



MINUTES

The Holly Springs Town Council met in regular session on Tuesday, May 4, 2021 in person and via video conferencing. Mayor Pro Tem Berry presided, calling the meeting to order at 7 p.m. A quorum was established as five Council members were present in the Chamber as the meeting opened.

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

Council Members absent: Mayor Sears.

Staff Members Present in Chambers: 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); Mark Andrews, *Communications and Marketing*; Jeff Wilson, *Director, IT*; Mathew Mutter, *IT*; Irena Krstanovic, *Director, Economic Development*; LeeAnn Plumer, *Director, Parks and Recreation*; Matt Beard, *Parks and Recreation*; Cassie Hack, *Director, Communications and Marketing*; Corey Petersohn, *Finance*; Kathy White, *Deputy Town Clerk*.

MPT Berry read Mayor Sears' letter to the Town of Holly Springs.

2. and 3. The Pledge of Allegiance was recited followed by an invocation by Pastor Paul Wilson of Oasis Church.

4. Agenda Adjustment: The May 4, 2021 meeting agenda was adopted with changes, if any, as listed: none.

Motion: Villadsen
Second: McGrath
Vote: Unanimous

Public Comment: At this time, an opportunity was provided for members of the audience who had registered to speak to address the Council, and the Clerk was asked for any written comments received prior to the meeting.

There were no written comments received.

The following comments were received in person: none

Public Hearings

5. Economic Development Agreement for My Computer Career, Inc.

Irena Krstanovic said that the purpose of this item was to hold a public hearing and consider an Economic Development Agreement between the Town and My Computer Career (MCC), and authorize the Town Manager to execute any other necessary transactions consistent with prior Council approvals and terms of the Economic Development Agreement. She showed where the new headquarters for MCC would be. She said that MCC is a home-grown Holly Springs business, and explained that MCC provides IT career training programs and is nationally accredited by the Accrediting Council for Continuing Education and Training. They have eight locations in the US: in

NC, Texas, Ohio and Indiana. The Holly Springs campus would be their North American headquarters. She said MCC expects to make a capital investment of at least \$20 million and is committed to building a minimum of 70,000 square feet of Class A office space in Holly Springs. This will retain 125 jobs that are currently in Holly Springs, and create 350 new, high quality jobs.

Ms. Krstanovic said that the Town will receive from Wake County approximately 10 acres of land and will sell it to MCC for fair market value, waive legally permissible development fees, customize the review process for plans and civil construction drawings and offer a Business Investment Grant (BIG) totaling a maximum grant amount of \$475,000 or 10 years, whichever occurs first. In exchange, MCC will make a capital investment of at least \$20 million and create at least 475 jobs at an average wage exceeding or equal to that of the median wage for Wake County. The BIG is tied to the number of jobs created and retained in Holly Springs.

Councilman McGrath asked the dollar amount of the fees that are being waived. John Schifano said that until construction drawing phase, which they are not at, we cannot know the amount of the fees. They depend on how many water meters they need, what size meters, etc. The estimation is \$30,000 to \$40,000 in waived fees, but the exact number would not be known until then.

Mayor Pro Tem Berry opened the public hearing and the following input was received: none

There being no input, MPT Berry closed the public hearing.

Action 1: Motion to approve Economic Development Agreement between the Town of Holly Springs and My Computer Career.

Motion by: Kelly

Second by: Villadsen

Vote: unanimous

Action 2: Motion to authorize the Town Manager to execute any other necessary and required transactions consistent with prior Council approvals and terms of the Economic Development Agreement.

Motion by: Wolff

Second by: Kelly

Vote: unanimous

6. Economic Development Agreement for Skie Properties, LLC.

Irena Krstanovic, Director, Economic Development, said that the purpose of this item was to hold a public hearing and consider an Economic Development Agreement between the Town and Skie Properties, LLC (Skie). She showed the location of the economic development in the Holly Springs Business Park. She said that the figures to follow are the minimums, but staff is anticipating the project to be much higher. She said that Skie has proposed to make a capital investment of at least \$3 million to construct five buildings totaling roughly 90,000 square feet. Three buildings are planned for the Town's target recruitment industries and two for conventional flex space. The project will offer much needed available buildings to house small and medium businesses in the Business Park, which is a needed recruitment tool. They expect to create at least 40 full time jobs.

Ms. Krstanovic said that the Town will offer an early clearing and grading permit, will customize the review process for plans and civil construction drawings, and exempt the project of financial contribution to the traffic signal improvements for Green Oaks Parkway and Holly Springs New Hill Road. When the minimum criteria are met, the Town will offer a Business Investment Grant (BIG) of 50% tax payments back for a maximum of five consecutive fiscal years within a ten-year period. The developer said when they get the Certificate of Occupancy on the fifth building, they will start the BIG.

