



Holly Springs Town Council
Regular Meeting

Feb. 18, 2014

MINUTES

The Holly Springs Town Council met in regular session on Tuesday, February 18, 2014 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 and Councilmen James Cobb, Hank Dickson and Tim Sack and Councilwomen Linda Hunt-Williams and Cheri Lee

Council Members Absent: None.

Staff Members Present: Chuck Simmons, town manager; John Schifano, town attorney; Joni Powell, town clerk, (recording the minutes); Linda Harper, deputy town clerk; Jeff Wilson, information technology director; Len Bradley, parks and recreation director; Adam Huffman, assistant parks and recreation director; Stephanie Sudano, engineering director; Mary Hogan, finance director; Gina Clapp, planning and zoning director; Sean Ryan, planner I; Laura Holloman, planner I; Daniel Weeks, senior project manager; 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 Rev. Brent Rector of Woodhaven Baptist Church.

4. Agenda Adjustment: The Feb. 18, 2014 meeting agenda was adopted with changes, if any, as listed below.

Motion by: Sack

Second by: Cobb

Vote: Unanimous

Items added to Consent Agenda: None.

Items added to Agenda: None.

Items removed from Consent Agenda: None.

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:

Damien Barber, 304 Bountywood Drive – Mr. Barbour addressed the Council to express appreciation to the Council for the opportunity to work for the Town with a landscape maintenance contract since 2007.

David Griffith, 1515 Oakridge-Duncan Road – Mr. Griffith addressed the Council to update the Council on his War on Terror Memorial project. He said he was able to order \$38,000 worth of marble. Currently, the project is 66% funded, and he is hopeful the project will be fully funded and completed in time for a June dedication.

6a. Public Hearing: Annexation Petition A14-01 – Ms. Holloman said the town has received a petition for voluntary annexation of approximately 2.06 +/- acres located at 4129 Bibleway Ct. The property owner is Derek Baker, and the property is contiguous with city limits.

She said the petition meets all the statutory requirements for annexation.

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

There being no comments, the public hearing was closed.

Action: The Council approved a motion to adopt Annexation Ordinance A14-01 annexing 2.06 +/- acres owned by Derek Baker, and more particularly described as Wake County PIN: 0669-35-8767, into the corporate limits of the Town of Holly Springs.

Motion By: Dickson

Second By: Sack

Vote: Unanimous.

A copy of Annexation Ordinance 14-01 is attached to these minutes.

6b. Public Hearing: Annexation Petition A14-02 – Ms. Holloman said the town has received a petition for voluntary annexation of approximately 2.12 +/- acres located at 4133 Bibleway Ct. The property owners are Mike and Patricia Johnson, and the property is contiguous with city limits.

She said the petition meets all the statutory requirements for annexation.

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

There being no comments, the public hearing was closed.

Action: The Council approved a motion to adopt Annexation Ordinance A14-02 annexing 2.12 +/- acres owned by Mike and Patricia Johnson, and more particularly described as Wake County PIN: 0669-35-8693, into the corporate limits of the Town of Holly Springs.

Motion By: Cobb

Second By: Sack

Vote: Unanimous.

A copy of Annexation Ordinance 14-02 is attached to these minutes.

6c. Public Hearing: Rezoning Petition 14-REZ-02 - Mr. Ryan said the Town has received a request to rezone two parcels of land totaling approximately 0.52 acres from R-15: Residential to R-8: Residential. The properties are situated along W. Holly Springs Road, southwest of the intersection with Blalock Street. The subject properties have been zoned R-15 for many years and predate the adoption of the current Unified Development Ordinance in 2002. These properties remained zoned as R-15 after the UDO was adopted even though many of the existing lot sizes did not conform to the R-15 minimum lot standards.

He said the properties are located within the Village District, and the R-8: Residential request is consistent with the Village District Area Plan.

He said the Planning Board recommended approval.

With that explanation completed, Mayor Sears opened the public hearing. 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 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: Williams

Second By: Cobb

Vote: Unanimous.

