



MINUTES

The Holly Springs Town Council met in regular session on Tuesday, April 18, 2023. Mayor Mayefskie presided, calling the meeting to order at 7 p.m. A quorum was established as the Mayor and five Council members were present in the Chamber as the meeting opened.

Council Members Present: Mayor Mayefskie, Mayor Pro Tem Berry, Council members Aaron Wolff, Shaun McGrath, Timothy Forrest, and Danielle Hewetson.

Council Members Absent: none.

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); Mathew Mutter, *IT*; Corey Petersohn, *Budget and Sustainability*;

2. and 3. The Pledge of Allegiance was recited followed by an invocation by Ray Runyan of the Church of Jesus Christ of Latter Day Saints.

4. Agenda Adjustment: The April 18, 2023 meeting agenda was adopted with changes, if any, as listed: none.

Motion: Berry
Second: Forrest
Vote: Unanimous

RECOGNITIONS

Mayor Mayefskie asked Wake County Commissioner Matt Calabria to say a few words at the beginning of Recognitions section of the Agenda. Mr. Calabria said the Wake County Board of Commissioners gets a stream of funding known as the Hotel Motel Prepared Food tax, and each year they decide how to allocate these funds to promote tourism. This year they received many proposals for the \$8.5 million that they have. The Cass Holt Road park proposal was excellent and last night the Board of Commissioners voted to allocate \$2.3 million to Holly Springs for that project. He said it was the largest appropriation made this year. He said that they also voted to accelerate \$2.4 million for renovations on the Holly Springs branch of the Wake County Public Library. He said that there should also be funds later to assist with relocating Holly Springs Fire Station #3.

5. Holly Springs Half Marathon

Ryan Montelione from the Holly Springs Half Marathon thanked the Town for its continued partnership in hosting the annual Holly Springs Half Marathon. He said that this was the eighth year for this event and this partnership. He gave an overview of projects they have supported, and said that this year the Half Marathon would purchase low-level solar-powered trail lights for the Carl Dean Greenway as part of their yearly contribution to the Town.

6. Building Safety Month Proclamation

Chris Hills, Director of Development Services, said this item was to raise awareness of building safety in Holly Springs by proclaiming May as Building Safety Month. He gave a brief history of Building Safety Month and the focus areas for each week. He gave statistics on new

building, plan reviews, and inspections in Town. Mayor Mayefskie proclaimed May as Building Safety Month in the Town of Holly Springs.

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.

The following public comments were received in writing: an anonymous comment regarding noisy vehicles in Town and the enforcement of the Noise Ordinance.

The following comments were received in person:

Tonya Palumbo from the Holly Springs chamber of Commerce said she was here to introduce herself as the Executive Director of the Chamber, as her interim status has been removed. She gave an update on the Chamber's 2023 activities to date, and stressed how important it was for Council to attend these events and show their support to the business community.

Jack Turnwald said that they wished their biggest worry was that today was tax day. But unfortunately, when the invocator spoke of the protections we have in Holly Springs, they were thinking of the 467 anti-LGBTQ bills that have been put forward in the US as of today; the friend who is planning to move out of state to protect their queer child. They said that June was around the corner, and they asked that Council treat Pride differently this year than last. They asked that Council consider issuing a Pride proclamation that offers the LGBTQ youth of our community a message of love and acceptance. They then offered to assist in writing such a proclamation.

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 Council member Forrest and a unanimous vote. The following actions were affected:

7. Minutes – Council approved the minutes of the March 14, 2023 workshop meeting and the March 21, 2023 business meeting.

8. Monthly Budget Amendments – Council received the monthly report, approved two budget amendments and adopted Grants and Special Revenue Fund Capital Ordinance 21-12.

Copies of the budget amendments and Grants and Special Revenue Fund Capital Ordinance 23-12 are attached to these minutes.

9. Resolution for Road Name Change for a Portion of Woodfield Dead End Road to Leland Crest Dr. – The Council adopted Resolution 23-09 renaming a portion of Woodfield Dead End Road within the Carolina Springs Subdivision.

A copy of Resolution 23-09 is attached to these minutes.

10. Holly Springs Half Marathon Agreement Addendum – The Council approved the addendum to the Holly Springs Half Marathon Agreement.

11. Grants Policy – The Council adopted Policy P-051, Grants Policy.

A copy of Policy P-051 is attached to these minutes.

