

REGULAR BOARD OF COMMISSIONERS MEETING

TOWN OF WAKE FOREST, NORTH CAROLINA

March 20, 2007

Mayor Jones called to order a regular meeting of the Board of Commissioners at 7:00 p.m. Present were Commissioners Stephen Barrington, Velma Boyd-Lawson, David Camacho, Frank Drake, and Margaret Jones Stinnett as were Town Manager Williams, Town Clerk Wilson, Planning Director Russell, Planner Sary, Planner Summers, Planner Ayers, Planner Wanman, Deputy Town Manager O'Donnell, Engineering Director Kerauvori, Parks & Recreation Director Simpson, and Town Attorney Vernon.

Mayor Jones led everyone in the Pledge of Allegiance.

1. Approval of agenda.

ACTION: Commissioner Barrington made a motion to approve the agenda as presented. Commissioner Camacho seconded the motion, which carried unanimously (5-0).

2. Approval of minutes.

A. Meetings held February 6, 2007 (Continued Board Meeting, Work Session and Joint Public Hearings) and February 20, 2007 (Regular Board of Commissioners Meeting).

ACTION: Commissioner Drake made a motion to approve the minutes of Meetings held February 6, 2007 (Continued Board Meeting, Work Session and Joint Public Hearings) and February 20, 2007 (Regular Board of Commissioners Meeting with an amendment to the minutes of February 20, 2007 meeting - Page 8 add old campus and change Commissioner Boyd-Lawson to Commissioner Stinnett. Commissioner Barrington seconded the motion, which carried unanimously (5-0).

3. Presentations.

A. National D.A.R.E. Day Proclamation requested by Officer Scott Graham.

**PROCLAMATION
NATIONAL D.A.R.E. DAY**

April 12, 2007

WHEREAS, on National D.A.R.E. Day, we honor the dedicated police officers and all those involved in the Drug Abuse Resistance Education (D.A.R.E.) Program and our commitment to helping young people say no to drugs and violence; and

WHEREAS, by promoting positive youth development, D.A.R.E. programs across the country are helping our children make the right choices and build lives of purpose; and

WHEREAS, Since 1983, D.A.R.E. has taught young people how to recognize and resist the pressure to be involved in drugs, gangs, and violent activities;

WHEREAS, the D.A.R.E. program brings police officers into the classroom to answer tough questions about drugs and crime, teaches students how to avoid temptation, and encourages communication between young people and law enforcement.

WHEREAS, the struggle against abuse, drugs and violence is a national, state, and local effort. Parents, teachers, volunteers, D.A.R.E. officers and all those who help our young people grow into responsible, successful adults are strengthening our country and contributing to a future of hope for everyone.

NOW, THEREFORE, I, Vivian A. Jones, Mayor of the Town of Wake Forest do hereby proclaim Thursday, April 12, 2007, as "**NATIONAL D.A.R.E. DAY IN WAKE FOREST**" and urge all citizens of Wake Forest to observe the day in ways appropriate to its importance and significance.

B. National Day of Prayer Proclamation requested by Officer Scott Graham.

**PROCLAMATION
NATIONAL DAY OF PRAYER**

May 3, 2007

WHEREAS, civic prayers and national days of prayer have a long and venerable history in our constitutional republic, dating back to the First Continental Congress in 1775; and

WHEREAS, the Declaration of Independence, our first statement as Americans of national purpose and identity, made "the Laws of Nature and Nature's God" the foundation of our United States of America and asserted that people have inalienable rights that are God-given; and

WHEREAS, the Supreme Court has affirmed the right of state legislatures to open their sessions with prayer and the Supreme Court and the U. S. Congress themselves begin each day with prayer; and

WHEREAS, in 1988, legislation setting aside the first Thursday of May in each year as a National Day of Prayer was passed unanimously by both Houses of Congress and signed by President Ronald Reagan; and

WHEREAS, the National Day of Prayer is an opportunity for Americans of all faiths to join in united prayer to acknowledge our dependence on God, to give thanks for blessings received, to request healing for wounds endured, and to ask God to guide our leaders and bring wholeness to the United States and her citizens; and

WHEREAS, it is fitting and proper to give thanks to God by observing a day of prayer in the Town of Wake Forest when all may acknowledge our blessings and express gratitude for them, while recognizing the need for strengthening religious and moral values in our State and nation.

NOW, THEREFORE, I, Vivian A. Jones, Mayor of the Town of Wake Forest do hereby proclaim Thursday, May 3, 2007, as "**A DAY OF PRAYER IN WAKE FOREST**" and urge all citizens of Wake Forest to observe the day in ways appropriate to its importance and significance.

