

Approved June 19, 2012.



**Wake Forest Board of Commissioners
Meeting Minutes
May 15, 2012
7:00 pm**

Mayor Jones called the meeting to order at 7:00 p.m. Boy Scouts in attendance lead everyone in the Pledge of Allegiance.

Council Members Present

Mayor Vivian Jones
Commissioner Zachary Donahue
Commissioner Frank Drake
Commissioner Greg Harrington
Commissioner Anne Hines
Commissioner Margaret Stinnett

Staff Present

Mark Williams, Town Manager
Roe O'Donnell, Deputy Town Manager
Chip Russell, Planning Director

Staff Present (cont'd)

Aileen Staples, Finance Director
Holly Spring, Assistant Town Engineer
Deeda Harris, Town Clerk
Chad Sary, Asst. Planning Director
Bill Crabtree, Public Information Officer
Scott Miles, Assistant Town Engineer
Charlie Yokley, Senior Planner
Mike Barton, Director of Public Works
Eric Vernon, Town Attorney
Jeff Leonard, Police Chief

1. Approval of Agenda.

ACTION: Commissioner Drake made a motion to approve the agenda.
Commissioner Hines seconded the motion, which carried (5,0).

2. Approval of minutes.

A. Meetings held April 3, 2012 (Work Session & Joint Public Hearing), meeting held April 17, 2012 (Regular Board of Commissioners Meeting).

ACTION: Commissioner Stinnett made a motion to approve the minutes.
Commissioner Donahue seconded the motion, which carried (5,0).

3. Presentations.

A. Introduction of Candidate for Advisory Board Vacancies.

Mr. David Bisette, Mr. Jim Thompson and Ms. Shirley Sulick introduced themselves to be considered for the vacancy on the Planning Board.

B. Proclamation Recognizing National Public Works Week, May 20-26 2012.

Mayor Jones asked Public Works Director Barton to join her at the podium. She read and presented the proclamation to him. She thanked the Public Works Staff for all their efforts.

C. Proclamation Recognizing National Peace Officers Week, May 20-26 2012.

She presented the proclamation for National Peace Officers Week to Chief Leonard and Lieutenant Morris. She thanked everyone for their efforts and services.

D. Presentation of the Wake County Solid Waste Management Plan 3rd-yr Update.

Mr. John Moyer represented the solid waste division. Their office provided an update every 3 years to assess existing programs, share vision, review and propose actions to make their services better.

He gave his presentation which is attached and made part of this record. He shared about a month ago they offered a two-week period for public comment. No comments were made. He reviewed the trends over the last 3 years. There had been a drop off in waste disposal which would help the landfill last longer.

He reviewed the statewide trend; markets accept more materials. There had been a 20% increase in total tonnage and a good trend for recycling. Since 1995, it had grown to 60,000 tons per year. He mentioned that yard waste was variable (storms, hurricane, etc).

He felt that larger recycling carts had improved recycling rates. Most municipalities that had larger cans had bi-wkly collection which led to reduction in waste. There had been an increase in household hazardous waste. Recycling of electronics was up since statewide ruling.

He noted one other service they provided was tracking program costs. There had been a decline in program cost because municipalities could sell recyclables back into the market. He mentioned the Towns of Cary and Fuquay participated in recycling.

Commissioner Drake wanted reassurance that recyclables did not end up into the land field. He replied that had happened in the past, but private hauling contracts included language that items must go to recyclable market.

E. Presentation by City of Raleigh regarding proposed water and sewer rate increase.

Mr. Robert Massengill, Assistant Utilities Director with the City of Raleigh spoke on the proposed water and sewer rate increase. He shared the highlights and history of merger - which was the town was growing, had a high utility debt, rising rates and capacity issues. Option was to contract customers with the City of Raleigh with no guarantee of rates. The merger gave towns the ability to purchase capacity. Starting in 2015, the rate

would compound and town would have a guaranteed capacity increasing in annual incremental without having to buy more. The rates would stabilize.