Mayor Pro Tem Berry opened the public hearing and the following input was received. None.

There being no input, MPT Berry closed the public hearing.

Councilwoman Kelly said that for those who are listening and wondering about the differences in numbers between this and the FUJIFilm Diosynth Biotechnologies project, that this is a difficult property to develop, and this is a best use for this property.

Action: Motion to approve Economic Development Agreement between the Town of Holly Springs and Skie Properties, LLC.

Motion by: Villadsen

Second by: Wolff

Vote: unanimous

Consent Agenda

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

7. Minutes – The Council approved minutes of the Council workshop meeting held April 13, 2021 and the Council business meeting held April 20, 2021.

8. Amendment to Developer’s Agreement (dated 2/27/2020) with Helix Ventures – The Council approved the First Amendment to the Development Agreement with Helix Ventures.

9. Resolution for sale of General Obligation Public Improvement Bonds – The Council approved Resolution 21-13 providing for sale and issuance of \$8 million General Obligation Public Improvement Bonds, Series 2012 and \$23 million General Obligation Public Improvement Bonds, Series 2018.

10. Town Hall Annex Renovation – The Council approved the Town Hall Annex renovation budget amendment, authorized the Town Manager to enter into a contract with Southeastern Interiors in the amount of \$115,170 for the renovation of the Annex, and adopted the PAYGO Capital Project Ordinance 21-14.

A copy of the budget amendment is attached to these minutes.

NEW BUSINESS

11. Cass Holt Road Park Master Plan and Phase One Design Services

Matt Beard, Parks and Recreation, said the purpose of this item was for Council to consider awarding a contract for professional consulting services for Cass Holt Rd. Park Master Plan & Phase One Design Services. He said that this aligns with Strategic Plan Initiative 2.1: Expand parks, greenways, and open space through the implementation of the remaining 2011 Parks and Recreation Bond. He said also the 2021 Parks, Recreation, and Greenways Master Plan recommended developing this site to meet park accessibility and equity goals and to serve as the first Town park west of NC 55.

Mr. Beard said a Request for Proposals was advertised and the department received 13 proposals from national firms. A selection team consisting of members of Development Services, Utilities & Infrastructure, and Parks & Recreation evaluated the proposals, and interviewed the top four firms via Zoom. CLH was selected due to their experience in multi-phase Park Master planning and design, an emphasis on community engagement, and their financial and revenue strategies. He mentioned other team members who will be brought on by CLH to assist in this process.

CLH will lead public engagement with two “at-large” public input sessions, one focus group/stakeholder meeting; three Parks & Recreation Advisory Committee meetings; and three

Town Council briefing sessions. Staff will maintain an active *publicinput.com* site with multiple surveys; and will staff public information booths at town events like July 5th, HollyFest, etc.

Mr. Beard said that staff intends to apply for NC Parks and Recreation Trust Fund grant, which could be up to \$500,000, which would be applied to phase one construction. CLH's work will support this application. The Master Plan is expected to take eight to nine months from the notice to proceed.

Councilwoman Kelly requested that Parks & Recreation staff make themselves available to the HOAs on that side of town. Mr. Beard said that would be a key strategy as staff jumps into public engagement. They could also retrieve representatives from that group for more focused discussion. Councilwoman Kelly suggested also that the Holly Springs High School PTA might give some perspective, since they are so close. Mr. Beard agreed.

Councilman McGrath asked if CLH had presented sample projects that they have done in other places. Mr. Beard said staff requested relevant past experience, and often that means companies showing what that particular team has done. CLH did provide staff with local examples. Councilman McGrath asked that those examples be presented to people in the public outreach sessions to show what might be in the realm of the possible. He said the word "equity" was mentioned and he would like to see what CLH's goals and metrics might actually mean. Mr. Beard said that staff is putting those presentations together and they will include actions and goals, and not contain too much jargon and buzz words.

Action 1: Motion to select CLH Design, P.A. for the Cass Holt Road Master Plan development and Phase One Design/Construction Document services.

Motion by: McGrath

Second by: Kelly

Vote: unanimous

Action 2: Motion approve the CLH Design contract in the amount of \$149,250 for the Master Plan development for the Cass Holt Road Park site.

