



Holly Springs Town Council
Regular Meeting

June 17, 2014

MINUTES

The Holly Springs Town Council met in regular session on Tuesday, June 17, 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; Tim Sack; Hank Dickson and Councilwomen Linda Hunt-Williams and Cheri Lee.

Council Members Absent: None.

Staff Members Present: Charles Simmons, Town Manager; John Schifano, town attorney; Joni Powell, town clerk, (recording the minutes); Linda Harper, deputy town clerk; Daniel Weeks, senior project manager; Jeff Wilson, information technology director; Rick Ralph and Eric Tayler, information technology technicians; Adam Huffman, assistant parks and recreation director; Len Bradley, parks and recreations director; Gina Clapp, planning and zoning director; Laura Holloman and Sean Ryan, planners; John Herring, police chief; Stephanie Sudano, engineer director; Elizabeth Goodson, development review engineer; Kendra Parrish, senior engineer; Seann Byrd, director of public utilities; Jenny Mizelle, economic development director; Tamara Ward, communications specialist; and Mark Andrews, public information officer.

2 and 3. The Pledge of Allegiance was recited, and the meeting opened with an invocation by Rev. Doug Parlin, pastor of South Wake Baptist Church.

4. Agenda Adjustment: The June 17, 2014 meeting agenda was adopted with changes, if any, as listed below.

Motion by: Sack

Second by: Dickson

Vote: Unanimous

Items added to Consent Agenda: None.

Items added to Agenda: None.

Items removed from Consent Agenda: None.

Other changes: *Change Motion #2 in Item 8m to -- Motion to authorize the removal of the No Parking signs at the Holly Springs Road end of Cayman Avenue.*

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: Several spoke to address the proposed trespass / vandalism policy for parks and recreation properties.

Doug Cox, 4905 Northoak Ct. -- Mr. Cox said his son and some friends recently had gotten in trouble for entering into the locked Womble Park soccer field one afternoon to play. The young people did not vandalize anything; they simply wanted to play soccer in the middle of the afternoon. He questioned why there was only a few hours of free play allowed per day, and he questioned why the penalty of the imposed one-year ban from all town facilities was so stiff. He said he agreed the kids did wrong, but he feels the punishment is excessive, and he also feels the Town's hours of free play offered is inadequate to serve those who are paying for the facilities.

Howard Babbitt, 4904 Northoak Ct. – Mr. Babbitt said his child also was involved in the same incident. Both parents said it was wrong for their children to jump the fence but he also questioned the penalty of a one-year ban. He said it was too excessive in his mind.

Mary Babbitt, 4904 Northoak Ct. – Ms. Babbitt said she also was upset that parents were not called. She said she felt like it could have been handled better by the parks and recreation staff. She said the children are sorry they did wrong but she also hoped that the public hours of the fields would be extended.

Young people -- The minors involved in the incident approached the podium to address the Council. Each of the young people apologized for doing wrong and said they understood that they should not have jumped the fence. Through a spokesman, they did say they felt the punishment was extreme.

Kathy Toma, 4912 Sunset Forest Circle – Ms. Toma is a parent and she said she is concerned that she was not contacted and that there has been no contact to the families from the Town since the event occurred. She said the only way she knew the children had gotten in trouble is that they were good enough children to come home and tell their parents. She also asked that the fields be open more hours for open play.

Brian Miller, HSHS soccer coach – Mr. Miller thanked his players for being good citizens. He addressed the Council to report that when the Town closes the HSHS fields (due to weather as a means of protecting the ground,) he calls to rent Womble fields and is charged full price. He also said the two hours for public play was not enough and it often was taken up by teams that have rented the fields. At those times, he said, the public is not allowed to play. He also said that much of the time, fields are closed because there is no one to man them. He said he has offered to man the fields if his students would be allowed to practice, but he has been told no and was told to use a small, lesser used field.

Alex Guess, 4901 Northoak Ct. – Mr. Guess addressed the Council on the same topic. He asked why the fields were not open more for taxpayers. He said there should be a policy in place that would teach young people a lesson but that used common sense.