C. Presentation of Wake County Emergency Operations Plan (copy on file in Town Clerk's Office).

Mayor Jones recognized Mr. Josh Creighton with Wake County Emergency Operations, who gave a brief report concerning the updated Emergency Operations Plan for Wake County and local municipalities.

D. Presentation of electric rate study analysis by Rebecca Fryman with Electricities (copy on file in Town Clerk's Office).

Mayor Jones recognized Ms. Rebecca Fryman with Electricities who gave a brief report concerning the electric rate study analysis requested by the Board of Commissioners at the January 2007 Annual Planning Retreat.

ACTION: Commissioner Drake made a motion to increase the 20 kW to 30 kW and increase the tier for the first 800 kWh to 1500 kWh to be effective July 1, 2007 with the first billing cycle. Commissioner Stinnett seconded the motion and the vote was as follows resulting in the following ordinance:

Aye

Nay

Commissioner Barrington	Commissioner Camacho
Commissioner Boyd-Lawson	
Commissioner Drake	
Commissioner Stinnett	

ORDINANCE 2007-12

ORDINANCE AMENDING VARIOUS
ELECTRIC SCHEDULES OF THE FEE SCHEDULE
OF THE TOWN OF WAKE FOREST, NORTH CAROLINA
(Body of ordinance contained in Ordinance Book 20)

Schedule 2:

**Town of Wake Forest
Electric Rate Schedule
Small Commercial Service**

Delete the following: 20 kW
Insert in lieu thereof : 30 kW

Delete the following: 800 kWh
Insert in lieu thereof : 1500 kWh

Schedule 2A:

**Town of Wake Forest
Electric Rate Schedule
Small Commercial Service**

(Churches or other non-profit organizations that can demonstrate that their usage is not occurring during peak periods and are able to stay beneath the 20 kW threshold the majority of the time)

Delete the following: 20 kW
Insert in lieu thereof : 30 kW

Delete the following: 800 kWh
Insert in lieu thereof : 1500 kWh

Schedule 3

**Town of Wake Forest
Electric Rate Schedule
Large Commercial Service**

(Demand Charge of 20 kW remains unchanged)

Delete the following: 20 Kw (first paragraph only)
Insert in lieu thereof : 30 kW

Schedule 3A

**Town of Wake Forest
Electric Rate Schedule
Load Management Rider - Large Commercial**

Delete the following: 20 Kw (first paragraph only)
Insert in lieu thereof : 30 kW

4. Public hearings / Public Comment.

A. Public hearing and approval of an ordinance for the non-contiguous annexation submitted by William and Lisa Ann Way for property located in the 10300 block of Star Road, comprising 7.90 acres.

At 7:48 p.m., Mayor Jones opened the public hearing on the non-contiguous annexation submitted by William and Lisa Ann Way for property located in the 10300 block of Star Road, comprising 7.90 acres.

At 7:49 p.m., there being no one present to speak to this item, Mayor Jones closed the public hearing.

B. Public hearing to receive public comment on the proposed amendment to the annexation agreement with the Town of Rolesville.

At 7:49 p.m., Mayor Jones opened the public hearing to receive public comment on the proposed amendment to the annexation agreement with the Town of Rolesville.

At 7:50 p.m., there being no one present to speak to this item, Mayor Jones closed the public hearing.

C. Public Comment.

No one spoke.

D. ACTION: 4.A. Approve ordinance to the non-contiguous annexation submitted by William and Lisa Ann Way for property located in the 10300 block of Star Road, comprising 7.90 acres.

Commissioner Barrington made a motion to approve the non-contiguous annexation submitted by William and Lisa Ann Way for property located in the 10300 block of Star Road, comprising 7.90 acres. Commissioner Boyd-Lawson seconded the motion, which carried unanimously (5-0) resulting in the following ordinance:

ORDINANCE 2007-13

ORDINANCE TO EXTEND THE CORPORATE LIMITS
OF THE TOWN OF WAKE FOREST, NORTH CAROLINA

(Body of ordinance contained in Ordinance Book 20)

- 4.B. Approve proposed amendment to the annexation agreement with the Town of Rolesville.

Commissioner Barrington made a motion to approve the proposed amendment to the annexation agreement with the Town of Rolesville.

Commissioner Camacho seconded the motion, which carried unanimously (5-0) resulting in the following ordinance:

ORDINANCE 2007-14

ORDINANCE AMENDING THE ANNEXATION AGREEMENT
WITH THE TOWN OF ROLESVILLE, NORTH CAROLINA

(Body of ordinance contained in Ordinance Book 20)

5. Consent Agenda.

ACTION: Commissioner Drake made a motion to approve the Consent Agenda Items as submitted. Commissioner Boyd-Lawson seconded the motion, which carried unanimously (5-0).

