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## **MINUTES**

The Holly Springs Town Council met in a workshop session on Tuesday, September 8, 2020 at the Holly Springs Law Enforcement Center and via video conferencing. Mayor Sears presided, calling the meeting to order at 6:00 p.m. A quorum was established as the Mayor and five Councilmembers were present as the meeting opened.

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

**Council Members Absent:** none

**Staff Members Present in the room:** Randy Harrington, Town Manager; Linda McKinney, Town Clerk (recording the minutes); Gina Clapp, Planning and Zoning Director; LeeAnn Plumer, Director, Parks & Recreation; Patty Dressen, Interim Finance Director; Jeff Wilson, IT Director; John Schifano, Town Attorney; Paul Liquorie, Police Chief.

**Staff Members Present by Zoom:** Cassie Hack, Communications and Marketing Director; Scott Chase, Assistant Town Manager; Leroy Smith, Fire Chief.

### **2. Workshop Overview**

**Staff Resource:** Randy Harrington, Town Manager  
Mr. Harrington gave an overview of the items on the agenda.

### **3. Affordable Housing Update**

**Staff Resource:** Sean Ryan, Planning and Zoning

Sean Ryan, Planning and Zoning, said that the purpose of this was to give Council an update on housing affordability initiatives and to seek guidance on a potential land disposition policy. He said that the foundation for this was a new Housing Hub which will be a data portal, with resources for residents looking for affordable housing or other resources to assist with housing needs, and to provide information for developers interested in bringing affordable housing to Holly Springs. He then gave an update on the 2020 Strategic Plan Initiatives connected with Strategic Priority 5.

Initiative 5.1: Support the Wake County Department of Housing Affordability and Community Revitalization's efforts to increase housing options on County-owned property north of Ting Park. The Town entered into a Memorandum of Agreement on July 21, 2020 with regards to this land. Next steps would be a rezoning/development agreement, a development plan, and the construction of the project.

Initiative 5.2: Pursue partnerships with non-profit and for-profit organization to create affordable options. Staff has pursued partnerships with Wake County/My Computer Career/DHIC and with the Village Gate Development Agreement. Next step would be to draft a Land Disposition Policy. This policy would be very similar to the policy of Wake County. This policy would seek innovative partnerships with non-profit and for-profit developers, set criteria and identify desired outcomes, and create a transparent process. It will entail periodically evaluating Town-owned real property that is underutilized, unused, or surplus to consider its suitability for affordable housing, while maintaining equal consideration for other uses. Areas of one acre or less could be considered for private sale to allow non-profit or for-profit builders to bid. Areas

greater than one acre could generate a Request for Proposals to seek innovative, public-private partnerships with non-profit and for-profit developers. Affordability requirements proposed for the policy are:

- Rental units affordable at or below 30-60% AMI;
- For sale units affordable at or below 80% AMI;
- Both with an affordable period of at least 30 years.

Initiative 5.3: Identify and evaluate opportunities for flexibility and streamlining of permitting and development requirements to increase developer interest in affordable housing. Staff is in the process of evaluating policies and processes with the Unified Development Ordinance rewrite, stakeholder interviews have been held, and staff has modified UDO requirements for Accessory Dwelling Units. Staff is also in the process of reorganization of the Planning and Development Services.

Initiative 5.4: Conduct a Housing Study (with a complementary Citizens Affordable Housing Committee) to analyze the Town's housing composition, strengths, challenges, gaps, and potential courses of action. Staff is in the process of drafting a Request for Proposals. It would be brought to Council before any RFP is sent out. Next steps include hiring a third party to conduct the study, conducting the study, and preparing a plan for adoption.

Council requested an inventory of Town-owned properties that are not being used or are being under-used, along with the reason they were purchased, what the current zoning is, and what zoning is on the surrounding properties. Staff was asked about partnership with Habitat for Humanity and Mr. Ryan said that there have not been any recent conversations, but if some suitable property was identified they would likely be interested. Habitat will be linked on the Housing Hub, along with other organizations, and the Hub is due to launch on Friday.

There was discussion about what jobs are available in Holly Springs and what they pay, and whether the Town's architectural standards are too stringent to encourage affordable housing. Regarding the Land Disposition Policy, there was discussion about not copying the Wake County policy so closely, in order not to "tie the hands" of the Town.

Consensus was that Council wanted staff to continue, but not to copy Wake County's policy regarding being required to evaluate property.

