



MINUTES

The Holly Springs Town Council met in regular session on Tuesday, January 19, 2021 in person and via video conferencing. Mayor Sears presided, calling the meeting to order at 7 p.m. A quorum was established as the Mayor and five Council members were present as the meeting opened.

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

Council Members Absent: none.

Planning Board Members Present in Chambers: Chris Deshazor, Rick Madoni, Dana Rybak, Mark Stuckey, Van Crandall, Thomas Urquhart

Planning Board Members Present via video conferencing: Mark Brady, Ernie Carpico, Courtney Patterson.

Planning Board Members absent: none

Staff Members Present in Chambers: Randy Harrington, *Town Manager*; John Schifano, *Town Attorney*; Linda McKinney, *Town Clerk* (recording the minutes); Mark Andrews, *Communication and Marketing*; Jeff Wilson, *Director, IT*; Mathew Mutter, *IT*.

2. and 3. The Pledge of Allegiance was recited followed by an invocation by Tianna Leger, Family Ministry Pastor of Oasis Church.

4. Agenda Adjustment: The January 19, 2021 meeting agenda was adopted with changes, if any, as listed: none.

Motion: Berry
Second: Kelly
Vote: Unanimous

Public Comment: Public Comment was requested in writing prior to the meeting. The following number of comments was received and provided to the Council prior to the meeting: none.

Recognitions

5. Retirement Recognition of Luncie McNeil

Randy Harrington, Town Manager, said that Luncie McNeil joined the Town of Holly Springs as Director of the Public Works Department in July 1989. At that time the Town had fewer than 1,000 residents. He has built the department from three people to 60, along the way expanding service to residents, who now number over 41,000, and gaining multiple certifications and awards. He thanked him for his dedication to the Town over the years, and thanked his wife for supporting him.

Assistant Town Manager, Scott Chase presented Mr. McNeil with a plaque recognizing his 31 years of service to the Town.

Mr. McNeil said a few words about his years with the Town. The Mayor and each member of Council spoke of their appreciation for Luncie and the work he has done to make Holly Springs what it is today.

Requests and Communications

6. Update on LaunchHOLLYSPRINGS

Bob Shimmel gave an update on the 2020 LaunchHOLLYSPRINGS program. He said this was the largest cohort at 20 entrepreneurs, and discussed how they pivoted the program to remote because of COVID-19. The cohort included 4 nonprofit organizations. He then profiled the four nonprofit members of the 2020 Cohort. He thanked the Town of Holly Springs for helping them do what they do, and recognized Anna Johnston in Economic Development for her support.

7. Public Hearing: Rhamkatte Village PUD Major Amendment 00-PUD-05-A11

Cheryl Caines, Development Services, said the purpose of this joint public hearing was to allow Council and the Planning Board to hear public concern and/or support for the proposed modification of the approved landscape buffer along Holly Springs Road, and for Council to consider sending the matter back to Planning Board for review and recommendations.

She reviewed the location of the next development in the PUD, and the current zoning of the site. At the time of the development plan approval, all properties along Holly Springs Road had a specific 20-foot streetscape buffer that included street trees, an evergreen hedge, and brick columns. The petitioner is requesting to modify the buffer to allow the planting of single stem crepe myrtle "Biloxi" due to the overhead power lines and Duke Energy's planting restrictions, and to have the trees in line with, instead of behind, the hedge. If approved, the modified streetscape buffer would be constructed with the proposed commercial development on the north side of Holly Springs Road. That development (Rhamkatte Plaza) will be reviewed by Town Council under a separate application.

Tom Spaulding from The Spaulding Group, 1611 Jones Franklin Rd., Raleigh, said that the existing streetscape planting on the south side of Holly Springs Road shields the parking that is against the street. The development on the north side of the street does not have parking next to the street, so they do not want to block the view of the building. The trees in the original plan do not meet the requirements that Duke Progress Energy has for plantings under their powerlines.

He showed which area of the PUD this request would affect and where the Duke Progress Energy utility easement is. He showed the plantings that are in the current plan, and discussed how they were too tall to meet Duke's requirements.