Motion by: Kelly

Second by: McGrath

Vote: unanimous

12. Town Policies: Electronic Meetings and Political Activity Policies

Linda McKinney, Town Clerk, said the purpose of this agenda item was to consider amendments to Council's electronic meetings policy and relevant portions of the Mayor and Town Council Procedures Manual, and to consider a Policy on Political Activity on Town Property.

Ms. McKinney said that Council adopted their Procedures Manual in December of 2019. In April of 2020, due to COVID, Council adopted Rules of Procedure for Electronic Meetings. In May of 2020 the NC General Assembly passed Session Law 2020-3, which was codified into 160A-19.24, which addressed the needs of municipalities to hold remote meetings. At their March 9, 2021 workshop, Council directed staff to align the Town's policy with the State Statute.

Ms. McKinney said that key amendments are changing the definition of a remote meeting to a meeting where any member participates remotely, allowing those participating remotely to vote on quasi-judicial proceedings, and removing the requirement for decisions to be ratified at a future in-person meeting.

Randy Harrington, Town Manager, said that Council requested a policy to provide clarity on what types of political activity are permissible and not permissible on Town property, within First Amendment free speech protections. Additionally, the policy combines all applicable political activities under a simpler, single source document. He said the policy addresses political signage on Town Property, activity at voting sites during elections, the rental of Town facilities by political groups, political activity at Town-organized events; virtual official Town business meeting environments, and that advertising at Town facilities and recreation field billboards is not permitted.

Action 1: Motion to adopt amended Electronic Meetings Policy AD-15.01, and amendments to the section of the Mayor and Town Council Procedures Manual that relates to electronic meetings.

Motion by: Wolff
Second by: Villadsen
Vote: unanimous

Action 2: Motion to adopt Policy P-048, Political Activities on Town Property.

Motion by: Kelly
Second by: McGrath
Vote: unanimous

UNFINISHED BUSINESS

13. Allocation of Remaining Department of Public Instruction Grant

MPT Berry said this was the remaining funds from a grant given to the Town in 2018 for anti-bullying and school safety programs. He outlined how the previous funds had been spent and said that there was \$23,309 remaining to be allocated. He said that the Grant Committee decided to mirror what was done in 2019 to provide money to the schools that Holly Springs residents attend. The Committee started with the same formula as in 2019, \$1,000 for elementary schools, \$2,000 for middle schools, and \$3000 for Holly Springs High School which takes most of Holly Springs’ high school students, and \$2,500 for the other high schools attended by Town residents. That came to \$20,000, leaving \$3,309, which was then divided among the several schools. He said the Clerk’s office has been in touch with the WCPSS Grant department and they are excited to receive these funds. The grant would specify that the funds be used for anti-bullying, and school safety programs.

Councilman Wolff said he was glad to see these funds being disbursed. The needs of each school are different. Giving them the money proportionately and allowing them to spend it where it is needed is the best use of this money.

Council discussed whether there would be reporting requirements, the value of student-led programs to decide how to spend the funds, and whether the funds could be spent on COVID-related expenses. There was a question on whether the Town had reporting requirement to the State on how these funds were spent. Mr. Harrington said he did not believe there was any such requirement. Consensus was Council would like to hear how the funds had been spent.

Action: Motion to award grant funding in the following amounts to the following schools:

| | |
|-----------------------------|------------|
| Elementary | |
| Holly Grove Elementary | \$1,183.83 |
| Holly Ridge Elementary | \$1,183.83 |
| Holly Springs Elementary | \$1,183.83 |
| Oakview Elementary | \$1,183.83 |
| Buckhorn Creek Elementary | \$1,183.83 |
| Pine Springs Elementary | \$1,183.83 |
| Middle | |
| Holly Grove Middle | \$2,367.67 |
| Holly Ridge Middle | \$2,367.67 |
| Apex Friendship Middle | \$2,367.67 |
| High | |
| Holly Springs High School | \$3,367.67 |
| Apex Friendship High School | \$2,867.67 |
| Middle Creek High School | \$2,867.67 |

Motion by: Kelly
Second by: Villadsen
Vote: unanimous

OTHER BUSINESS

Mayor Pro Tem Berry said there were 2,667 cases of COVID-19 in our zip code, and 7 deaths. In Wake County there have been 86,325 cases and 722 deaths. If everyone keeps getting vaccinated and doing their part, we can get back to normal, hopefully by summer. He thanked the Clerk's office for obtaining the new timer for public comment. He said that the legislative action committee has been meeting regularly during the long session. There are several bills that are detrimental to municipalities. There are two or three that we are planning to bring back to Council to take a position. Finally, he suggested that Council start their summer dress code at the May 18th meeting.