A. Approval of tax releases (none).

B. Approval of petition requesting contiguous annexation submitted by Heritage Wake Forest, Inc. for property located in the northeastern corner of intersection of Heritage Hills Way and Dimock Way in the Heritage North Subdivision comprising 11.98 acres resulting in the following resolutions:

RESOLUTION 2007-11

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER G.S. 160A-58.1

(Body of resolution contained in Resolution Book 24)

RESOLUTION 2007-12

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

(Body of resolution contained in Resolution Book 24)

- C. Approval of petition requesting non-contiguous annexation submitted by Star South, LLC for property located in the 10600 block of Star Road comprising 7.47 acres resulting in the following resolutions:**

RESOLUTION 2007-13

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

RESOLUTION 2007-14

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G.S. 160A-31, AS AMENDED
(Body of resolution contained in Resolution Book 24)

- D. Approval of petition requesting non-contiguous annexation submitted by FMD, Inc. for property located in the northwest portion of the intersection of Unicon Drive and One World Way comprising 23.199 acres resulting in the following resolutions:**

RESOLUTION 2007-15

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

RESOLUTION 2007-16

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G.S. 160A-31, AS AMENDED
(Body of resolution contained in Resolution Book 24)

- E. Approval of petition requesting contiguous annexation submitted by Joel Lynn Keith for property located at 1616 Forestville Road comprising 3.999 acres resulting in the following resolutions:**

RESOLUTION 2007-17

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

RESOLUTION 2007-18

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION

OF ANNEXATION PURSUANT TO G.S. 160A-31, AS AMENDED

(Body of resolution contained in Resolution Book 24)

- F. Approval of petition requesting contiguous annexation submitted by Larry D. Seibel for property located on Taylor Road comprising 39.14 acres resulting in the following resolutions:**

RESOLUTION 2007-19

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE

A PETITION RECEIVED UNDER G.S. 160A-58.1

(Body of resolution contained in Resolution Book 24)

RESOLUTION 2007-20

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION

OF ANNEXATION PURSUANT TO G.S. 160A-31, AS AMENDED

(Body of resolution contained in Resolution Book 24)

- G. Approval of request received from Downtown Revitalization Corporation (DRC) for the closing of Parking Lot No. 1 located on South White Street for the Annual Farmers' Market (copy of letter on file in Town Clerks' Office).**
- H. Approval of request received from the Boy Scouts to be exempt from Section 20-66 and 20-67 of the Code of Ordinances (copy of letter on file in Town Clerk's Office).**
- I. Approval of resolution accepting South Franklin Street (SR 2195) to the Town Street System for maintenance resulting in the following resolution:**

RESOLUTION 2007-21

RESOLUTION ACCEPTING

SOUTH FRANKLIN STREET(SR 2195)

TO THE TOWN STREET SYSTEM FOR MAINTENANCE

(Body of resolution contained in Resolution Book 24)

6. Legislative Items.

- A. Consideration of approval of resolution of appreciation for various advisory board members.**

ACTION: Commissioner Boyd-Lawson made a motion to approve the resolutions of appreciation for various advisory board members. Commissioner Barrington seconded the motion, which carried unanimously (5-0) resulting in the following resolutions:

RESOLUTION 2007-22

RESOLUTION OF APPRECIATION
FOR THE SERVICES OF
SPEED MASSENBURG
(Body of resolution contained in Resolution Book 24)
(Planning Board)

RESOLUTION 2007-23

RESOLUTION OF APPRECIATION
FOR THE SERVICES OF
FRAN SHAPIRO
(Body of resolution contained in Resolution Book 24)
(Human Relations Council)

RESOLUTION 2007-24

RESOLUTION OF APPRECIATION
FOR THE SERVICES OF
MARK TRAVEIS
(Body of resolution contained in Resolution Book 24)
(Human Relations Council)

RESOLUTION 2007-25

RESOLUTION OF APPRECIATION
FOR THE SERVICES OF
VIRGINIA BREWER
(Body of resolution contained in Resolution Book 24)
(Cemetery Advisory Board)

RESOLUTION 2007-26

RESOLUTION OF APPRECIATION
FOR THE SERVICES OF
LIZ FORD
(Body of resolution contained in Resolution Book 24)
(Urban Forestry Board)

RESOLUTION 2007-27

RESOLUTION OF APPRECIATION
FOR THE SERVICES OF
HUGH NOURSE
(Body of resolution contained in Resolution Book 24)
(Urban Forestry Board)

RESOLUTION 2007-28

RESOLUTION OF APPRECIATION
FOR THE SERVICES OF
DON BATES

(Body of resolution contained in Resolution Book 24)
(Historic Preservation Commission)

