

REGULAR BOARD OF COMMISSIONERS MEETING

TOWN OF WAKE FOREST, NORTH CAROLINA

March 18, 2008

Mayor Jones called to order a regular meeting of the Board of Commissioners at 7:00 p.m. Present were Commissioners Anne Hines, Frank Drake, Chris Kaeberlein, Margaret Jones Stinnett and Pete Thibodeau as were Town Manager Williams, Town Clerk Wilson, Deputy Town Manager O'Donnell, Planning Director Russell, Public Works Director Barton, Assistant Planning Director Sary, Planner Summers, Assistant Planning Director Ayers, Engineering Director Keravuori, Parks and Recreation Director Simpson, and Town Attorney Vernon.

Mayor Jones led everyone in the Pledge of Allegiance.

1. Approval of agenda.

Mayor Jones reported that the Closed Session would be removed from the agenda.

Commissioner Thibodeau requested the following item be removed from the Consent Agenda:

5.D. Approval of Siena Office Park Site Plan.

Mayor Jones reported that this item would be placed under Planning Item 7.B. for discussion/approval.

ACTION: Commissioner Stinnett made a motion to approve the agenda as amended. Commissioner Kaeberlein seconded the motion, which carried unanimously (5-0).

2. Approval of minutes.

A. Meetings held February 5, 2008 (Work Session and Joint Public Hearings) and February 19, 2008 (Regular Board of Commissioners Meeting).

Mayor Jones reported that in the regular Board meeting on February 19, 2008 the "Action" taken was omitted.

9. Public Services Items - Page 10

9.A. Consideration of approval of request received from North Carolina Department of Transportation to reduce the speed limit from 35 mph to 25 mph on South Allen Road (SR 2064).

ACTION: Commissioner Stinnett made a motion to approve the request received from NC-DOT to reduce the speed limit from 35 ph to 25 mph on South Allen Road (SR 2064). Commissioner Drake seconded the motion, which carried unanimously (5-0) resulting in the following resolution and ordinance:

RESOLUTION 2008-10

RESOLUTION REQUESTING NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION TO
REDUCE THE SPEED LIMIT ON SOUTH
ALLEN ROAD FROM 35 MPH TO 25 MPH
(Body of resolution contained in Resolution Book 24)

ORDINANCE 2008-05

ORDINANCE AMENDING CHAPTER 30 SECTION 30-263
SCHEDULE XVII. SPEED LIMITS OF THE
CODE OF ORDINANCES OF THE
TOWN OF WAKE FOREST, NORTH CAROLINA
(Body of ordinance contained in Ordinance Book 19)

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Commissioner Hines pointed out that in next to last paragraph - "his plans" is typed twice.

Town Clerk Wilson reported that she would make the amendments.

ACTION: Commissioner Stinnett made a motion to approve the minutes of the meetings held February 5, 2008 (Work Session and Joint Public Hearings) and February 19, 2008 (Regular Board of Commissioners Meeting) with amendments to the February 5, 2008 Joint Public Hearings and February 19, 2008 Regular Board of Commissioners Meeting. Commissioner Drake seconded the motion, which carried unanimously (5-0).

3. Presentations.

A. Presentation to Jim Skillman upon his retirement.

ACTION: Commissioner Drake made a motion to approve a Resolution of Appreciation for the Services of Jim Skillman upon his retirement. Commissioner Hines seconded the motion, which carried unanimously (5-0) resulting in the following resolution:

RESOLUTION 2008-12

RESOLUTION OF APPRECIATION
FOR THE SERVICES OF
JIM SKILLMAN

Body of resolution contained in Resolution Book 24)

Mayor Jones recognized Mr. Jim Skillman and presented him with his resolution. She also thanked Mr. Skillman for his 29 years of service with the Town of Wake Forest. She wished him well in his future endeavors.

B. Presentation by Kara Louise - Centennial Coordinator - 2009 Celebration.

Mayor Jones recognized Kara Louise - Centennial Events Coordinator for the 2009 Celebration, who spoke saying that plans for the 2009 Celebration are coming along. She outlined the five (5) events being planned:

- o First Light Wake Forest on Dec. 31, 2008, will be a family event on South White Street to welcome in the centennial year of 2009.
- o The Party of the Century on Feb. 20 will be a celebration of the town's charter date. It will be in the Ledford Center on the Southeastern Baptist Theological Seminary campus.
- o The first concert of the 2009 season for Six Sundays in Spring will feature music from every decade of the centennial.
- o The Fourth of July Centennial Celebration will be spread over July 3 and 4, 2009.
- o The Centennial Community Christmas Gala will close out the year, taking the place of the Community Christmas Dinner this one time.