Councilwoman Kelly said she wanted to acknowledge that this is Teacher Appreciation Week. What teachers have gone through in the past year is amazing. One of our own Holly Springs High School teachers, Zandrea Eagle, has been nominated for Live's Top Teacher award. Also, she said she was very excited about the crosswalk at Main and Roger where the signal is almost ready to go live. Finally, there is ongoing work with Wake County around the landfill. The subcommittee needed comments that speak to the quality of life and how the landfill affects people and businesses. They received many comments that they will forward to Wake County. She said Council knows that the landfill is an issue and it is something they are working very hard on.

Councilman Wolff said the legislative committee has been meeting regularly and there are two, possibly three, bills before the General Assembly that they are watching. The key similarity is these bills are trying to strip away municipalities' power to make the best land use decisions in their borders. The committee has been weighing when and if to bring forth a resolution in opposition. Cross over period is soon, so the committee thought if Council were to pass a resolution, the cross over period would provide the best chance to make our voices heard. These bills are being marketed as beneficial, but would actually remove much of municipal governments' ability to do their jobs. Councilman McGrath asked if there was an exception in the Tree Ordinance bill for places that already had tree ordinances. John Schifano, Town Attorney said he believes there is. Councilman Wolff said it takes the power out of municipal governing body's hands. Councilman McGrath said the zoning bill does not make sense because municipalities do not have the power to charge developers for the infrastructure required by more dense development, so taking the power to regulate density away would put the total cost of the required infrastructure on the local government.

Councilman McGrath gave an update regarding the Triangle J COG meeting. He said they talked about the American Rescue Plan and there is a significant influx of federal dollars heading our way. The unique part of this is that it flows directly into Town coffers. There will be requirements on how we spend it, and there is still a lot of discussion on what we can spend it on, but it is in part to make cities whole for losses suffered due to COVID. He said he was proud of Holly Springs for continuing to have in-person discussions and allowing the public to be in-person, and said the Town is one of the few who are doing this amount of in-person meeting.

He said two of the primary safety areas they discussed were Main St. at Earp, which is a challenge spot, and Avent Ferry leading into NC55. As we look forward to future infrastructure, those are areas that need attention. GoTriangle was also present and said there were 3-5 people per day riding the bus. He said he hopes, as we continue to get out of the pandemic, the ridership will pick back up. But it's probably time to re-advertise to get ridership up.

Councilwoman Kelly said the bus schedule is basically commuter hours, and since people have been working from home, they aren't commuting. Councilman McGrath said they talked about that, and that from a ridership perspective, a 90-minute ride to downtown Raleigh is always going to be a challenge

MANAGER'S REPORT

Randy Harrington, Town Manager, said he had four update items. The most challenging, is the Arbor Creek/Middle Creek greenway. The bids came back higher than we budgeted. The lowest bid was \$1 million above our estimate. He said that in the recommended budget on May 11th, Council will hear an imperfect recommendation on that piece, but he requested a two-week period for staff to do some value engineering with the low bidder and he will bring it back at the Budget workshop on May 25th to fine tune it.

Councilman Villadsen asked if when bids come in that are higher than expectations, is there a way to audit the bids and find out if they are padded or if there are things we learn. Mr. Harrington said there are some things we learn, but the bids are where the market is. They may be padded, but that's where the market is. There are other factors involved, competition etc. and with COVID we are seeing difficulties with raw materials and other supply chain issues that add risk into the bid environment. Councilman McGrath asked if that included significant contingency for labor. Mr. Harrington said the labor market is tight in construction right now. If Council is ok with the approach he outlined, staff will come back to Council on this issue.

Second, the LEC approved the limited obligation bond application related to the FUJIFILM Diosynth Biotechnologies land purchase. He recognized Antwan Morrison, Finance Director who has been working two bond projects back to back, and pulled this together in a very short period of time. He said the whole team has done a great job doing this in a short period of time.

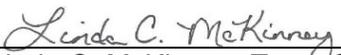
Mr. Harrington said that on May 14th at 7:30 the Moxie Strings will be performing at Ting, in partnership with Wake County, Untied Arts Council, and other partners. They are an innovative musical group and it should be a fun evening. More information can be found on the town website.

Finally, next week the workshop will be the budget recommendation, at 6:00 pm, here in the Council Chamber. There may be one closed session item after that.

CLOSED SESSION: none.

Adjournment: Councilman McGrath made a motion to adjourn at 8:15 pm. It was seconded by Councilman Villadsen and passed with a unanimous vote.

Respectfully Submitted on Tuesday, May 18, 2021.



Linda C. McKinney, Town Clerk

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