Tom O'Brien, 5232 Lake Edge Drive – Mr. O'Brien addressed the Council to ask that a non-smoking policy be initiated for all Town facilities, including outdoor parks and facilities. He asked that tobacco use be restricted from all parks and fields.

Lilly Solomon, 109 Braxberry Way – Ms. Solomon spoke on the issue of the trespass / vandalism policy. She said being able to play pick-up soccer freely is important so that children stay out of real trouble. She warned the Council that she comes from east Los Angeles and if young people don't have healthy activities to occupy their time, then they may turn to crime. She asked the Council for more free play time and that all the hours not be used for rentals.

6a. New School Montessori Center Request – Mr. Sheldon Clark, Adolescent Program Coordinator at The New School Montessori Center in Holly Springs addressed the Council to describe a new program being developed for students ages 12 to 15. He said in the coming year, the school will undertake a two-tiered study of southern Wake County and Holly Springs. In the study, students will be looking at the history of our community and considering ways in which that history shapes where and how we live today.

He said students also will be working with the town's business, government and spiritual communities in an effort to be better acquainted with our immediate social, political and economic surroundings.

Mr. Clark said his students are hoping to meet directly with members of government and business, so he is reaching out to the Town Council and the Chamber of Commerce with a presentation about the program. He said the objective is to help these young people learn as they move toward adulthood and expanding citizenship.

Action: None. For the Council's information only.

6b. Fiber Optic Network Project – Mr. Wilson said the Town’s municipal fiber network construction is complete. The network is expected to go online around June 17. Mr. Wilson presented information related to the network construction and the future usage.

Action: None. For the Council’s information only.

6c. Holly Springs High School Football Coach – Councilman Hank Dickson introduced the new Holly Springs High School Hawks Football Coach Wayne Bragg.

Coach Bragg introduced himself to the community by saying a few things about the HSHS football program, the games and community support of fund raisers and game attendance.

For the past three years, Coach Bragg has served as Director of Athletics at Green Hope High School that was awarded the Wells Fargo Cup all three years for having the Best Athletic Program in North Carolina; and where the entire athletic program was ejection-free for the past two years.

Coach Bragg was a successful head football coach at Panther Creek from 2006 through 2011. He led the team from the start of school to Conference Championship and the 4AA Eastern Finals in four years; the 2010 team went 13-2, won the Tri-9 Championship, won the Mid-East Regional and played in the Eastern Championship. The last three years as head coach, Coach Bragg took his team to the playoffs and had a 21-6 record over the last two seasons.

In 2010, Coach Bragg was recognized as the North Carolina Preps Coach of the Year, and *The Cary News* named him Coach of the Year (from all sports) in 2010-11.

Action: None. For the Council’s information only.

7a. Public Hearing: Annexation Petition A14-03 – Ms. Holloman said the Town has received a petition for voluntary annexation of 80.21 +/- acres located at 2908 Avent Ferry Road. The property owner is Avent Partners, LLC, and the property is non-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:

Sawyer Manly, 2704 Avent Ferry Road – Mr. Manly is a nearby property owner who has somewhat of a homestead. He said he was opposed to the annexation because it would open the door to possible rezoning of the property and development.

Tommy Craven, representing the applicant – Mr. Craven said the annexation meets the statutory requirements for annexation.

Councilwoman Williams asked how far away the neighbors were from the subject property.

Mr. Manly said his was about 1,000 feet away. He responded to a question that the 1,000 feet was in woods owned by Duke Energy.

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

Action: The Council approved a motion to adopt Annexation Ordinance A14-03 annexing 80.21 +/- acres owned by Avent Partners, LLC, and more particularly described as Wake County PIN: 0638.03-12-2866, into the corporate limits of the Town of Holly Springs.

Motion by: Sack

Second by: Dickson

Vote: Unanimous.

A copy Annexation A14-03 is attached to these minutes.