He showed how the Biloxi Crepe Myrtle is an approved species on the Holly Springs Thoroughfare Planting Plan, and how this planting would continue the line of crepe myrtles that are currently planted along Holly Springs Road beyond their development.

There was discussion regarding the oak tree that was knocked down and what knowledge Mr. Spaulding had about it beforehand. Mr. Spaulding said that he found out when Scott Chase, Assistant Town Manager, called him the morning after it happened. The land owner, Mr. Jones, told him that the tree was going to be cut up and used for the Warmth for Wake program. He said that his company held a virtual meeting, to which they sent out over 350 invitations, and many aspects of the project were discussed, including the tree, and they made it clear that at that point they had no plans to retain the tree. Council members asked if the tree could be removed, as a first step toward healing the hurt caused by its being knocked down. Scott Chase, Assistant Town Manager said that he would call the land owner and make that request. Council members asked if the developer had plans to plant more trees to mend relationships with the community. Mr. Spaulding said there have been discussions about adding trees along the residential side of the property to "beef that up a bit."

Council members discussed how the Town's tree ordinance (which was not applicable to this development because the ordinance was passed after this PUD was approved) was not meant to dictate what land owners could do with any individual tree, but to prevent clear cutting by

developers. It was suggested that Council could work to make the public aware that this was private property and the land owner had the right to take the tree down.

Mayor Sears opened the public hearing and the following input was received: none.

There being no input, Mayor Sears closed the public hearing. He then invited the Planning Board members to ask questions or express concerns. No Planning Board members chose to speak.

Action: Motion to forward Planned Unit Development Amendment 00-PUD-05-A11 for Rhamkatte Village to the Holly Springs Planning Board for review and recommendation at their regularly scheduled meeting on January 26, 2021.

Moved by: Berry

Second by: Kelly

Vote: Unanimous

8. Public Hearing: Fairview Well Site Special Exception use 20-SEU-12 and Development Plan 20-DP-15

Melissa Sigmund, Development Services, said that the purpose of this item is to hold a quasi-judicial public hearing to approve a Development Plan for Fairview Wooded Acres Well site. The land is located in Holly Springs' Extra Territorial Jurisdiction (ETJ) and the annexation waiver has been approved by the Town Manager. Ms. Sigmund explained that the well needed to be relocated due to the NCDOT construction of 540.

Bronwyn Bishop, Utilities and Infrastructure, showed the plan for the well site, with a parking space for maintenance vehicles and a turn-around for emergency vehicles. The access road would be gravel. The site is shielded by existing trees and will have a small well house. No public water or sewer connection is required.

Jordan Marsh of RK & K said he had project manager Kevin Nash on the phone also. He said that there are four community wells that serve this area. An existing well house is in the path of the proposed construction of NC 540, and well sites 1 and 2 need to be decommissioned. Well site 5 would be on land owned by NCDOT. It is 100 feet from surface water, and the NCDOT right of way on a forested lot. There is adequate water supply in this location to replace both well 1 and well 2.

Mr. Marsh said that the variances requested are to have no landscaping around the access drive and to have a gravel drive; to reduce 540 setbacks; and no additional trees in sectors 4 & 5, because planting the required percentage of evergreens would require cutting down existing, healthy trees; alternate foundation landscaping plan to move plantings further away from the well house to allow maintenance, and to change well house exterior to a darker brown to blend in with the wooded background.

Councilman McGrath asked why the Town was not discussing annexing this area, where a lot of infrastructure development is happening connected with NC 540, to provide water services.

Randy Harrington, Town Manager, said staff perspective is that we would welcome an annexation of this area, but it would require a vote of the residents, which is difficult without a voluntary annexation petition. Ms. Sigmund said that this request is due to an immediate need for water, and it does not block any future annexation. Councilwoman Kelly said she didn't think the cost of annexation would be feasible right now for the Town or the residents.

Mayor Sears opened the public hearing and the following input was received: none.