Without the merger, rates would have been significantly higher. However, at the end of the transition period, the town's rates would come back to the City of Raleigh's rates. The Town of Wake Forest and the City of Raleigh's rates would all be the same rates. The utility debt was financed. They expanded Smith Creek and had provided water extension and replacements. They were at waste water capacity at Smith and Richland Creeks. Those projects came under the analysis. They were added to the merger agreement. If not added, and cost realized and downturn economy then it would have been paid on time.

The merger costs were being paid back through the difference in water rates and collected in development fees. With the City of Raleigh, they programmed certain areas for improvements. It was at a level directly to merger costs. The cost was part of connection/acreage fee to developers. They have them install a larger line.

He reviewed how they calculated the performa. He shared Wake Forest was growing before the economic downturn and drought. The customers did conserve. Programs were implemented and rates were increasing. The City of Raleigh raised rates to cover costs. The Smith Creek and Richland Creek project costs were more than projected. The improvements were needed to accommodate growth. They had been working with staff. They negotiated and fine-tuned elements like development growth etc. They came up with recommendation of 15% across board for water and sewer this year and 7 % the following year, irrigation rate to match the City of Raleigh and a \$750,000 cash payment. He did share that some of the fee charged would come back to the Town.

The City of Raleigh City Council had lifted some irrigation restrictions. Residents could now irrigate when they wanted. He shared the reservoir was full and a convenience for residents. As far as rates, after 2014, the Town of Wake Forest would pay same as Raleigh and Garner. The current projected cost for an average customer would be \$73.

Jeff Adkins spoke to the board. He was the person who had run the present-worth model. Commissioner Donahue thought the town should be on a tiered rate structure like the City of Raleigh. He also asked how many other municipalities had bans on irrigation system. His reply was none, only the Town of Wake Forest banned. They discussed different scenarios of the irrigation and lake levels. Commissioner Drake thought there was a conflict in asking customers to control water usage and then allowing irrigation. He wanted to make the message to conserve was not lost.

4. Public hearings / Public Comment.

- A. Public Hearing on the request for the non-contiguous annexation submitted by John Rich for the properties located at 1421 Jenkins Road comprising 2.208 acres.

There was no one to speak to the public hearing.

ACTION: Commissioner Hines made a motion to approve the the request for the non-contiguous annexation submitted by John Rich for the properties located at 1421 Jenkins Road comprising 2.208 acres.
Commissioner Drake seconded the motion, which carried (5,0).

B. Public Hearing on Proposed FY 2012-2013 Annual Operating Budget.

Mayor Jones shared comments were limited to about 3-4 minutes per person/group.

Marla Akridge, President of the Wake Forest Chamber of Commerce thanked the Commissioners for their support of the Wake Forest Chamber Economic Development. She shared the Chamber would not be increasing their budget. She reviewed their activity the past year.

Mr. John Shumaker spoke on behalf of the WF DRC. The thanked the Commissioners for their support of downtown. They were requesting the DCR Director become a staff person of the Town of Wake Forest. Having that person as an employee was a trend in Mainstreet USA. Most of their expenditures were spent on overhead costs. The person's time could be focused on incentives and enhancing relationships with the town, Chamber and Stakeholders.

Ms. Jan Ammons represented the Greenways Adv. Board. She was Chair of the advisory Board. She highlighted what volunteers had done and the impact they had. With the hours they had volunteered, those had saved on not having to pay a person/department. By the numbers of hours they had volunteered it showed the citizens loved the trails/greenways.

She shared with the LAPP and CAMPO projects, staff had been aggressively going after grants to offset cost. She thanked the elected officials for continued support. They advisory board would continue to use volunteers where they could. She stated the National Trail Day was in June. They would be designating two soft trails on June 5 and 6th.

Laurie Arntsen and Pam Stevens President spoke on behalf of WF Arts. They coordinated the events for the Six Sundays in Spring as well as other events. They shared their challenges when it rained on concert days and the need for a cover at Joyner Park. There was support from the community for the concerts as they were well attended. Ms. Stevens shared it was in the Community Plan for the Town of Wake Forest to emerge as an artist destination with an artist market, farmers market, storytellers. There was already interest in theater, music, downtown art classes, interest in jazz festival, renaissance ball, and young teen art council. She shared that Art After Hours was done with volunteers. They have a budget of \$6500 to have the Six Sundays in Spring. They supported having a Cultural Arts Position.

