



MINUTES

The Holly Springs Town Council held a budget workshop meeting on Tuesday, June 8, 2021 at the Law Enforcement Center and via video conferencing. Mayor Pro Tem Berry presided, calling the meeting to order at 6:00 p.m. A quorum for Town Council was established as five Council members and four Planning Board members were present as the meeting opened.

Council Members Present: Mayor Pro Tem Dan Berry, Councilmen Peter Villadsen, Aaron Wolff, and Shaun McGrath and Councilwoman Christine Kelly

Council Members Absent: Mayor Sears.

Planning Board Members Present: Ernie Carpico; Van Crandall; Chris Deshazor; and Thomas Urquhart;

Planning Board Members Absent: Joanna Holder; Rick Madoni; Courtney Patterson; Dana Rybak; and Mark Stuckey

Staff Members Present: Randy Harrington, Town Manager; Linda McKinney, Town Clerk (recording the minutes); Daniel Weeks, Assistant Town Manager; Scott Chase, Assistant Town Manager; Cassie Hack, Director Communications and Marketing; Jeff Wilson, IT Director; John Schifano, Town Attorney; Melissa Sigmund, Development Services; John Mullis, Public Works; Sean Ryan, Development Services; Elizabeth Goodson, Development Services; Emmily Tiampati, Development Services; Rachel Jones, Development Services.

1. Overview: Randy Harrington gave an overview of the meeting agenda.

2. Comprehensive Transportation Plan (Joint with Planning Board)

Emmily Tiampati, Development Services, said the purpose of this item was to update Council and Planning Board on the draft development of a Traffic Impact Analysis Policy. She introduced Kevin Dean, of Kimley Horne, the consultant on the CTP update. Mr. Dean said that the Comprehensive Transportation Plan (CTP) update was in its second phase, Multimodal Assessment and Recommendations. The next phase will be Action Plan and Documentation, followed by Adoption in early 2022. Tonight he wants to talk about an update to the Traffic Impact Analysis (TIA) Policy. He gave an overview of the differences between the CTP and the TIA policy, and why the CTP and TIA Policy are important to the Town. He outlined the typical TIA process currently in use. He said that a TIA Policy that outlines study requirements and standards would formalize the process to provide transparency to developers and the community, and to supply a preferred approach to how TIAs are performed and reviewed.

Mr. Dean compared the current TIA process to an alternate process that would change the preparation of the TIA from the Developer's consultant to the Town's consultant, and the review of the TIA from the Town consultant to the Developer's consultant. He outlined the pros and cons of making the change and outlined national and local practices in this regard. He said feedback was requested from Council on which process to use, Town consultant, or Developer consultant. In either case there will be a TIA policy that clearly defines the process.

Randy Harrington, Town Manager, asked Mr. Dean to comment on what this means from a funding perspective. Mr. Dean said that currently, both the study and the review are paid for by the applicant. In most municipalities, this remains the same in the flipped scenario. There are places with a hybrid process, where the Developer pays a portion of the cost of the study. But in general, towns do not see a difference in cost of the two processes. The Developer is going to pay for the study either way. If a Developer chooses not to hire a consultant to review the Town's study, there could be some cost savings for them in the alternative process.

Council member Kelly asked about whether the timing of TIAs would change and whether they would need to go to the Technical Review Committee (TRC). Elizabeth Goodson, Development Services, said that TIAs are required to go forward with a rezoning, but not all TIAs go to TRC. And it is usually too early in the process.

Van Crandall, Planning Board, asked if there was a difference in which process was used for municipalities that have the authority to collect impact fees from those who don't. Mr. Dean said he was not aware of any clear differences between municipalities that do and do not have that authority.

Chris Deshazor, Planning Board, confirmed that the cost would be the same for both processes. The difference could be that Developers might choose not to review the TIA. Mr. Dean said yes, that developers could choose to go back and review if they thought a TIA was not fair, but could also choose not to review.

