would be able to be authorized by staff:

- a. expansion of building footprint area by more than 25%;
- b. increase in *building height* by more than 10%;
- c. expansion or reduction in the amount of *off-street parking areas* by more than 10% (expansion above 110% of the minimum requires a Town Council approved waiver);
- d. increase in total number of lots/units within the overall *subdivision* by more than 10%;
- e. reduction of open space within the overall project or subdivision by more than 10%;
- f. increase in project acreage by more than 10% or 5 acres whichever is less (except for PUDs);

He said the major benefits of this change include an accelerated approval process for developers, and reduction in the amount of time Staff spends on writing Planning Board and Town Council reports and preparing presentations for the meetings.

He said since 2002, the following plan amendments were approved by Town Council and fall under the proposed criteria for staff level approval of amendments: Bridgewater Subdivision, added 4 lots; Sunset Oaks Phase 10, added 2 lots; Sunset Ridge North Phase 7, reduced open space; and Twelve Oaks Phase 1, added 8 lots.

With that explanation completed, Mayor Sears opened the public hearing to accept input. The following comments were recorded:

Councilman DeBenedetto said he felt that it was the Council's duty to review and consider changes to already-approved plans. He said he didn't feel any change would be insignificant. He expressed concern that delegating minor amendments to the staff level would circumvent the public's knowledge of and involvement in the process

Van Crandall, 4813 Salem Ridge Road – Mr. Crandall said he had some concerns with the proposed amendment. Mr. Crandall said he did not feel that staff should be able to approve such things as an increase in the number of lots, a reduction in open space, and the addition of acreage. One of his concerns would be a developer that used staff-level approvals incrementally over time to make what would result in major changes to the approved plan without Town Council approval.

He added that he felt the consistency statement was not true.

He added that he felt that any council member working for a development company should not vote on the matter.

The public hearing was closed.

To clarify, Mr. Schifano noted that the scenario presented by the speaker in regard to incremental changes that the percentages presented pertained to the original footprint of the approved plan.

Councilman Dickson said he recognized the logic of what the ordinance would accomplish.

Councilman Womble said his concern remains that Council would have no knowledge of staff-level approvals

Mr. Zawadski asked what if staff were to report such approvals, and then the Council would have the opportunity to bring the item before them.

Councilman Womble said he didn't know if that would change his position.

Councilman DeBenedetto reiterated his opposition to the proposed ordinance.

Action #1: The Council entertained a motion to accept the following statement as true: "The requested UDO Text Amendment is consistent with the Holly Springs Ten Year Comprehensive Growth Plan Policies for Land Use. The proposed modifications to the UDO Section 9 UDO Requirements and Procedures create enforceable ordinances to enact Land Use Policies."

The motion, however, died for lack of a second.

Motion By: Dickson

Second By: none

Vote: none. The motion failed to carry.

Action #2: No action was taken, and the ordinance was not adopted, because the Council did not accept the proposed consistency statement as true.

7c. Public Hearing: Ordinance 07-19, UDO Amendment (07-UDO-11), Section 10.07 Remedies or Penalties for Violations – Ms. Trautz explained that earlier this year, staff reviewed with Town Council allowable signage and the process of handling sign violations. As a result of that presentation, staff was tasked with improving the violation/penalty process for violators of the sign ordinance. She said this amendment shortens the length of time a notice of violation is served for temporary signs and reduces the number of times staff must notify a violator prior to issuing a citation for all violations.

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

There being no comments, the public hearing was closed.

Action #1: The Council approved a motion to accept the following statement as true: "The requested UDO Text Amendment is consistent with the Holly Springs Ten Year Comprehensive Growth Plan Policies for Land Use. The proposed modifications to the UDO Section 10.07 Remedies or Penalties for Violation create enforceable ordinances to maintain the appearance of the community."

Motion By: Dickson

Second By: DeBenedetto

Vote: Unanimous.

