



October 15, 2019

MINUTES

The Holly Springs Town Council met in regular session on Tuesday, October 15, 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 Dick 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); Gina Clapp, *Director of Planning and Zoning*; Matt Beard, *Planning and Zoning*; Sean Ryan, *Planning and Zoning*; Melissa Sigmund, *Planning and Zoning*; Matt Beard, *Planning and Zoning*; Jeff Wilson, *Director of IT*; Mathew Mutter, *IT*; LeeAnn Plumer, *Parks and Recreation Director*; Cassie Hack, *Director Communications and Marketing*; Tamara Ward, *Communications and Marketing*; Mark Andrews, *Communications and Marketing*; Kendra Parrish, *Director Engineering*; Rachel Jones, *Engineering*; Bronwyn Bishop, *Engineering*; Mary DePina, *Engineering*; Kimberly Keyes, *Project Manager*; Irena Krstanovic, *Director Economic Development*; and Leroy Smith, *Fire Chief*.

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

4. Agenda Adjustment: The October 15, 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: None.

6a. Public Hearing: UDO Text Amendment 19-DO-04; Semi-Annual Text Amendments

Sean Ryan, Engineering, said staff evaluates the UDO twice per year. As a result, the departments bring forward a series of amendments, additions and/or deletions to the Town's development regulations and requirements as interpretation issues arise, new or modified regulations are suggested for development within the Town's corporate limits and Extraterritorial Jurisdiction (ETJ), or the State modifies regulations or the General Statutes that have an impact on the Town's development regulations. He then outlined the changes. There are nine amendments. Two are minor changes regarding historic structures and fences. Six are clarifications or corrections. There is one major change, which is to change the duration of plan approval from three and a half years to one and a half years, allowing special studies (like a TIA) to expire faster. There will be a complete overhaul of the UDO in 2020.

Planning Board Recommendation:

Mike Andreas said that the Planning Board discussed the following issues and concerns on 09/24/2019:

- The Board reviewed several of the amendments with staff to gain a better understanding of why the changes were being requested, specifically:
 - The changes regarding solar panels and if additional study was needed. Staff explained that the proposed amendment addresses a current clarification that is needed and that further study will likely occur during the UDO rewrite in 2020.
 - The changes to the decision matrix and if additional consideration of the entire decision matrix is warranted at this time. Staff explained that the proposed changes only update the matrix to account for previously made changes in process and additions for the Technical Review Committee and tree preservation waivers that are needed to provide clarity on who makes certain determinations. The Board determined the changes were appropriate but requested additional conversations on the matrix in the future.

The Planning Board then recommended approval (7-1-2)

Those voting against the motion were:

- Mr. Crandall did not feel he had a clear understanding of the Decision Matrix and wanted additional conversations prior to making a recommendation on the changes to that section of the UDO.

Council asked Mr. Ryan about the changes to the Decision Matrix. He said that there were three primary changes. 1. To remove the Director's recommendation from all the line items where that appears, since that is no longer the practice on plans before the Planning Board and Town Council; 2. Added clarification on the approval of waivers so that the Technical Review Committee can exercise the same authority regarding waivers as the Planning Board; and 3. Items from the tree preservation ordinance were added to the matrix.

Historical structure changes allow setbacks to be different for historical structures in order to allow them more flexibility to preserve historical structures.

Councilwoman Kelly asked about the change regarding solar panels and was told that this change affects commercial/industrial installations to clarify that solar panels do not need to be painted like other roof top installations, and does not affect residential solar panels.

Councilwoman Kelly requested clarification of the scope of minor amendments at a future meeting. Mr. Ryan said that the Planning Board has requested additional training, and staff is working on organizing it. Also with the upcoming rewrite of the UDO, there will be many discussions about these types of distinctions.

With that explanation completed, Mayor Pro Tem O'Brien opened the public hearing. The following input was recorded: none.

There being no input, the public hearing was closed.

Action: Motion to adopt ordinance 19-11 to adopt statement of compatibility and approve UDO Text Amendment #19-UDO-04 to modify the text of the UDO as submitted by the Town of Holly Springs.

Motion by: Kelly

Second by: Lee

Vote: Unanimous

6b. Public Hearing: Rezoning 19-REZ-02, Holly Springs Quarry

Melissa Sigmund, Planning and Zoning, said the site is located directly north of the existing Hansen quarry, is located within the Town's ETJ, and is currently vacant and undeveloped and zoned R-30. All properties immediately adjacent to the north east and west of the site are currently zoned as R-30: Residential. The quarry property to the south is currently zoned IT: Industry & Technology. No development plan or annexation is proposed at this time. She said that the requested zoning is consistent with the Heavy Industrial land use designation of the property within the Vision Holly Springs Comprehensive Plan and would create an appropriate transition of uses from the existing quarry site. The applicant intends to use the site to store topsoil that comes from the quarry. They are not proposing to use the parcel as a quarry. There are no new access points, and no new roads proposed. Should someone want to use the property for anything other than what is allowed in the conditions below, they would have to come back before Council for rezoning.

Planning Board Recommendation:

Mike Andreas said that the Planning Board discussed the following issues and concerns on 9/24/2019:

- Who would be responsible for any road improvements along the Rex Road frontage.
 - Since the development is not generating any impacts on the town's transportation network, no improvements will be required, however right of way will be dedicated.
- All zoning conditions must be voluntarily proposed/agreed to by the applicant.

NOTE: The conditions offered by the petitioner that were brought before Planning Board have been slightly modified. Specifically the condition that speaks to the Traffic Impact Analysis (TIA) requirements. The rezoning of this property alone did not trigger a TIA; however, it is still a potential requirement with development, particularly if this property is combined with others for a larger scale project.

Planning Board Recommendation:

The Planning Board unanimously recommended approval (7-0-2)

With that explanation completed, Mayor Pro Tem O'Brien opened the public hearing. The following input was recorded:

Garret Raczek 101 Cicada Place, Holly Springs, said that Hansen Aggregate was seeking the rezoning in order to store "overburden", or aggregate, store machinery build sedimentation basins, and several other uses. Mr. Raczek asked Council to delay the rezoning request until they get more data. The quarry was approved in the late 1980's even though it was within a half mile of homes that had been present since the 1970's. Residents expressed concerns at the time. He read from an unnamed source about the effect of building quarries on plants and wildlife, and adjacent ecosystems. Quarries eventually go below the water table, which causes a cone-like shape, which fills with water that must be pumped out. He introduced Ms. Little as a representative of the neighbors.

Dorothy Little, 6613 Rex Road, Holly Springs, said that the quarry came in under the understanding that it would not affect the neighbors. She said they are on well water and the quarry is affecting the quality of their water. She showed a jar of water she said came from her well, and a white tee shirt to demonstrate what her wash looks like. She said that now the quarry wants to come into the community again and this has affected them and they don't know the repercussions of them coming in and doing more work. She said her community wants to know what is going to happen now. She asked for some help.