7b. Public Hearing: Rezoning Petition 14-REZ-05 – Mr. Ryan said the Town has received a request to rezone 80.21 acres located on either side of Avent Ferry Road from R-30: Residential upon annexation to R-10 CU: Residential Conditional Use.

He said while the property is not within the Town of Holly Springs town limits at the time of application, the property was annexed in the previous agenda item. Upon annexation, Mr. Ryan said, the property was zoned R-30: Residential in accordance with the rules and regulations of the Unified Development Ordinance.

The property is located approximately halfway between the current edge of Town limits at the proposed Union Ridge subdivision and the intersection of Avent Ferry Road with New Hill Holleman Road/Rex Road.

As a conditional use zoning district, the property owner has offered the following conditions to ensure that the proposed zoning will be in keeping with the comprehensive plan:

1. Gross residential density will not exceed 1.75 units per acre.
2. The minimum lot size north of Avent Ferry Road will not be less than 12,000 square feet. The minimum lot size south of Avent Ferry Road will not be less than 10,000 square feet.
3. The average lot size for the entire project will not be less than 12,000 square feet.
4. Each house shall provide at least a standard two car garage.
5. Vinyl siding shall be prohibited, except for accent elements of the façade, limited to 20% of the total façade area.
6. House foundations shall show at least twelve inches vertically of brick or stone veneer over the entire foundation.

He said the zoning conditions are offered by the property owners to be placed on the property and are not required by the Town. A Conditional Use District allows the petitioner to place specific conditions on the property that are more restrictive than the minimum zoning regulations in the Town's Unified Development Ordinance. Once a petitioner has placed such conditions with the zoning map change request, they cannot be removed or modified to reduce the restriction. During the review and consideration process the petitioner may add additional conditions or make the proposed conditions more restrictive; however, additional conditions or regulations cannot be added to the petition by the planning board or town council, nor can either board request additional conditions.

Mr. Ryan said the planning board, in reviewing the request, discussed whether an R-10 zoning district at this location was appropriate given the low density comprehensive plan designation. There was some discussion as to whether R-15 zoning would be more appropriate. Staff explained that the conditions offered by the applicant would have the same net result.

Mr. Ryan said the planning board questioned the applicant as to why an R-15 zoning designation was not requested for this property. The applicant explained that topographical features of the site and market demand influenced their request for R-10 zoning.

After review, the planning board approved a motion to recommend approval of the rezoning request.

The request with conditions would be in keeping with the comprehensive plan, Mr. Ryan said.

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

Sawyer Manly, 2704 Avent Ferry Road – Mr. Manley is opposed to the rezoning. He said he feels the property should remain undeveloped so he can continue to enjoy his isolated rural lifestyle nearby. He suggested that the zoning remain at even lesser density, like the R-30 that is assigned at annexation.

Susan Manly, 2704 Avent Ferry Road – Ms. Manly said that there is double the traffic on Avent Ferry Road since she and her husband purchased their property. She said she feels schools may not be to handle the added burden of as many as 140 new homes. She said she felt like it was time for growth and development to stop.

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

Action #1: The Council approved a motion to accept the following statement as being true: *"The requested zone map change from R-30 to R-10CU is consistent with the Holly Springs Ten Year Comprehensive Growth Plan since the Future Land Use Plan Map indicates this property as Low Density Residential (maximum density of 2 units/acre) and the R-10 CU: Residential Conditional Use District sets the maximum allowed density at 1.75 units/acre."*

Motion by: Williams

Second by: Sack

Vote: Unanimous.

Action #2: The Council approved a motion to adopt ordinance 14-REZ-05 to approve and enact zone map change petition #14-REZ-05 to change the zoning of 80.21 acres of Wake County PIN # 0638122866 from R-30: Residential to R-10 CU: Residential Conditional Use, as submitted by Kolter Land, with the following conditions as offered by the property owner:

- 1) Gross residential density will not exceed 1.75 units per acre.
- 2) The minimum lot size north of Avent Ferry Road will not be less than 12,000 square feet. The minimum lot size south of Avent Ferry Road will not be less than 10,000 square feet.
- 3) The average lot size for the entire project will not be less than 12,000 square feet.
- 4) Each house shall provide at least a standard two car garage.
- 5) Vinyl siding shall be prohibited, except for accent elements of the façade, limited to 20% of the total façade area.
- 6) House foundations shall show at least twelve inches vertically of brick or stone veneer over the entire foundation.