Council member Kelly asked if this would create more work for staff. Ms. Goodson said the Town would hire a consultant to do the study, so it would not add work for staff. Council member Kelly asked if having our own consultants would improve the TIA traffic distribution recommendations. Ms. Goodson said that if we had our own consultants they would be more familiar with the Town and traffic patterns, so there could be a better outcome. Mr. Dean said that it helps to have that local knowledge of the area. Having a strong process means that the inputs being the same, and the process ends up being more fair and transparent.

Thomas Urquart, Planning Board, asked if the Town would have one consultant or a pool of consultants. Mr. Dean said it depends on what the Town wants to do. Some municipalities have only one, and others with more projects coming in have a pool of consultants.

Council member Wolff asked if the alternate process would be bid out to choose consultants. Ms. Goodson said there would be an RFP, as staff currently does for the review. John Schifano, Town Attorney, said we usually make these agreements for three years. Council member McGrath said there would be value in having a pool of consultants, if we were going to have a 3-year agreement.

Council member McGrath asked about large projects that have regional impact. He said that CAMPO, and NCDOT, and other regional organizations tend to look at the CTP, and we are on the short end of the stick at this point. He asked how this information will be fed to the regional organizations. Mr. Dean said this is a tough question. It comes down to relying on the partners at those agencies to ensure that everything has been accounted for when they do their studies. With some of these large-scale projects, longer build out timeframes and longer horizon years give a better result. But it is a difficult situation. A tiered system is something that is being considered and will come back when we address the details of the policy drafting in the future.

Chris Deshazor asked if the length of time a TIA is valid would be changed in this policy. He said Planning Board has seen 7-year old TIAs that were relied on for a project. Mr. Dean said that would be part of the policy. But it is a balance to decide what is included and how much of the impact is accounted to a given project.

Council member Villadsen asked how we know that a TIA was successful, and can we incorporate oversight into the project so that it becomes more accurate. The general perception is that it is not working. Mr. Dean said a lot of this is based on traffic counts and then assumptions that consultants have to make. But having a consistent process makes sure that

less gets missed and the results are more consistent. He said he doesn't know if you could ever make everyone happy. Council member Villadsen asked how it would incorporate the 'death by a thousand cuts' impact of several small projects that add up to a big impact. Mr. Dean said if we tier the process and the growth rate is appropriate, it should account for all the projects that are too small to impact a traffic study, or those outside of the study area. The goal of the CTP is to anticipate the traffic growth and have the improvements made so that the streets will handle that traffic.

Council member McGrath asked how to bring in the regional data that is out there, cell phone data, etc. You could use that data ahead of a project, and after its completion, to see if a TIA was accurate. Mr. Dean said there is a lot of information, but we need to decide how to use it. Using every possible data source can actually cause more confusion and skew the results. You need to look at relevant data and parse it to achieve the result.

MPT Berry said he was struggling to see how the output would be different between these two processes. Mr. Dean said this was in front of Council to decide which process – there is no recommendation. He asked how comfortable Council is with the results they are seeing. Would they trust it more if it comes from the Town's consultant, or the Developer's consultant? The results can be the same if you have a strong policy that outlines the criteria.

Council discussed the two processes and which would give them more control over the outcome. There was discussion around which process would be easier on staff, and which process would result in residents having more confidence in the TIA, and improving accountability.

The consensus of Council was to move to the alternate process, where the TIA study is conducted by the Town's consultant, and the review of the TIA is conducted by the Developer's consultant.

Chris Deshazor asked how the Developers feel about the alternate process, and if there were developers who won't go to a place because of this. Mr. Dean said while anything is possible, if you have a clear policy, the result is going to be the same no matter who does the study. At the end of the day, most developers are ok with either process, if they are interested in doing a project. If there isn't a clear process, this is more of a problem for developers, but with a strong policy, they see that it is fair.

3. Unified Development Ordinance Update (Joint with Planning Board)

Melissa Sigmund, Development Services, said the purpose of this item was to update Council on the work thus far on the update of the UDO, and to receive feedback from Council. She gave a review of what has happened to date, leading up to tonight's discussion.