PUBLIC HEARINGS

12. Main Street Vista Conditional Zoning District and Development Agreement

Cheryl Caines, Development Services, said this item was continued from the March 21st meeting to finalize the Development Agreement. She reminded Council and the audience of the

location of the project at Holly Springs Rd. and N. Main St., and said the current zoning is NMX Neighborhood Mixed-Use and the applicant is requesting it be rezoned DMX CD Downtown Mixed-Use Conditional Zoning District. She outlined the uses for this zoning designation and the goals the applicant has for the project. She said one late modification is the addition of a six-foot metal decorative fence within that buffer, based on comments received from residents in that neighborhood at the last meeting.

Catherine Jacobs, Development Services, said the site would connect to water and sewer off N. Main St. and Holly Springs Road. She said the developer would upgrade pipes along N Main St. and take the Omni Pump Station off line, and complete the road widening of both roads along their property line. The will construct a right-turn lane to Third St., and a pedestrian walkway all the way to Holly Springs Road.

Elizabeth Goodson, Development Services, gave a summary of the Development Agreement, which includes a cost share for sewer infrastructure improvements by reimbursing System Development Fees up to a \$1.5 million cap, for taking the existing Omni Pump Station offline and upgrading the existing gravity sewer lines in N. Main Street for about a mile. This will allow this CIP project to move ahead earlier than the Town could otherwise have afforded it. The agreement also includes a variation of Parks & Recreation Fee-in-lieu calculations, and transportation infrastructure improvements outlined by Ms. Jacobs.

MPT Berry asked about additional side paths or sidewalk along Holly Springs Road. Ms. Goodson said there is existing sidewalk on Holly Springs Road. MPT Berry asked about the right turn lane, and Ms. Jacobs said the developer is extending the existing right turn lane down Main St. to their second access point. MPT Berry asked about the Third Street turn. Ms. Jacobs said it was right-in, right-out with left-over. You will be able to turn left into the development, but not make a left out. MPT Berry asked if a traffic light was not required because it's too close to the light at Holly Springs Rd. and Main. Ms. Jacobs said it does not meet the warrant to have a light. Ms. Goodson said this location, or further north, could become a roundabout or a light in the future.

Council member McGrath asked if there was a fee-in-lieu for the roundabout. Ms. Jacobs said no, because that's a long-term improvement and they are providing the near-term improvement. He asked about the required easements for a future roundabout. John Schifano, Town Attorney, said the thought is that it could go in the existing right of way, but the burden is on the developer. If they can't do that, because it is a public right of way, the Town may have to use its power of eminent domain, but that is done at the cost of the developer. Council member McGrath said it should be discussed with property owners so it is not a surprise. Mr. Schifano said it will not be a surprise, but we have not gone into details yet because it might fit in the existing right of way.

Mayor Mayefskie said the public hearing was still open from the March meeting, and the following input was received: none.

There being no further input, Mayor Mayefskie closed the public hearing.

MPT Berry said that when he looks at the request to rezone from NMX to DMX CD it makes him wonder what the downtown is. Do these parcels sit in downtown or downtown end at Holly Springs Rd? There are a lot of differences in those zoning districts and he wants the public to understand the differences. He then listed some of those differences, specifically around building heights. He said that the Conditional District allows a developer to propose their own standards and this one is asking for double what is in the base standard. He said 26 units per acre is a lot of density for an area that already has a lot of traffic. He said they are proposing 5 stories, which is very high next to the houses in Windward Point. He said he thought NMX seemed more compatible to him for this land. He thinks this project is selling out for the sake of supply, at the expense of existing residents.

Council member McGrath said that we have been wrestling with this issue for a while – is this part of the Village District/Downtown? Moving to this side of Holly Springs Rd. with significant density, with no relief in sight for a long time on Holly Springs Road or Main Street. He said the density is a significant challenge. It is a good project, but he is not sure this is the right place for it.

Council member Wolff said that while he doesn't disagree with the question about what constitutes the Downtown District, we kind of came to a consensus that Holly Springs Rd. was a boundary. For himself, this was the type of development he wanted to see if we were adding

density to downtown. The developers have engaged in good-faith negotiations for a long time with staff, and made concessions to us, including off-site road improvements and pedestrian improvements. We did not hear much opposition from residents. Even those who came to speak said they were not against the project, they just requested changes, which the developer has made. He said this project is what we need and this is a good spot for it. The timing is not perfect, but we don't get to choose the timing.

Council member Hewetson said she hears and understands both sides. She said the traffic is the greatest concern for her. She went back to the comments from the last meeting, and the fence answered the majority of the concerns she heard. She understands the concerns about the height, but the way this sits back from the road, she thinks that while the timing is unfortunate, the type of development is one she supports in this location.