Action #2: The Council approved a motion to adopt Ordinance 07-19, to approve UDO Amendment #07-UDO-11 to modify the of UDO Section 10.07 Remedies or Penalties for Violation as submitted by the Town of Holly Springs.

Motion By: Dickson

Second By: DeBenedetto

Vote: Unanimous.

A copy of Ordinance 07-19 is incorporated into these minutes as addendum pages.

7d. Public Hearing: Annexation Petition A07-06 – Mr. Zawadski said the Town has received a petition for voluntary annexation of approximately 8.65 +/- acres located at the corner of Bibleway Road and Optimist Farm Road. The petition meets all the statutory requirements for annexation.

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

The public hearing was closed.

Action: The Council approved a motion to adopt Annexation Ordinance A07-06 annexing approximately 8.65 +/- acres owned by Eleanor P. and James D. Ballard, and more particularly described as Wake County PIN: 0669-46-1169, into the corporate limits of the Town of Holly Springs.

Motion By: DeBenedetto

Second By: Womble

Vote: Unanimous

A copy of Annexation Ordinance A07-06 is incorporated into these minutes as addendum pages.

7e. Public Hearing: Zoning Map Change Petition 07-REZ-13 – Mr. Zawadski said the Town had received a request for rezoning of property located at the intersection of Optimist Farm Road and Bibleway Court. This property is pending annexation into the Town Limits. Upon annexation, the property automatically will be rezoned to R-30 in Holly Springs, he said, adding that the applicant is requesting that the entire 8.65-acre property be rezoned from R-30: Residential upon annexation to R-10 CU: Residential. The requested R-10 CU: Residential zoning would be compatible with the land use plan.

Mr. Zawadski said the owner has requested the following conditions be placed on the property:

1. Minimum required square footage of dwelling to be 3,000 square feet.
2. Dwellings to have brick or stone front façade.
3. Vinyl siding will not be permitted.
4. Lots are to be left as wooded as possible, minimal clearing is required.
5. No driveway on Bibleway or Optimist Farm Road.

Mr. Zawadski reported that the Planning Board had reservations about the first four conditions because members felt that those issues should be enforced by the property owners or homeowners association and not the Town.

With that explanation completed, Mayor Sears opened the public hearing to accept input. The following comments were recorded:

Chuck Piratzky, 101 W. Main Street in Garner – Mr. Piratzky said he was available to answer any questions. He confirmed that the developer wished to maintain all conditions on the rezoning.

The public hearing was closed.

Councilman Womble asked if there was any Bible Way neighbors who wanted to address the council.

Mayor Sears reopened the public hearing.

Patricia Jones – Ms. Jones owns property across the street and asked how the rezoning would impact her property. Staff and the Town Attorney explained that the rezoning itself would have no impact; however, the Town Attorney noted that development of the property might.

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

Action #1: The Council approved a motion to agree that the following statement is true: “The requested zone map change from R-30 to R-10 CU is consistent with the Holly Springs Ten Year Comprehensive Growth Plan since the Future Land Use Plan Map indicates this property as Residential (maximum density of 15 units/acre) and the R-10 Residential District sets the maximum allowed density at 3.25 units/acre.”

Motion By: Dickson

Second By: DeBenedetto

Vote: Unanimous

Action #2: The Council approved a motion to approve Zoning Map Change Petition 07-REZ-13 to change the zoning of 8.65 acres of Wake County PIN # 0669-46-1169 from R-30: Residential to R-10 CU: Residential as submitted by Chuck Piratzky with the following developer commitments:

1. Minimum required square footage of dwelling to be 3,000 square feet.
2. Dwellings to have brick or stone front façade.
3. Vinyl siding will not be permitted.
4. Lots are to be left as wooded as possible, minimal clearing is required.
5. No driveway on Bibleway or Optimist Farm Road.

