MINUTES

The Holly Springs Town Council met in regular session on Tuesday, February 20, 2024. 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 Timothy Forrest, Danielle Hewetson, Annie Drees, and Chris Deshazor.

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;* Kathy White, *Deputy Clerk;* Corey Petersohn, *Budget and Sustainability;* Cassie Hack, *Director, Communications and Marketing*; Tina Stroupe, *Finance Director;* Chris Hills, *Director of Development Services;* Elizabeth Goodson, Catherine Jacobs, Sean Ryan, Cheryl Caines, Conor Ryan, and Aaron Prichard, *Development Services;* LeeAnn Plumer, *Director, Parks & Recreation;* Irena Krstanovic, *Economic Development.*

2. and 3. The Pledge of Allegiance was recited followed by an invocation by Aradhana Aggarwal of Hindu Society of North Carolina.

4. Agenda Adjustment: The February 20, 2024, meeting agenda was adopted with changes, if any, as listed: none.

Motion: Berry
Second: Forrest
Vote: Unanimous

RECOGNITIONS

5. Girl Scout Week Proclamation

Mayor Mayefskie proclaimed March 10-16, 2024 as Girl Scout Week in Holly Springs and presented the proclamation to Roshni Pattath and her Brownie Scout daughter.

6. Recognition of Nicole Zettel, State Champion Swimmer

Mayor Mayefskie recognized the achievement of Nicole Zettel, state champion swimmer in the 500 yard freestyle event for the second year in a row.

7. Developmental Disabilities Awareness Proclamation

Mayor Mayefskie proclaimed March as Developmental Disabilities Awareness Month in Holly Springs.

8. Arbor Day Proclamation

Aaron Prichard, Development Services, said that Arbor Day is celebrated in March in North Carolina. He outlined the benefits that trees provide and informed the public of upcoming activities.

Mayor Mayefskie proclaimed March 22nd as Arbor Day in Holly Springs and presented the Proclamation to Eric Dean of the Tree Advisory Committee

9. Engineers Week Proclamation

Kendra Parrish, Executive Director of Utilities and Infrastructure, spoke of the work engineers perform in designing and creating solutions to address local and global challenges. She recognized the engineers on staff and on Council. Mayor Mayefskie proclaimed February 18th – 24th as Engineers Week in the Town of Holly Springs.

REQUESTS AND COMMUNICATIONS

10. 2024 Wake County Real Property Revaluation

Tina Stroup, Finance Director introduced Marcus Kinrade, Wake County Tax Administrator. Mr. Kinrade provided an update on the 2024 property revaluation in Wake County. He explained what the revaluation is and why it is conducted. He gave an overview of the results of the revaluation in Wake County and Holly Springs. He provided information to anyone who wishes to file an informal assessment review or a formal appeal to the Board of Equalization and Review regarding their property's assessment, and about tax relief programs available.

CONSENT AGENDA

The Council passed a motion to approve all items on the Consent Agenda. The motion carried following a motion by Mayor Pro Tem Berry, a second by Council member Forrest and a unanimous vote. The following actions were affected:

11. Minutes – Council approved the minutes of the December 19, 2023 and January 16, 2024 Business meetings.

12. Monthly Budget Amendments – The Council approved the Parks and Recreation Athletics and Administrative Actions Amendments, and adopted Grants and Special Revenue Fund Project Ordinance 24-01.

A copy of Ordinance 24-01 is attached to these minutes.

13. Engineering Design & Construction Standards Section 6 Update – The Council approved changes to Engineering Design and Construction Standards, Section 6 (Water Distribution) in response to comments received by the North Carolina Department of Environmental Quality (NCDEQ) Public Water Supply Section.

14. 12037 Holly Springs New Hill Rd. – The Council adopted Resolution 24-02 directing the Town Clerk to investigate the sufficiency of annexation petition A23-09 and setting the public hearing for March 19, 2024.

A copy of Resolution 24-02 is attached to these minutes.