Gray Styers, 434 Fayetteville St., Raleigh said that the quarry has operated in this location for a long time and is subject to regulations and inspections. They have worked with town staff for many months. The plans to allow the overburden to be located elsewhere have been provided to staff and officials for many months as the Town worked on its comprehensive plan. He said they are in agreement with the recommendations of staff and with the Planning Board. They are not asking

for an expansion of the extraction area. That is already subject to the mining plan on file with the State, and the zoning requirements of Holly Springs. That is not changing. The area and depth are all regulated and subject to inspection and none of that changes with this application. He said that all the applicants are asking is to move top soil from where they are already allowed to quarry to another location, where that soil will be planted with grass and then planted with trees. When they are finished moving that soil there will be a forested area. If anything, this application will allow greater buffering, greater separation north of the plant area than there is now. They will not be allowed to do anything but move top soil and manage stormwater. The ultimate outcome of this zoning will be greater buffering. They held a community meeting on September 12th and many neighbors showed up. There was no opposition. They met with the Planning Board and no one objected.

Mr. Styers said that there is a lot of misinformation about quarries. There has been a lot of publicity about another quarry in Wake County that people are trying to use in Raleigh politics. But in this instance, the zoning before Council is totally consistent with the town's zoning and land use map. It was designated as appropriate for industrial use. However, subject to the application tonight the property is not going to be used as anything other than a soil storage area. There will be no roads or impermeable surfaces added to the property. The topsoil relocated to this property will be seeded with grass and then planted with trees. He said he would be happy to answer any questions Council had. He said they monitor ground water and the water that comes from the pit. This is the first they have heard of any problem with water in the neighborhood. This is the first time anyone has come to them about such a problem in the 30 or 40 years they have been in operation. Delaying the decision will not change any of the facts. They will make sure that they get the contact information from anyone who wants to give it to them to follow up. They will meet with people who have any concerns, investigate those concerns, and be good citizens as they have been for the past several decades. These complaints have nothing to do with whether this land is consistent with the Town's land use plan and whether or not this rezoning should be approved. For that reason he requested that the rezoning be approved.

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

Councilwoman Kelly said that she wanted to learn more about the smell from the asphalt plant and was very concerned for the citizens who came up to talk about their water, and suggested that now would be the leverage time to work through that.

Mr. Styers said that at the community meeting residents said that on occasion in the summer time they could smell something from the quarry. They explained to them that it was from the asphalt plant operated by Fred Smith Company at the location. Asphalt plants and their air emissions are also heavily regulated by the State. The odor was not constant, only during temperature inversions on hot summer days. The neighbors seemed to be satisfied, and they were invited to come forward with further complaints. They have not done so. With regards to the drinking water, there is nothing that a quarry puts into the soil. It extracts rock, but it doesn't change the quality of the water there is no physics that they could do anything to the water. It would depend on the depth of the well, the condition of the well, the filters on the well, which he said he couldn't address. But there is nothing that a quarry does to push water out to contaminate a well. Water does seep into a quarry that has to be removed, which could potentially affect a water table, but in terms of contaminating a well that is not possible. We don't put anything in, we only extract bedrock. They would like to meet with the neighbors and examine the construction of their wells and try to figure out what their problem is. They have two quarries in this part of the county, and 12 quarries in Wake County. They have never heard of any quarry putting something into a well; that's not how hydrogeology works.

Councilwoman Lee said that there are two issues. There are problems with the citizen's water that need to be addressed, but this rezoning does not impact that issue. What is the impact of delaying this zoning?

Ms. Sigmund said the zoning is not increasing the extraction capacity of the quarry. The land is owned by the same individual, but they are not going to use the property for the same use. The moving of soil has nothing to do with the water issue.

Councilman Villadsen asked what benefit there was to delaying the rezoning, because it is unrelated to the existing quarry and he didn't know that Council would get better information. The motions before Council are unrelated to this. He said they need to address this issue, but it is a different issue.

Councilwoman Kelly said Council should delay to let the experts say if it was related or not.

Councilman Villadsen said he thought the conversation can happen, but should not delay this vote.

Councilwoman Lee said that the Town can facilitate a conversation, no matter what happens with this vote.

Randy Harrington, Town Manager, said that the town does not have jurisdiction to regulate water. That is done by the State and those are the people who need to be in the room for that conversation.

Councilman Berry said he did not think the water quality was a factor in the rezoning at this point.

Councilman O'Brien said that these are two separate issues. The Town does need to help the residents. It is very alarming to see water like this. But what Council has in front of them is a matter of moving dirt.

Action 1: Motion to adopt Plan Consistency Statement: The requested zone map change from R-30: Residential to IT CU: Industry & Technology Conditional Use is consistent with the Vision Holly Springs Comprehensive Plan since the Future Land Use Plan Map indicates this property Heavy Industrial and the IT CU district will support uses consistent with this. In addition, the proposed zoning conditions will create an appropriate transition of uses from the adjacent existing quarry site.

Motion by: Villadsen

Second by: Berry

Vote:

Aye: Berry, Villadsen, O'Brien, Lee

Nay: Kelly

The Motion passed.

Action 2: Motion to adopt Rezoning Ordinance 19-REZ-02 to approve the rezoning from R-30: Residential to IT CU: Industry & Technology Conditional Use with the Petitioner's Offered Conditions as stated below.

Motion by: Berry

Second by: Villadsen

Vote:

Aye: Berry, Villadsen, O'Brien, Lee

Nay: Kelly

The Motion passed.

Petitioner Offered Conditions:

1. Mine equipment and customer trucks may not access the parcel from Rex Road. Only those vehicles presently allowed for residents may utilize the existing driveway to the parcel.
2. Use of the subject properties shall be restricted to the following uses:
 - Overburden Storage
 - Sedimentation or Fresh Water Basins
 - Aggregate Stockpiles

- Non-extraction Supplemental Uses (Equipment staging, parking, etc.)

3. As represented on Exhibit "A" of the submittal packet, screening from public view shall be provided by undisturbed buffer, as well as a vegetated screening berm.

4. The Town requires certain fees to be paid upon development of land and for the granting of a building permit. Said fees are listed in the Town's annual budget, and with this rezoning the Developer agrees he/she (i) is familiar with these fees; (ii) does not dispute the reasonableness of these fees as set forth in the Town's annual budget; and (iii) notwithstanding any reimbursements discussed at this time through an Infrastructure Reimbursement Agreement, hereby agrees to timely pay all *normal and customary* fees applicable to Developer in connection with the Project. Such fees are listed in the current year annual budget of fees at the time the fee is due under the ordinary course of development.

5. For the purpose of accommodating the Town's future build out of transportation facilities, Hanson will dedicate the necessary road frontage right-of-way for the ultimate cross-section in accordance with the Town's Comprehensive Transportation Plan.