Motion by: Williams

Second by: Sack

Vote: Unanimous.

A copy Rezoning Petition 14-REZ-05 is attached to these minutes.

7c. Public Hearing: Rezoning Petition 14-REZ-06 – Ms. Holloman said the Town has received a request to conditionally rezone a parcel totaling 0.11 acres from R-20: Residential to BT-CU: Business & Technology Conditional Use. The property is located on Newspaper Way and is adjacent to G.B. Alford Highway. This property was unintentionally left out of a rezoning earlier this year that rezoned the parcel to the west of this parcel to Business & Technology district. The intent of this rezoning request is to create consistency with these parcels as seen through consistent zoning conditions for the parcels and to eliminate residential zoning within the boundaries of Holly Springs Business Park.

She said also as a part of this zone map change request, the petitioner has requested a waiver of Unified Development Ordinance requirements to disturb the required 50-foot undisturbed buffer along G.B. Alford Highway. This parcel is a small strip of land to the east of a current development plan under review that will be used for a relocated power line that currently runs through the adjacent parcel and also will be future additional right-of-way for the widening of G.B. Alford Hwy (NC 55 Bypass) and is otherwise unbuildable.

The adjacent property will be required to provide the required screening from G.B. Alford Highway with their perimeter yard landscape plan.

She said the petitioner has requested the following conditions be placed on the property:

1. Exclude the following uses:
 - Communication Relay Tower;
 - Non-municipal; sewage treatment plant;
 - Non-municipal utility substation;
 - Non-municipal water treatment plant;
 - Storage tanks – non-hazardous;
 - Kennel – with outdoor runs;
 - Electric transmission and distribution;
 - Electric relay station;
 - Automotive sales and service.

She said the zoning conditions are offered by the property owners to be placed on the property and are not required by the Town. A Conditional Use District allows the petitioner to place specific conditions on the property that are more restrictive than the minimum zoning regulations in the Town's Unified Development Ordinance. Once a petitioner has placed such conditions with the zoning map change request, they cannot be removed or modified to reduce the restriction. During the review and consideration process the petitioner may add additional conditions or make the proposed conditions more restrictive, however, additional conditions or regulations cannot be added

to the petition by planning board or town council, nor can either board request additional conditions.

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

Don Mizelle, Longleaf Development – Mr. Mizelle addressed the Council to answer the question as to why permission to disturb the buffer. He said the developer wants to do some grading on the property in the process of moving a power line.

There being no further comments, 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 a waiver of regulations of UDO Section 7.06, D., 4., b Buffer Requirements to allow for a waiver for the undisturbed buffer requirement in association with zone map change petition #14-REZ-06 Alminta rezoning.

A petition for a waiver of regulations of UDO 7.06, D., 4., b. relief of undisturbed buffer requirement may only be granted upon the presentation of sufficient evidence to enable a written determination that:

- (1) The granting of the waiver will not be detrimental to public safety, health or welfare or injurious to other property;
- (2) Conditions upon the request for a waiver are unique to the property for which a waiver is sought and are not applicable generally to other property;
- (3) Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is not carried out;
- (4) The waiver will not contravene the provisions of this UDO or the Comprehensive Plan; and
- (5) Where the waiver impacts on the design, construction or maintenance obligations of public facilities, that the appropriate public agency has reviewed and approved the proposed development in writing and the subdivider has submitted a copy of such approval.

Motion by: Cobb

Second by: Sack

Vote: Unanimous.