15. Authorize Town of Holly Springs RAISE Grant Application – The Council authorized the Town Manager to sign and submit an application for a RAISE grant for design of Holly Springs Road Widening (West) which if awarded requires a 20% non-federal match of $600,000.

16. Development Plan 18-DP-15-A01 Expiration Extension Request for Wegmans – The Council granted the first of an allowable 4, six-month extension for 18-DP-15-A01 for Wegmans to extend the expiration date from February 15, 2024 to August 15, 2024, as requested by Arthur Pires.

17. Development Plan 19-DP-23 Expiration Extension Request for Avent Ferry Commercial – The Council granted a six-month extension of 19-DP-23 for Avent Ferry Commercial to extend the expiration date from August 15, 2023 to February 15, 2024, as requested by Swadesh Chatterjee.

18. Utility Asset Inventory and Assessment (AIA) Grant Project Ordinances – The Council adopted Grant Project Ordinances 24-03 (water) and 24-04 (wastewater) to authorize the Water and Wastewater Asset Inventory Assessment (AIA) grant projects.

Copies of Ordinances 24-03 and 24-04 are attached to these minutes.

19. Retirement of K-9 Hondo and Transfer of Ownership to Handler Officer Siobhan Juarez – The Council declared canine asset Hondo surplus and transferred ownership to Officer Siobhan Juarez.

20. Construction Prequalification Policy – The Council approved the Construction Prequalification Policy.

A copy of the policy is attached to these minutes.

21. Utility Allocation Request for 370 Green Oaks Parkway – The Council approved Utility Allocation Request for 370 Green Oaks 23-DP-09.

22. Holly Springs Road Widening (East) Sewer Forcemain Upsize Change Order – The Council authorized the Town Manager to execute a change order in the amount not to exceed $650,000 for wastewater force main upsizing on Holly Springs Road East-Central, and adopted Waste Water Capital Project Ordinance 24-05.

A copy of Ordinance 24-05 is attached to these minutes.

PUBLIC HEARINGS

23. Friendship Road Industrial Development Plan 22-DP-10

Cheryl Caines, Development Services, said this item was to consider a Development Plan for Friendship Road Industrial. She said that this site is part of Friendship Innovation Park. The land was rezoned by Council on October 19, 2021 and the major subdivision plan was approved on September 7, 2021. This will be a quasi-judicial hearing at which sworn testimony by fact witnesses will be presented. She showed the location of the property in relation to its neighbors and said it was designated as Business & Industrial in the Land Use and Character Plan and zoned BRT: Business and Research Technology. She said there would be two buildings, 150,000 square feet of manufacturing and office space with a plaza and active recreation open space. She showed proposed elevations and said the applicant would describe them in more detail.

Catherine Jacobs, Development Services, said that the site was served by sewer, potable water, and reclaimed water, all of which would be completed with this project. She said the developer would widen Friendship Road along the property frontage per the Comprehensive Transportation Plan. She showed the location of the new site access points and said the traffic improvements were consistent with the previously completed Traffic Impact Analysis.

Ms. Caines said that the plan is consistent with adopted plans and ordinances, the use is consistent with the zoning and the Future Land Use plan. The site design minimizes impacts to environmental features and adjacent properties. She said that public utility connections are provided and there is safe and efficient circulation and access. Staff recommends approval.

Van Crandall, Planning Board Representative, said that the Planning Board recommended approval with a vote of 6 – 0. He summarized the questions the Planning Board asked and the satisfactory responses they received, including such things as EV charging spaces, bridge limits, and light pollution.

Mayor Mayefskie opened the public hearing and the following sworn testimony was received:

Josh Lamb, speaking for the applicant, listed the Goals of an Innovation Village District and Council's goals of attracting more large-scale employers, creating commercial amenities, and balancing the overall tax base, and testified that the proposed project meets those goals. He said the site is directly south of the Amgen facility and continues progress on the Friendship Road frontage and would bring more potential high-income jobs to the area.