RESOLUTION 2007-29

RESOLUTION OF APPRECIATION
FOR THE SERVICES OF
JOE REYNOLDS

(Body of resolution contained in Resolution Book 24)
(Recreation Advisory Board)

7. Planning Items.

- A. Consideration of approval of Case RZ-07-03: A request filed by Wakeville Inc. to rezone 3.39 acres from R-30 (Wake County) to C.U. NB, Conditional Use Neighborhood Business District for property located at the southeast corner of Burlington Mills Road and Ligon Mill Road, being Tax PIN 1748-19-1837.**

ACTION: Commissioner Barrington made a motion to approve Case RZ-07-03: A request filed by Wakeville Inc. to rezone 3.39 acres from R-30 (Wake County) to C.U. NB, Conditional Use Neighborhood Business District for property located at the southeast corner of Burlington Mills Road and Ligon Mill Road, which died due lack of a second.

Commissioner Boyd-Lawson made a motion to delay this item until April 17, 2007 Board meeting instructing the applicant to meet with the residents and that the applicant make a recommendation available to the residents about the various uses and bring that report back to the Board of Commissioners. Commissioner Stinnett seconded the motion, which carried unanimously (5-0).

- B. Consideration of discussion concerning Municipal Service Tax District.**

Mayor Jones recognized Downtown Manager Tina Archer, who gave a brief presentation relating to issues with the municipal service district (copy of report on file in Town Clerk's Office).

ACTION: Commissioner Drake made a motion to call for a public hearing to consider the expansion of the municipal service district.

Commissioner Camacho seconded the motion, which carried unanimously (5-0).

C. Consideration of approval of proposed amendment to the contract with Allison Platt & Associates (copy of documentation on file in Town Clerk's Office).

ACTION: Commissioner Camacho made a motion to approve the proposed amendment to the contract with Allison Platt & Associates in the amount of \$9,200. Commissioner Drake seconded the motion, which carried unanimously (5-0).

D. Consideration of approval of a water allocation for proposed townhouse development on the Seawell Tract.

ACTION: Commissioner Stinnett made a motion to deny the request for water allocation for the proposed townhouse development on the Seawell Tract. Commissioner Boyd-Lawson seconded the motion, and the vote was as follows:

Aye

Commissioner Stinnett
Commissioner Boyd-Lawson
Commissioner Drake

Nay

Commissioner Barrington
Commissioner Camacho

E. Consideration of approval of US-1 Corridor Memorandum of Understanding (MOU) (copy on file in Town Clerk's Office).

ACTION: Commissioner Barrington made a motion to approve the US-1 Corridor Memorandum of Understanding (MOU) for the purpose of coordinating land use and transportation planning decisions along the section of the US-1 Corridor covered by the CAMPO US-1 Corridor Study as well as to commit to implementing the recommendations of the study. Commissioner Camacho seconded the motion, which carried unanimously (5-0).

8. Administration and Financial Items.

None.

9. Public Services Items.

A. Consideration of amendments No. 1 and 2 to the contract with Kimley Horn for the South Franklin Street Improvements (Renaissance Plan) (copy on file in Town Clerk's Office).

ACTION: Commissioner Camacho made a motion to approve amendments No. 1 and 2 to the contract with Kimley Horn for the South Franklin Street Improvements (Renaissance Plan). Commissioner Barrington seconded the motion, which carried unanimously (5-0).

B. Discussion regarding vehicular littering requested by Commissioner Drake.

Discussion ensued with consensus of the Board of Commissioners to continue this item to the April 17, 2007 Board of Commissioners meeting.

10. Parks and Recreation Items.

A. Consideration of approval of amendment to the contract between the Town of Wake Forest and Little Diversified Architectural Consulting firm (copy of document on file in Town Clerk's Office).

ACTION: Commissioner Barrington made a motion to approve an amendment to the contract between the Town of Wake Forest and Little Diversified Architectural Consulting firm. Commissioner Boyd-Lawson seconded the motion, which carried unanimously (5-0).

11. Public Safety Items.

A. Consideration of approval of Wake County Emergency Operating Procedure as requested by Wake County Emergency Management (copy on file in Town Clerk's Office).

ACTION: Commissioner Barrington made a motion to approve the Wake County Emergency Operating Procedure as requested by Wake County Emergency Management. Commissioner Boyd-Lawson seconded the motion, which carried unanimously (5-0).

12. Adjournment.

ACTION: At 10:36 p.m., Commissioner Drake made a motion to adjourn the meeting, Commissioner Boyd-Lawson seconded the motion, which carried unanimously (5-0).