Action #2: The Council approved a motion to adopt Ordinance 14-REZ-02 to approve Zone Map Change Petition #14-REZ-02 to change the zoning of 0.52 acres of Wake County PIN #'s 0649831215 & 0649831108 from R-15: Residential to R-8: Residential as submitted by Benton

Dewar & Associates.

Motion By: Williams

Second By: Cobb

Vote: Unanimous.

A copy of Rezoning Ordinance 14-REZ-02 is attached to these minutes.

6d. Public Hearing: Rezoning Petition 14-REZ-03 – Ms. Holloman said the Town has received a request for a zone map change for properties located along Bibleway, directly adjacent to the Wescott subdivision. The applicant is requesting to rezone the property from R-30: Residential to R-10: Residential. The parcels are vacant and total approximately 4.11 acres.

She said the Planning Board recommends approval.

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

Danita and Donald McNeill, 4121 Bibleway Ct. – The McNeils said they had issues with speeders on Bibleway Ct. They feel the zoning change to a higher density will result in more cars, more traffic and more speeders. They said they aren't against growth and progress, but they wanted to express their opinions that changing the density would have a negative impact.

Thomas Alexander, 4124 Bibleway Ct. – Mr. Alexander said he feels the rezoning would result in a more crowded neighborhood.

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

Action #1: The Council approved a motion to accept the following statements as being true: *"The requested zone map change from R-30 to R-10 is consistent with the Vision Holly Springs Comprehensive Plan since the Future Land Use Plan Map indicates this property as Residential and not located within a high density growth node. The R-10 Residential District will allow this designation to be carried out by being an appropriate density for this area."*

Motion By: Dickson

Second By: Sack

Vote: Unanimous.

Action #2: The Council approved a motion to adopt Ordinance 14-REZ-03 to approve Zone Map Change Petition #14-REZ-03 to change the zoning of 4.11 acres of Wake County PINs # 0669358767 and 0669358693 from R-30: Residential to R-10: Residential as submitted by Baker & Company.

Motion By: Cobb

Second By: Sack

Vote: Unanimous.

A copy of Rezoning Ordinance 14-REZ-03 is attached to these minutes.

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 the minutes of a regular Council meeting held Feb. 4, 2014.

7b. Budget Amendment Report – The Council received a monthly report of amendments to the FY 2013-14 budget approved by the town manager. *A copy of the budget amendment report is attached to these minutes.*

7c. Resolution 14-04 – The Council adopted Resolution 14-04 accepting a simple charitable donation of real property and giving notice of acceptance for conservation purposes. *A copy of Resolution 14-04 is attached to these minutes.*

7d. Budget Amendment, \$524,250 – The Council adopted an amendment to the FY 2013-14 budget in the amount of \$524,250 to transfer funds from the street reserves account to cover remaining sidewalk construction. *A copy of the budget amendment is attached to these minutes.*

7e. Resolution 14-05 – The Council adopted Resolution 14-05 approving the 2012 Local Water Supply Plan. *A copy of Resolution 14-05 is attached to these minutes.*

7f. Jordan Lake Allocation Application Process Contract - The Council approved entering a contract with CDM Smith in the amount of \$40,000 for professional services for the Jordan Lake allocation application process and adopted a budget amendment to cover the cost of the contract. *A copy of the budget amendment is attached to these minutes.*

7g. Ordinance 14-01.1 – The Council adopted Ordinance 14-01.1 adding four lots to the extraterritorial jurisdiction acceptance and zoning ordinance. *A copy of Ordinance 14-01.1 is attached to these minutes.*

7h. Budget Amendment, \$285 – The Council adopted an amendment to the FY 2013-14 budget in the amount of \$285 for reimbursement of funds from point of sale revenue to point of sale expense. *A copy of the budget amendment is attached to these minutes.*

7i. Landscaping Services Contract – The Council approved to enter into a contract with Greenscape Inc. in the amount of \$89,982 to provide landscaping services for town properties.