Ms. Louise also reported that the Wake Forest Centennial Club will honor all those who were born on February 20, Centennial Babies will celebrate all those born in 2009 or on February 20, and The Wake Weekly will run a special series, 100 Wake Forest Memories.

The Centennial Committee is requesting to sell personalized brick pavers that will be installed in the plaza for the new town hall, place a time capsule and a marker in the plaza and sell beer and wine during the Centennial Community Christmas Gala at the new town hall on December 5, 2009.

Mayor Jones suggested separate action on each of the above requested items:

* Sell personalized brick pavers:

ACTION: Commissioner Stinnett made a motion to approve the request for the Centennial Committee to sell personalized brick pavers that will be installed in the plaza for the new town hall. Commissioner Drake seconded the motion, which carried unanimously (5-0).

* Place a time capsule and a marker in the plaza:

ACTION: Commissioner Hines made a motion to approve the placement of time capsule and a marker in the plaza. Commissioner Drake seconded the motion, which carried unanimously (5-0).

* Sell beer and wine during the Centennial Community Christmas Gala at the new Town Hall on December 5, 2009.

Town Manager Williams reported that a liability disclaimer would be added to the Town's current insurance for the sale of beer and wine during the Centennial Community Christmas Gala at the new Town Hall on December 5, 2009.

ACTION: Commissioner Stinnett made a motion to approve the sale of beer and wine during the Centennial Community Christmas Gala at the new Town Hall on December 5, 2009. Commissioner Kaeberlein seconded the motion and the vote was as follows:

Aye

Nay

Commissioner Drake
Commissioner Hines
Commissioner Kaeberlein
Commissioner Stinnett

Commissioner Thibodeau

4. Public hearings / Public Comment.

A. Public hearing to receive public comment on capital needs for inclusion in the five year Capital Improvements Plan (CIP) update for FY2008-2013.

At 7:28 p.m., Mayor Jones opened the public hearing on capital needs for inclusion in the five year Capital Improvements Plan (CIP) update for FY 2008-2013.

Mayor Jones recognized Mr. Joe Seiglar, Chair of the Greenway Advisory Board, who spoke thanking the Board of Commissioners for the \$700,000 in this year's

Capital Improvements Plan and to say the committee would return with firmer numbers in the future.

At 7:30 p.m., there being no one else present to speak to this item, Mayor Jones closed the public hearing.

B. Public hearing to receive public input for the FY 2008-2009 Budget.

At 7:31 p.m., Mayor Jones opened the public hearing to receive public input for the FY 2008-2009 Budget.

Mayor Jones recognized Mr. Donald Daria, Senior Center Advisory Board, who spoke saying that the statistics are showing the center has had such overwhelming growth it will remain overcrowded even as the Town funds the three (3) expansion phases.

At 7:33 p.m., there being no one else present to speak to this item, Mayor Jones closed the public hearing.

ACTION: Commissioner Drake made a motion to approve the Capital Improvements Plan (CIP) for FY 2008-2013. Commissioner Stinnett seconded the motion, which carried unanimously (5-0).

C. Public Comment.

No one spoke.

5. Consent Agenda.

ACTION: Commissioner Kaeberlein made a motion to approve the Consent Agenda. Commissioner Thibodeau seconded the motion, which carried unanimously (5-0).

A. Approval of tax releases (copy on file in Town Clerk's Office).

B. Approval of petition requesting non-contiguous annexation submitted by Teresa Baker Madden and James C. Madden for property located off North Main Street (US-1A) comprising 38.49 acres resulting in the following resolutions:

RESOLUTION 2008-13

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER G.S. 160A-58.1
(Body of resolution contained in Resolution Book 24)

RESOLUTION 2008-14

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G.A. 160A-31, AS AMENDED

(Body of resolution found in Resolution Book 24)