Motion By: Dickson

Second By: DeBenedetto

Vote: Unanimous

7f. Public Hearing: Special Use Exception Application 07-SEU-09 – Ms. Huffman said the applicant is Nilufar Yeasmin who is requesting a Special Exception Use to allow a Family Childcare Home at 100 Orvis Drive, a corner lot in the Windcrest subdivision.

She said only 20% of the total square footage of the home is permitted for the operation of a home-based business. The total square footage of the structure is 2,548 square feet, and the applicant is able to use up to 509 square feet for the business.

She said the applicant is proposing to use 294 square feet, which is located in the living room, for the Family Childcare Home. Ms. Yeasmin would be in compliance with the UDO and has answered all of the Special Exception Use Findings of Fact.

Ms. Huffman reported that the Planning Board voted to deny the Special Exception Use because the floor plan was not available. After the Planning Board meeting, the floor plan was presented. She added that staff verified that the floor plan provided is in keeping with the application and would meet applicable requirements.

With that explanation completed, Mayor Sears opened the public hearing to accept sworn testimony and qualified evidence. Under oath

administered by the Town Clerk, the following provided testimony to be recorded: None.

There being no testimony, the public hearing was closed.

Action #1: The Council approved a motion to make and accept the following findings of fact to be recorded in the minutes for Special Exception Use Petition 07-SEU-09 for 100 Orvis Drive to allow for a Family Childcare Home as submitted by Nilufar Yeasmin Project Number 07-SEU-09, dated 09/28/2007. A special exception use may 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: DeBenedetto

Vote: Unanimous.

Action #2: Having made the findings of fact that the project meets the requirements to be granted a Special Exception Use, the Council approved a motion to approve Special Exception Use Petition #07-SEU-09 for 100 Orvis Drive to allow for Family Childcare Home as submitted by Nilufar Yeasmin, dated 09/28/2007 with the following condition:

- 1) All State and Local permits are to be obtained.

Motion By: Dickson

Second By: DeBenedetto

Vote: Unanimous.

A copy of Special Exception Use application 07-SEU-02 entered into the record by the applicant and addressing the findings of facts is incorporated into these minutes as addendum pages.

7g. Public Hearing: Main Street Square Element H Development Plan 07-DP-19 – Ms. Huffman said Element H is one of the last Elements in the Main Street Square Planned Unit Development. It is located within the Neighborhood Central District and would house a total of 48 apartments.

She said the review of this project differs from that of other apartment buildings reviewed within the PUD due to the building's housing an underground parking garage.

She explained just like all of the rest of the projects, Element H would utilize the shared parking ratio as specified in the PUD. The architectural treatment of the building is in keeping with the same architecture for the other apartment buildings located within the PUD.

With that explanation completed, Mayor Sears opened the public hearing to accept input. The following comments were recorded: None. The public hearing was closed.

Action: The Council approved a motion to approve Development Plan #07-DP-19 for Main Street Square Element H as submitted by Marty Bizzell, project number 05904000, dated revised 10/08/2007.

Motion By: Womble

Second By: DeBenedetto

Vote: Unanimous

At this time Mayor Sears explained that he is entered into a contract with Twelve Oaks Inc. and he was passing the gavel to Mayor Pro Tem Dickson and would not preside over the meeting for this agenda item. For purposes of maintaining a quorum of 4 Council members, however, Mayor Sears, at the recommendation of the Town Attorney and Town Clerk said he would not recuse himself.

Councilman DeBenedetto said he disagreed and that Mayor Sears should recuse himself in this matter as he has in all past matters tied to Twelve Oaks. He suggested and maintained throughout discussion that the public hearing should be tabled.

To handle the logistics in a cleaner, more cost-efficient way, staff suggested that the Council – if its desire was to postpone action until a more full board was in attendance – should open the public hearing and continue it.