Mr. Lamb said that the façade materials and colors were consistent with the UDO. He outlined the façade materials and colors, and said that screening of the dock and waste areas met the UDO Section 8.2 standards. He said that the Type A buffer at the North site plan line could be relocated to the retaining wall edge, to provide a little more screening from US 1. He said buffers to the south of the new Friendship Road driveway match the Type C-225 requirements and there is 25% more open space than required in the UDO or the masterplan. He said that evergreens would be used to screen dock areas. There will be EV-ready parking spots available and all sign requirements will be met. He said that landscaping buffers will be maintained and open space will maintain a community feel through early development stages with native plantings throughout the campus and greenway connectivity where possible.

Mr. Lamb said that Building A would be constructed in the first 1-3 years, with Building B to follow. He then outlined the development timeline over the next seven to ten years. He said the photometric study has been completed and there are zero foot candles around the site. The goal is to meet all the Master Plan and UDO requirements, and to be a part of the sustainable growth of Holly Springs.

Council member Drees asked if there were any specific trails to connect to. Mr. Lamb said the plan was to connect to the east of the site, over the ten years.

Council member Deshazor asked if there would be walking or bike paths within the site. Mr. Lamb said there would be sidewalks along the road and within the site between buildings. There is not a loop around the facility, given that it is an industrial facility.

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

Action: Motion to adopt Resolution 24-03 to make and accept the Findings of Fact for consideration of and to approve Development Plan 22-DP-10 for Friendship Industrial.

Motion by: Forrest
Second by: Hewetson
Vote: unanimous

24. Village Gate Rezoning 23-REZ-08

Conor Ryan, Development Services, said the purpose of this legislative public hearing was to consider a request for a Conditional District Rezoning for properties near S. Main and Ralph Stephens Rd. that are part of the Village Gate project from CDCU to CDCZ. He showed the location of the property and said that it was designated Mixed-Use Center on the Land Use and Character Plan and zoned CB: Community Business. He said that in June of 2020 the zoning was changed from residential to Community Business Conditional District with 12 conditions. A master plan and three development plans were subsequently approved in November of 2020. The applicants are seeking to revise two of the 12 conditions. First to reduce the minimum number of workforce housing units from 50 to 25; and to remove the site access for Tract 1B and thus the turn lane associated with that site access. Along with this revision the Development Agreement would be revised to reflect the revised conditions and to allow the workforce housing units to be purchasable as well as rented, and to reduce the workforce housing units covered under a single master water meter from 50 to 25 if rented.

Catherine Jacobs, Development Services, said the site was served by water and sewer. She said all of the required roadway widening has been completed. She showed the proposed driveway that would be removed, and said the turn lane would no longer be needed and would be removed.

Mr. Ryan said that the request was consistent with adopted plans and ordinances and had relatively minimal changes to existing zoning conditions. There were no changes to uses, density, or site and building design. He said the applicant's justification for the proposed changes was deemed acceptable by staff, who recommended approval.

Van Crandall, Planning Board representative, said that the Planning Board voted to recommend approval with a vote of 5 – 1. Mr. Bess voted against, saying that he didn't think the justification was adequate. The Planning Board discussed concerns about the reduction of workforce housing units, which the applicant noted was due to rising construction costs and a total reduction in housing units for the project. He said there were concerns about whether this project still meets the Town's strategic initiative regarding affordable housing, questions about qualifications for residents desiring to live in the workforce housing, and about UDO policies around workforce housing.

Mayor Mayefskie opened the public hearing and the following input was received:

Chris Rurkowski with TMTLA Associates, spoke for the applicant. He repeated the applicant's request to reduce the number of workforce housing units, given the increase in construction costs and the cost of borrowing money, as well as the reduction in total units of about 20-25%. The removal of the zoning condition requiring the site driveway between Hampton Inn and the site is being requested to be removed because the change in use from retail to medical office would create less traffic and there would thus be adequate access.

CM Drees asked what measures other than reducing workforce housing were considered to address the costs. Mr. Rurkowski said they considered going more vertical and invited Eli Zablud, the applicant, to respond more fully. Mr. Zablud said they considered changing from mixed-use to total office building. They had a conversation among them and with staff and they encouraged them to stay with the current plan. He said they cannot build higher because of height restrictions so reducing the units was their option.

