



October 1, 2019

MINUTES

The Holly Springs Town Council met in regular session on Tuesday, October 1, 2019 in the Council Chambers of Holly Springs Town Hall, 128 S. Main Street. Mayor Pro Tem O'Brien presided, calling the meeting to order at 7 p.m. A quorum was established as five council members were present as the meeting opened.

Council Members Present: Mayor Pro Tem Tom O'Brien, Councilmen Peter Villadsen and Dan Berry, and Councilwomen Cheri Lee and Christine Kelly.

Council Members Absent: Mayor Sears.

Staff Members Present: Randy Harrington, *Town Manager*; Daniel Weeks, *Assistant Town Manager*; Scott Chase, *Assistant Town Manager*; John Schifano, *Town Attorney*; Linda McKinney, *Town Clerk* (recording the minutes); Latisha Butler, *Deputy Town Clerk*; Gina Clapp, *Director of Planning and Zoning*; Matt Beard, *Planning and Zoning*; Beth Trautz, *Planning and Zoning*; Melissa Sigmund, *Planning & Zoning*; Mathew Mutter, *IT*; LeeAnn Plumer, *Parks and Recreation Director*; Mark Andrews, *Communications and Marketing*; Kendra Parrish, *Director Engineering*; Aaron Levitt, *Engineering*; John Herring, *Police Chief*; and Leroy Smith, *Fire Chief*.

2 and 3. The Pledge of Allegiance was recited, and the meeting opened with an invocation by Andy Rook of the Oasis Church.

4. Agenda Adjustment: The October 1, 2019 meeting agenda was adopted with changes, if any, as listed: None.

Motion by: Lee

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:

Tony Perna, 4901 Sunset Forest Circle, Holly Springs, thanked the Council for the Citizen of the Year meeting last week. He said that they had started accepting nominations through their Facebook page.

6b. Recognition: Down Syndrome Awareness Month

Matthew Schwab spoke about his life with Down syndrome, and the many things he has been able to accomplish in his 22 years. He also pointed out things people can do to deal with people, rather than their disabilities.

6c. Recognition: Dyslexia Awareness Month

Karen Goeke-Austin of Triangle Area Dyslexia Advocacy said that Dyslexia affects approximately one in five people, regardless of race, gender, age, or socioeconomic status. Neurological in origin, it affects the way the brain processes information and is characterized by difficulties with reading, writing, and spelling, despite normal intelligence. She said that people with dyslexia benefit greatly from specialized assistance from highly trained teachers, multi-sensory

learning programs, and individualized instruction. Early identification, alternative instruction, and extra support from friends, family and teachers can contribute to the success of students with dyslexia. Triangle Area Dyslexia Advocacy is a group whose aim is to raise awareness of dyslexia and the benefits of early intervention.

6d. Recognition: Community Planning Month

Gina Clapp, Director of Planning and Zoning, said that the Town of Holly Springs has endorsed World Town Planning Day and National Community Planning Month programs since 2000. She spoke of the benefits that planning brings to a community, outlined some of Holly Springs' major planning projects from the past year, and put in a request for volunteers to serve on the Planning Board and Board of Adjustment.

6a. Recognition: Holly Springs Fire Department's New ISO Rating (moved to later waiting for commissioner Causey to arrive)

Insurance Commissioner Mike Causey said that it was an honor and privilege to be here tonight to bestow this honor on the Holly Springs Fire Department. They have achieved the highest ISO rating, a Class 1. He said that it took the hard work of Chief Smith, and the work of the Town Council to make this the great fire department that it is. Chief State Fire Marshal Brian Taylor could not be present but many members of the Insurance Commissioner's office and the State Fire Marshal's office were present. Fireman Joe Harasti was asked to bring Cinder forward to do a demonstration of Stop Drop and Roll. Holly Springs Fire Department is in the top 1% of all the fire departments in the nation, and one of only 11 in North Carolina to achieve this rating.

Chief Smith spoke saying that it was a team effort, water supply, public works, engineering, and Council. He would like to come to a future meeting to thank everyone. To go from a 4/9 to a 1/3 is a great jump.