7h. Public Hearing: Twelve Oaks, Phase 5 Development Plan 07-DP-21 – Mr. Zawadski said the Town has received a request for a Development Plan for townhouses within the 12 Oaks PUD. The proposed development plan includes 51 two-story townhouse units that would be accessed by a new street that would connect with the existing Green Oaks Parkway.

He said the townhouses are proposed to have one-car garages and at least two-car driveways. A total of 114 parking spaces are proposed throughout the site as well as a sidewalk on one side of the street. No open space is proposed with this phase of the 12 Oaks development.

Mr. Zawadski said the front elevations of the townhouses are proposed to be constructed entirely of brick. Other architectural elements include shutters, façade modulation, roofline variation, multiple dormers, multiple brick patterns, window mullions and window keystones. The side and rear elevations are proposed to be constructed with a combination of horizontal cement siding and shakes. Other architectural elements include roofline variation, façade modulation, decorative window molding, and shutters.

With that explanation completed, Councilman DeBenedetto entertained a motion that the issue be tabled until Dec. 4. Mayor Pro Tem Dickson seconded the motion.

At this time, Director of Planning & Zoning Gina Clapp addressed the Council, pointing out that the issue could not be tabled until Dec. 4 unless the public hearing was opened and continued. The other option, she said, would be to reschedule the public hearing, which would have to be held in January since advertising requirements and holiday schedules would not allow an earlier date.

Mayor Pro-tem Dickson withdrew his second to the motion, and the Council agreed that opening the public hearing and continuing it would be a better option.

Mayor Pro-tem Dickson opened the public hearing to accept input. The following comments were recorded:

Randy Smith – Mr. Smith, representing the applicant, asked if the mayor would be voting on the question.

Mr. Smith said he felt the development plan is in keeping with the UDO and said he felt the mayor should not have to recuse himself since he does not vote. He urged the Council to move forward and not table the question.

Tom McKay – Mr. McKay, the developer, addressed the Council and explained that the company is prepared to move forward with this section of Twelve Oaks, but the time of the year is precarious for them. He asked that there not be a delay because that small delay may translate in to many weeks of delay, depending on the weather.

There being no further comments, the public hearing was continued until Dec. 4.

Action: The Council approved a motion to table action on development plan #07-DP-21 for 12 Oaks Phase 5 as submitted by Spaulding and Norris, project number 410-02, dated revised 10/5/07 and to continue the public hearing on the plan until Dec. 4.

Motion By: DeBenedetto

Second By: Womble

Vote: Unanimous

At this time, Tom Spaulding asked to address the Council.

Tom Spaulding, 972 Trinity Road, Raleigh – Mr. Spaulding, of Spaulding & Norris, addressed the Council and asked if the company could move ahead to submit construction drawings and assume the risk of the development plan's not being approved as presented.

No answer was given.

At this time, Mayor Pro Tem Dickson returned the gavel to Mayor Sears to preside over the remaining agenda items.

8. Consent Agenda: The Council approved a motion to approve all items on the Consent Agenda. The motion carried following a motion by Councilman Dickson, a second by Councilman Womble and a unanimous vote. The following actions were affected:

8a. Minutes - The Council approved minutes of the Council's regular meeting held October 2, 2007.

8b. Budget Amendment Report – The Council received a report of monthly amendments to the FY 2007-08 budget approved by the Town Manager. *A copy of the budget amendment report is incorporated into these minutes as addendum pages.*

8c. Budget Amendments, \$15,000 – The Council adopted amendments to the FY 2007-08 budget in the amount of \$15,000 to accept donations for the Town's Parks and Recreation, Police and Fire/Rescue Departments. *A copy of the budget amendments is incorporated into these minutes as addendum pages.*

At this time, Councilman DeBenedetto expressed his appreciation to Councilman Atwell for his contributions and thanked him for his service.