Council member Forrest said he understands Council's frustration. The Town has been at a high rate of growth for a long time and we are still behind in middle housing. The timing is horrible, but this is the type of development we need. He said he is less concerned with the construction timeline than the Holly Springs Road widening down to 55. It will be painful for a little bit, but it and Holly Springs Rd widening will be about the same time. This project would be right on the edge of the Village District. He is in favor of this plan: but the current NMX mixed zoning is problematic. He thinks it conflicts with other ordinances that control land use in the town; second it lacks clear and consistent criteria for granting or denying conditional use permits; and third, it creates uncertainty and confusion with both applicants and neighbors who may be affected by the proposed projects. Therefore, he urges Council to encourage Planning and Zoning to work on making the overlays fit with the UDO so that we can establish more consistency. He would not like to see more Conditional District zoning until that is fixed. But he is in favor of this project.

Ms. Caines said that since the 6-foot fence is an addition, it would need to be added onto the motion.

Action 1: Motion to adopt Rezoning Ordinance RZ23-01 to approve rezoning of 11.71 acres from NMX Neighborhood Mixed Use to DMX CD Downtown Mixed-Use Conditional Zoning District, to include a six-foot decorative metal fence along the eastern perimeter buffer in the development and design manual.

Motion by: Forrest

Second by: Wolff

Vote:

Aye: Wolff, Forrest, Hewetson

Nay: Berry, McGrath

The Motion passed.

Action 2: Motion to adopt Development Agreement for Main Street Vista.

Motion by: Forrest

Second by: Wolff

Vote:

Aye: Forrest, Wolff, McGrath, Hewetson

Nay: Berry

The Motion passed.

MPT Berry said his nay was due to the lack of consideration for more traffic improvements.

Council member McGrath asked for clarity about what improvements could be asked for with a rezoning. Chris Hills, Director of Development Services, said that if it is off-site it is difficult for a municipality to require improvements. Council can still consider that and deny a rezoning based on traffic. And at that time the developer could offer to do more, but we are at the mercy of DOT, CAMPO and others for traffic projects. There is not a quick fix. The ability Council has at the time of zoning is to withhold approval of a zoning change.

NEW BUSINESS

13. Fiscal Year 2022-2023 Nonprofit Grants

MPT Berry said that the Grants Committee, comprised of himself and Council member Wolff, met in April to consider the applications for Fiscal Year 22-23 Nonprofit Grants. There were fifteen organizations who applied for grants. Many were groups that had applied in the past, but there were several that were either new applicants, or had not applied for a few years. He outlined the requests from each organization, what they proposed to do with the funds, and the amount the committee recommended granting. He said that there was a remainder of \$5000 not allocated. They are holding it back because from time to time there are needs that come up later. If it is not spent by June 30th they will encumber it for next year to use for grants.

Council member Wolff said it was great to see the LaunchHOLLYSPRING alums come back. Their growth has been impressive and it goes to show that these funds are well invested. One of the most impressive partners is InterAct. The number of families that they are helping get through episodes of domestic violence is very impressive. The last thing he will say is that he would like Council to consider setting up a process for some of these year-after-year applicants who give us great return on our funds, to move out of the grant process and into a partnership position, groups like the Food Cupboard, Launch, etc., to provide them with consistent funding and not make them go through the grant process. These are partners with a proven track record who have worked with the Town for a long time.

Action: Motion to award grant funding to the following organizations, in the following amounts:

Recipient Organization	Amount Granted
Holly Springs Community Band	\$2,000
Holly Springs Food Cupboard	\$2,500
Holly Springs High School Band Boosters	\$2,000
LaunchHOLLYSPRINGS	\$1,000
South Wake Conservationists	\$2,000
Fuquay Varina Emergency Food Pantry	\$500
InterAct	\$2,000
For Girls Like Quaneisha	\$1,000
Holly Springs Civitan	\$500
Holly Springs Interfaith Alliance	\$500
YMCA Camp Excel and Camp GRACE	\$2,500
Holly Springs High School Boys to Men Mentorship	\$1,000
Kiwanis Club	\$1,500
BeShe Inc	\$500
FACTS for Youth	\$500

Motion by: Berry

Second by: Wolff

Vote: unanimous

14. Fiscal Year 2022-2024 Strategic Plan

Corey Petersohn, Director of Budget, Innovation, and Strategy, said that this item was the culmination of Council's work on updating the Strategic Plan. He outlined the timeline, starting at the Retreat in February, that Council has been working on the updates and the five Strategic Priority areas. He summarized the updates, saying that 11 strategic initiatives have been completed, and eight new ones proposed. The new initiatives center around the new yard waste model, sustainability efforts, promoting a diverse supply of housing options and planning for future fire station locations. He said that the Strategic Plan lays the framework for the upcoming Manager's Recommended Budget, which will be presented in May.