Ms. Sigmund said that some sections have been drafted, including Purpose & Applicability; Districts; Use Provisions; and Violations & Enforcement. Parking and Driveways and Definitions are partially complete. Next up are Tree Preservation & Landscaping, and Parks & Open Space.

Ms. Sigmund talked about the consolidation and translations of proposed zoning districts make the UDO more user friendly, and less text heavy. She showed an example of a new Use Table, and how it simplified the process of finding out what is and isn't permitted in a particular zoning. This should make the UDO more user friendly. She then showed some Dimensional Standards for Residential zoning, which includes height of buildings, setbacks, etc. She explained the changes from the current UDO and the reasoning behind those changes.

Ms. Sigmund said that other updates with Strategic Plan connections are to housing and sustainability. For housing, the updates attempt to balance community character and housing

needs while ensuring quality open space, preserving aesthetics and allowing flexibility and supporting housing options. Sustainability will be addressed in conjunction with the CTP, and staff is considering reduced pavement for alleys, ease of access for PV Solar, and green stormwater improvements, which can provide improved aesthetic as well as improved functionality. The UDO update is working in concert with the Comprehensive Transportation Plan update regarding road cross-sections, utilities, and sidewalk gaps. It will work by pointing toward the CTP, so that there is no question that it is a legally adopted standard.

Ms. Sigmund said that tonight staff was looking for feedback on four areas: architectural standards; food trucks; schools; and street trees.

1. Architectural standards: Council and Planning Board were asked if they were happy with the products received (not the process) as it currently stands.

Council member Kelly asked if there would be changes in the Village District. Ms. Sigmund said there is a Village District Update coming up. The smaller commercial district of downtown will still be treated as a separate district, but the larger Village District area could be tweaked.

Planning Board member Ernie Carpico said he thinks things are working well. Council member Villadsen said he was happy with the current architecture. MPT Berry said he gets constituent feedback about “cookie cutter” development. He would like there to be more innovation. He would like to see the color pallet allow more variation. Council member Wolff said he wondered if different standards and color pallets in different parts of town, to give neighborhoods more of an identity, would be a good idea. Not overly restrictive, but to make it easier for developers to be innovative. Councilwoman Kelly asked how prepared the Town was to accept something very different – more modern – and asked if that difference was in residential or commercial. Ms. Sigmund said the Town could continue the practice that one-off developments need to look at their immediate neighbors and be compatible. The goal is to require that we get high quality development that is not quickly dated, and can be used in the future with minimal renovation.

2. Food trucks: Ms. Sigmund said that prior to the UDO rewrite staff had started work on an Ordinance, but thought it best to include in the overall rewrite. Unless Council has particular questions or concerns, the consultant will proceed with streamlined regulations. Council member McGrath asked if there was any upcoming legislation at the state level on food trucks. John Schifano, Town Attorney, said there was none that he was aware of. Historically Holly Springs has required that food trucks be tied to an area. Ms. Sigmund said our current method is through a temporary use permit for a particular time and place. We may want to look at specific regulations around food refuse, generators, etc. that are not in place currently. Council member Kelly said she would like to dive deeper into this because food trucks can be so loud that being near a residential area is a problem. Also are there rules about where they can park their truck when not in use? Mr. Schifano said there can be disputes between food trucks if “their space” is taken by another truck. Raleigh licenses them to particular locations, with a yearly lottery. If we get enough of these, we will have those issues. It is probably enough for our purposes here to say we are softening our food truck stance. Ms. Sigmund said there seems to be interest in bringing this issue back to Council. Staff can have the consultant draft something and bring it back to Council through a memo or something so that you can see it before the larger chunk of the Ordinance comes back to you. Council members Kelly and Wolff expressed interest in seeing what other locations are doing. MPT Berry said regulating food trucks in neighborhoods is probably an HOA issue. He wants to avoid a Raleigh-style raffle. He doesn't

hear a lot of complaints about what we have, but agrees with making it less restrictive while still upholding the standards our residents expect. Staff is heading in the right direction, but he would like to get documentation of what other municipalities are doing. Council member Villadsen said he would like staff to educate Council on what our restrictions are and what other municipalities do. Council member McGrath said it would be helpful to address the HOA side too, so Council knows what is permitted on Town property and in HOAs.

