



Nov. 20, 2018

## MINUTES

The Holly Springs Town Council met in regular session on Tuesday, Nov. 20, 2018 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 Dan Berry, Tom O'Brien and Peter Villadsen and Councilwomen Cheri Lee and Christine Kelly.

**Council Members Absent:** None.

**Staff Members Present:** Randy Harrington, town manager; Daniel Weeks, assistant town manager; John Schifano, town attorney; Joni Powell, town clerk (recording the minutes); Gina Clapp, director of planning and zoning; Matt Beard and Sean Ryan, planners; Kendra Parrish, director of engineering; Paul Allen, real estate acquisition agent; John Herring, police chief; Adam Huffman, assistant parks and recreation director; Rachel Jones, development review engineer; Mary DePina, project engineer; Mark Andrews, public information officer; Tamara Ward, communications specialist and Jeff Wilson, information technology director.

**2 and 3.** The Pledge of Allegiance was recited, and the meeting opened with an invocation by Rev. Jim Littleton, pastor of Holly Springs United Methodist Church.

**4. Agenda Adjustment:** The Nov. 20, 2018 meeting agenda was adopted with changes, if any, as listed: Remove Item 10f.

**Motion by:** O'Brien

**Second by:** Berry

**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:

Kathryn Kornbau, 513 Avent Meadows – She reported on confusion on conflicting plats with sewer and greenway easements that are traversing her neighborhood, particularly her own yard. As she and her family are installing a backyard swimming pool within two weeks, she needs the matter to be resolved.

She said the pool is impacted by the conflicting information on sewer easements, but she is also concerned about the greenway easement as it cuts their properties in half and encourage foot traffic that poses all kinds of negative impacts to their properties.

Ms. Kornbau offered a solution of relocating the greenway

Hank Dickson, 504 Sandy Pointe Way – Mr. Dickson recognized retiring employees Barb Koblich, Ricky Blackmon and Joni Powell. He commented on the contributions of these staff members and thanked them for their service.

**6a. Citizen of the Year Recognition** – Mayor Sears presented Citizen of the Year Jimmy Cobb with a proclamation commemorating his being named Citizen of the Year by the Holly Springs Citizen of the Year Committee and recognizing his service to the community.

**Action:** None.

**7a. Stageworks --** Stageworks director Daniel Barth explained that Stageworks Theatre launches their second full season in the 2018-2019 Season.

He shared with the Council the progress made during Season One, as well as the expansion of Stageworks Theatre to Fuquay-Varina's Arts Center. He gave a brief preview of the productions featured in Season Two.

**Action:** None.

**8a. Public Hearing: Roger Street Right of Way Closing** - Mr. Jones said Town requires the abandonment of right of way for a portion of Rogers Street in preparation for its realignment and extension. The closure will not impact traffic flow. The order is subject to a 30-day appeal period and will be recorded with the Register of Deeds office.

With that explanation completed, Mayor Sears reopened 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 adopt Resolution 18-44 closing a portion of right of way of Roger Street.

**Motion by:** O'Brien

**Second by:** Lee

**Vote:** Unanimous

*A copy of Resolution 18-44 is attached to these minutes.*

**8b. Public Hearing: Ivy Arbor Way Right of Way Closing** - Ms. Jones said the developer is requesting abandonment of unused right of way for a portion of Ivy Arbor Way. The closure would not impact traffic flow. The Town is to reopen public hearing and close public hearing. Staff is requesting to defer action on the closing order.

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 defer action on adoption of Resolution 178-45.

**Motion by:** Villadsen

**Second by:** Lee

**Vote:** Unanimous

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

**9a. Minutes** – The Council approved minutes of the Board's meetings held Nov. 6, and Nov. 8, 2018.

**9b. Budget Amendment Report** – The Council received a report of monthly administrative budget amendments approved by the Town Manager. *A copy of the budget amendment report is attached to these minutes.*

**9c. Budget Amendment** – The Council adopted budget amendment to FY 2018-19 budget in the amount of \$80,000 to increase funds to accounts #10-340-12, 10-414-50 2.05, and 10-414-50 90.04 for fiber network splicing labor and materials. *A copy of the budget amendment is attached to these minutes.*

**9d. Main Street Closing for Christmas Parade** - The Council adopted Ordinance 18-13 to close Main Street for the Christmas parade. *A copy of the Ordinance 18-13 is attached to these minutes.*

**9e. 18-SEU-06/18-DP-06 Special Exception Use Petition Withdrawal** – The Council approved to officially close the public hearing and to close out the project file with a record in the Town Council minutes to acknowledge the closure of 18-SEU-06/18-DP-06 Holly Springs Complete Auto Service.

9f. Beericana Contract – The Council approved to enter a contract with 919 Beer, LLC to obtain a license to use Sugg Farm to host a beer festival at Sugg Farm October 2019.