Action: Motion to adopt the Fiscal Year 2023-24 Town Strategic Plan.

Motion by: McGrath

Second by: Forrest

Vote: unanimous

15. Resolution of Intent to Proceed with General Obligation Bond Referendum –

LeeAnn Plummer, Director of Parks and Recreation, said she was here to review the need for investment in Parks and Recreation facilities and Finance Director, Tina Stroupe, was here to begin the process for preparing for a General Obligation Bond referendum. Ms. Plummer said that the 2021 Community Satisfaction Survey results identified the Town services that should receive the most emphasis over the next two years to be: 1. Management of traffic; 2. Management & planning of growth/development; and 3. Quality of Town Parks and Greenways. She said that this investment aligns with the Strategic Plan Engaged, Healthy, & Active Community initiative: Develop comprehensive parks and recreation amenity offerings to include a variety of parks, greenways, and recreation facilities. She spoke about the results of the Parks, Recreation, and Greenways Master Plan, and industry best practices.

Ms. Plummer outlined the plan for the park on Cass Holt Road, which will be the first park west of NC 55. She then outlined some other park investments that could be funded from this revenue including improvements to Womble Park, replacing the seating at the Cultural Center, a program pavilion at Sugg Farm and greenway connections. She gave a summary of the estimated costs for the projects.

Tina Stroupe, Finance Director, said that General Obligation Bonds are a common type of bond used by state or local governments that is secured by a government's pledge to use legally-available resources, such as tax revenues, to repay bondholders and are not secured by assets. The investment subsidizes a project, which the government develops. Then interest and principal are repaid using the project's revenues and taxes. She outlined the major components of the Bond Referendum process including Council approvals that would need to happen; public involvement in the process which includes a public hearing before the adoption of a Bond Order; voter consideration on the November 7th election; and, if approved by voters, Local Government Commission (LGC) approval in January of 2024.

Ms. Stroupe said that the Bond Order would include how the Town will spend the bond proceeds, how much of a bond issuance (which can be issued over 7 years), and whether there would be a tax increase. She outlined the timeline for these actions, from this meeting through January of 2024 and said that, if Council adopts the resolutions before them tonight, the next steps would be the introduction of the bond order at the May 16th meeting, a public hearing on the June 20th meeting, and, pending voter approval, adopting a resolution certifying and declaring the results of the Special Bond Referendum on the November 21st meeting.

Council member Wolff congratulated Ms. Plummer on the money received from the County. Ms. Plummer said that Catherine Clark, staff grant writer, was a huge help. She said that they are looking at ways to leverage those funds.

Action 1: Motion to adopt Resolution 23-07 directing the Town Clerk to publish Notice of Intent to apply to the Local Government Commission.

Motion by: Berry

Second by: Forrest

Vote: unanimous

A copy of Resolution 23-07 is attached to these minutes.

Action 2: Motion to adopt Resolution 23-08 directing the Town Finance Director to apply for authorization from the Local Government Commission to proceed with a General Obligation Bond Referendum.

Motion by: Berry

Second by: McGrath

Vote: unanimous

A copy of Resolution 23-08 is attached to these minutes.

16. Resolution Denouncing Discriminatory Practices

Mayor Pro Tem Dan Berry said that he proposed this resolution because in November 2021 a resolution was passed to take a formal public stance against discrimination. Since then the Council has several new members who were not part of that resolution. There has been resident engagement about the topic and discussion about the County Nondiscrimination Ordinance, which did not have support to move forward. He said that doesn't mean we aren't a welcoming inclusive community. This resolution is up for the current Council members to take a formal stance against discrimination.

Council member McGrath said that they have been talking about this over the last year, and this resolution provides an opportunity for Council members Forrest and Hewetson to sign on to make sure we are upfront with where we want to be in this community.