3. Schools: Ms. Sigmund said that currently schools are a special exception use (will be “special use” in the new statute). She asked if Council want to leave it this way, or transition it into a permitted use. We currently have great communication with Wake County Public Schools, but we have to remember that private and charter schools must be treated the same as public schools. Keeping this as a special use permit allows Council more control especially around private and charter schools. Council member Wolff said we have evidence that keeping it special use allows input from the public and he believes that getting feedback is preferred. Consensus of Council was to keep schools as a special use. Chris Deshazor, Planning Board, also stated that he would like to keep schools as a special use.

Ms. Sigmund said the other consideration is whether we allow schools to be located in commercial zoning, or kept them residential areas. Staff recommends keeping them in residential districts. Council consensus was to keep schools in residential zoning.

4. Street Tree regulations: Ms. Sigmund said that staff recommends some flexibility for residents and HOAs in replacing street trees, while keeping the aesthetics. Staff recommends varying the species in replanting, to keep the height and shape, and main characteristics uniform, but giving flexibility to use other species with these characteristics to replace trees that need replacing. This would allow a tree to be replaced with a different species that was not successful in a particular location with a species that would be more successful. Consensus of Council was to allow this flexibility. Council member McGrath said that the flexibility needs to allow for the urban setting and not to allow trees that will be destroying sidewalks and other infrastructure. Ms. Sigmund said the Town needs to look at whether root guards are actually working, and whether we need wider planting strips to keep trees from damaging infrastructure, and other questions. This would be a multi-prong approach.

Ms. Sigmund said that next steps would be ongoing community engagement, in-person and virtual, throughout the summer, and drafting the second part of the Ordinance, with the full Ordinance coming to a joint draft work session of Council and Planning Board in the late summer or fall of 2021. Revisions would then be made according to feedback, with the Planning Board recommendation, followed by Council adoption of the Ordinance in the fall or winter of 2021 and the zoning map adoption in the winter of 2021-22.

MPT Berry asked if the draft work session would be the place to talk about zoning districts, lot sizes, the full ordinance. Ms. Sigmund said that the whole Ordinance would be discussed then. Council and Planning Board can expect deep dives with the consultant presenting to them and having discussions on the details. As drafts are rolled out there can be opportunities for less formal discussions along the way, so that we can discuss smaller areas of the Ordinance. Chris Deshazor asked if there was anything in the UDO about electric charging stations, because Planning Board hears a lot about them. Ms. Sigmund said that will be included in the Ordinance, in parking standards or requirements about where they would be needed based on the size of a given project. Council member McGrath asked Town Attorney,

John Schifano if the Town will run into any problems with the tree ordinance given what's going on in the General Assembly. Mr. Schifano said that if the very limiting legislation passes, then we are dead in the water with regulation and will have to relook at our tree ordinance and change it to more of a landscaping ordinance. We are not prejudicing ourselves by tweaking what we have now.

4. Potential Landfill Odor Metrics

John Mullis, Public Works, said the good news is that Wake County has become much more engaged in this since the last time he spoke to Council. The purpose of this item is to share proposed Landfill metrics to establish benchmarks to assess effectiveness of South Wake Landfill operations and response. Monthly facilitated conversations have been ongoing between representatives of Wake County, GFL, and Holly Springs, facilitated by George Alwon. Councilwoman Kelly said that Matt Calabria and John Robinson wanted to be part of the conversation, so they requested a facilitator. They decided that the purpose of the group was to identify root causes of odors, improve the process of communicating with residents and Council, implement short-term (12-18 months) on-going, and long-term goals that can be measured, and find a mutually agreed-upon definition of success and how it will be measured. Council member McGrath said the long-term life of the landfill is beyond the current contract date of 2033. But they are looking at 2045, potentially extended to 2060. But what the group could agree on is getting actual metrics, instead of perceived metrics. They are investing in additional eNose sensors to be placed in locations around town that have the most complaints. GFL said that they are currently following best practices of landfills that are in close proximity to populations. There were some things that they brought to the table, including heavier membranes to temporarily cover areas of the landfill, at a cost of \$4 million.