- C. **Approval of request received from the Wake Forest Chamber of Commerce to close East Owen Avenue and East Jones Avenue from South White Street to South Brooks Street for the purpose of conducting the 28th Annual Meet-in-the-Street from 6 a.m. to 9:30 a.m. for vendor set-up before the event begins.**
- D. **Approval of Budget Ordinance Amendment No. 2 for Fiscal Year 2007-2008 resulting in the following ordinance:**

ORDINANCE 2008-06

BUDGET ORDINANCE AMENDMENT NO. 2
FOR FISCAL YEAR 2007-2008 OF THE
TOWN OF WAKE FOREST, NORTH CAROLINA
Body of ordinance contained in Ordinance Book 21)

- E. **Approval of request received from Downtown Revitalization Corporation (DRC) to close Parking Lot #1 (South White Street - Gazebo) for use by the Wake Forest Farmer's Market every Saturday from 6 a.m. to 2 p.m. beginning April 5, 2008 through November 22, 2008 with the exception of May 3, 2008 when the Chamber of Commerce will be utilizing the parking lot for Meet-in-the Street.**
6. **Legislative Items.**
- A. **Consideration of approval of request received from Pregnancy Support Services for amplification of music on Saturday, April 26, 2008.**
ACTION: Commissioner Stinnett made a motion to approve the request received from Pregnancy Support Services for amplification of music on Saturday, April 26, 2008. Commissioner Thibodeau seconded the motion, which carried unanimously (5-0).
 - B. **Discussion concerning legislative items.**

Mayor Jones spoke saying she would like to send a letter to the Wake legislative delegation supporting a change in the way Wake County Board of Education members are elected. There are at least five (5) other towns in Wake County that are supporting this. The supporters in those towns want school board members to

live in a district but be elected county-wide, just as the county commissioners are. There might have to be one or two at-large members to meet representative voting requirements.

Commissioner Thibodeau said he did not see the rationale needed for the change. He said he did not think that changing the election laws would result in an at-large representation. He would contact the school board member who lives in his district. Also, he said there is a problem of voter education. Are Wake Forest voters going to be as educated about the candidates from the other side of the county? He also suggested a referendum, a town-wide vote, rather than only the commissioners voting on it. He said he feels that this is a huge issue.

Commissioner Kaeberlein said that there is still a distinct possibility of unresponsiveness.

Commissioner Frank Drake said he was wrestling with the question.

Commissioner Hines said the way the school board members have moved people around leaves the impression they do not have a sense of community and local schools; however, she said she understands the necessity. She said she feels that they need to look at the whole of Wake County.

ACTION: Commissioner Stinnett made a motion to write the letter to the Wake legislative delegation concerning supporting a change in the way Wake County Board of Education members are elected from districts to county-wide. Commissioner Hines seconded the motion and the vote was as follows:

<u>Aye</u>	<u>Nay</u>
Commissioner Hines	Commissioner Drake
Commissioner Stinnett	Commissioner Kaeberlein
	Commissioner Thibodeau

7. Planning Items.

A. Consideration of approval of Olde Wake Forest Subdivision Site Plan.

ACTION: Commissioner Drake made a motion to approve the Olde Wake Forest Subdivision Site Plan accepting Condition 5 in deleting Lot No. 2. Commissioner Stinnett seconded the motion, which carried unanimously (5-0) subject to the following conditions:

Conditions:

1. The developer shall provide the following deed restrictions:
 - a. Prohibition of any connections of automatic in-ground irrigation systems to the municipal water system.

- b. Only drought tolerant landscaping materials shall be used throughout the site.
- 2. Grading of property shall be limited to areas for roads, utilities, and building areas. Mass grading of site shall be prohibited.
- 3. Preserve identified specimen / landmark trees located on the property with the exception of the 24” Pine and 24” Willow Oak which must be removed due to the improvement of North Wingate Street.
- 4. Dedicate right-of-way of North Wingate Street to northern property line and design roadway and stream crossing at an acceptable elevation per the crossing design.
- 5. Lot No. 2 as shown on the proposed master plan shall be deleted and its associated lot area (approximately 20,068 square feet) shall be assigned to Lots 1, 3, & 6. Furthermore, the Richland Creek Upper Watershed Drainageway Buffer shall be extended to the right-of-way of North College Street encompassing the existing storm drainage system which currently discharges onto the property.

B. Consideration of approval of Siena Office Park Site Plan.

ACTION: Commissioner Thibodeau made a motion to approve Siena Office Park Site Plan. Commissioner Kaeberlein seconded the motion, which carried unanimously (5-0).