7a. Requests and Communications: Street Tree Replacement Pilot Program

Matt Beard, Planning and Zoning said that as part of the FY19-20 Budget Council approved \$20,000 for a Street Tree Replacement Pilot Program. He said that during the budget process the justification for the program included a distribution plan for the funds of: 25% to assist homeowners with individual street tree replacement/planting; 70% for street tree infill projects (town install); and 5% for treatment of sick/diseased street trees. He said that at two meetings of the Tree Advisory Committee, in July and September, the TAC requested a modification to allow 100% of the funds to be spent on street tree infill projects. He shared the three program types that were originally envisioned: Street Tree Infill – putting trees in a large area at one time; Homeowner Assistance – assisting homeowners; or Diseased Tree Treatment; Staff shared their belief that the spirit and intention of the funding was to address a variety of street tree replacement/planting, infill, and diseased tree treatment. Mr. Beard said that staff wished to confirm Town Council's wishes for the distribution of the approved funds.

Rachel Woods, chair of the Tree Advisory Committee was asked why they went in this direction. She said that doing infill was something that residents would really notice. She said that \$20k wouldn't go very far if they split it into three pots. Also the committee didn't want to split their time between three programs. She thought it would be difficult to compare the results of the programs if the money is split unevenly. It would be better to rotate between the three programs sequentially rather than consecutively. Trying to decide how to manage the homeowner assistance part of the plan needs more time to perfect. The committee was also concerned about getting the application right: do you reimburse after the fact, drop a tree off and ask the homeowner to plant it? The infill program would get a lot of bang for the buck, not throw away money, and residents could see that something was being done.

Councilwoman Kelly said the TAC gave great consideration to the options, and discussed the pros and cons carefully.

Ms. Wood said that she thought the Town could impact some neighborhoods dramatically with the infill program.

Mr. Beard said that the next steps would be to contact the HOA's to discuss times and types of trees, and what support the HOA can provide. Councilman Villadsen asked for clarification on whether, once the tree is planted, the homeowner is responsible for it, whether they wanted it or not. Mr. Beard said once the tree is installed, the tree ordinance kicks in, but since the town is controlling the location, the trees will not be planted close to lights, stop signs, etc. Councilman Berry said that he liked the three part program because if something happened early on after a tree is planted, there would be money available to treat or replace it. He would like to see continued discussion on how this would evolve from year to year adding the other aspects.

Ms. Wood said the committee does value all three programs, but there is a short period of time in order to get trees in the ground and they wanted to focus on this one part of the program. She thinks spreading their energies over three programs would mean none of them succeed.

Councilwoman Kelly said that there is an education component, which the committee can have ready by next year, but they aren't there yet.

Councilwoman Lee asked if there would be a warranty that covers these trees at the beginning.

Mr. Beard said that with regards to maintaining the tree for its first year, it has to be installed correctly, watered, etc. The Town would have a contractor to plant the trees, to guarantee best practices are followed, and the contractor would offer a one year warranty.

Councilman Villadsen expressed concern that there will be an expectation that neighborhoods that are missed this year will get trees next year.

Mayor Pro Tem O'Brien said that this is a test program, so while he understands the concerns of his colleagues, he's ready to go forward. Councilman Berry wants to leave some funds in the pot after the fall planting season so that there is money left over if there's something in the spring that needs work. Any money left over can be rolled over.

Ms. Wood said they intend to choose thoroughfares in neighborhoods so that they benefit everyone in the neighborhood not just individual homeowners. The committee has plans to educate people about the benefits of using all the money to plant trees. They will do things outside of planting season but need to focus their efforts on one thing.

Councilman Villadsen asked if a homeowner can plant trees in the parking strip, absent HOA objections, without the Town. Mr. Beard said that the parking strip is Town property, so staff works with the homeowners on a case by case basis, but residents shouldn't plant there without contacting the town.

Action: Motion to accept the recommendation of the Tree Advisory Committee

Moved by: Lee

Second by: Kelly

Vote: 3 Ayes, Kelly, Lee and O'Brien

2 Nays Berry and Villadsen

Motion passed

8. Consent Agenda

The Council approved a motion to approve all items on the Consent Agenda. The motion carried following a motion by Councilwoman Lee, a second by Councilman Villadsen, and a unanimous vote. The following actions were affected:

8a. Minutes – The Council approved minutes of the Council business meeting held September 17, 2019.