Council member Deshazor said the reduction in total units was 25%, but the reduction in workforce housing was 50%. He asked why those numbers could not be consistent. Will the concession of the master water meter be given back? Mr. Zablud said originally they would have had 50 units on one water meter. Now they are going to turn it from rental to owned property. That will benefit the residents a lot. The 25 units will be sold. In the event they cannot sell them and have to leave them as rentals, then the master meter will cover 25 units, not 50. He said the concession they gave to the Town is the change of the traffic lights to mast arm and the greenway that we are going to build for the town. It was a long process of give and take. If the changes are not made, under the current construction costs and interest rates, the project could not go forward at all. If the changes are not made they will have to wait and not finish the project.

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

MPT Berry said that the workforce housing was offered voluntarily, not required by the town. The master meter is something the Town has done for other projects. It is beneficial to developers but is not a taxpayer subsidy. It just means the town is taking in less money in fees than it could have.

Action: Motion to adopt Rezoning Ordinance RZ24-01 to adopt the statement of compatibility and approve rezoning 23-REZ-08 and associated Development Agreement revision.

Motion by: Berry
Second by: Hewetson
Vote: unanimous

NEW BUSINESS

25. Resolution Adopting the Water Shortage Response Plan

Rachel Ingham, Utilities and Infrastructure, said that this was a statutorily required update to the Town's Water Shortage Response Plan. She explained what the plan covers and why the Town needs it. She explained who is responsible for implementing the plan and how the public would be notified. She outlined the four stages in a water shortage and what restrictions would be in place for each stage. She outlined the compliance elements, the ability to request a variance in certain circumstances, the post-drought evaluation process, and procedures for revising and updating the plan.

She said the State verified that the plan meets the statutory requirements in January.

Council member Drees asked what land owned by an HOA would be covered by. Ms. Ingham said the irrigation schedule is referring to residential property. HOA land would be defined as non-residential. Council member Drees asked if the size of a swimming pool was defined. Ms. Ingham said pool size is not defined, although other bodies of water are. The code of ordinances has more detailed language but does not speak to the size of a pool.

Action: Motion to adopt Resolution 24-04 approving the Water Shortage Response Plan.

Motion by: Deshazor
Second by: Forrest
Vote: unanimous

26. Contract for Professional Services – Design of the Utley Creek Water Reclamation Facility Expansion to 8 MGD

Seann Byrd, Deputy Director of Utilities and Infrastructure, said this item was to request approval of a contract with Hazen and Sawyer for the design of the Utley Creek Water Reclamation Facility (UCWRF) to 8 mpg. He gave the timeline of actions leading to this point, and forward through next steps to the completion of construction. He outlined the areas of the facility that would be designed under this contract, why they were needed and some of the challenges for each.

Mr. Byrd said that the Town is permitted up to 8 mpg, and explained the sampling and modeling plan for a further expansion into Utley Creek beyond 8 mgd. He showed areas of the Creek, the Thomas Mill Pond and the Green Tree Reservoir that would be sampled as part of this process.

Mr. Byrd gave a breakdown of the costs of this contract and what was covered for the $12,404,016, as well as the total project costs estimated for the expansion. He said that funding for this comes from a $3,000,000 federal grant and a revenue bond for $29,500,000. This will be the first issuance of the revenue bond.

Council member Drees said the preliminary engineering report was impressive. MPT Berry asked if this just gets us to 8mgd or does it go beyond. Mr. Byrd said this gives us design beyond 8mgd, but there would be additional engineering costs to expand beyond 8 mgd.

Action 1: Motion to approve the contract with Hazen and Sawyer for the design of the UCWRF expansion to 8 MGD in the amount of $12,414,016.

Motion by: Forrest
Second by: Hewetson
Vote: unanimous

Action 2: Motion to adopt Wastewater Capital Project Ordinance 24-05.

