

# Holly Springs Town Council Minutes

## Regular Meeting Feb. 19, 2008

The Holly Springs Town Council met in regular session on Tuesday, Feb. 19, 2008, 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 four council members were present as the meeting opened.

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

**Council Members Absent:** Councilman Chet VanFosson

**Staff Members Present:** Carl Dean, town manager; Chuck Simmons, assistant town manager; John Schifano, town attorney; Joni Powell, (recording the minutes); town clerk; Drew Holland, finance director; Mark Zawadski, planner I; Gina Clapp, director of planning and zoning; Jeff Jones, planner II; Elizabeth Goodson, development review engineer; Kendra Stephenson, senior engineer; Stephanie Sudano, director of engineering; Len Bradley, parks and recreation director; Robin Pfister, farmers market coordinator; Lt. Anthony Revels; Police Chief John Herring; Jenny Mizelle, director of economic development; Adam Wunsch, IT technician; and Mark Andrews, public information officer.

**2 and 3.** The Pledge of Allegiance was recited, and the meeting opened with an invocation by Rev. Otis Byrd, pastor of Holly Springs First Baptist Church.

**4. Agenda Adjustment:** The Feb. 19, 2008 meeting agenda was adopted with changes, if any, as listed below.

**Motion By:** Sack

**Second By:** DeBenedetto

**Vote:** Unanimous

**Items Added to the Agenda:** Presentation of a flag that flew in combat over Afghanistan in Operation Enduring Freedom to the Town of Holly Springs by CW4 Tom Wilson of Holly Springs.

**Items Removed from the Agenda:** None.

**Consent Agenda Items Moved to New Business:** Item 9h., a resolution regarding I-540 construction and its funding.

**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: None.

**6. Black History Month Proclamation** – Mayor Sears presented a proclamation designating February as Black History Month.

Presenting the proclamation to Councilman Womble, Mayor Sears noted that Councilman Womble is a prominent figure in the recent history of Holly Springs. There were others before him during many decades when Holly Springs was a town where a predominantly black community served to keep the town alive after wars and the economy devastated the community.

In homage to those who stayed in Holly Springs and helped prevent its disappearance from the map so that all can enjoy the prosperous town that it is today, Mayor Sears proclaimed February as Black History Month in Holly Springs.

Councilman Womble accepted the proclamation and said he was honored to do so. He added that he hoped that residents of today would remember that Holly Springs was once a predominantly minority community that kept the town alive for decades.

**Action:** None.

**6b. American Flag** – CW4 of the U.S. Army Tom Wilson presented to Mayor Sears on behalf of the Town of Holly Springs an American flag that flew in combat over Afghanistan in a Black Hawk helicopter during missions in Operation Enduring Freedom and during diplomatic flights. CW4 Wilson is a resident of Holly Springs with his family, and he presented the flag on behalf of himself, his family, fellow soldiers and the United States Army.

Mayor Sears accepted the flag, nicely framed in a shadow box also holding a photograph of the Black Hawk helicopter, an American flag patch and other details. He said he was honored and he thanked CW4 Wilson for the gift and for his service and for the service of all military personnel.

The Council expressed its appreciation, too, leading a standing ovation for CW4 Wilson.

**7a. Wake County Tax Assessor** - Mayor Sears introduced Emmett Curl, Wake County Tax Assessor, who addressed the Council with a Power Point presentation outlining the processes that Wake County followed in conducting its recent revaluation of property.

**Action:** None.

**7b. 2008 Farmers Market Update** – Ms. Robin Pfister, the town's farmers market coordinator, gave an update of the upcoming Holly Springs Farmers Market plans. She presented information on the background of the market, information from last season's market and improvements that are planned for this year.

She presented information on programs that will be held in cooperation with other Town entities, the market's new sponsorship program and some long-term goals.

Ms. Pfister said the market will be held each Saturday from May through October in the Town Hall parking lot.

**Action:** None.

**8a. Public Hearing: Holly Grove Middle School, 07-SEU-11** – Mr. Zawadski said the Town has received a request for a Special Exception Use to locate a middle school near the intersection of Avent Ferry Road and Cass Holt Road.

Mr. Zawadski said that this project is being tabled to March 4 because the transportation impact analysis still is being reviewed.

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 continued.

**Action:** The Council approved a motion to continue the public hearing to resume at 7 p.m. Tuesday, March 4, 2008 at Holly Springs Town Hall.