6c. Public Hearing: Development Plan 19-DP-11, Hawthorne at Holly Springs

Matt Beard, Planning and Zoning, said that the property is subject to a development agreement executed by the town and developer on February 16, 2016 that, among other things, relieves the developer from constructing "public bike lanes or sidewalks along Ralph Stephens Road or Main Street..." This agreement was entered into as a condition of a settlement agreement regarding the eminent domain action for the construction of the Main Street/Ralph Stephens Road improvements. He clarified that the parking plan in the packet was incorrect, they are not requesting any parking waivers and the parking is within the Town requirements.

He said that the Southern Crossroads Master Plan was originally approved on February 7, 2017 and subsequently amended three times, with the most recent amendment approved August 24, 2018. The Master Plan established Architecture and Site Design requirements beyond the base requirements of the Unified Development Ordinance that this project was required to comply with. The parcel was zoned R-MF-15: Multifamily Residential on March 15, 2016.

Mr. Beard said that the 185 unit multi-family project will be located at the intersection of Piney Grove-Wilbon Rd. and Southern Crossings Blvd. This project is the second of two parcels identified for multi-family residential development within the Southern Crossroads Master Plans, the first being The Exchange, which is currently under construction. The swimming pool has been relocated from the preliminary plan because the UDO requires that pools must be at least one residential block from a major road. There are plans for connection to other town greenways.

Rachel Jones, Engineering, said that the original TIA was approved in 2017. This project generated a trip memorandum. The anticipated buildout in the original TIA was 2021 so they are within that original time frame.

Planning Board Recommendation:

Shaun McGrath said the Planning Board discussed the following issues and concerns on September 24, 2019:

- Location of the playground;
- Lack of pedestrian connectivity to adjacent developments due to Developer's Agreement;
- The timing of the TIA;
- Concern over proximity of residential buildings to the power lines.

The Planning Board recommended approval (4-3-2)

Those voting against the motion were:

- Mr. Madoni – based on the lack of additional amenities provided other than the bare minimum requirements.
- Mr. Crandall – based on the Electromagnetic field exposure from the power lines to the 3 nearest apartment buildings.

- Mr. McGrath – based on the lack of connectivity for this area with the rest of the town.

With that explanation completed, Mayor Pro Tem O'Brien opened the public hearing. The following input was recorded:

Bill Brian, Morningstar Law Group, Durham. He said he represents Southern Crossroads, and Hawthorne. He introduced the team, and said that Hawthorne's obligation was to introduce the site plan and show that it complies with the Town's rules.

There being no further input the public hearing was closed.

Phil Payonk of Hawthorne Residential Partners Greensboro, NC, said they had worked closely with staff to come up with a plan that everyone can be enthusiastic about. He showed an elevation of what the project might look like. The colors are all within the Town's color palette and these designs have been well received throughout North Carolina. He listed some of the amenities that will be offered to residents, including a salt water pool, grilling pavilion, 24 hour business center, Starbucks coffee bar, pet park and pet wash, volleyball court, club house, and fitness center. He showed example photos from projects around the state. He said the playground will have a six foot high metal fence as well as landscaping. There will be a berm area with mature trees, various bushes to help screen, and some native grasses and other plants. They will work closely with the town to make sure it fits within the guidelines.

Councilwoman Kelly asked about elevators for the three story buildings. Mr. Payonk said that the three-floor split building does have elevators.

Councilman Berry asked if they considered that adding connectivity would enhance the quality of life for the people who will reside here. Mr. Payonk said that there are sidewalks on Southern Crossroads Blvd. and residents can cross the street and have access to sidewalks over there. They are comfortable with the connectivity they have now and hopefully it will improve in the future.

Mr. Brian said that it was a trade-off that the Town made, in order to pay his client less money during the condemnation process. The road was built in a way that makes it harder to build sidewalks right now, because the road isn't developed properly to engineer sidewalks. This agreement was adopted by the Town with full knowledge. So yes, that is the Town's responsibility. Councilman Berry said he understood, but the town has changed since 2016, and he thought this was an opportunity for them to increase the quality of life for their residents. Mr. Brian said that this plan is consistent with all applicable law, and so he would ask Council to approve it.

Councilwoman Kelly said that one of the things that developers have come to the table with before, is that they understand the spirit of the town has changed and they willingly change their plans. Councilwoman Lee said she didn't see a problem with tabling this and having the discussion. Mr. Brian said if Council tabled this, the developers would be held hostage. They have met the legal requirements, and thus have the right to be approved. To not approve it is problematic. Councilman Berry said that the only leverage Council has is to table the plan, and entertain the conversation to have more comfort with what they are approving than to approve it without understanding.

Councilman Villadsen asked for an explanation of why there are no growth stubs to provide connectivity. Rachel Jones, Engineering, said the neighboring site is the Exchange project. They do have a connection to the trail that is being built there. There is not cross vehicle connection between the two properties. Councilman Villadsen asked about the difference between a single family neighborhood and these projects for connectivity. Ms. Jones doesn't know history of Exchange. Councilman Villadsen said there seems to be a glaring omission of connectivity. Councilman Berry asked if it was part of the developer agreement, or is it the developer's decision. Mr. Payonk said that there is not a road there, so there's nothing to connect to. South of the project is a wetlands area, so there can be no connectivity there. The Exchange project was approved several years ago and there was no plan for connectivity.

Councilwoman Kelly said that the power easement has parking underneath. Does the project include the easement? Mr. Beard said that the typical practice is to include all of the area, in and outside of easements, in density calculations. The other project you are thinking about has a special exception to not use that easement. Councilwoman Kelly asked what else was under the easement, asked if Council needed to have a conversation on how easements are calculated and what is allowed. She said she doesn't see them as workable area, in general.

Action: Motion to table Development Plan 19-DP-11 for Hawthorne at Holly Springs and have staff hold conversations with the developer regarding pedestrian connectivity.

Motion by: Berry

Second by: Kelly

Vote: Unanimous

6d. Public Hearing: Special Exception Use 19-SEU-07, Homecrafted Brewpub

Matt Beard, Planning and Zoning, said that on October 6, 2015, Homecrafted received approval for a Special Exception Use to open their retail sales business selling homebrew equipment and ingredients at 101 Tradition Trail within the Holly Springs Business Park, Tract 11. The applicant would like to construct a Tasting Room in association with the current business operating at this location. According to the Unified Development Ordinance, in order to add the Tasting Room use to the site, a Special Exception Use must be granted by the Town Council.

Mr. Beard outlined the definitions of Bar, Nightclub, Artisan Food and Beverage Producer, and Tasting Room.

Planning Board Recommendation:

The Planning Board did not discuss the following issues and concerns on 09/24/2019 and recommended approval (7-0-2)

- There is not road striping in this area.

