



June 6, 2017

MINUTES

The Holly Springs Town Council met in regular session on Tuesday, June 6, 2017 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 five council members were present as the meeting opened.

Council Members Present: Mayor Sears, Councilmen Tom O'Brien, James Cobb, Hank Dickson and Peter Villadsen and Councilwoman Cheri Lee.

Council Members Absent: None

Staff Members Present: Charles Simmons, town manager; John Schifano, town attorney; Daniel Weeks, assistant town manager; Joni Powell, town clerk, (recording the minutes); Len Bradley, parks and recreation director; Gina Clapp, director of planning and zoning; Kendra Parrish, director of engineering; Dirk Siebenbrodt, project engineer; Leroy Smith, fire chief; Jeff Wilson, information technology director; Irena Krstanovic, economic development director; Mary Hogan, finance director; John Herring, police 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. Tom Newman, pastor of Sunrise Methodist Church.

4. Agenda Adjustment: The June 6, 2017 meeting agenda was adopted with changes, if any, as listed below.

Add Item 8c. paving at Holly Springs Cemetery under New Business.

By: Cobb

Second: 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:

Graydon Armsworthy, 1120 Trotter Bluff Drive -- Mr. Armsworthy said he has toured the Utley Creek Water Reclamation Facility and has researched the issue with the Departments of Water Quality and Public Works and the town's contractor, Evoqua. He thanked staff for listening and responding to neighbor complaints about odors in the wastewater collection and treatment systems. He asked for funding in the upcoming year's budget for an air scrubber to be placed in a location at the plant where it would be most effective.

William Ball, 109 Harolly Drive – Mr. Ball announced Compassion Day at Holly Springs United Church of Christ. He invited elected officials as well as police and fire personnel to attend.

6a. Public Hearing: ABCZ Properties – Ms. Krstanovic said the Town is considering an economic development incentive for construction of a non-residential use at 350 Green Oaks Parkway, Holly Springs Business Park. She said the use has not yet been determined. The property is owned by Mr. Abel Zalcberg of ABCZ Properties. The amount of the benefit would be limited to \$22,600 and would take the form of a reimbursement against development fees and not an expenditure of the Town's general funds.

Ms. Krstanovic said the Town is in short supply of flex space, so this project may help to meet that need.

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

There being no input, the public hearing was closed.

Action: The Council approved a motion to enter into a development agreement with business owner Abel Zalcberg of ABCZ Properties for 350 Green Oaks Parkway (Holly Springs Business Park) to reimburse certain Town development fees in the amount of \$22,600.

Motion by: Dickson

Second by: Cobb

Vote: Unanimous

A copy of the draft development agreement is attached to these minutes.

6b. Public Hearing: 242 Main Street Holly Springs, LLC – Ms. Krstanovic said the Town is considering an economic development agreement for property exchange, construction of a parking deck, reimbursement of fees at 50%, and construction of other surface parking and improvements for a downtown area development and construction of a non-residential use at the intersection of South Main Street and West Ballentine.

She said the real property exchange would involve a portion of a town-owned lot with an address of “0 South Main” located near the intersection described above (Real Estate ID 0078424 and PIN 0649913237). The exchange would involve a recombination with adjacent parcels. The property owner is 242 Main Street Holly Springs, LLC.

Ms. Krstanovic said there is a lot of excitement about this project as it will be a catalyst to spark downtown development.

Cara Zalcberg – Ms. Zalcberg, representing 242 Main Street Holly Springs LLC, said she and her partners are excited and honored to bring this project to Holly Springs to bring vitality to downtown Holly Springs.

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

Van Crandall, 4813 Salem Ridge Road -- Mr. Crandall addressed the Council to ask if the developer was registered with the Secretary of State’s office. He asked if the Town could legally enter into an agreement with a company that was not registered with the Secretary of State.

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

Mayor Sears asked the Town Attorney if the Town could enter into an agreement with a company that had not registered its name with the Secretary of State. Mr. Schifano said the Town could enter into an agreement with anyone it felt was necessary. He noted that the company, 242 Main Street Holly Springs LLC, would be registered as a limited liability company before the Town finalized the agreement text.

Action: The Council approved a motion to enter into a development agreement with property owner 242 Main Street Holly Springs LLC for property exchange, construction of a parking deck, and waiver or reimbursement of fees for a downtown area development and construction of a non-residential use at the intersection of South Main Street and West Ballentine.

Motion by: Lee

Second by: Dickson

Vote: Unanimous

A copy of draft development agreement 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 Cobb, a second by Councilman Dickson and a unanimous vote. The following actions were affected:

7a. Minutes – The Council approved the minutes of the Council’s regular meeting held May 2, 2017.

7b. Resolution 17-19– The Council adopted Resolution 17-19 directing the town clerk to investigate the sufficiency of annexation petition A16-03 and setting a public hearing on the question of annexation for Tuesday, June 20. *A copy of Resolution 17-19 is attached to these minutes.*

7c. Unused Well Site - The Council approved a request to execute a deed conveying unused well site property from the Town of Holly Springs to Triangle Tennis Services, Inc.

7d. Resolution 17-24 - The Council adopted Resolution 17-24 declaring vehicles surplus to the needs of the town. *A copy of Resolution 17-24 is attached to these minutes.*

7e. Resolution 17-25 - The Council adopted Resolution 17-25 declaring personal property surplus to the needs of the town. *A copy of Resolution 17-25 is attached to these minutes.*

7f. MCNC Agreement Renewal - The Council approved to renew an agreement with MCNC for access to the North Carolina Research and Education Network (NCREN) network.