**Motion By:** Sack

**Second By:** Womble

Councilman DeBenedetto asked Mr. Zawadski to consider the Planning Board's concerns about emergency evacuation of students (in the case of an emergency at Shearon Harris Nuclear Plant.)

**Vote:** Unanimous.

**8b. Public Hearing: Rezoning Map Petition, 07-REZ-17** – Mr. Jones said the Town has received a petition proposing to rezone approximately 118.24 acres located along Little Moccasin Lane at Ralph Stephens Road from R-30 Residential to CB: Community Business.

He said the subject property is located within the Southern Gateway Area Plan and is designated as a Regional Center. The "regional center" areas are located along major transportation routes throughout the Town to ensure the best access with minimal impacts to the Town's residential neighborhoods. Particularly, the Southern Gateway Area is designated as such because this area already has regional type development occurring.

Mr. Jones explained requirements and purposes of the CB: Community Business district.

He reported that the Planning Board recommends approval of the rezoning petition. Discussion at the Planning Board meeting included a concern about how potential traffic flow would be managed.

Councilman Dickson noted that traffic flow and access points would be determined during the site plan process, and Mr. Jones agreed.

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

Hugh J. Gilleece – Mr. Gilleece, on behalf of the developer and the property owner, spoke in favor of the rezoning and said he was available if the Council had any questions.

The Council had no questions.

The public hearing was closed.

**Action #1:** The Council approved a motion to accept the following statement as true: "The requested zone map change from R-30 to CB is consistent with Vision Holly Springs the Comprehensive Plan since the Future Land Use Plan Map indicates this property as a Regional Center."

**Motion By:** Dickson

**Second By:** DeBenedetto

**Vote:** Unanimous

**Action #2:** The Council approved a motion to adopt rezoning ordinance R08-02 to approve Zone Map Change Petition #07-REZ-17 to change the zoning of 118.24 acres of Wake County PIN(s) # 0658-13-3419, 0658-03-4571, and 0658-04-9799 from R-30: Residential to CB: Community Business as submitted by Jay Gilleece of Hugh J. Gilleece, III and Associates, P.A..

**Motion By:** DeBenedetto

**Second By:** Womble

**Vote:** Unanimous

*A copy of Rezoning Ordinance R8-02 is incorporated into these minutes as addendum pages.*

**9. 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 Sack and a unanimous vote. The following actions were affected:

9a. Minutes - The Council approved minutes of the Council's regular meeting held Dec. 4, 2007.

9b. 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.*

9c. Set Winter Retreat Dates – The Council set a special meeting to convene at 4 p.m. Friday, Feb. 22, 2008 and adjourn Sunday morning, Feb. 24, 2008 at Pine Needles Lodge in Southern Pines for the purpose of a retreat workshop on growth, development, infrastructure, water supply and policy matters.

9d. FY 2008-09 Budget Public Hearing Date – The Council set a public hearing for 7 p.m. Tuesday, March 18, 2008 to receive input before the town manager begins preparing the Town's FY 2008-09 budget proposal.

9e. Resolution 08-03 – The Council readopted Resolution 08-03 entering into an interlocal agreement with NCDOT for a traffic signal at the intersection of Optimist Farm Road and Sunset Lake Road and adopted the related budget amendment. *A copy of Resolution 08-03 and budget amendment are incorporated into these minutes as addendum pages.*

9f. Sunset Lake Road Utility Relocation Agreement The Council approved to enter into a relocation agreement with Progress Energy for the Sunset Lake Road / Optimist Road traffic signal project and adopted the related budget amendment. *A copy of the Utility Agreement and budget amendment are incorporated into these minutes as addendum pages.*

9g. Holly Springs Business Park Pump Station Utility Relocation Agreement – The Council approved to enter into service agreement with Progress Energy for the Holly Springs Business Park pump station project. *A copy of the Utility Relocation Agreement is incorporated into these minutes as addendum pages.*

9h. Resolution 08-04 – This item was removed during agenda adjustment.