8b. Town Hall Commons Infrastructure Project Change Orders – The Council approved change orders 7 and 8 for the contract with Fred Smith Company.

8c. Main Street Extension Supplemental Agreement #11 – The Council approved Supplemental Agreement #11 to the construction contract with Fred Smith Company.

8d. Position Reclassification – The Council approved the reclassification of two positions: Communications Specialist SG 76 to Senior Communications and Marketing Specialist SG 80, and Administrative Specialist SG 71 to Administrative Manager SG 77.

9. NEW BUSINESS

9a. Major Amendment to Development Plan 10-DP-06-A07 UNC Rex Healthcare Master Sign Plan

Beth Trautz, Planning and Zoning, said that the parcel was zoned OR CU Office, Research & Development Park on June 17, 2008 and March 20, 2012. The Medical Office Building 1 development was approved on November 2, 2010 and the Medial Office Building 2 development was approved on October 4, 2016. The hospital development plan was approved on September 21, 2019.

Ms. Trautz said that a Master Sign Plan (MSP) can be submitted for a large office campus and includes the following information regarding signs to create a uniform signage scheme for the specific project that is enforced by Town Staff when reviewing and issuing signage permits: general location, type of sign, materials, size and number, style and color, illumination, and certain waivers of sign regulations needed to achieve their plan. It is typical that a Master Sign Plan includes waivers. Waivers allow flexibility and creativity in sign design and placement while adhering to the maximum area requirements. Waivers can only be submitted in conjunction with a MSP. All signs presented in this MSP meet the UDO requirements except for the incidental signs subject to the following requested waivers:

- Waiver requested to increase the height of all incidental signs from 3' to 6'
- Waiver requested to increase the allowed area of incidental signs from 2 sq. ft. to 24 sq. ft.
- Granting the waivers will not increase the overall amount of signage allowed for the project since the area of the wall signage is less than the maximum allowed amount.

The Planning Board recommended approval on September 24, 2019 with a vote of 7 - 0 - 2.

Action 1: Motion to adopt Resolution 19-26 to make and accept the Findings of Fact for consideration of and to approve the Unified Development Ordinance Waivers.

Motion by: Kelly

Second by: Lee

Vote: Unanimous.

A copy of Resolution 19-26 is attached to these minutes.

Action 2: Motion to approve Development Plan Major Amendment #10-DP-06-A07 to add UNC Rex Healthcare Master Sign Plan with the conditions stated below.

Motion by: Villadsen

Second by: Berry

Vote: Unanimous.

9b. Bass Lake Stream Restoration

Kendra Parrish, Director of Engineering, said that Hurricane Matthew damaged the stream channel at Bass Lake in October of 2016. In October 2017, prior to bidding the work, FEMA awarded the Town \$801,561 for the repair of the stream. After the bid opening, staff requested

additional funding to cover the entire amount of the project. FEMA advised staff to submit for 100% reimbursement.

Ms. Parrish explained that the delays were caused by permitting problems, requiring increased safety of the dam, and the fact that it is very specialized work and many of the firms that do it were working in the eastern part of the state doing work on other hurricane damage.

The Town contracted with Jewell Engineering for the design, permitting administration and bidding assistance and is currently under contract for construction administration of this project. The scope of work includes stream restoration, installation of gabions and velocity dissipaters, as well as re-establishing the trail base. The repair and upgrade project was bid three separate times. No bids were received during the first two bid openings. One bid was submitted for the project during the third bid opening on July 31 from Fluvial Solutions for \$836,800.

Ms. Parrish said that in the future, following conclusion of the stream restoration project, additional investments are anticipated including re-paving the parking lot (FEMA reimbursement project) and increasing the dam outlet capacity (Phase 3).

Councilwoman Kelly asked how long it would take. Ms. Parrish said the contract allows 150 days to substantial completion, which is March, with 4 additional months to do the planting. Councilwoman Kelly asked about the timing of the reimbursement. Ms. Parrish said that the Town has received some of it and the rest will come as FEMA releases it. Carolyn Crouch, said that she turns invoices in to FEMA each month. Randy Harrington, Town Manager clarified that this is expected to be 100% reimbursement.