With that explanation completed, Mayor Pro Tem O'Brien opened the public hearing. The following input was recorded:

Adam Reinhard, 101 Tradition Trail. He is the owner, and only employee of Homecrafted. He has been open for about five years, and in Holly Springs for the last 3.5 years. His current use is sales of home brewing supplies, a brew-in on location to allow people to come brew in their facility, and retail ABC sales. They want to add the tasting room and eliminate the brew-your-own. It will be very small, only ten gallons at a time. With this change from retail to industrial, it decreases the parking needs by one parking space. He said they have spots in the back for employees and could have customer overflow parking there. They have the complete opposite hours of the other tenant, which is Monday to Friday 9-5, while Homecrafted is after 5 and on weekends.

There being no further input the public hearing was closed.

Councilwoman Kelly asked if they were planning to have food trucks or other vehicles. Mr. Reinhard said he would like to and has a really good spot for them, off to the side, not encroaching on the parking.

Councilman Berry asked if there were any compliance issues, in that they have the tasting room already but are now asking for the Special Exception Use. John Schifano said that they would have had to go through the police department and get a permit, so he would assume they had to show compliance.

Action: Motion to make and accept the Findings of Fact for consideration of and to approve Special Exception Use 19-SEU-07, with the conditions stated below.

Motion by: Villadsen

Second by: Kelly

Vote: Unanimous

Conditions:

1. All operations must adhere to the evidence submitted by the applicant as stated in the findings of fact submitted and those findings of fact specified by the Town Council in conjunction with 19-SEU-07.

Town attorney was asked to investigate the compliance issue.

6e. Public Hearing: Special Exception Use 19-SEU-08, Eisenhower Brewpub

Matt Beard, Planning and Zoning, said that on April 9, 2013, the Town Council approved Development Plan #13-DP-01 to allow for the conversion of the single-family residence located at 9204 Eisenhower Drive to a Professional Office building. The building is currently occupied by Lighthouse Recruiting, which will be relocating to The Block on Main Street when it is completed.

He said that the applicant would like to convert the existing structure into a brewpub with onsite craft beer production and consumption, and retail sales. According to the Unified Development Ordinance, a Special Exception Use for an Artisan Food and Beverage Producer must be granted by the Town Council in order to add beer production and consumption as part of the business at 9204 Eisenhower Dr.

There will be no proposed changes to water and sewer services, and no change to the development plan approved in 2013.

There were some concerns about parking in the case of an event on the property. The applicant said in their Findings of Fact that they would comply with all Town parking requirements.

Planning Board Recommendation:

The Planning Board did not discuss any issues and concerns on 09/24/2019, and recommended approval (7-0-2)

With that explanation completed, Mayor Pro Tem O'Brien opened the public hearing. The following input was recorded:

Adam Reinhard, we will be closing down the current location with the current uses and moving to Eisenhower. I believe there are adequate parking spaces, and there is plenty of land with off street parking, on the grass.

Betty Mitchell, 9212 Eisenhower Drive, said that she had concerns about what kind of business this would be. Will people come to drink alcoholic beverages? If so, how many people will it accommodate? Will there be enough parking? What are the hours? Will there be loud noise? There's already a bar in the shopping center, why do we need two? She said she has lived on Eisenhower for 41 years and lives there for the peace and quiet. She said that anytime you are serving alcoholic beverages, things can get out of hand. She is concerned about safety, because she would be living next door to a bar and she doesn't see that as a good or great idea.

There being no further input the public hearing was closed.

Councilwoman Kelly asked what could be done to engage with neighbors to address their concerns. Going from an office building to a tasting room is a big change. Mr. Reinhard said he had knocked on the doors and the neighbors who answered did not have any problems. If Ms. Mitchell

is the one who lives on the left, she didn't answer her door, so he left his card but did not hear back from her. He did make a good faith effort.

He was asked to answer her questions. He said the product will be artisan beer, in 10 gallon batches. The tap room will be 500 sq. feet, so no more than 10-12 people at a time. It is a wide open building with one wall that is a structural wall that they will design around. He doesn't see being open past 8:00 pm on weekdays, 10:00 pm on Friday and Saturday, and 8:00 pm on Sundays, after the second football game ends.

Councilwoman Lee asked what the difference was between a tasting room and a bar. Do people come and have a drink with their friends?

Mr. Reinhard said in the morning they will be brewing, no one will be coming in and out. Until 5:00 they will sell home-brew supplies, and in the evening there will be 4 to 8 things on tap. People will come to try them, but that won't be their main line of business. There will be other activities, and they just happen to have something on tap.

Councilwoman Kelly asked if he had held a public meeting for the neighbors so that they can know what's going on. Mr. Reinhard said he had knocked on doors, but hadn't held a meeting. Councilwoman Kelly said that this changes the feel of the neighborhood more than an office building does. She would like to table it until the applicant has a chance to talk to the neighborhood.

Councilman Villadsen said that the current use as an office has people coming in and out but there's no noise or outside activity. He thinks that there needs to be more information given to the neighborhood about how much more impact this would have.

Mr. Reinhard said they would not have outside seating, everything will be inside. He said there is no bar on the same street, just the Italian restaurant. The tasting room would be 5% of their business, not their main moneymaker. Once they are brewing and selling more they won't have to sell other people's beer.

Councilwoman Lee and Councilman Villadsen expressed a desire to table until Council gets resident's input, and applicant has a Q&A session to see if he can hear, and maybe alleviate neighbors' concerns.

Action: Motion to table.

Motion by: Lee

Second by: Kelly

Vote: Unanimous

7a. 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 Berry, and a unanimous vote. The following actions were affected:

7a. Minutes – The Council approved minutes of the Council business meeting held October 1, 2019 and the workshop held October 8, 2019.

7b. Monthly Administrative Budget Amendments – 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.*

7c. Fire Engine Purchase Contract – The Council approved a contract with Atlantic Coast Fire Trucks for the purchase of a fire engine.

7d. Position Reclassification – The Council approved the reclassification of a position: Fleet Services Supervisor SG 79 to Fleet Services Manager SG 81.

7e. Funds from Needham Norris House – The Council approved moving the funds from the sale of the Needham Norris House from the General Fund to Parks and Recreation Reserves.

7f. Main Street Right Turn Lane & Holly Springs Road Widening Phase 2 – The Council approved two traffic signal agreements with NCDOT, one for a right turn lane on Main Street and one for the Holly Springs Road Widening Phase 2; a contract with Leaf & Limb for tree risk and health assessment, tree protection and construction monitoring; and a budget amendment to transfer funds from the interfund loan to the project account. *A copy of the budget amendment is attached to these minutes.*

7g. Avent Acres storm drainage improvements – The Council approved a project budget to survey, design and construct stormdrain repair project. *A copy of the budget amendment is attached to these minutes.*

8. UNFINISHED BUSINESS

8a. 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.)