9i. Resolution 08-05 – The Council adopted Resolution 08-05 endorsing in concept the potential exchange of real property with another land owner. *A copy of Resolution 08-05 is incorporated into these minutes as an addendum page.*

9j. Resolution 08-06 – The Council adopted Resolution 08-06 accepting dedication of land at Cross Pointe from Stafford Land Company. *A copy of Resolution 08-06 is incorporated into these minutes as an addendum page.*

9k. Budget Amendment, \$105,200 – The Council adopted amendments to the FY 2007-08 budget in the amount of \$105,200 to cover cost of renovations to W. E. Hunt Center restrooms. *A copy of the budget amendments are incorporated into these minutes as addendum pages.*

9l. Carroll Property - The Council authorized the town manager to execute a Special Warranty Deed for the remainder portion of Carroll property on Avent Ferry Road. *A copy of the drafted special warranty deed is incorporated into these minutes as addendum pages.*

**9h. Resolution 08-04** – Mayor Sears asked Ms. Stephenson to provide additional information about the I-540 project.

Ms. Stephenson reported:

The roadway now is being called “Triangle Expressway” and would run from Hwy. 55 in Holly Springs, onto I-540 and into Research Triangle Park; It is scheduled to go to bid this summer;

Scheduled completion is 2011;

The roadway is 19 miles from Hwy. 55 to RTP, and a toll is proposed at 12 cents a mile;

The roadway is estimated to save 40 minutes a day in a commute;

Southern Expressway, the portion of the loop that crosses over to Kildaire Farm Road, is unplanned and unfunded at this time.

Reed Simmons, director of public affairs for the Turnpike Authority, -- Mr. Simmons addressed the Council, and reported that gap funding in the amount of \$20 million is being requested from the state.

There will be no toll booths on this roadway. Instead, the road will be designed with open-road, overhead technology that will bill motorists.

At the end of the 40-year bond, the enabling legislation requires that the tolls be removed... the same legislation also mandates that tolls collected would remain in this area.

Councilman Womble asked if there was any guarantee that the tolls would be eliminated after the bonds were paid because of maintenance costs.

After the bonds are paid, Mr. Simmons said, the Turnpike Authority will turn the I-50 right of way and maintenance over to NCDOT.

Councilman DeBenedetto said he maintains that this portion of the roadway should not be funded by tolls and that state leaders should be held accountable.

Councilman Womble said he would support the resolution with a text amendment to stop the resolution with the second paragraph with “imposed upon motorists.”

Councilman Sack said he realizes that the consensus among the populace is that there be no tolls, but that they also want the road. He pointed out that the roadway is not in the state budget until 2032, and he says he cannot do that to citizens who deserve an access to the north, even if it means access to RTP.

Councilman DeBenedetto maintained his position

Councilman Dickson said he also felt the funds should be identified with the use of tolls.

**Action:** The Council approved a motion to adopt an amended version Resolution 08-04 opposing the use of tolls on The Triangle Expressway.

**Motion By:** Womble

**Second By:** DeBenedetto

**Vote:** The motion carried following a 3-1 vote. Councilmen DeBenedetto, Womble and Dickson voted for the motion. Councilman Sack voted against.

Councilman Womble said he has heard that there is state funding that could be used.

The Council discussed emphasizing language in the draft resolution so that it is exceptionally clear that the Town of Holly Springs supports the completion of I-540. The Council also directed adopted Resolution 08-04 noting the town’s opposition to the use of tolls for the construction of I-540. *A copy of Resolution 08-04 is incorporated into these minutes as an addendum page.*

**10. Other Business:** Councilmen commented on the good job staff did on creating the popular rain barrel program.

Councilman Womble asked the town attorney about his role. Mr. Schifano serves a dual role as staff attorney and also is appointed by the Town Board to represent the Town Council.

Councilman Sack said he felt the Town should increase efforts of recycling. He pointed out that Wake Forest went to bigger bins, and it doubled their recycling results.

**11. Manager’s Report:** Mr. Dean reported that the Town has turned the spigots off from the City of Raleigh as of today. He said the move would save roughly \$300,000 a year. He assured the Council that the Town has a sufficient water supply from Harnett County, and he added that the Town’s reduction of Raleigh water use helps Raleigh as well as Holly Springs.

Councilman Sack asked about water in the line. Mr. Dean advised that Raleigh will flush from its side, and the Town of Holly Springs will flush from our side.

**12. Closed Session:** None.

**13. Adjournment:** There being no further business for the evening, the Feb. 19, 2008 meeting of the Holly Springs Town Council was adjourned following a motion by Councilman DeBenedetto, a second by Councilman Womble and a unanimous vote.

Respectfully Submitted on Tuesday, April 1, 2008.

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Joni Powell, CMC, Town Clerk

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