Ms. Parrish said that there will be a time during Phase 3 that the trail has to be closed down. But engineering staff will work with Communications to get this information out to the public.

Action 1: Motion to approve the project budget in the amount of \$920,480.00 for the Bass Lake Stream Restoration.

Motion by: Lee

Second by: Villadsen

Vote: Unanimous.

Action 2: Motion to award the Bass Lake Stream Restoration construction contract for repair and improvements to Bass Lake to Fluvial Solutions for \$836,800 and to approve the project budget, including 10% contingency for Contract Services for a total of \$920,480.00.

Motion by: Berry

Second by: Lee

Vote: Unanimous.

Action 3: Motion to appropriate \$920,480.00 from Parks and Recreation Reserves 21.95: \$836,800 to Bass Lake Stream Restoration Project Professional Service (49-908 12.05) and \$83,680 to Bass Lake Stream Restoration Project Contingency (49-908 82.97).

Motion by: Kelly

Second by: Berry

Vote: Unanimous.

10. Unfinished Business

10a. 19-CPA-01 Vision Holly Springs Land Use & Character

Melissa Sigmund, Planning & Zoning said that the intent this evening is to continue the discussion of the revision to the Vision Holly Springs Comprehensive Plan which was originally adopted in 2007. There have been various amendments over the past 12 years, but the Town has seen a tremendous amount of growth and change, and updating the Land Use & Character portion

of the plan will ensure that the plan accounts for current conditions and considers the community's values and vision for the future. The updated Land Use & Character section of the comprehensive plan is a policy tool that will guide decisions regarding individual development proposals, influencing the look and feel of the town for years to come. It will also provide a framework for strategic planning and capital investment throughout town.

She recapped the various opportunities the public has had to engage with the update of the Comprehensive Plan, including stakeholder interviews, community advisory committee meetings, community ideas exchange workshop, Planapalooza, a draft plan presentation open house, interactive website, and finally a Public Hearing on September 17, 2019.

Ms. Sigmund said that if the plan is adopted several related projects will begin:

- Quick-Fix changes to the Unified Development Ordinance (Fall/Winter 2019)
- Updates to other sections of the Comprehensive Plan: Parks & Recreation (Fall 2019), Transportation (Summer 2020). This is part of the 5-year rotation schedule that was previously presented to Town Council in 2018.
- Update to entire Unified Development Ordinance (Spring 2020-Fall 2021)
- Other projects for future consideration: Specific Area Plans (e.g. Village District, I-540 Regional Center, etc.)

She said that the consultant was not able to be present tonight but could come back to a future meeting. Councilman Berry said that he wants to discuss it and might want to talk to the consultant. Councilwoman Kelly wanted to know what the immediate impact would be on homeowners. Ms. Sigmund said that this is a long term plan, so most people will not experience a direct impact. Those who would will be people who are asking the town to develop their property. North Carolina law gives Councils the ability to accept a rezoning whether it matches the map or not. So Council has discretion to make its own decision.

Councilman Berry wants to discuss his concerns, and if there is agreement, have the consultant come back and give reasons for the decisions. Particularly he is concerned about the southern part of town. He said the mixed residential areas in that part of town present challenges. He is unclear on the definition of "clear transition" given the designations around Logging Road for example. Consensus was that the consultant needed to come back to the October 15th meeting. Ms. Sigmund asked for clarification on what they wanted to Consultant to do. Bring back alternatives, or explain his reasoning? Councilman Berry said he would like some alternative transitions, particularly in the far southwest.

Action: Motion to continue 19-CPA-01: Vision Holly Springs: Town of Holly Springs Comprehensive Plan, Section1: Land Use & Character to the October 15, 2019 Town Council Meeting.

Motion by: Lee

Second by: Kelly

Vote: Unanimous.