Matt Noonkester, with City Explained outlined the process they went through, with community engagement and other stakeholder meetings. He highlighted six items where concern had been expressed.

1. Location and intensity of land designated “mixed residential neighborhood” in the southern planning area.
2. Why almost all developable land in the planning area was designated “mixed residential neighborhood” on the future land use map.
3. The transition between “mixed residential” neighborhood areas and “residential neighborhood” areas, especially in terms of transition from urban to suburban to rural context areas in the southern planning area today and in the future.
4. Many places designated for mixed residential neighborhoods in the southern planning area do not have utilities yet available to support them.
5. How we are planning to measure success or adherence to the recommendations when a lot of recommendations in the document are already being done.

6. The initiative of moving away from a density evaluation to a character evaluation for proposed projects, and how to ensure the UDO is updated timely and is adopted consistently with the implementation of this plan, specifically the potential lag between policy and ordinance tools that could be exploited by developers.

Mr. Noonkester said the future land use map lays out locations, types, densities, way beyond town limits, going all the way to the ETJ. The map was drawn with the idea of full buildout, no matter how long it takes. Overall, at the highest level, it wasn't a dramatic change. There is more open space, and some suburban development changed to "urban space." Currently the southern area has suburban residential, some areas for rural, density of 1 – 2.5 units per acre. Some of that is already being built. The new plan has two new ways to describe residential. There is single family detached housing, with varying lot sizes to allow different housing types in the same neighborhood. There is more open space, in and around the residences. Mixed residential would allow varying density with the most density in the interior of the site, with less density around the periphery. They looked at the different things going on in the southern planning area, looking at the water plan and sewer service area. The long range plan shows that the entire area could be served by water and sewer in the future. This area matches up against other jurisdictions' planning areas, and they looked at those uses to try to match like to like. There are neighborhood activity centers within these mixed areas. The question about how to transition, he said, is all about design. Alleys, street design, open space, building scale, and architecture can all assist with transition.

The maps showed a full buildout. It is not expected that it will all be done at one time. The full map gets taken up with the water plan, the parks plan, and others. This is not a frozen in time document. It is ok to change it down the road as things change in Town. It is meant to be a guide to preserve the character of the Town. There is a symbiotic relationship between this map and the transportation, parks, and water maps. There will be back and forth as the other maps are updated. He showed examples of built neighborhoods with varying lot sizes and types of housing, as well as the use of the elements he described above.

Council thanked him and said the examples were helpful.

Councilman Berry expressed concerns that the current map will allow developers to start bringing too much dense development to Council.

Action: Motion to adopt Resolution 19-30, replacing Section 1 of the Vision Holly Springs Comprehensive Plan, Section1: Land Use & Character Plan dated September 17, 2019 with staff recommended modifications to text and maps, subject to final edits to layout and design of the document.

Motion by: Kelly

Second by: Lee

Vote:

Aye: Kelly, Lee, Villadsen, O'Brien

Nay: Berry

The Motion passed.

Mayor Pro Tem O'Brien called a 10 minute recess at 9:35 pm.

The meeting was called to order again at 9:45 pm.

8b. 16-DP-17-A02 / 19-WAV-07, Peterson Station

Sean Ryan, Planning and Zoning, said that Peterson Station was approved on June 20, 2017. The project was approved under the Mixed Use Option in the UDO and includes vertical mixed use buildings along Sunset Lake Road with ground floor commercial and retail and a total of 310 multifamily dwellings with a gross density of 16.43 units per acre. A plan amendment was approved in May 2019 to modify the location and arrangement of buildings, adjust the layout of the parking area, and modify the open space layout. The number of units and density did not change

and parking, open space, and building footprint area changes were within the established allowances. In accordance with UDO Section 9.05 D. 5. the proposed modifications qualified as a Minor Amendment. The majority of the project area was zoned LB Local Business in 2016 with a portion of the project area being zoned LB Local Business in 2005. The project area is designated as Very High Density Mixed Use on the Northeast Gateway plan land use map.

Mr. Ryan said that the purpose of the amendment is to modify the building elevations. Unified Development Ordinance (UDO) Section 9.05 D. 5. states that a substantial change in building design, building material selection, or percentage of various building materials utilized constitutes a major amendment and requires approval from the Town Council. This project was last before the Town Council on June 18, 2019. The Town Council requested additional modifications to the elevations and for the petitioners to conduct a meeting with the neighbors to gauge community reaction. New elevations have been submitted for Town Council review and consideration and the requested waiver for the amount of brick (primary façade material) on the building has been modified to reduce the waiver requested since they have added additional brick on the front corner elevation and made adjustments to adjacent building sides. He showed the evolution of the elevations.

The following waivers have been requested (specific waivers outlined in the resolution):

- 19-WAV-06: Primary Façade Materials - to allow for a reduction in the Primary Building Material.
- 19-WAV-07: Façade Modulations – Multifamily - to allow for alternate compliance with façade modulation width and depth.
- 19-WAV-20: Colors – Multifamily - to allow for alternate compliance with the minimum percentage of primary color.
- 19-WAV-21: Roof Treatment - to allow for an increase in maximum continuous roofline.
- 19-WAV-22: Primary Façade Massing - to allow for an increase in maximum building bay.
- 19-WAV-23: Primary Façade Modulation – to allow for alternate compliance with the façade modulation requirement.

Planning Board Recommendation:

The Planning Board discussed the following issues and concerns on 05/28/2019:

- The Board requested information from staff on the previously approved minor amendment to the site plan. The Board expressed that the changes did not seem to be minor, specifically the reduction in area of the central open space, and should have been included with this amendment.
- The Board requested an update on any other changes that may have been made to the project, including additional sidewalks along Sunset Lake Road and the status of a traffic signal at the intersection of Sunset Lake Road and Stephenson Road.
- Where signs would be placed on the building. A Master Sign Plan will still be needed for this project and will allow the Board an opportunity to review signage.
- The appearance of the building from the corner and if the facade could be changed to be more inviting or aesthetically pleasing.
- The Board agreed that the proposed elevations are an improvement over the approved elevations being modified.

The Planning Board recommended approval of Architectural Waivers (8-0-1[Recusal])

The Planning Board recommended approval of Development Plan Amendment (7-1-1[Recusal])

Those voting against the motion were:

Mr. McGrath: Aesthetically, the front corner façade appears too large and modifications should be made to make the corner more inviting.