Action 2: Having made findings of fact that the petition meets the requirements to be granted a waiver of regulations of UDO Section 7.06, D., 4., b Buffer Requirements made a motion to allow for a waiver for the undisturbed buffer requirement in association with zone map change petition #14-REZ-06 Alminta rezoning.

Motion by: Cobb

Second by: Dickson

Vote: Unanimous.

Action 3: The Council approved a motion to accept the following statement as being true:

"The requested zone map change from R-20: Residential to BT: Business & Technology is consistent with the Vision Holly Springs Comprehensive Plan since the Future Land Use Plan Map indicates this property as Business Park and the Business & Technology District allows for a variety of 'clean' industry uses."

Motion by: Cobb

Second by: Dickson

Vote: Unanimous.

Action 4: The Council approved a motion to adopt ordinance 14-REZ-06 to approve and enact zone map change petition #14-REZ-06 to change the zoning of .11 acres of Wake County PIN # 0649439189 from R-20: Residential to BT-CU: Business & Technology Conditional Use as

submitted by Longleaf Development Services with the following conditions offered by the petitioner:

1. Exclude the following uses:

- Communication Relay Tower;
- Non-municipal; sewage treatment plant;
- Non-municipal utility substation;
- Non-municipal water treatment plant;
- Storage tanks – non-hazardous;
- Kennel – with outdoor runs;
- Electric transmission and distribution;
- Electric relay station;
- Automotive sales and service.

Motion by: Cobb

Second by: Dickson

Vote: Unanimous.

A copy Rezoning Petition 14-REZ-06 is attached to these minutes.

7d. Public Hearing: Rezoning Petition 14-REZ-07 – Mr. Ryan said the Town has received a request for a zone map change for two properties at 212 Avent Ferry Road, located south of the intersection of Avent Ferry Road and W. Ballentine Street. The Town of Holly Springs owns one of the properties – a narrow piece of land is adjacent to Avent Ferry Road. The applicant is requesting to rezone both properties from R-15: Residential to TV: Town Village. The properties are located within the Village District Area Plan and the requested TV: Town Village zoning district is consistent with the Mixed Use land use designation.

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 statement as being true: *“The requested zone map change from R-15: Residential to TV: Town Village is consistent with the Vision of Holly Springs Comprehensive Plan since the Future Land Use Plan and the Village District Area Plan indicate this property as Mixed Use and the TV: Town Village district allows for a wide range of commercial, business, and residential land uses.”*

Motion by: Sack

Second by: Cobb

Vote: Unanimous.

Action #2: The Council approved a motion to adopt ordinance 14-REZ-07 to change the zoning of Wake County PIN # 0649819169 and 0649910188 from R-15: Residential to TV: Town Village as submitted by Longleaf Development Services.

Motion by: Dickson

Second by: Cobb

Vote: Unanimous.

A copy Rezoning Petition 14-REZ-07 is attached to these minutes.

8. 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:

8a. Minutes – The Council approved minutes of the Council’s special meeting held May 19, a continued meeting held on May 21 and a regular meeting held on June 3, 2014.

8b. Budget Amendment Report – The Council received 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.*

8c. Resolution 14-13, Surplus Property -- The Council adopted Resolution 14-13 declaring certain personal property surplus to the needs of the town. *A copy of Resolution 14-13 is attached to these minutes.*

8d. Stonemont pump station – The Council approved a site plan amendment for the Stonemont pump station.

8e. Sugg Farm Events Contracts – The Council approved to enter contracts with Populate Productions and 919 Beer for the rental of Sugg Farm for their respective events.

8f. 2014 Street Improvements Projects – The Council approved to enter a contract in the amount of \$12,570 with Withers and Ravenel for construction administration of the 2014 Street Improvements project.

8g. Avent Ferry Road and G. B. Alford Highway Traffic Study – The Council approved to enter into a contract with Kimley-Horn and Associates in the amount of \$10,000, at the cost of Rex Healthcare, to revise a traffic impact analysis being conducted at the intersection of Avent Ferry Road and G.B. Alford Highway.