There being no input, Mayor Sears closed the public hearing. Randy Harrington requested confirmation that no affidavits had been received regarding this agenda item. Linda McKinney, Town Clerk, said that no affidavits had been received.

Action 1: Motion to adopt Resolution 21-01 to make and accept the Findings of Fact for consideration of and to approve SEU, Variances, and Waivers.

Moved by: Villadsen

Second by: Wolff

Vote: Unanimous

A copy of Resolution 21-01 is attached to these minutes.

Action 2: Motion to approve Fairview Wooded Acres Well Site Development Plan with Waiver, with the conditions stated in the attachment.

Moved by: McGrath

Second by: Kelly

Vote: Unanimous

Consent Agenda

The Council passed a motion to approve all items on the Consent Agenda. The motion carried following a motion by MPT Berry, a second by Councilwoman Kelly and a unanimous vote. The following actions were affected:

9. Minutes – The Council approved minutes of the Council business meeting held January 5, 2021 and the workshop meeting held January 12, 2021.

10. Holly Springs Road Widening – Phase 2 - The Council approved Amendment #3 to the Kimley-Horn Design/Survey contract in the amount of \$152,000.

11. Bass Lake Parking Lot Repair – The Council awarded a parking lot and sidewalk repaving contract to Eastern Services, LLC and authorized the Town Manager to execute a contract in the amount of \$167,722 and approve a 10% project contingency for a total amount of \$184,444.

12. Annual Certification of Zoning Map – The Council adopted Resolution 21-02, approving the annual re-certification of the Zoning Map. *A copy of Resolution 21-02 is attached to these minutes.*

13. 2021 Local, State, and Federal Legislative Agenda – The Council approved the governing body's 2021 legislative agenda, as listed in the packet.

NEW BUSINESS

14. Annual Board of Adjustment and Planning Board Appointments

Linda McKinney, Town Clerk, said that there are five positions to be filled, one in-town member of the Board of Adjustment, one ETJ member of the Board of Adjustment, and three in-town members of the Planning Board. All are for three-year terms ending February 29, 2024. Applications and other documentation were provided to Council in December. She said that if the current alternate, Cody Loughridge, is appointed as a regular member, Council can fill the remainder of his term this evening from the list of applicants. Council members voted by written ballot, which they handed to the Clerk.

Ms. McKinney announced the vote totals for in-town member of Board of Adjustment:

Devon Cofield received 2 votes;

Cody Loughridge received 3 votes;

Ms. McKinney announced the vote totals for the ETJ member of Board of Adjustment:
Jeffrey Jones received 3 votes;
Lisa Semmens received 2 votes;

Ms. McKinney announced the vote totals for the Planning Board:
Rick Madoni received 4 votes;
Courtney Patterson received 5 votes;
Jahmar Cobb received 1 vote;
Joanna Holder received 3 votes;
Donna Friend received 2 votes;

The following votes were announced for the remaining two years of Cody Loughridge's term as alternate member.

Devin Cofield received 2 votes;
Christian Yungbluth received 3 votes;

Action: Motion to appoint Cody Loughridge to serve a three-year term ending February 29, 2024 as in-town member of the Board of Adjustment.

Moved by: Berry

Second by: Wolff

Vote: Unanimous

Action: Motion to recommended that the Wake County Board of Commissioners appoint Jeffrey Jones to serve a three-year term ending February 29, 2024 as ETJ member of the Board of Adjustment.

Moved by: Villadsen

Second by: Wolff

Vote: Unanimous

Action: Motion to appoint Rick Madoni, Courtney Patterson, and Joanna Holder to serve three-year terms ending February 29, 2024 as in-town members of the Planning Board.

Moved by: McGrath

Second by: Berry

Vote: Unanimous

Action: Motion to appoint Christian Youngbluth to fill the remainder of Cody Loughridge's term, ending February 28, 2022, as alternate member of the Board of Adjustment.

Moved by: Berry

Second by: McGrath

Vote: Unanimous

Councilwoman Kelly said that she was disappointed that we had an opportunity to choose some people that are traditionally underrepresented in this Town that we have not seen before and we missed that opportunity. She stressed that this doesn't take anything away from those who were appointed, she simply wished to expand representation.