Laura Holloman, Spaulding & Norris, PA, showed the elevations shown to Council in June. The concerns they heard about the previous plans was a lack of community character, and an overwhelming corner. They have added red awnings to bring a more inviting human scale to the building and add a splash of color. They increased the window sizes on the upper stories and increased the brick to blend into the surrounding area. This building is what community character is at this gateway. They tried to energize the project by bringing the activity to the street level. They intend to have public art and something to create a sense of place for the gateway. In regards to the question about the positives of this plan, they eliminated the tall retaining wall. With the new plan the distance to the garages has been reduced and the building is further away from the adjacent neighborhoods. She said that road improvements were approved three years ago, so she wants to make sure everyone has an understanding. There will be a dedicated left turn lane onto Stephenson Road, and a dedicated right turn lane on the other side. There will be a traffic signal installed prior to the first certificate of occupancy for the project. All access points along Sunset Lake Rd will have dedicated turn lanes into the site. They will pay a fee-in-lieu instead of installing a median. And they will construct a sidewalk all the way to Sunset Point.

Wayne Davis with TYJO Group, owner's representation, said that they are very proud of this plan, and anxious to hear Council's reactions. The first level will be retail / restaurant and the awnings draw the eye to that. He said that the "Welcome to Holly Springs" sign shown on the drawings is a placeholder, and they hope to put a call out to local artists for a monument to go in that spot. He showed a video showing the concept of the development.

Mayor Pro Tem O'Brian asked what the width of the space between the sidewalk and the street on Sunset Lake Road would be. Mr. Davis didn't have the measurements, but said it is separated from the street with landscaped area. They are going for a plaza feel.

Mayor Pro Tem O'Brien asked if they were creating a bike lane. Mr. Davis said there is no designated bike lane, but if the street is wide enough they could. But the sidewalks go all the way. He said the neighbors were most excited about the stop light. They say it is very much needed at that intersection.

Councilman Villadsen asked if there was any concern about what will be in the windows upstairs, since they are residences, given that they are enlarged and that is the focal point. Mr. Davis said they could tint the windows, which would give privacy as well as unifying the look. And blinds are being provided in all the apartments, so that will provide consistency.

Councilwoman Kelly thanked them for working with Council and listening to them, but she thinks the terrace of the original was more welcoming.

Mr. Davis said the original concept was difficult from an ADA and an engineering angle to make happen. But they widened the archway in this design and made it more visible to invite people in. They spoke to neighbors and it was approved, and no one had negative comments. Councilwoman Lee said it still looks more like a fortress than what was shown to Council before.

Mayor Pro Tem O'Brien asked about a median being constructed. Residents are concerned about emergency vehicles getting in with a median. Mr. Davis said they are not putting in the median, they're paying a fee-in-lieu instead of putting it in.

Councilman Berry asked where the garages were located. Mr. Davis said they took advantage of the slope in the back side and put them under the building.

Council asked about landscaping in the parking area to shield residents from headlights, parking for the restaurants and retail businesses, and about the exits on to Stephenson Road.

Council discussed how the project does not showcase the commercial and, rather than being open and inviting enough to the outside, seems like a large apartment complex, which was not what the original concept depicted. The consensus was that the applicant consider a new design.

Action 1: Motion to table Resolution 19-31.

Motion by: Lee
Second by: Kelly
Vote: Unanimous

Mr. Ryan asked for clarification and Council said they want a new design for the corner, and Councilwoman Kelly was also concerned about parking being clear so that people know where to park.

8c. Sugg Farm Picnic Shelter

LeeAnn Plumer, Director of Parks and Recreation, said that Town Council approved the Sugg Farm Shelter project in January of 2018 with an \$800,000 budget. The original project scope included a 7,035 sq. ft. shelter with a warming kitchen, fireplace, ceiling fans, and men's, women's and family restrooms. The site design included accessible parking and a small gravel parking lot.

Staff updated Town Council in September with bid estimates which were presented at \$1.9M, \$1.9M and \$1.433M. With the apparent low bid over budget, staff sought scope reductions from the contractor and recommendations from the Parks & Recreation Advisory Committee. Value engineered estimates from the low bid contractor include: \$1,333,645 for the simplified shelter (to include restrooms and accessible parking) or \$1,033,582 for restrooms and accessible parking only.

The Parks & Recreation Advisory Committee recommended (vote: 7 in favor, 2 opposed) to alter the project scope to include restrooms, accessible parking and an additional feature from the Sugg Farm Master Plan. Discussion from the Committee included:

- The simple shelter model may not meet the original intent of a wedding venue; focus should be more on elements (restrooms, parking) to benefit the most people.
- With value engineering, the shelter will not be a unique amenity and will duplicate shelters at Jones and Womble Parks.
- Due to the construction market, even restrooms and parking will exhaust the project budget; the full original project should be constructed with additional funding allocated.
- Consider the addition of a dog park as a feature along with restrooms and parking.

A dog park is part of the Sugg Master Plan and not a duplication of services.

The two (2) opposing votes were in support of moving forward with the original scope of work. The Town is still within the 90 day window to accept the low bid with the contractor, should the Council desire to consider this option.

Due to the sustained high project cost even with the scope reduction, staff researched alternate construction types for the restroom facility. Options include a modular unit (similar to Ting Park) or a pre-fabricated facility (similar to Womble Park). Research concluded that a site appropriate restroom facility could be purchased in the range of \$120,000 to \$500,000.

If this proposal is approved, staff will seek Planning Department and Triangle Land Conservancy approval for site changes, finalize vendor selection for pre-fab restrooms, site and utility connections, and accessible parking, and a dog park amenity. Staff would hold a community engagement meeting to seek input for the operational model.

Elizabeth Stone, Parks & Recreation Advisory Committee, said the largest issue was that there was a lot of discussion that we should have a new amenity in town that isn't available anywhere else in town. Having another amenity will draw more people to Sugg Farm.

Leonard Lloyd, Parks & Recreation Advisory Committee, said that normally he would find himself on that side of the argument. But he felt that this was a unique piece of land, and as such deserved a unique amenity, like the shelter in its original form.

Councilwoman Kelly said that from hearing from people on the “other side” of the bypass, that there is nothing on their side of town, she thinks it would be nice to hold off on the dog park to see if the town can build something unique on that side of town.

Councilman Berry said Council has been having discussions about how to use the Parks & Recreation bond money, and the public is saying that they want greenways and park land acquisition. He doesn't see how this goes with that discussion. He said he thought Council should wait and look at this holistically and make sure we are understanding what that park land is for and how to use it. He said he would like to take a look at the whole picture before acting.

Mayor Pro Tem O'Brien said the comprehensive plan from 2013 outlined many of these things. And parking, bathrooms, and a dog park were the top things. He said he hoped to sit down with the Parks and Rec committee soon and work out what we are going to do moving forward. He would suggest that we table it to talk with the committee. Councilman Villadsen said that getting restrooms and parking is what ticks all the boxes on the master plan. So he would like to go ahead but doesn't see the support from his colleagues.

Ms. Plumer said that the restrooms are outside of the bond money. This project budget was approved in 2018, and what is being bid is the scope. Staff doesn't want to tap any of those other resources to meet the original plan. This will not take anything away from doing things for the west side of town. Staff has looked at preliminary plans, and thinks the Town can stay within the approved \$800k budget.