Resident Brian Pate from the Heritage Subdivision spoke in support of the stage at Joyner Park. It was needed when there was inclement weather. It was needed for the sound equipment, shade because the stage is in the direct sunlight and to protect the

artists' equipment. He thought Joyner Park was a crown jewel to host more events. He understood finding money was difficult.

Commissioner Donahue asked him what type of structure he had in mind – like Koka Booth Amphitheatre in Cary or like at Walnut Creek. He was referring to cover for the entire staging area and loading area for protection. This past Sunday, he lost speakers that cost \$800 because he could not get them loaded fast enough.

There was suggestions of covering with a ledge and add on to it later. For funding maybe sell sponsorship with signs, logos or pictures. Small business would support or a public structure with perhaps naming rights.

Kyndall DySard was there on behalf of WF Boys and Girls Club. The club had over 2000 members and served 200 kids daily. She thanked the town for their support. Attending the Boys and Girls club made a huge impact on her. She had started attending at 11 years old. She was shy and awkward, but gave leadership opportunity with having Jr. Staff position. She had grown in her leadership skills by becoming president of the Keystone Club, being part of the Capital City Crew with the Carolina Hurricanes. The club was more like a family to her. She felt the skills she had learned there helped her in becoming a member of student government and the Town of Wake Forest Youth Advisory Board.

Tamara Harris who was Vice Chair of the Public Art Commission thanked the Board for their support. She too asked that they consider canopy or cover for Joyner Park Amphitheater. She was also supporting the artist market. There was a vendor who had travelled 100 miles to attend the event to sell her craft and artwork. Because of the rain and band closing down, her trip was in vain.

Town Resident Matt Reck also thanked the Commissioners for their support of the Boys and Girls. He had more of question comment about the water merger not being paid off sooner and the replacement of the interceptors.

There being no one else to speak, Mayor Jones closed the public hearing.

- C. Public Comment: If anyone would like to address the Board of Commissioners on an item other than a public hearing item or an item on the agenda during the time of public comment, please sign up with the Town Clerk prior to the meeting. Each speaker is asked to limit comments to 5 minutes. Please provide the clerk with copies of any handouts you have for the Board. Although the Board is interested in hearing your concerns, speakers should not expect Board action or deliberation on subject matter brought up during the Public Comment segment. Topics requiring further investigation will be referred to the appropriate Town Staff and may be scheduled for a future agenda. Thank you for your consideration of the Board of Commissioners, staff and other speakers.

Mr. John Wiley, 3605 Trownden Dr. spoke to the board regarding a request for the Commissioners to lift the ban on irrigation.

5. Consent Agenda.

(A Consent Agenda is a group of items passed with a single motion and vote. These matters are of a generally routine nature. No debate is allowable on any item included on the Consent Agenda. If a Commissioner or any citizen of Wake Forest or its ETJ wants separate consideration of any item, it may be removed from the Consent Agenda by request.)

- A. Approval of Tax Releases.
- B. Resolution of Appreciation of Services for Advisory Boards.
- C. Approval of Budget Amendment No. 4 for FY 2011-2012.

ACTION: Commissioner Hines made a motion to approve the items listed above on the consent agenda.
Commissioner Harrington seconded the motion, which carried (5,0).

6. Legislative Items.

- A. Consideration of Appointment of Candidates to the Advisory Boards.

ACTION: Commissioner Drake made a motion to appoint Ms. Shirley Sulick to the Planning Board and Mr. Brian Hayes to the Urban Forestry Board.
Commissioner Stinnett seconded the motion, which carried (5,0).

7. Planning Items.

- A. Consideration of Site Plan Review: SP-12-02 PDQ Restaurant

ACTION: Commissioner Stinnett made a motion to approve Site Plan Review: SP-12-02 PDQ Restaurant.
Commissioner Donahue seconded the motion, which carried (5,0).

- B. Consideration of Site Plan Review: SP-12-03 Crossroads Corporate Office.