8. Administration and Financial Items.

None.

9. Public Services Items.

A. Consideration of approval of request received from BSC Group for a speed limit reduction on Wait Avenue (NC-98 East).

ACTION: Commissioner Stinnett made a motion to approve the request from BSC Group for a speed limit reduction on Wait Avenue (NC-98 East) from 55 mph to 45 mph. Commissioner Drake seconded the motion, which carried unanimously (5-0) resulting in the following resolution:

RESOLUTION 2008-15

RESOLUTION REQUESTING NORTH CAROLINA DEPARTMENT OF TRANSPORTATION TO REDUCE THE SPEED LIMIT FROM 55 MPH TO 45 MPH BEGINNING AT THE JUNCTION OF NC-98 BY-PASS & JONES DAIRY ROAD IN AN EASTERLY DIRECTION A DISTANCE OF 910 FEET TO THE JUNCTION OF AUSTIN VIEW BOULEVARD

(Body of resolution contained in Resolution Book 24)

B. Consideration of approval of Amendment No. 1 to the 2006 Interlocal Agreement for the Interlocal Solid Waste Management System (copy on file in Town Clerk's Office).

ACTION: Commissioner Kaerberlein made a motion to approve a change in the 2006 Interlocal Agreement for solid waste to provide for the waste transfer station at the Northern Wake Landfill on Durant Road. Commissioner Hines seconded the motion, which carried unanimously (5-0).

10. Parks and Recreation Items.

A. Consideration of approval of re-allocation of remaining 1999 Parks and Recreation bond funds.

ACTION: Commissioner Kaerberlein made a motion to approve the re-allocation of the remaining \$84,000 in 1999 Parks and Recreation bond funds from the renovation of the DuBois gym to renovating North Taylor Street Park and the Alston-Massenburg Center located at the corner of East Juniper Avenue and North Taylor Streets. Commissioner Thibodeau seconded the motion, which carried unanimously (5-0).

B. Consideration of pool report.

Director Simpson reported that the pool was built in 1940 as a WPA project. It was totally reconfigured in the 1970s as a 50-meter pool and is still the largest outdoor public swimming pool in Wake County. She said that the pool is an old concrete pool that requires maintenance which includes recaulking joints, painting the shell, sealing the plaster, and tuning up the pumps. Staff does not drain the pool in the winter. The water protects the shell and bottom from direct sunlight. Staff opens the drains in the spring, drains the remaining water, power washes the pool, does repairs and then refills the pool.

Director Simpson reported that the pool is usually open from Memorial Day to the third week in August, between 80 and 85 days each year. During that time it is open seven (7) days a week, usually from 9 a.m. to 9 p.m. for open swim, lap swimming, parent-toddler swim, swimming lessons and water aerobics. The pool has a high usage in the first weeks when the pool opens with a steady decline beginning July 4th. By August it is mostly the Boys and Girls Club.

Director Susan Simpson reported that Stage 2 water restrictions are in place and does not allow staff to refill the pool. At the present time, the 50-meter pool would have to be drained for cleaning and repairs if it were to open.

Director Simpson said that staff believes it is in the best interests of the Town to suspend operations of the pool this season. She reported that she and Town Manager Williams did leave one or two doors ajar. If the City of Raleigh relaxes water restrictions down to Stage 1, which does not bar the refilling of pools, or if the city finds a way to relax the Stage 2 or Stage 1.5 rules just for pools, and if this all takes place before May 1, then staff may change their opinion.

When it is full, the pool holds 245,000 gallons of water. During the summer swim season, about 5,900 gallons of water are lost each day to splashing and evaporation.

Staff added 495,000 gallons of water to the pool last summer. The average household uses 300 gallons a day. The amount of water added was enough to run 1,652 households for a day or one (1) household for 4-1/2 years.

May 1st is the drop-dead date for changing the decision to keep the pool closed. It would take at least that month to drain, clean and repair the pool and have it pass the necessary Wake County Health Department inspections. Town Manager Williams spoke saying that staff has very loyal employees. They need to know fairly quickly because they will have to find another summer job.

11. Public Safety Items.

None.

12. Adjournment.

ACTION: At 9:15 p.m., Commissioner Kaerberlein made a motion to adjourn the meeting. Commissioner Hines seconded the motion, which carried unanimously (5-0).