Action: Motion to reject all bids on the Sugg Farm Shelter Restroom Project and to modify the project scope following the Parks and Recreation Advisory Committee's recommendation to include a restroom facility utilizing an alternate construction type, accessible parking, and dog park, within the original project budget.

Motion by: Villadsen

Second by: Lee

Vote:

Ayes: Villadsen, Lee, O'Brien, Berry

Nay: Kelly

The Motion passed.

9. NEW BUSINESS

9a. Preliminary Plan 19-MAS-01, New Hill Road Subdivision

Matt Beard, Planning and Zoning, said that the applicant has proposed a 43 lot single family subdivision at the property located at 12136 Holly Springs New Hill Rd. This project is considered a Major subdivision since it includes the creation of more than 4 lots, the installation of public utilities and dedication of public right-of-way, and is therefore required to be considered by the Town Council for official action on the preliminary plan. The parcel was zoned R-10 CU: Conditional Use Residential on October 16, 2018 with certain developer offered conditions as spelled out in the agenda packets. It is surrounded by similar type subdivisions. The rezoning for this site stipulated that the power line easement be removed for density calculations. The full site survey identifies all trees that are considered specimen trees as well as any tree stands. The trees in the power line easement do not count towards tree preservation, as Duke Energy reserves the right to remove trees in their easement. The applicant is providing 21.2% of the acreage as dedicated tree preservation.

Planning Board Recommendation:

Mike Andreas said the Planning Board discussed the following issues and concerns on 09/24/2019:

- Impact of overhead power lines on adjacent residents
- TIA not being required by the Town for this project

- Fee-in-lieu of signal at the intersection of Green Oaks Parkway and New Hill Road proportionate to the project's impact in the amount of \$6,000

The Planning Board recommended approval (6-1-2)

Those voting against the motion were:

- Mr. Crandall – Concerns regarding proximity of residences to power lines.

Mr. Andreas said that staff said that the homes are within the legal distance from the power lines. It is a concern of the planning board, but they know it is not something they can regulate.

Mr. McGrath said that there were traffic concerns. Planning Board believed that if they had a new TIA it would actually make the developer pay less. There was also discussion about who was responsible for the pond.

Staff Note: Staff recommendation 2a that was presented to the Planning Board has been removed from the recommended conditions as it is not required for this project at the specified timeframe.

Councilwoman Kelly asked about amenities for the 43 homes. Applicant, John Frazier, said that the developer has secured an agreement from 12 Oaks to use their amenities. This development will have its own HOA, but they have an agreement that their residents will have a social agreement to use the 12 Oaks amenities. Councilwoman Kelly said she was concerned that there were no play area or swings or anything that residents could reach without getting in a car, and she is worried about the power lines.

Councilwoman Lee asked if the Town has done any studies on power lines. Councilman Villadsen said he was concerned that if the Town tried to impose stricter rules it might conflict with State and Federal laws. Town Attorney, John Schifano, said that the federal government preempts municipal power. Municipalities can use their zoning power, but they cannot restrict based on power lines.

Applicant said that they are within the federal guidelines.

Action: Motion to approve Preliminary Plan #19-MAS-01 New Hill Road Subdivision with the conditions stated below.

Motion by: Villadsen

Second by: Berry

Vote:

Ayes: Villadsen, Berry, O'Brien, Lee

Nay: Kelly

The Motion passed.

Conditions:

1. This project will be required to meet Town's NPDES Phase II Post Construction Stormwater ordinance.
2. The following must be completed prior to the first Construction Drawing submittal:
 - a. Documentation in the form of a recorded plat must be provided for offsite right-of-way to be dedicated for this project.
 - b. Thoroughfares, collectors, and boulevards will require a calculated pavement design and approval by Town and NCDOT.
 - c. A flood study is required to meet the Town's policy for Hydrologic Basin Models (Town Policy - P-018).
 - d. All items listed on the Stormwater Submittal Checklist, Form #1600.
 - e. Provide a sealed engineer's report including calculations to verify hydraulic capacity of existing pond.

- f. Provide a sealed engineer's report and recommendations to verify structural integrity of dam(s).
- 3. Prior to Construction Drawing Approval, the following items must be addressed:
 - a. Street Tree locations shall be shown with approved lighting fixture locations and shall be positioned as to not interfere with any lighting fixtures or any site distance triangles.
 - b. Relocation of overhead utilities underground will be required with this project.
 - c. Fee-in-lieu proportionate to your project impact of upgrades to the Twelve Oaks Force mains/Pump Station.
 - d. Fee-in-lieu of signal at the intersection of Green Oaks Parkway and New Hill Road proportionate to the project's impact in the amount of \$6,000.
 - e. Any off-site water and sewer facilities that are needed to serve this project must be completed and accepted. The Town is not responsible for completion of off-site sewer facilities, and will not guarantee completion of such facilities by any other party.
 - f. Approval of Stormwater Management Plan.
 - g. Stormwater sureties are required on this project. A performance surety in the form of a bond, letter of credit or cash is required in the amount of 125% estimated construction cost of the stormwater BMP prior to the preconstruction meeting and a maintenance surety in the form of a cash escrow account in the amount of 35% the actual construction cost of the BMP is required at the end of the performance monitoring period for the project.
 - h. All environmental permits must be obtained for entire project.
- 4. At time of petitioning for the first Final Plat for this subdivision:
 - a. Homeowner's Association covenants shall be submitted for review prior to recording.
- 5. Prior to the submittal of any UDO Permit for Sign Installation for permanent signage, a Master Sign Plan must be submitted to the Department of Planning & Zoning for review and approved.
- 6. No more than 85% of building permits shall be issued prior to the installation of all street trees not located along a residential lot.

9b. Village District Speed Limits

Mary DePina, Engineering, said that with the opening of Town Hall Commons, soon to be followed by the opening of the Block and the new Rex Hospital facility, the Village District is becoming a destination location for both residents and the surrounding communities. Currently, Avent Ferry Road's speed limit is 35 mph from NC Hwy. 55 to Earp Street. Main Street is currently 35 mph from NC Hwy. 55 to Rogers Street, and reduces to 25 mph from Rogers Street to Earp Street. Ms. DePina clarified that the new speed limit on Main Street would be 25 mph from Oak Avenue to Holly Springs Road. As the Village District grows and becomes more of an attraction for visitors, both vehicular and pedestrian traffic will continue to increase. Lowering the speed limits will make travel through the Village District safer. The new speed limits will provide safer mobility for vehicles and pedestrians alike and will provide a safer environment during festivals and other events in the Village District. US Department of Transportation data show that reducing the speed limit 10 mph drastically reduces pedestrian deaths in the event of an accident.