#### **4. SolSmart Program**

**Staff Resource:** Scott Chase, Administration; Sean Ryan, Planning & Zoning

Scott Chase, Assistant Town Manager, recognized Sean Ryan for his work and some people from the Clean Energy Council, and Van Crandall, Planning Board, all of whom are on the call. Mr. Chase said that the purpose of this item was to provide Council with information about the SolSmart program. The National League of Cities supports this and assists cities in becoming SolSmart cities. He said that the program helps create better local markets for solar energy by cutting red tape, making it easier and more affordable for homes and businesses to install solar. It promotes local, well-paying jobs, improves financial returns for homeowners and local businesses, and achieves local climate and energy/sustainability goals. He said that there are over 300 SolSmart cities in the nation, including four in our area.

Mr. Chase said that technical assistance is provided by the National League of Cities at no cost to the Town. There will be staff time involved, but NLC will assist us to achieve SolSmart designation. Once we get designation, if Council decides to move forward, we would not have to resubmit anything unless we wanted to go to a higher level. Points are allotted for any combination of factors, including: permitting, development regulations, inspection construction codes, solar rights, utility engagement, community engagement, and market development and finance. Holly Springs UDO does not present any barriers for solar. Planning could work with the HOAs which might be a barrier. From our perspective, our public property i.e. Fire Station 3, and Public Works Campus could utilize solar and reduce our energy costs, as well as setting an example.

Discussion was held about what the costs and benefits to the Town would be from seeking SolSmart designation, the increase in solar energy in municipalities that have the designation, and the need for a larger more encompassing plan for sustainability.

Consensus was reached that Council would like to have a discussion around a larger, more comprehensive sustainability plan, but this is low risk and low cost, so staff should pursue it.

There was further discussion about what municipalities can do regarding solar panels and HOAs. John Schifano, Town Attorney, said that the Town's ability to regulate HOAs is very limited because they are considered contracts between the owners and the HOA. But there could be discussion with new development around the issue of not restricting solar power in the new development.

## **5. Communications Protocol Policy**

**Staff Resource:** Randy Harrington, Town Manager

Randy Harrington, Town Manager, said the purpose of this item was to review the existing policy and discuss any potential updates. He said the current policy was adopted in October 2005 to "provide guidelines and ground rules for effective communication throughout the Town organization." The current policy has wide application, from elected officials through volunteers. There is a theme around equal information sharing, and it specifies the lines of communication. Questions and information from advisory boards should go through the Board Chairman to the Department Director, to the Town Manager, to the Mayor and Council. There is currently no identified communication role for Council's advisory board liaisons. He gave highlights of the current policy, and made some suggestions, with input from the UNC School of Government, on considerations for a policy update. Some of these were Council's broad authority to articulate expectations and to remove advisory members for behavior deemed unacceptable; and the right of advisory board members to share their opinions unless they say they are speaking for the advisory board. Mr. Harrington then suggested four possible discussion areas:

- What are the communication expectations of Town Council advisory board liaisons?
- Should social media communication have specific guidance, or is it similar to other communication expectations, just a different forum?
- Should advisory board members (particularly TAC and P&RAC) be considered "Town officials" or are they "citizen volunteers"?
- If advisory board members are deemed volunteers, should separate communication policies be considered for Town officials and advisory boards?

There was discussion about whether this communication hierarchy made Council seem unapproachable, whether social media speech could be regulated, and if it could, what enforcement would look like. The special difficulties surrounding quasi-judicial matters was discussed.

Council's consensus was to rewrite the policy to clarify communication protocols during the decision-making process, particularly after an advisory board has come to a recommendation but before Council has acted, to treat Board of Adjustment and Planning Board separately from other boards or committees that are not statutorily mandated, and to add a confidentiality expectation and an enforcement piece to the policy.

## **6. Arbor Creek/Middle Creek Greenway Alignment**

**Staff Resource:** LeeAnn Plumer, Matt Beard, Parks and Recreation;  
Jeff Westmoreland, SEPI

LeeAnn Plumer, Director of Parks and Recreation said the purpose of this action was to update Council on the Arbor Creek/Middle Creek greenway design, with detailed analysis regarding routing options and considerations for connectivity. She said that community input on

this process has been very heavy. Part of it is because of the importance of regional connections. She showed the current greenway plan, and then where this project is located and what it connects. The primary route goes through HOA property, Town-owned property and two private parcels, connecting with Holly Springs Road. There will be connectivity to Downtown, Veterans Park, Jones Park. She introduced Jeff Westmoreland from SEPI Engineering.