8a. Utley Creek Wastewater Facility Environmental Assessment – Ms. Sudano said the Town's Wastewater Reclamation Facility is built to treat six million gallons per day (mgd) of sanitary sewer. The WRF permit allows a discharge of 2.4 mgd into Utley Creek, expandable to 6.0 mgd once an outfall is constructed to move the discharge further down the creek. The outfall will cost in the neighborhood of \$13.5 million.

She said staff believes that there is an opportunity to eliminate the permit requirement to relocate the discharge further downstream, by providing certain information via an environmental assessment process. She presented a proposal for that work – to be undertaken in two phases.

Action: The Council approved a motion to enter into a contract with CH2M Hill in the amount of \$122,700 for environmental assessment amendment for the Utley Creek Wastewater facility and to adopt a budget amendment to cover the agreement.

Motion by: Cobb

Second by: Sack

Vote: Unanimous.

A copy of the budget amendment is attached to these minutes.

8b. Board of Adjustment Appointments – Ms. Clapp said that last week, staff received notification from two Board of Adjustment members that they were resigning their positions on the board.

Long-time Board of Adjustment Extraterritorial Jurisdiction (ETJ) Member Steve Murray resigned from his position, effective immediately. Steve has served on the BOA since 2004 and has been the chairman for many years and will be missed, she said. His term ends this coming December.

Troy Menges, an in-town member, also resigned. His term ends next December 2015.

She said the Town Council is being asked to fill the remainder of these terms.

Position #1:

ETJ Member: Term Ending December 31, 2014

This position requires appointment by the Wake County Board of Commissioners. The Holly Springs Town Council may recommend names of interested individuals to the WCBOC for official appointment.

The Town Council has two options:

1. Move ETJ alternate Glen Walker to fill the remainder of the regular member position term and appoint a new ETJ alternate with a term ending December 31, 2016.
2. Appoint a new member to fill the remainder of the ETJ member position and keep Glen Walker as an alternate.

Position #2:

Regular In-Town Member: Term Ending December 31, 2015

The Town Council has two options, Ms. Clapp said:

1. Move a current in-Town alternate (Burton Bailey or Bill Daniels) to fill the remainder of the regular member position term and appoint a new ETJ alternate to fill the remainder of the vacated alternate position.
2. Appoint a new member to fill the remainder of the in-Town member position and keep the alternate members as they currently are established.

Position #1: ETJ Member:

Action: The Council approved a motion to recommend that the Wake County Board of Commissioners appoint Glen Walker to fill the remainder of the ETJ member position with a term ending December 31, 2014.

Motion by: Sack

Second by: Dickson

Vote: Unanimous.

Action: The Council approved a motion to recommend that the Wake County Board of Commissioners appoint John Stolarik Jr., 6232 Hilbert Ridge Drive, to fill the remainder of the ETJ alternate position with a term ending December 31, 2016.

Motion by: Dickson

Second by: Cobb

Vote: Unanimous.

Position #2: In-Town Regular Member:

Action: The Council approved a motion to appoint Burton Bailey to fill the remainder of the in-Town member position with a term ending December 31, 2015.

Motion by: Williams

Second by: Sack

Vote: Unanimous.

Action: The Council approved a motion to appoint Larry O'Neal to fill the remainder of the in-Town alternate position with a term ending December 31, 2015.

Motion by: Cobb

Second by: Dickson

Vote: Unanimous.

9. Other Business: Councilwoman Williams noted that many citizens have talked to her about what a terrific job the public works department did in snow removal during last week's winter storm; she urged people to shop locally; and she said the cultural arts festival last weekend was a huge success.

Mayor Sears and Council members made comments about the Town's strong response to the winter storm; and he announced that Rex UNC Hospitals would be making an announcement for a new hospital in Holly Springs Wednesday morning.

10. Manager's Report: Mr. Simmons reported on a number of key dates and programs.

11. Closed Session: None.

12. Adjournment: There being no further business for the evening, the Feb. 18, 2014 meeting of the Holly Springs Town Council was adjourned following a motion by Councilman Sack, a second by Councilman Cobb and a unanimous vote.



Respectfully Submitted on Tuesday, March 4, 2014.

Joni Powell _____

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