



Dec. 6, 2016

## MINUTES

The Holly Springs Town Council met in regular session on Tuesday, Dec. 6, 2016 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, Councilmen James Cobb, Tom O'Brien and Hank Dickson and Councilwomen Cheri Lee and Linda Hunt Williams.

**Council Members Absent:** None.

**Planning Board Members Present:** A quorum of the planning board was present.

**Staff Members Present:** Charles Simmons, town manager; John Schifano, town attorney; Daniel Weeks, assistant town manager; Joni Powell, town clerk, (recording the minutes); Linda Harper, deputy town clerk; Mary Hogan, finance director; Len Bradley, parks and recreation director; Adam Huffman, assistant parks and recreation director; Irena Krstanovic, economic development director; Anna Johnson, economic development coordinator; Gina Clapp, director of planning and zoning; Sean Ryan, planner; Kendra Parrish, director of engineering; Elizabeth Goodson, development review engineer; Seann Byrd, water quality director; John Herring, police chief; Andrew Rubley, code enforcement officer; Leroy Smith, fire chief; 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. Jamal Brown, pastor of United Church of Christ.

**4. Agenda Adjustment:** The Dec. 6, 2016 meeting agenda was adopted with changes, if any, as listed below.

**Changes:** Add Triangle Council of Governments recognition of retiring representative Councilwoman Linda Hunt Williams.

**Motion by:** Cobb

**Second by:** Dickson

**Vote:** Unanimous

**5. Public Comment:** At this time, an opportunity was provided for members of the audience who had registered to speak to address the Council on any variety of topics not listed on the night's agenda. The following comments were recorded:

Gerald Holleman – Mr. Holleman congratulated Councilwoman Linda Hunt Williams for winning a seat in the North Carolina General Assembly. He urged the Council to consider all possibilities, including previous municipal election results, for filling the vacancy on the Town Council that will be created when Councilwoman Williams resigns.

**6a. Statewide Athletics Committee (SWAC) State Soccer Tournament** – Mr. Christopher Champion recognized the Holly Springs Parks and Recreation all-star teams participated in the Statewide Athletic Committee's (SWAC) state soccer tournament in Mount Holly during the weekend of Nov. 11-13. The 10u girls and 12u girl's teams both finished as SWAC State Runners-Up. The 10u boys and u12 boys team finished as SWAC State Champions.

Mayor Sears presented each player with a certificate of achievement for a job well done.  
**Action:** None.

At this time, Lee Worsley executive director of the Triangle J Council of Governments, addressed the Council to recognize and express appreciation to Councilwoman Williams for her service on the Triangle J COG board. He presented Councilwoman Williams with a plaque commemorating her years of service as a Holly Springs representative on the Triangle J COG board.

At this time, Mayor Sears reported that one member of the Council had volunteered to serve as the Holly Springs representative on this regional organization. Alternate Councilman Hank Dickson said he would serve.

**Action:** The Council approved a motion to appoint Councilman Dickson to serve on the Triangle J Council of Governments board representing Holly Springs.

**Motion by:** Lee

**Second by:** Cobb

**Vote:** Unanimous

**7a. Public Hearing: Rezoning Petition 16-REZ-11** – Mr. Ryan said this is a continuation of the public hearing opened Nov. 1, which was continued to Dec. 6 at the request of the applicant. The applicant has requested this item be further continued to the Jan. 3, 2017 meeting.

With that explanation completed, Mayor Sears reopened the public hearing. The following input was recorded:

There being no input, the public hearing was continued.

**Action:** The Council approved a motion to continue the public hearing for Zone Map Change #16-REZ-11 to resume at the Council's meeting on Jan. 3, 2017.

**Motion by:** Lee

**Second by:** Cobb

**Vote:** Unanimous

**7b. Joint Public Hearing: 03-PUD-01-A10, Twelve Oaks** – Mr. Ryan the Town has received a request to modify the 12 Oaks Planned Unit Development. The amendment makes three changes to the adopted PUD.

- The first is an adjustment to the zoning table to reduce the required setback side, corner and rear yard setbacks for front-loaded townhomes to three feet.
- The second change adds a standard detail for front-loaded townhomes;
- The fourth change updates the buffer detail for landscaping along New Hill Road.

He said the joint public hearing with the planning board will need to be opened and continued since the neighborhood meeting that is required for PUD major amendments has not yet been held.

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

There being no input, the public hearing was continued<sup>9</sup>.

**Action:** The Council approved a motion to continue the joint public hearing with the Town Council and Planning Board to Jan. 3, 2017 for Major Planned Unit Development Amendment #00-PUD-01-A10 for 12 Oaks PUD as submitted by Spaulding & Norris PA.