Mr. Westmoreland showed the main corridor of about 175 acres. They have looked at the existing conditions and considered routing. There are three components: environmental aspects, cost, and the user experience. One of the things that influences it is Middle Creek. Associated with that creek is an extensive flood plain and wetlands. Also, there are riparian stream buffers that will influence the design. There are some steep slopes, particularly on the South side of the study area. There is also existing infrastructure such as sewer easements, public easements, and public rights of way. Thinking about the environmental constraints, we want to avoid those because that adds permitting issues and costs, both for construction and maintenance. From a user interface, there are special places identified where there are views, vistas, moving water sounds and other points of interest. The routing is intended to connect these places while avoiding difficult construction and increased costs. This project would connect Holly Springs Rd. to Sunset Lake Rd. He discussed the three options of going around the existing pond. He explained one option was to connect straight through, via sidewalks. The challenge is that there are significant slopes, and an existing gas pipeline that would have to be traversed. It would be a very difficult to create an accessible greenway connection there. Going north of the pond crosses riparian areas which has permitting issues. You can construct there if there is no other option. There are also 250 feet of impact to the wetland. Then they looked at the Southern route. There is more room on that side to avoid the Zone 1 wetland. There is an existing sewer line, so it is already cleared. For those combinations of factors, the Southern route is the preferred connector between the Middle Creek trail and the Skymont Connector. He showed a table comparing the three routes, and explained why the South route is preferable.

LeeAnn Plumer then said that there were some private property concerns. She and Matt Beard have met with residents. The route that has some view concerns is on Town-owned property, but staff did want to take residents' opinions into consideration. Mayor Sears asked if there was a way to lessen the impact. Mr. Westmoreland said there are ways to use sloping topography to lower the greenway into the slope, along with adding low level plantings, to preserve the view of the pond for the homeowner, but strengthen the boundary between the greenway and the private property. In places without the benefit of the slope, plantings can still delineate the boundary.

There was discussion about impact to residents. Council asked the price difference between the three options. For the two options around the lake, the North option was around \$90,000 more expensive than the South. The sidewalk option is longer and through a boardwalk or retaining walls, so it could very quickly get to that \$90,000 price difference also.

There was discussion about mitigating the impact to homeowners, but not adding hundreds of thousands of dollars to preserve one home's view. There were questions about the width of property available both for grading and for planting. There was discussion about the tradeoffs between preserving private property owners' view and protecting the users of the greenway, as screening can have a crime aspect.

Council was asked for their preference of route, or no route at all, because designing all the routes adds cost. Consensus was to investigate a route through the Bridgewater Amenity Area, as well as things that could be done to mitigate the impact of the South route, and bring it to Council at the September 29<sup>th</sup> meeting.

## **7. Open Discussion:**

Councilwoman Kelly expressed that people are still coming to meetings without masks, and that at the last meeting people were handing out campaign materials during the meeting. She asked for clarity over how public comments are going to be handled. Discussion was held

over the difference between allowing people to speak as part of a public hearing and allowing public comment to be in-person. Mayor Pro Tem Berry said he was willing to bring live comment back to meetings.

**8. Closed Session:** The Council entered into closed session, pursuant to N.C.G.S. 143-318.11(a)(6) to discuss a personnel matter.

**Motion by:** Villadsen

**Second by:** Kelly

**Vote:** Unanimous

There was discussion of a personnel issue, and the Council consensus was to amend the Town's payment classification system for a one-time authorization for the Manager, in his discretion, to award a severance package to a Town Department Director employed by the Town for 20 years or more who has been affected by a reorganization, allowing up to 6 months of salary, an adjustment in allowable sick leave, and extended health insurance benefits. The severance agreement shall be in writing and voluntarily signed by the employee.

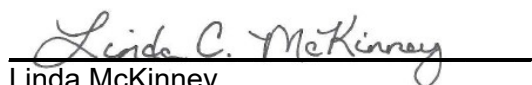
Motion to leave closed session was made by Councilman McGrath, seconded by Councilman Villadsen, and passed with a unanimous vote.

There was discussion about letters and voicemails sent to elected officials that were threatening in nature, and the Holly Springs Police Department's recommendations.

**7. Adjournment:**

Motion to adjourn was made by Councilman McGrath, second by Councilman Villadsen, and passed with a unanimous vote. The September 8, 2020 workshop meeting of the Holly Springs Town Council was adjourned at 9:54 pm.

Respectfully Submitted on Tuesday, September 15, 2020.

  
Linda McKinney  
Town Clerk