Council member Kelly said that success was defined as minimizing odors and negative impact on quality of life; that Holly Springs community and the landfill can coexist; building trust with residents through effective communications, and establishing metrics and means of monitoring that all stakeholders can agree on. These are things that they are currently working on. The group as a whole wants to find solutions.

Mr. Mullis said this has been defined as a joint collaboration. In working on what we would like to ask, the analyzing of Wake County data from September 2016 to May of 2021 continues. The group is working to decide what metrics would support improving the quality of life for residents of Holly Springs for the life of the landfill. Collaboration work on metrics is to begin with Wake County in upcoming meetings. Council member Kelly shared data collected around frequency of reports by date and neighborhoods. Many days the Town is over the 20-complaint threshold that Wake County considers a "bad day". 12 Oaks and Arbor Creek are the main neighborhoods with consistent issues. She shared the percentage of valid vs. invalid complaints from 2020 and 2021. There is an issue with how many complaints are considered valid vs. invalid, and how that determination is made. She then showed the frequency of morning vs. evening reports for different neighborhoods. This showed that the complaints are consistent, not just in morning or evening. Mr. Mullis said the Town is asking them to provide more operational information, such as when they opened the landfill early due to a holiday. Council member McGrath said that getting the eNose sensors installed would improve this because it should validate some of those "invalid" complaints. Mr. Mullis said that we have a concern about this model, and are asking that they accept all reports and use some percentage to decide validity.

Mr. Mullis said the recommended benchmark for frequency of complaints would utilize pre-2020 data to establish targets of no more than 100 complaints per month and zero days of 20 or more complaints. Council member McGrath said that we need to have the discussion as to the proper level, because as the population grows, the chance for more complaints grows.

Mr. Mullis said that we are concerned about the distance/intensity of complaints. Wake County wants to say ½ mile, but we are looking at distances of within ½ mile, 1 mile, and 1 ½ miles and weighting the results based on distance. Council member Kelly said that odor reported from farther away might need to be weighted higher, as you shouldn't be smelling the landfill from three miles away.

Mr. Mullis said the Town needs to get agreement with Wake County on how to capture metric data and how to report it. Questions include how eNose Technology will help to report data, where the middle point of the landfill is for the purpose of measuring distance from the landfill, and incorporating "valid" and "invalid" records in some of the metrics. He then requested that Council endorse the benchmarks to allow them to be introduced during the June 15th facilitated meeting with Wake County, and determine next steps for the Landfill Sub-Committee.

Council member Kelly asked what Council wanted to do with the sub-committee, which includes members of the public who are highly invested in this issue. But there was discussion of disbanding the committee. Her recommendation was to use the sub-committee to validate the metrics, but not use them to gather the metrics. Council member McGrath said he was glad that there are residents that want to engage with this. He thinks it would be valuable for them to join the monthly meetings that the landfill has, because the current committee is gaining traction. Council member Kelly said some of the residents on the sub-committee also attend those meetings, and do not feel like it is the same; the committees are doing different work.

MPT Berry asked for clarification on what the benchmarks are. Council member Kelly said what we have are concepts, not specific data, because we are working with Wake County to come up with the exact numbers. Mr. Mullis said that with Wake County now working with us, it is a more collaborative process and we are working on metrics together. At some point he assumes that Council will see something presented to them and something will be presented to the Wake County Board of Commissioners. This isn't a tight specific request. MPT Berry clarified that there are not specific metrics, but Council is being asked to buy in to the process.