8h. Plan Approval Extension – The Council approved to grant a six-month plan approval expiration date extension to Jan. 1, 2015 for 07-DP-16-A01 HPC Flex Phase 1 and 08-DP-12 Shoppes at Woodcreek Phase III as requested.

8i. Vaughan Tract IRA – The Council approved to enter into an amended Infrastructure Reimbursement Agreement with the developer of the Vaughan Tract.

8j. Budget Amendment, \$27,200 – The Council adopted an amendment to the 2013-2014 budget in the amount of \$27,200 to purchase a new bucket truck.

8k. Gable Ridge Culvert – The Council approved funding in the amount of \$5,000 for the Public Works Department to provide necessary repairs to the Gable Ridge culvert.

8l. Gable Ridge Culvert Analysis – The Council approved enter a contract with Sungate Design Group, P.A. in the amount of \$7,500, and to approve funding in the amount of \$8,250 (including contingency) for an engineering analysis of the Gable Ridge culvert.

8m. Cayman Avenue Pedestrian Improvement Project Motion #1 – The Council approved funding in the amount of \$25,000 (including contingency) for the construction of the Cayman Avenue Pedestrian Improvement project by the Public Works department.

8m. Cayman Avenue Pedestrian Improvement Project Motion #2 – The Council approved a motion to authorize the removal of the No Parking signs at the Holly Springs Road end of Cayman Avenue.

8n. Stonemont IRA – The Council approved enter into a renewed Infrastructure Reimbursement Agreement with the developer of Stonemont for the over-sizing of gravity sewer lines and a pump station.

9a. Trespass / Vandalism Policy - Mr. Bradley addressed the Council to explain the limited free play. He said when fields are rented, one quadrant is always left open for public play.

Of the incident, Mr. Bradley said the gate was locked, but there was open play field space at the lower soccer field. He added that the Hunt Center was open and the kids could have checked there first and would have found out that the gate was scheduled to open in about an hour.

He told the Council that the aim of the department is not to punish good kids but to have a policy in place that helps curb real vandalism. He reported that the Town continually is faced with vandalism repair that is expensive and avoidable. He noted that the parks management team prepared the proposed trespass/vandalism policy to address this issue and not in response to the recent event.

Councilman Sack said the repeated note during public comment was that there is such a limited time when the public can use the nice synthetic turf fields. He said that those hours should be expanded.

Mr. Simmons said the Town's new fiber optic capabilities could provide monitoring of the field via web cam without a staff member's having to man the field. That might provide the opportunity for expanded hours.

Council members asked about the sharing of photos among facilities, and Mr. Bradley emphatically said that this did not happen. He said he did not know where that information came from but it was not true.

Council members said they felt parents should be notified in the case of minors. They also said they did not agree with the review panel as suggested in the proposed policy but that the parents and parks and rec staff be involved in reviewing the cases with the minor offenders.

Mr. Bradley pointed out that the kids were given only a verbal warning and that no disciplinary action was taken. If the case had been otherwise, parents would have been notified promptly, he said.

Council also suggested improved signage to let people know there are options if the gates are locked. Councilman Sack suggested that the Council take action until another draft of the proposed policy could be prepared.

There was a consensus among the Council that the existing policy be suspended against the subject minors that staff should come back before Council with a policy.

Direction: The Council deferred action and directed that a comprehensive policy be drafted for consideration by the Council.

9b. West Side Sewer System Study - Ms. Parrish said the scope of work described in the proposal from Diehl & Phillips in agenda packets is critical for the planning and maintenance of the sewer system for the west side of town.

The work would include estimating each basin's build-out flow and the capacity remaining in the existing lines to predict what improvements are, or will be, necessary. This work also would look at the estimated cost of the improvements and what future year they would need to be constructed.

She said this information is crucial for maintaining infrastructure to support growth, for the CIP document, and for planned budgeting from the sewer reserves. Once we have a base study completed we will have it updated as necessary.

She said this type of study was completed for the east side of town a few years back and has been essential for sewer capital project planning.