9a. Holly Grove Middle School Athletic Facility Joint Use Agreement – Mr. Bradley said that for some time staff has discussed the possibility of entering into a level IV Joint Use Agreement with Wake County Schools by participating in the development of the new middle school on Avent Ferry Road. Following meetings with the staff at the Holly Springs High School, it is apparent that the Town should not depend on use of the high school football stadium for its youth football program in the future and that alternatives should be explored, he said.

He add that although Middle Creek High School has been extremely hospitable, everyone agrees that the Town's football teams need a home in Holly Springs.

The use of the middle school is a possibility; however, to make this happen the Town will need to move quickly due to the stage of planning in the school development.

He said at this time, staff seeks approval in concept of moving forward with a Joint Use Agreement by agreeing to provide funding for the additional planning on this campus while we consider the future costs of lighting the football field and track, lighting and irrigating the softball field and building a restroom/concession building.

Mr. Bradley said there would be additional expenses of providing seating at these facilities and the maintenance of the facilities for the next 25 years. The estimated costs for this project are as follows: football field lighting, \$80,000; football field seating, \$50,000; softball field lighting, \$50,000; softball field irrigation, \$15,000; softball field seating, \$15,000; and restroom/concession areas, \$90,000 for a total of \$305,000.

He said the Town currently has approximately \$80,000 remaining in the budget for the high school improvements projects, and Wake County is showing interest in participating in the project by providing the \$50,000-plus it also has remaining.

The remaining appropriation for the project would be about \$175,000 should the Town agree to join in this effort.

Mr. Bradley said staff is requesting that Council support this concept to allow the Town to move forward in the participation of plans. To this point a letter has been sent to Associate Superintendent Mike Burris explaining the Town's standing at this time.

Action: The Council approved a motion to approve in concept a joint use agreement with Wake County Public Schools System and participation in planning and construction of athletic facilities at the middle school on Avent Ferry Road.

Motion By: Dickson

Second By: Womble

Vote: Unanimous.

9b. Jones Park Parking Lot Bids – Mr. Bradley said the bids for the parking lot at Jones Park have been received as follows: Booker Construction \$157,980; Gelder and Associates \$164,896; and Asphalt Experts \$166,239.75.

He said the original plan was for the parking lot to be on the campus of Holly Springs Elementary School. After much staff discussion it was decided that the parking lot would be better on Town property, and the plan was amended to reflect this change.

He said the change in the parking lot location increased the cost of construction due to the lengthened entrance and created a shortage in the budgeted funds for the project. The additional funding needed is \$80,000, which is available in the Parks and Recreation Reserves account.

It is recommended that the Booker Construction bid be accepted and awarded and that \$80,000 be appropriated from the Parks and Recreation Reserve Fund, Mr. Bradley said.

Action: The Council approved a motion to award the contract for Jones Park parking lot construction to low bidder Booker Construction at a cost of \$157,980 and to adopt amendments to the FY 2007-08 budget in the amount of \$80,000 to finish out the project.

Motion By: Womble

Second By: Dickson

Vote: Unanimous.

A copy of the budget amendment is incorporated into these minutes as an addendum page.

11. Other Business: Councilman Dickson reported that the Yellow Jackets Mighty Mites fared well in the East Wake Super Bowl. He added that the cheerleaders won awards, too.

Councilman DeBenedetto and Councilman Dickson commended staff for clean-up efforts.

12. Manager's Report: Mr. Dean reported to the Council on upcoming dates of interest. He also commended employees on the roadside clean-up project. He reported that the Town had received a check for \$259,000 as a credit on the cultural center project.

13. Closed Session: None.

14. Adjournment: There being no further business for the evening, the Nov. 20, 2007 meeting of the Holly Springs Town Council was adjourned following a motion by Councilman Womble, a second by Councilman DeBenedetto and a unanimous vote.

Respectfully Submitted on Tuesday, Feb. 5, 2008.

Joni Powell, CMC, Town Clerk

Addendum pages as referenced in these minutes follow and are a part of the official record.