Councilman McGrath said it's awesome to see this many people putting their names forward to serve this Town. Ms. Holder's appointment was a good example for people who get deeply involved in the Town and that is why he voted to appoint her.

Councilman Berry said he agreed with what Councilman McGrath said, and he believed that when someone has worked as an alternate, it is a good move to advance them to regular membership. He said that Mr. Youngbluth was recommended by a current member.

Councilman Villadsen encouraged future applicants to reach out to Board members, to put a face to the name and get their qualifications in front of Council.

OTHER BUSINESS

Mayor Sears said there have been 1,618 COVID cases in our zip code, and three deaths. There have been 57,650 cases in Wake County, with 396 deaths. He said Holly Springs is doing as good a job as any other town in following the rules and regulations. Whoever is watching and listening to this meeting and is reluctant to get the vaccine, please, do not be reluctant. North Carolina is losing about 100 people a day, and that is not good. He said that we need to stop that. He said that he and Mrs. Sears scheduled their shots and got them last week. So please, get in line when you can and get the vaccine. He said he had no adverse reaction, not even a sore arm, and it didn't hurt.

Councilwoman Kelly said that it was great that the Mayor got the vaccine. Getting people vaccinated is the only way we can move forward, put our kids back in school, and get life back to normal. When planning the M.L. King Jr. event, it was made clear that there are folks with access to technology, and there are folks without that access. We want to identify that we know there is a gap. Rex Hospital is thinking of partnering with the MLK Committee or the Town to give an event to have people register for the vaccine so that those without access to technology can also get vaccinated. She asked if that was something the Town would like to get behind. Consensus was that it was.

MANAGER'S REPORT

Randy Harrington, Town Manager, said he had three items.

1. In preparation for the Mayor and Council annual retreat, Ms. Sigmund sent an email asking for Council's feedback on the UDO revision. If there's something you want to discuss at the retreat, please respond to that email.
2. Virtual sessions will be held this week on the Comprehensive Transportation Plan: Wednesday from 12-2; and Thursday from 6-8 pm. This is the chance to give input on all forms of transportation. You can find information on the Town webpage: scroll down to Upcoming Events, and there is information about the meetings and the login details.
3. During January Council made the choice, as a way to protect citizens and people who must attend these meetings, to have the public participate virtually. He suggested that this continue through February, which includes the retreat. We welcome citizens to participate that way. There was consensus from the Council to do this.

Councilman McGrath requested a point of personal order to thank the Planning Board for coming and having the joint session. He would like to leverage having the Planning Board and Council together to discuss synchronizing strategies for the Town. If there is another joint session, he would like to consider having that discussion at that meeting.

CLOSED SESSION: The Council entered into closed session, pursuant to N.C.G.S. 143-318.11(a)(4) to discuss two economic development issues and N.C.G.S. 143-318.11(a)(6) to discuss the Town Attorney's Annual Review. No grants will be made in this closed session.

Motion by: Berry

Second by: Villadsen

Vote: Unanimous

General Account of Closed Session:

Irena Krstanovic, Director of Economic Development, updated Council on two potential economic development partnership opportunities. Council directed staff to continue engagement on the projects and information gathering related to the partnership requests.

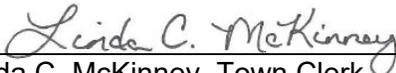
After the economic development discussion, members of the economic development department, assistant town managers, and town clerk left the closed session. The Council and Town Manager performed an annual personnel review with the Town Attorney. No action was taken by the Town Council.

-End of General Account

Motion to return to open session was made by Councilman Villadsen seconded by Councilman McGrath and passed with a unanimous vote.

Adjournment: Councilman Wolff made a motion to adjourn at 10:01 pm. It was seconded by Councilman McGrath and passed with a unanimous vote.

Respectfully Submitted on Tuesday, February 2, 2021.



Linda C. McKinney, Town Clerk

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