10b. Holly Springs Road Widening Phase 1 Appraisals

John Schifano, Town Attorney, said that Holly Springs Road Widening, Phase 1 (Main St to Flint Point) requires land acquisition of 36 parcels, five of which are highly impacted structures. Professional licensed real property appraisers must be contracted to ensure that landowners are being compensated fair market value for the interests that the Town will need to acquire to construct the road and sidewalks. He spoke about the Town's land acquisition process in general, as well as the progress to-date on the road project. The Town received a partial NCDOT grant in the amount of \$2 million for this road widening project, but anticipates a total project cost of approximately \$8 million, which represents an increase from the estimates done at the time of

grant application. Staff requests an allocation of \$80,000 to obtain property appraisals in order to justify an additional grant request from NCDOT. This item was originally requested on the August 6 Town Council business agenda, at which time Council asked staff to request an extension from CAMPO. He recommended getting the 5 high impact properties appraised first, by different appraisers. The \$80,000 would not be spent all at once, but throughout the course of the process.

Councilwoman Kelly asked where the discussion would be with property owners about specific things like, their driveway would have to move or they will lose a tree. Mr. Schifano said that once the plats are received, staff would send them to the landowners and request any special information, such as historic information that may not be on the record, from the property owners. This happens while the appraisers are doing their work. Then the appraisals come back, which do include impacts like trees and shrubs. Only after that will staff come back to Council for permission to buy properties or easements.

Action: Motion to authorize an expenditure of \$80,000 to obtain appraisals for properties impacted by the Holly Springs Road Widening, Phase 1.

Motion by: Villadsen

Second by: Lee

Vote: Unanimous.

11. OTHER BUSINESS

Councilwoman Kelly said that October is also Breast Cancer Awareness month and she wanted to bring it up. It is also the end of Rosh Hashanah and Yom Kippur and she wanted to wish the Jewish residents happy holidays. Also she recently toured the LDS temple and likes how we can reach out to different faiths.

Councilwoman Lee asked Kendra Parrish to address the West Holly Springs Rd. median installation. Ms. Parrish said that in the early 2000's it was determined that Holly Springs Road would be a future 4-lane, median-divided road. Medians are never popular, but they provide a lot of traffic control and safety. The Town has installed medians in other locations and while there was immediate comment, people moved became accustomed to them. In 2001 when the plan was approved, it was noted that the driveway was a temporary full access driveway, but when Holly Springs Road was widened, it would become a right turn only access. The owner of the day care property is the same owner from that time. The Downton development road that is being constructed was required to be full access by Council at the time. There will be three options for people coming out of Tullich Way once the Downton plan is completed. The day care owner wanted to pursue a left turn into Earnie Lane option. This is a DOT roadway and they have specific rules. Earnie is 700 feet from NC 55 and the DOT regulations require that it be further than 1000 feet in order to have the left turn option.

Councilwoman Lee said the plan has not changed. It was approved years ago, and we are working to get the information out to residents. Ms. Parrish said that the food cupboard issue was a different issue, that was construction related. Councilman Berry asked that Communications put out some maps or plans showing how people can get around the median issue.

Councilman O'Brien would like to talk about Citizen of the Year at the next workshop and invite Tony Perna and others from the committee. Randy Harrington said it could be added to the October 8th workshop.

12. Manager's Report:

Randy Harrington, Town Manager said that tonight is National Night Out and he hopes that some people got to go to Ting Park for that and that people will leave their porch lights on.

The Police department had a run last weekend to raise money for Special Olympics. Some officers were running in full gear which weighs 15-18 lbs.

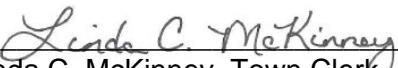
Bass Lake Day October 5th 1 – 4 pm at Sugg Farm, and there will be lots of activities.

He said that staff is starting to ramp up communication about the yard waste program. Staff has been fine tuning the final pieces, which Council will hear about on Friday and then more in the rest of October.

Finally, regarding the Holly Springs Fire Department's new ISO rating, Mr. Harrington congratulated Chief Smith and the whole department for the work they did and continue to do. There are also the water component, the engineering component, and code enforcement, and he wanted to recognize them all, including Cinder. There are close to 500 municipalities in NC and we are one of 11 that got this #1 rating.

13. Adjournment: Councilman Villadsen made a motion to adjourn at 9:12 pm. It was seconded by Councilwoman Lee, and passed unanimously.

Respectfully Submitted on Tuesday, October 15, 2019.



Linda C. McKinney, Town Clerk

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