Motion by: Forrest
Second by: Hewetson
Vote: unanimous

27. 2024 Local, State, and Federal Legislative Agenda

MPT Berry said that the Council's Legislative Action Committee had met and prepared a draft list of priority areas for the current year, which was discussed at the Mayor and Council Retreat earlier this month. He said that this year the committee recommends adding the Wake County Public School System as a priority for the coming year.

MPT Berry outlined the priority areas as follows:

Wake County Public School System

- Neighborhood schools siting and accessibility/walkability to schools
- School Resource Officer partnerships and school safety

Wake County

- Partnerships for expansion of workforce housing;
- Partnerships to advance regional greenway system connections.

State

- Wastewater/Reuse infrastructure funding partnerships;
- Preserving local authority, specifically around tree preservation and stream buffers;
- Investment in transportation infrastructure and NCDOT staff resources.

Federal

- Water/wastewater/reuse infrastructure funding partnerships;
- U.S. Post Office facility investments.

Action: Motion to approve the Town Council's 2024 legislative priorities.

Motion by: Deshazor
Second by: Forrest
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.

The following public comments were received in writing: none

The following public comments were received in person:

Roshni Pattath, of Holly Springs, said she realizes the value of the Town having a human relations advisory committee. She said the Town took no action on the Wake County NDO, and did not approve the affordable housing plan. She would like Council to form a Human Relations Advisory Committee to receive public comment and create plans to address issues brought to them by residents. It would make Council aware of any human rights violations.

Taima Abu Alhawa, 409 Anchor Creek Way, said she was a Palestinian American and spoke requesting a cease fire in Gaza. She said that signing a cease fire resolution would build trust among residents and convince Congress to push for a cease fire. She mentioned Durham's action to sign the resolution. She said it was a moral duty.

OTHER BUSINESS

Mayor Mayefskie wished CM Drees and Irena Krstanovic happy birthday.
Council member Deshazor said that there is a great program on Friday at the Cultural Center at 6 pm to celebrate black history month.
Council member Drees said she attended the tree pruning workshop this weekend. She thanked staff and the Tree Advisory Committee for a very successful event. She reminded people that applications were open for TAC and PRAC and asked applicants to reach out to Council to discuss their reasons for wanting to serve.
Council member Hewetson said there are a lot of exciting events coming up in town. But she highly recommends the tour of the Utley Creek Water Reclamation Facility. She said it is a fascinating facility. She also said that Perdue baseball will be playing at Ting Park all weekend.
Council member Forrest thanked Council and staff for an excellent retreat. A lot of ideas were discussed for moving forward. He thanked the Wake Co Tax administrator for a good presentation.

Mayor Mayefskie talked about the installation of a new historical marker near Sunset Lake Rd at Viginia Creek Drive that he and Council members Drees and Hewetson attended. He read the researcher Ms. Morgan's statement about the Revolutionary War camp and Mill that were on the site and were celebrated with the new marker.

MANAGER'S REPORT

Randy Harrington, Town Manager, said he had 4 items.

1. He thanked Holly Springs Food Cupboard Board who recognized town staff for collecting 863.7 pounds of food for the Cupboard.
2. February 29th is our first Citizen's Academy session. The first night has a heavy emphasis on the work of the Council and administration. There was great interest in this program.
3. March 4th is the 1st week of the new yard waste program. The carts have been delivered. If you have questions about the program please call 311. And the Mayor has an event coming up. Mayor Mayefskie said Community Chats will start this Thursday. There is a lot going on around town and to get information out to the community, you can come ask questions. This one is at the Cultural center and is on the Yard Waste Program. There will be lots of interesting information. Mr. Harrington said there is much information on the town web site.
4. Finally, as point of personal privilege, the Holly Springs Hawks won their 1st conference play off tonight.

CLOSED SESSION: none.

Adjournment: MPT Berry made a motion to adjourn at 9:05 pm. It was seconded by Council member Forrest and passed with a unanimous vote.

Respectfully Submitted on Tuesday, March 19, 2024.

Linda C. McKinney

Linda C. McKinney, Town Clerk

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