ACTION: Commissioner Drake made a motion to approve Site Plan Review: SP-12-03 Crossroads Corporate Office.
Commissioner Hines seconded the motion, which carried (5,0).

8. Administration and Financial Items.

- A. Consideration of Approval of Water, Sewer and Irrigation Rates Effective July 1, 2012.

Town Manager Williams had proposed effective July 1 to increase water rates by 15% water increase and increase the irrigation rate to match The City of Raleigh. Commissioner Donahue asked should the town consider a tiered rate structure and also consider lifting the irrigation ban. Some did not think enough customers would sign up to make an impact in the deficit. Commissioner Drake did not want to take water from

the drinking supply to assist with irrigation. Commissioner Stinnett was not in favor of lifting the irrigation ban, but thought the citizens had a right to have the choice. Mr. Robert Massengill shared there was not enough time to consider implementing tiered rates and have time to test the utility billing software. When it was being considered to wait and do more research on the tiered rate, he reiterated that within the merger agreement there was a provision for the City of Raleigh to impose a fee if rates were not set at a specific time to meet the obligations of the merger.

ACTION: Commissioner Drake made a motion to approve 15% water and sewer rate increase effective July 1, 2012 as well as increase irrigation rate to match the City of Raleigh's. Commissioner Stinnett seconded the motion, which carried (4,1) with Commissioner Donahue voting nay.

Ayes

Commissioner Frank Drake
Commissioner Greg Harrington
Commissioner Anne Hines
Commissioner Margaret Stinnett

Nays

Commissioner Zachary Donahue

ACTION: Commissioner Stinnett made a motion to discontinue the ban on the issuance of permits for irrigation backflow preventers. Commissioner Harrington seconded the motion, which carried (4,1) with Commissioner Drake voting nay.

Ayes

Commissioner Zachary Donahue
Commissioner Greg Harrington
Commissioner Anne Hines
Commissioner Margaret Stinnett

Nays

Commissioner Frank Drake

9. Public Services Items.

- A. Consideration of the Approval of a Permit to Connect to the Public Water Supply for Mr. & Mrs. Thomas at 3924 Sanford Creek Ave.

ACTION: None taken since agreed to allow irrigation system.

- B. Consideration of the Closeout of the Unpaved Roads Project.

Director of Engineering Keravouri stated the project did come in under budget including some change orders.

ACTION: Commissioner Stinnett made a motion to approve closeout of the Unpaved Roads Project. Commissioner Drake seconded the motion, which carried (5,0).

C. Consideration of Approval of Submitting the NCDENR 319(h) Non Point Source Pollution Control Grant Application.

Assistant Town Engineer Miller stated this was for the development in the Smith Creek Water Shed area. She shared the cost was \$112,875.00 which some was in-kind match.

ACTION: Commissioner Stinnett made a motion to approve of Submitting the NCDENR 319(h) Non Point Source Pollution Control Grant Application.
Commissioner Hines seconded the motion, which carried (5,0).

10. Parks and Recreation Items.

11. Public Safety Items.

12. Other Business.

The following meetings were announced:

May 24 - Budget Work Session; Town Hall (5 p.m.)

June 4 - ElectriCities Regional Meeting; Apex Town Hall (6 p.m. - 8 p.m.)

13. Closed Session:

N.C.G.S 143-318.11(a)(6) Personnel - Annual Evaluation of Town Manager and Town Attorney

ACTION: Commissioner Drake made a motion to go into Closed Session for personnel reasons at 9:47 p.m.
Commissioner Donahue seconded the motion, which carried (5,0).

ACTION: Commissioner Stinnett made a motion to come out of Closed Session at 10:40 p.m.
Commissioner Hines seconded the motion, which carried (5,0).

ACTION: Commissioner Drake made a motion to approve a 4% merit increase for the Town Manager.
Commissioner Harrington seconded the motion, which carried (5,0).

14. Adjournment.

ACTION: Commissioner Drake made a motion to adjourn at 10:41 p.m.
Commissioner Stinnett seconded the motion, which carried (5,0).

Deeda Harris, Town Clerk

Vivian A. Jones, Mayor