Action: The Council approved a motion to enter into a contract with Diehl & Phillips in the amount of \$68,180 for the west side sewer system study.

Motion by: Williams

Second by: Cobb

Vote: Unanimous.

9c. Utley Creek Environmental Work -- Ms. Sudano said that on Feb. 18, the Town Council approved entering into a contract with CH2MHill. This contract was for consulting work including the preparation of an environmental assessment/application to the State supporting the Town's request to leave the Utley Creek Wastewater Treatment Plant discharge at its current location. This work is underway.

As part of the work underway, both the Town and CH2MHill staff met with the North Carolina Department of Environment and Natural Resources to develop and discuss a work plan for this project. NC DENR wanted the Town to perform additional monitoring and modeling work to support the request to leave the discharge where it is located. The proposal is to add both of those tasks to the contract approved in February.

Motion: The Council approved a motion to enter an agreement with CH2MHill in the amount of \$49,172 for additional Utley Creek environmental work.

Motion by: Dickson

Second by: Cobb

Vote: Unanimous.

9d. North Main Athletic Complex Phase 2 -- Mr. Bradley said that since the Council's workshop in May on the bids received for North Main Athletic Complex Phase 2, there have been many meetings and maneuvers to get the project accomplished within a reasonable budget and time

frame as directed by Council.

Mr. Bradley said that staff has continued negotiating with T.A. Loving for the purpose of value engineering the stadium project, as well as asking the company to review and reconsider some of the unit pricing initially submitted (i.e., concrete.) Given this additional time, it was our objective to continue working with our consultants and the low bidder for the purpose of reducing the overall construction cost of the stadium, while retaining much of the character and features envisioned for the facility. We feel that we have in significant measure accomplished these objectives.

Mr. Bradley said the original bid for the stadium was \$9.690 million and the adjusted total is now \$8.183 million. This figure is about \$1.5 million lower and excludes lighting, transportation upgrades and contingency, which we have always planned to manage via separate contracts. Also left out of the contract are the beer garden, Main Street enhancement streetscape and an extra set of restrooms. Council also may recall we moved all site grading to the Phase 1 contractor as a cost savings measure, Mr. Bradley said.

Motion: The Council approved a motion to award a contract for construction of the North Main Athletic Complex Phase 2 to low bidder T.A. Loving Construction, subject to the review, revision and approval of the Town Attorney and Town Manager.

Motion by: Dickson

Second by: Williams

Vote: Unanimous.

10. Other Business: Mayor Sears reported on the War on Terrorism memorial dedication; he commented on pedestrian crosswalks; and he reported that Novartis has received its FDA accreditation and now is shipping flu vaccine out from the facility.

Councilman Sack said he is frustrated at those who criticize on social media without checking the facts.

Councilman Sack asked if there has been any news from NCDOT about possible repairs to New Hill Road, the surface of which is eroding dramatically.

Ms. Sudano was glad to report that N.C. Secretary of Transportation Tata had visited Holly Springs and staff took the opportunity to drive him down that particular piece of roadway.

11. Manager's Report: Mr. Simmons reported on the upcoming Independence Day celebration at Sugg Farm Park.

12. Closed Session: The Council approved a motion to enter Closed Session, pursuant to North Carolina General Statute 143-318.11(a)(3) to discuss terms of a construction contract that remain to be negotiated with T.A. Loving Construction for the North Main Athletic Complex Phase 2 project.

Motion by: Dickson

Second by: Sack

Vote: Unanimous

General Account of Closed Session – June 17, 2014.

In general, Council received a report from the town attorney on the timing of contracts let and the securing of financing in the North Main Athletic Complex project. He explained the various scenarios with the board. The Council then approved a motion to return to open session.

-- ***End of General Account***

13. Adjournment: There being no further business for the evening, the June 17, 2014 meeting of the Holly Springs Town Council was adjourned.

Respectfully Submitted on Tuesday, July 1, 2014.



Meeting



Joni Powell, MMC, NCCMC

Town Clerk

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