7g. Police Records Management Software Agreement – The Council approved to execute an interagency agreement between Holly Springs and Apex for use of police records management software.

7h. Budget Amendment – The Council adopted an amendment to the fiber optic enterprise fund to correct an allocation error for the account from which a piece of equipment was paid. *A copy of the budget amendment is attached to these minutes.*

7i. Budget Amendment \$125,000 – The Council adopted an amendment to the FY 2016-17 budget in the amount of \$125,000 to cover costs of North Main Athletic Complex sign. *A copy of the budget amendment is attached to these minutes.*

7j. Budget Amendment \$46,000 – The Council adopted an amendment to the FY 2016-17 budget in the amount of \$46,000 to cover salaries adjustment. *A copy of budget amendment is attached to these minutes.*

7k. Fiber Installation NC 55/Main Street Signals Project – The Council approved a supplemental agreement in the amount of \$18,888.30 to cover the cost of fiber installation for signals on NC 55 in the Main Street Extension project.

7l. 12-DP-09 Pecan Grove South Time Extension – The Council approved to grant extension for 12-DP-09 Pecan Grove South to extend the approval expiration date from May 30, 2017 to Nov. 30, 2017.

7m. Lake Edge Drive Storm Drain Project – The Council approved to award a contract in the amount of \$700 to GC Mapping, PLLC for level B surface marking services for the Lake Edge Drive storm drain project.

7n. Sidewalk Equipment Purchase – The Council approved sole source purchasing of the rectangular rapid flashing beacons apparatus, supplies and equipment from TAPCO, Inc.

7o. Monthly Budget Amendment Report – The Council received a monthly report of administrative budget amendments.

7p. The Mills at Avent Ferry Development Agreement Amendment – The Council approved amendments to developer agreement for The Mills at Avent Ferry (fka Union Ridge) and authorized staff to execute.

8a. Wake County Transit Plan Agreement – Ms. Parrish said in preparation of the 2016 transit referendum, all Wake County municipalities worked to develop the Wake Transit Plan. In November, the referendum passed, and the transit team continued to work through the planning and implementation of the Wake Transit Plan.

She said the purpose of this agreement is:

- 1) serve as the master joint agency operations agreement,
- 2) establish standards that will govern the parties eligibility for inclusion of sponsored Implementation Elements in the Wake Transit Work Plan and receipt of any funding allocation from Wake County Transit Tax Revenue,
- 3) evidence the parties approval of the Wake County Transit Plan and the annual update process, and

4) confirm the parties role in carrying out Transportation Planning Advisory Committee (TPAC) responsibilities.

This is the baseline agreement that establishes the foundation of a network of relationships for the implementation documents that are to come in the future, she said.

Action: The Council approved a motion to enter in an agreement for the Wake County Transit Plan.

Motion by: O'Brien

Second by: Cobb

Vote: Unanimous

8b. 2016-17 Community Agency Grants -- Councilman Dickson said the Council received seven applications requesting \$12,500 in funding. There is \$15,000 available in that line item.

A Council committee made up of Councilwoman Cheri Lee and Councilman Hank Dickson reviewed the applications and recommended award amounts for the applicants.

There is room in the budget for adjustments by the Council as a group. Any funds left over in the budget at the end of June would be absorbed into the General Fund and committed to fund balance at the close of the fiscal year (i.e. cannot be rolled over to next year.) Beginning July 1, the line item will be replenished with 15,000 new dollars.

Action: The Council approved a motion to award FY 2016-17 community agency grants in amounts below totaling \$10,000 as follows:

Agency	Amount Requested	Amount Awarded
Martin Luther King Jr. Celebration Committee Inc.	\$ 500	\$ 500
Holly Springs Food Cupboard	\$2,500	\$ 2,500
HSHS PTSA	\$2,000	\$ 2,000
Interact of Wake County	\$2,500	\$ 500
HS Community Band	\$2,000	\$ 2,000
Holly Springs Civitan Club	\$ 500	\$ 500
HSHS Band	\$2,500	\$ 2,000

Motion by: Lee

Second by: Dickson

Vote: Unanimous

8c. Holly Springs Cemetery – Mr. Siebenbrodt explained that Phase 1 Cemetery Improvements have been completed by the Public Works Department. He said \$62,400 had been allocated for paving contractor services to add asphalt to the roadway. He reported that the Town received a contract from Turner Asphalt Inc. to do the work for \$40,650.

Mr. Siebenbrodt said funds have been allocated for this construction cost and staff is requesting approval of the paving contract.

Action: The Council approved a motion to award a contract in the amount of \$40,650 to Turner Asphalt, Inc. for paving services at Holly Springs Cemetery.

Motion By: Lee

Second: Cobb

Vote: Unanimous

9. Other Business: None that resulted in Council action.

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

11. Closed Session: The Council approved a motion to enter into Closed Session, pursuant to N.C.G.S. 143-318.11(a)(3) to consult with the town attorney under the client-attorney privilege the following matters of litigation: Gerald Currin Builders vs. the Town of Holly Springs.

During the closed session, the town attorney briefed the Council on how the case is progressing, and he gave board members options. After discussion, Council gave direction to the town attorney, and the Council returned to open session.

12. Adjournment: There being no further business for the evening, the June 6, 2017 meeting of the Holly Springs Town Council was adjourned.

1. 1, 2017.

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w and are a part of the official record.