9g. Surplus Resolution 18-46 – The Council adopted Resolution 18-46 declaring certain personal property surplus to the needs of the town. *A copy of the Resolution 18-46 is attached to these minutes.*

**10a. Tree Advisory Committee Ordinance** – Ms. Clapp said the Council requested to have Holly Springs named as a Tree City USA municipality. The National Arbor Day Foundation has four standards that a municipality must obtain to be nominated. One of the four standards is the creation of a “tree board” to assist with the planning for the required annual Arbor Day event and to provide guidance and feedback to the Town Council in the Town maintaining Tree City USA standards.

**Action:** The Council approved a motion to adopt Ordinance #18-12 to amend the Town of Holly Springs Town Code to create the Holly Springs Tree Advisory Committee.

**Motion by:** Villadsen

**Second by:** Lee

**Vote:** Unanimous.

*A copy of the Ordinance 18-12 is attached to these minutes.*

**10b. Tree Advisory Committee Appointments** - Ms. Clapp said this request was to review the applications that have been received for the newly-created Holly Springs Tree Advisory Committee and appoint all members. Since this is a new committee, the initial terms are varied from 1 ½ year – 3 ½ year terms to create a staggered term set up as follows:

2 Members (Jan 1, 2019 – June 30, 2020) then July 1, 2020 – June 30, 2023

2 Members (Jan 1, 2019 – June 30, 2021) then July 1, 2021 – June 30, 2024

1 Member (Jan 1, 2019 – June 30, 2022) then July 1, 2022 – June 30, 2025

She said the applications that have been submitted for this Committee were sent to the Town Council under separate cover.

**Action:** The Council approved a motion to appoint the following members to the Holly Springs Tree Advisory Committee:

Katherine Penton and Gary Claiborne to one and a half-year terms from Jan. 1, 2019 to June 30, 2020; Joe Fuller and Amanda Matheny to two and a half-year terms from Jan. 1, 2019 to June 30, 2021; and Rachel Woods to a three and a half year term Jan. 1, 2019 to June 30, 2022.

**Motion by:** Berry

**Second by:** Villadsen

**Vote:** Unanimous

**Action:** The Council approved a motion to appoint Bridget Freeh, 15, to the Holly Springs Tree Advisory Committee as an ex-officio Jr. Member.

**Motion by:** Lee

**Second by:** Berry

**Vote:** Unanimous

**Action:** The Council approved a motion to appoint Rachel Woods as chairman and Joe Fuller as vice chairman of the Holly Springs Tree Advisory Committee.

**Motion by:** Villadsen

**Second by:** Berry

**Vote:** Unanimous

**Action:** The Council approved a motion to appoint Councilwoman Christine Kelly to the Holly Springs Tree Advisory Committee as an ex-officio member representing the Council.

**Motion by:** Lee

**Second by:** Berry  
**Vote:** Unanimous

**10c. Community Development Software** - Mr. Wilson said the Community Development (CD) Departments, which consist of Code Enforcement, Planning and Engineering, have been working for over a year to determine the next steps for leveraging technology to automate processes, improve work flows, improve communications and improve the ability of citizens and customers to interact and do business with the Town. The work resulted in a very extensive request for proposals on May 11. The Town received seven strong proposals and through a rigorous process, led by a cross-department selection team, selected Harris CityView product.

He said the deficiencies in the current CD software have been apparent for a long time. Deficiencies of the legacy software were confirmed through a third-party software study, which recommended to replace the software. The project is planned to be split across the 2019 and 2020 budget years. The pricing was pretty consistent across the seven proposals.

He said the implementation of the software is expected to take between 10 and 12 months. The primary purposes of the new CD software are to:

- Process permits for Code Enforcement, Planning and Zoning, and Engineering Departments.
- Work as the parcel management database.
- Manage development project tracking.
- Incorporate an electronic plan review process that allows for the development community to follow the status of their projects.
- Enhance the ability to apply online for permits and development projects.
- Manage zoning and code enforcement.
- Allow for more robust mobile inspections in the field.
- Manage and track engineering construction projects.

**Action:** The Council approved a motion to award contract to Harris Computer Corporation to replace the Town's community development software in the total amount of \$462,729, including software costs and implementation services, to be funded with \$250,000 from the current fiscal year and \$212,729 from the future fiscal year 2019/2020.

**Motion by:** Berry  
**Second by:** Lee  
**Vote:** Unanimous

**10d. NC 55 / Sportsmanship Way Project** - Ms. DePina said in 2016, the Town entered into a Municipal Agreement with NCDOT for the construction of the Sportsmanship Way connection to the NC 55 superstreet. Sportsmanship Way is approximately 1 mile north of Holly Springs Road. It serves as the access road from N. Main Street to the North Main Athletic Complex, (Ting Park). This will provide a much needed connection to Ting Park from Hwy. 55. The agreement is for three years with an 80/20 split with total federal funds of \$1,200,000 and the Town's non-match amount of \$300,000.