Councilman Villadsen said his question was how do we differentiate the metrics reported by residents from the metrics reported by eNose, because they are two completely different things. He asked if how to separate them was going to be discussed. Council member Kelly said it would absolutely be discussed.

Randy Harrington, Town Manager, said that from his perspective, it feels like there is a frequency component, and an intensity component. Conceptually, these are a framework to measure, but the work with the County remains to fine tune this and come up with specific metrics.

MPT Berry said it makes sense to lean into these two variables in conversation with the other two parties. Council member Wolff said he was very grateful for the work the group has done. He agrees that we are moving in the right direction and is happy to move forward.

MPT Berry said the second action is to decide what to do with the sub-committee. At the March workshop the Council agreed on a 75-day action period for the sub-committee to do their work and report back. He said it was his understanding that the work of the sub-committee was completed at this point. Council member Kelly said she was asking what Council wants. The work was to do the metrics, but Wake County has taken that over and there are other things that could be done. She wanted to close the loop, but these residents can be in regular contact with her in other ways. Council member Wolff said he believes that the staff group is doing the work and the sub-committee can be disbanded. Council member McGrath said he thinks the group has done its work but Council members can continue to receive impact form constituents across the board. We can transition to the working group with the County and the GFL. Consensus was for updates on an *ad hoc* basis from the individuals involved in the committee, and to expand it out to all residents, but that efforts from the Council be directed to the new workgroup with the County and GFL. Council member McGrath said he hopes that when the Communications Director is onboard with the County that education will ramp up. Council members Kelly and Wolff complimented John Mullis on his work and said that things have accelerated since he came on board.

OPEN DISCUSSION

MPT Berry asked the members of the Planning Board if there was anything on their minds. Chris Deshazor said there was lots of chatter on Lowe's and the change in the road patterns, and excitement about the Hospital. Scott Chase, Assistant Town Manager, said Lowe's may open slightly before the roads open. But they will be minor things, not an impediment to travel. Currently they are at an end of June opening with a Grand Opening in early July. MPT Berry asked staff to put some communication out before that happens.

Van Crandall, Planning Board, said there had been discussions in the past when questions came up about landfill odors coming up at 12 Oaks and the response was that there were none. Chris Deshazor said that was not 12 Oaks, it was the affordable housing discussion for the project near Ting Park. Council member Kelly said it wasn't that there were no odors, but that the odor problem was broader than that.

Council member Villadsen asked if there were any issues with the Ralph Stephens closing. Scott Chase said it was closed for utilities work for all the projects in that corridor. It would be closed for one week. It is for the sewer project that will open up capacity for Lowe's and Wegmans.

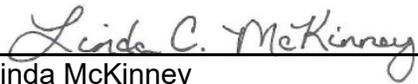
Council member Kelly asked if the Chamber would be present at the meeting on the 22nd. Randy Harrington, Town Manager said they would be there. MPT Berry said the Mayor was planning to be at that meeting also.

Randy Harrington, Town Manager said that new development software is going to be implemented that will be a big help on the staff side, but also on the developer side. But it will have an impact over a few days. Scott Chase, Assistant Town Manager said CityView is going live on June 28th. As a result there are some aspects of Development Services that will be stopped during the training period while data is migrated from the old software to the new software. We have to do it Weds. – Fri. due to the contract, and those extra weekend days will help if there are issues to get them solved prior to going live. We will only process permits on an

emergency basis during those three days. This gives us time for intensive training for our inspectors. We have started aggressive communication with the development community and are pushing information out to the public. At the June 22nd meeting he will talk about the software more in detail.

5. Adjournment: There being no further business for the evening, Motion to adjourn was made by Council member McGrath second by Council member Wolff and passed with a unanimous vote. The June 8, 2021 meeting of the Holly Springs Town Council was adjourned at 8:47 pm.

Respectfully Submitted on Tuesday, June 22, 2021.



Linda McKinney
Town Clerk