**Motion by:** Cobb

**Second by:** Dickson

**Vote:** Unanimous

**8. Consent Agenda:** The Council approved a motion to approve all items on the Consent Agenda. The motion carried following a motion by Councilman Cobb, a second by Councilwoman O'Brien and a unanimous vote. The following actions were affected:

9a. Minutes – The Council approved the minutes of the Council's regular meeting held Nov. 1, 2016.

9b. Budget Amendment Report – The Council received a monthly report on operational budget amendments approved by the town manager or that were accomplished at the direction of the Council. *A copy of the budget amendment report is attached to these minutes.*

9c. Contract Report - The Council received a report of contracts of less than \$15,000 approved by staff.

9d. Resolution 16-40 - The Council adopted Resolution 16-40 directing the town clerk to investigate the sufficiency of annexation petition A16-02 and setting a public hearing on the question of annexation for Dec. 20. *A copy of Resolution 16-40 is attached to these minutes.*

9e. Ordinance 16-07.01 Amendment – The Council adopted Ordinance #16-07.1, modifying the annual budget ordinance and fee schedule to correct the Planning and Zoning fees.

9f. Engineering Design and Construction Standards Manual Amendments – The Council authorized revisions to the Engineering Design and Construction Standards manual.

9g. Ordinance Declaring Structure Unfit – The Council adopted ordinance declaring a structure at 705 S. Main St. unfit for human habitation. *A copy of Ordinance 16-10 is attached to these minutes.*

**9a. Unfinished Business: 2016 Street Improvement Project** – Ms. Parrish said the 2016 Street Improvement Project was sent out for bid with bids received and opened Oct. 26. Design for this project was completed by the Engineering Department. Staff is recommending a rejection of the bids at this time. The resurfacing is planned to occur in the spring of 2017. We will revise the specifications and plan to bid the project closer to the time when the work will be completed in order to attract a lower bid, Ms. Parrish said.

**Action:** The Council approved a motion to reject all bids received in the 2016-17 street improvement project.

**Motion by:** O'Brien

**Second by:** Dickson

**Vote:** Unanimous

**10a. Park Avenue Infrastructure Reimbursement Agreement** – Ms. Parrish said Lennar Homes is developing a 46-acre tract along Grigsby Avenue, formerly known as the Strother property. Lennar plans to build up to 114 units. As a requirement on the comprehensive transportation plan, a connection of Teal Lake Drive must be constructed with the development of the property. This roadway connection is important for interconnectivity between subdivisions as well as for safety, Ms. Parrish said.

There is a large FEMA crossing of a creek included with the connection.

In addition to the interconnectivity the Town also is interested in this connection because it will provide another access point for people traveling to and from Sugg Farm at Bass Lake Park. The Town is proposing to reimburse the developer up to \$171,000 toward transportation fees for completing this very important connection.

Councilman Dickson noted that he felt that the buyers of the property should have known about the expense of crossing the creek before buying the property so he is reluctant to reimburse the \$171,000.

Tom Spaulding, Spaulding & Norris and representing the developer – Mr. Spaulding said the developer is required to build a road connection to the edge of his own property; however, the Town is requiring a full connection across a creek to the end of Teal Lake Drive, which was not extended across the creek when it was built. Because the developer is being asked to provide more construction than what is required, Mr. Spaulding said, the reimbursement is fair.

**Action:** The Council approved a motion to enter into an infrastructure reimbursement agreement with the developers of Park Avenue.

**Motion by:** Williams

**Second by:** Cobb

**Vote:** The motion carried following a 4-1 vote. Councilman Dickson voted against the motion.

*A draft copy of Park Avenue infrastructure reimbursement agreement is attached to these minutes.*

**10b. North Main Athletic Complex Playground Structures** – Mr. Huffman said staff received three bids to purchase and install two playground structures at the North Main Athletic Complex baseball stadium. The three bids were as follows:

<i>Playground structures only</i>	
<b>Vendor Name</b>	<b>Bid Received</b>
PlayCore	\$89,246.94
J. A. Dawson	\$78,558.55
Cunningham Recreation	\$72,780.77

He said this request is to consider accepting the lowest responsible bid of Cunningham Recreation proposal in the amount of \$72,780.77 to purchase and install two playground structures at the North Main Athletic Complex.

**Action:** The Council approved a motion to accept the lowest responsible bid of Cunningham Recreation in the amount of \$72,780.77 to purchase and install two playground structures at the North Main Athletic Complex baseball stadium.

**Motion by:** Lee

**Second by:** O'Brien

**Vote:** Unanimous

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

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

**13. Closed Session:** None.

**14. Adjournment:** There being no further business for the evening, the Dec. 6, 2016 meeting of the Holly Springs Town Council was adjourned.

Respectfully Submitted on Tuesday, Jan. 3, 2017.

Joni Powell \_\_\_\_\_  
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minutes follow and are a part of the