She said the design has been completed, and NCDOT has authorized the Town to move forward with construction. When construction bids were opened in September, the low bidder was Fred Smith Company.

A condition of the municipal agreement is that the Town will provide Construction Engineering and Inspection, (CEI) during construction. After a rigorous solicitation and selection process, Summit Design and Engineering Group was selected to provide these services. The low bid was 31% higher than the engineer's estimate. The design engineer justified the overage stating that the cost of labor and materials has increased significantly in recent months. Research of NCDOT bid tabs over the past year confirms this. In addition, contractors are busy and are charging a premium in order to hire additional crew members and procure equipment necessary to complete the work. Because of the increased cost, NCDOT has issued a Supplemental Municipal

Agreement with a 50/50 split with total Federal Funds of \$1,777,967 and the Town's non-match amount of \$577,967.

Another condition of the municipal agreement is that the Town must receive bid concurrence from NCDOT prior to awarding the construction contract. Bid concurrence is dependent upon council approving the construction contract. The construction contract stipulates that the unit prices submitted at bid will remain valid for 60 calendar days. After the 60 day window, the contractor may either adjust unit prices or withdraw the bid, altogether. Because we are fast approaching the 60 day window, it is necessary that bid concurrence be given promptly.

**Action 1 of 4:** The Council approved a motion to adopt project budget and budget amendment of \$2,656,634 to transfer from street reserves account # 22.95 to project account 48-815-91.04 for NC 55 /Sportsmanship Way project.

**Motion by:** Kelly

**Second by:** O'Brien

**Vote:** Unanimous

**Action 2 of 4:** The Council approved a motion to award the Sportsmanship Way construction contract to Fred Smith Company and provide \$2,436,634 in funding, which consists of the base bid of \$2,215,122 plus a 10% contingency of \$221,512.

**Motion by:** Lee

**Second by:** O'Brien

**Vote:** Unanimous

**Action 3 of 4:** The Council approved a motion to award the Sportsmanship Way construction engineering and inspection (CEI) contract to Summit Engineering & Design and provide \$220,000 in funding.

**Motion by:** Villadsen

**Second by:** O'Brien

**Vote:** Unanimous

**Action 4 of 4:** The Council approved a motion to approve execution of a supplemental agreement with NCDOT for a 50/50 split of additional funding in the amount of \$1,777,967, and the Town's non-match amount of \$577,967.

**Motion by:** Kelly

**Second by:** O'Brien

**Vote:** Unanimous

**10e. Bicycle Safety Road Improvements** – Mr. Siebenbrodt said the Town is planning to allocate approximately 2 miles of Town roads each year to install "Share the road" signs and so called "sharrows" (short for "share the road arrows", or per MUTCD: shared lane marking), which are basically pavement markings showing a bike and two chevrons along the outside lane of the section that is chosen. The spacing of the markings will be every 250 linear feet and will be located on the right side of the travel lane chosen. The signs will be placed after each major intersection.

He said the cost for the signs and markings for this phase are estimated to be \$15,000 per mile, both directions.

He said engineering and parks and recreation staff are working together with Jackie Miller, a resident, cycle community spokesperson and North Carolina Bicycle Club member to decide on prioritizing which sections of the targeted sections of roadway will be chosen, shown on the Bicycle Safety Improvement Map presented earlier this year.

Once design is completed and costs are finalized the funds available will be exhausted so that the maximum length of roadway is outfitted with bike safety improvements.

**Action:** The Council approved a motion to adopt project budget and funding in the amount of \$33,000 (including contingency) for the Bicycle Safety Road Improvements project.

**Motion by:** Lee

**Second by:** O'Brien  
**Vote:** Unanimous

**10f. Condemnation Resolution, New Hill Road Property** - This item was removed from the agenda during Agenda Adjustment.

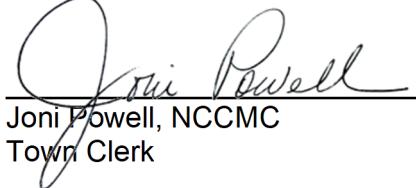
**11. Other Business:** None that resulted in Council action.

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

**13. Closed Session:** The Council entered into closed session, pursuant to N.C.G.S. 143-318.11(a)(6) to discuss a personnel matter regarding the Town Clerk. Council discussed amongst themselves and then with the Town Clerk a question about information contained in the November 20, 2018 agenda packet. Council gave direction to the Mayor, Councilmember Lee and Town Manager regarding follow up with the Town Clerk. No action was taken in closed session, other than a motion to return to open session.

**14. Adjournment:** There being no further business for the evening, the Nov. 20, 2018 meeting of the Holly Springs Town Council was adjourned.

Respectfully Submitted on Tuesday, Dec. 4, 2018.

  
\_\_\_\_\_  
Joni Powell, NCCMC  
Town Clerk

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