Council member Wolff said his position on this resolution is well known. This is pretty much the same resolution we passed when we chose not to adopt the Nondiscrimination Ordinance. My problem isn't with what it says; my problem is that it doesn't do anything. It didn't do anything a year and a half ago, and it doesn't do anything now. The only actionable part of the 2021 Resolution, the part that said we would come back and discuss the NDO, has been removed. The only thing it does is allow us to say we did something when we didn't. Nothing in this resolution protects any of the people in the marginalized groups in our community. Nothing in this resolution provides them with the protection that 90% of Wake County residents enjoy. He said that Council has said many times that actions speak louder than words. He said that words without action don't do anything. We've heard all the reasons people do not want to act. He said he has heard many times "show me the discrimination." Residents have been asked to prove that they have faced discrimination. I've been told the NDO has no teeth – this resolution has no teeth. I've been told the NDO is virtue signaling. That's what this Resolution is. I've been told the resolution will make the community feel better. The only thing this resolution does is make us feel better. Whatever the NDO does or doesn't do, this resolution does less. So why are we doing it again? Are we going to re-do this every time there are new council members? Do we really need to say that we think discrimination is bad over and over again? He said he had heard other things from this seat that he wishes he hadn't heard; He heard trans people likened to serial killers; that our LGBTQ residents are an abomination; that our wives and daughters are going to be raped in the bathroom by trans people. He has heard a lot of despicable nonsense, and that those who disagree should move to another town that shares their values. If there is discrimination in Holly Springs, we should do something that actually defends people. He said he believes in what this resolution says, so he will vote for it. But if discrimination is not a problem we shouldn't say it. That is just a waste of time.

Council member Forrest said it's important that we sign the resolution and support all people. He said he spent his life overseas in places that don't have our liberties. We are blessed in this country and all people should have opportunities and all people are created equal and should enjoy it. He said he understands some of the frustration, but much like the Pledge of Allegiance, there's no teeth in that, but it is a statement of belief. That's what it means to me to sign on to this resolution. It supports the Constitution and everyone's right to do their own thing without persecution. It says this is what he believes.

Council member Hewetson agrees that it is important to pass this resolution and make it clear that this is where we stand and how we feel. She doesn't think it says that discrimination isn't in existence. She doesn't think any choice made on the NDO by this group implied that discrimination doesn't exist, just that it wasn't the solution at the time. In the future there may be other solutions, but in the meantime to be able to say that she feels these ways and stand behind all people is important to her and she is happy to do that tonight.

Action: Motion to adopt Resolution 23-11, denouncing discriminatory practices.

Motion by: Berry
Second by: Forrest
Vote: unanimous

OTHER BUSINESS

Council member McGrath said the landfill was odiferous this morning, so our work is not done. He appreciates the partnership with the County. There will be a meeting next month when we will receive an update on the temporary coverings and long-term plans. He assured residents that we are still working with the County on this issue.

MPT Berry said at the last meeting he made comments around exploring the UDO, to look at changes/updates related to problems we have identified. He believed there was concurrence. He needs to coalesce thoughts and share with staff, once he can get together with his colleagues. Concerns he raised about density and buffers continue to weigh heavily on him. He will try to get it done within the next week so it can be accounted for in the budget.

Council member Forrest thanked staff for action regarding Ralph Stephens Rd. at Avent Ferry, where there have been close calls with pedestrians and cars. Staff has reached out to DOT and residents and have been working on issues. He said there is a problem where the crosswalk tells pedestrians to go at the same time that the left turn light turns green from Ralph Stephens to Avent Ferry.

Council member McGrath said he would like an update from Chief Liquorie to address the vehicle noise complaint that was sent to Council to know what options there were to address that.

MANAGER'S REPORT

Randy Harrington, Town Manager, said there was a great team that went to Washington DC a few weeks ago, and they had very productive meetings with our senators and representatives. He said they talked primarily about water and infrastructure needs, and the Holly Springs Rd. widening project, and the post office and opportunities for the US Postal Service to increase its investment in our post office. We have encouraging news out of the gate around the water project particularly. There is more to go, but it is working its way through the process of getting into the federal budget.

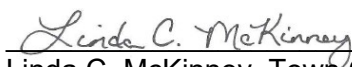
There is a lot going on in Parks & Recreation right now.

- Saturday from 9 to noon is Earth Day at the farmers market;
- Saturday from 5 to 8 at Cultural Center is the Chalk of the Town event;
- April 27th (Thursday) there is a Virtual Public Meeting for All Wheels Skate Park. One component of the Cass Holt Road Park is a skate park and we want to hear from residents about what is important to them.
- May 5th from 5 to 9 is the International Food Festival at the Cultural Center. There will be culinary options from six different continents and 12 countries with cultural performances and a Passport Around the World activity.

CLOSED SESSION: none

Adjournment: MPT Berry made a motion to adjourn at 8:47 pm. It was seconded by Council member McGrath and passed with a unanimous vote.

Respectfully Submitted on Tuesday, May 16, 2023.



Linda C. McKinney, Town Clerk

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