Action 1: Motion to repeal speed limit of 35 mph and enact a speed limit of 25 mph on Avent Ferry Road from Oak Avenue to Earp Street.

Motion by: Lee
Second by: Kelly
Vote: Unanimous.

Action 2: Motion to repeal speed limit of 35 mph and enact a speed limit of 25 mph on Main Street from Oak Avenue to Rogers Street, and from Earp Street to Holly Springs Road.

Motion by: Lee
Second by: Kelly
Vote: Unanimous.

9c. Fiber Connection NCDOT Municipal Agreement

Kendra Parrish, Director of Engineering, said that Intelligent Traffic Systems “ITS” provides a proven set of strategies for advancing transportation safety, mobility, and environmental sustainability by integrating communication and information technology applications into the management and operation of the transportation system. The benefits to having the signals connected via fiber include:

- A more reliable connection;
- A baseline communication for real time traffic management; and,
- Coordination of signals.

Ms. Parrish said that currently NCDOT maintains a dial up modem signal system that is complaint driven, has frequent interruptions, and a delayed response time.

She said that NCDOT will reimburse the Town 100% in the amount of \$390,000 toward the connection of all signals to the existing Town fiber. This is Phase 1 of the plan. Phase 2 will update all signals’ software, and upgrade the fiber connection to the NCDOT traffic center. Phase 3 will include calibrating timing plans with current traffic counts and installing cameras on major intersections. Phases 2 and 3 will be future budget requests and are part of a 5 to 7 year plan. There has been a lot of coordination with the fire department to get software requiring preemption, which uses GPS technology to register as fire trucks approach an intersection, change the lights to allow them through, and then go back to the timing plan.

Ms. Parrish discussed the future of outsourcing the monitoring, or handling it in-house. She discussed best practices in nearby municipalities and the percentage of funding they receive from NCDOT.

Councilman Berry asked if the Town was starting the project now. Ms. Parrish said that if Council approves the agreement staff will go out and get a contractor who can connect the fiber within the next 8 to 9 months. It needs to be in this budget year. Councilman Berry asked about the funding source. Ms. Parrish explained that there are two projects that the Town is moving forward with that will be funded from the Sportsmanship Way reimbursement. It is a cash-flow and timing issue. If we get it done in this budget year, we get reimbursed in this fiscal year. Mayor Pro Tem O’Brien asked who is responsible for repairs if the fiber gets cut. Ms. Parrish said that the Town is because it’s our utility.

Action: Motion to approve NCDOT Municipal Agreement for 100% reimbursement for the connection of fiber to the signals in Holly Springs municipal limits.

Motion by: Villadsen
Second by: Lee
Vote: Unanimous

9d. Amendment to Street Tree Maintenance Ordinance

Matt Beard, Planning and Zoning, said that the Street Tree Maintenance Ordinance was approved by Town Council on June 4, 2019 as a replacement for the previous Town Policy (P-39). Shortly after the adoption, staff received comments from the NC Forest Service suggesting that changes would need to be made to meet the requirements of the Tree City USA standard #2.

Proposed changes to the Street Tree Maintenance ordinance needed in response to review from the NC Forest Service in support of achieving Tree City USA designation include:

- Reorganization to add a “Definitions” section
- Expanded Purpose statement

- Inclusion of "Public Trees" for those trees on Town properties not only "Street Trees"
- Specific Department references for Town Maintenance Activities (i.e. "Public Works" rather than just "Town")

Staff received confirmation from the NC Forest Service on September 27, 2019 that the draft as written would be satisfactory to meet the minimum standards for Tree City USA designation.

Tree Advisory Committee Review:

The Tree Advisory Committee has reviewed and discussed the proposed changes to the Street Tree Maintenance Ordinance at their September 9 meeting and voted 3-0-2 in favor of the proposed amendment.

Action: Motion to approve Ordinance 19-10 to amend Chapter 14: Public Works, Article IV. Streets, Sidewalks and Other Public Places, Division 6 Street Tree Maintenance.

Motion by: Kelly

Second by: Lee

Vote: Unanimous

Randy Harrington, Town Manager asked permission to interrupt the agenda. Given the late hour he wanted to recognize Matt Beard on his last night as a member of the Planning Department in case he left the meeting prior to the Manager's report. Mr. Beard is moving to the Parks & Recreation Department as a Parks & Recreation Planner. Matt thanked Gina Clapp for his time the Planning and Zoning Department.

9e. School Days Lane Water Line

Mary DePina, Engineering, said the addition of this water line is necessary to provide increased capacity to the Town's water system and maintain appropriate fire flow as demand increases. During the warm weather months this additional infrastructure will allow continuous storage in the tank.

She said that the design is complete and all permits have been obtained. The Public Works department will be completing the construction of the improvements which should save the town approximately \$70,000 when compared to a private contractor. A utility easement was acquired from Wake County at no cost. The project consists of installing approximately 1,100 linear feet of 16" water line that will parallel an existing 12" water line. The project will occur along School Days Lane from the entrance at Holly Springs Road to the water tower located at Jones Park.

This addition will help a number of issues within a water distribution system which include but are not limited to:

- improving fire flow pressure; and,
- maintaining pressure on warm weather days when water usage is high.

Action: Motion to approve the project budget and provide funding in the amount of \$113,700 which consists of a base amount of \$103,500 and a project contingency in the amount of \$10,200.

Motion by: Lee

Second by: Berry

Vote: Unanimous

10. OTHER BUSINESS

None that required action.

11. Manager's Report

Residents should receive information in the next couple of weeks about the change in yard waste collection. Notices are going out over the next several weeks.

The Sugg Farm Haunted Hayride is this Saturday at 7 pm.

We have a lot of fun events in town. Last weekend was the Fire Department open house and people had a lot of fun.

He recognized the work of Melissa Sigmund and Gina Clapp on the land use update, thanked the consultant and City Explained for their work, and also the other departments that helped out with that effort. Congratulations Gina, Melissa and the whole team.

Finally, he said that the parking deck next door is open on both levels, which is a great addition to the downtown.

12. Closed Session

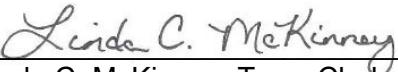
Councilman Berry made a motion to go into closed session pursuant to N.C.G.S. 143-318.11(a)(5) to discuss negotiating a potential land purchase for a park. The motion was seconded by Villadsen and passed with a unanimous vote.

Council discussed several potential parcels of land, and authorized the Town Attorney to obtain an appraisal on a parcel for parks and recreation purposes.

Councilwoman Lee made a motion to return to open session. It was seconded by Councilman Villadsen and passed unanimously.

13. Adjournment: Councilwoman Lee made a motion to adjourn at 12:04 am. It was seconded by Councilman Villadsen and passed unanimously.

Respectfully Submitted on Tuesday, November 5, 2019.



Linda C. McKinney, Town Clerk

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