

## REGULAR BOARD OF COMMISSIONERS MEETING

### TOWN OF WAKE FOREST, NORTH CAROLINA

June 17, 2008

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

Mayor Jones led everyone in the Pledge of Allegiance.

#### 1. Approval of agenda.

Mayor Jones reported that several items needed to be added to the agenda as listed below:

#### 3. Presentations.

- A. Presentation by Rotary Club to the Town of Wake Forest - check in the amount of \$10,000 for the press box at Flaherty Park.

#### 5. Consent Agenda

- H. Approval of Budget Ordinance Amendment No. 5 for FY 2007-2008.

#### 6. Legislative Items

- B. Consideration of approval of resolution opposing Powell Bill Repeal HB 2751 - Highway Fund Name Change.

#### 13. Closed Session: N.C.G.S. 143-318-11(a)(3) - Inco, Inc. - (electric substation)

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

#### 2. Approval of minutes.

- A. Meetings held May 6, 2008 (Work Session and Joint Public Hearings), and May 20, 2008 (Regular Board of Commissioners Meeting).

**ACTION:** Commissioner Kaeberlein made a motion to approve the minutes of Meetings held May 6, 2008 (Work Session and Joint Public Hearings), and May 20, 2008 (Regular Board of Commissioners Meeting). Commissioner Thibodeau seconded the motion, which carried unanimously(5-0).

**3. Presentations.**

Presentation by Rotary Club to the Town of Wake Forest - check in the amount of \$10,000 for the press box at Flaherty Park.

Mayor Jones recognized Mr. Robert Christensen of the Rotary Club. He spoke saying that he had a check in the amount of \$10,000 for the press box at Flaherty Park that he would like to present to the Town of Wake Forest. Mayor Jones accepted the check and thanked the Rotary Club for its donation.

**4. Public hearings / Public Comment.**

**A. Public hearing on whether the Board of Commissioners of the Town of Wake Forest, North Carolina should approve a proposed installment financing agreement to finance a portion of the cost of a municipal complex of said Town (copy on file in Town Clerk's Office).**

At 7:07 p.m., Mayor Jones opened the public hearing on whether the Board of Commissioners of the Town of Wake Forest, North Carolina should approve a proposed installment financing agreement to finance a portion of the cost of a municipal complex of said Town.

At 7:08 p.m., there being no one present to speak to this item, Mayor Jones closed the public hearing.

**B. ACTION - Item 4.A. - Resolution Approving an Installment Financing Contract and Deed of Trust and Approving and Authorizing Certain Actions in Connection with Financing a Portion of the cost of a New Town Hall.**

**ACTION:** Commissioner Drake made a motion to approve a Resolution Approving an Installment Financing Contract and Deed of Trust Approving and Authorizing Certain Actions in Connection with Financing a Portion of the cost of a New Town Hall. Commissioner Stinnett seconded the motion, which carried unanimously (5-0) resulting in the following resolution:

RESOLUTION 2008-19

RESOLUTION APPROVING AN INSTALLMENT FINANCING  
CONTRACT AND DEED OF TRUST AND APPROVING AND  
AUTHORIZING ACTION IN CONNECTION WITH FINANCING  
A PORTION OF THE COST OF A NEW TOWN HALL

(Body of resolution contained in Resolution Book 25)

**C. Public Comment**

No one spoke.

**5. Consent Agenda.**

**ACTION:** Commissioner Drake made a motion to approve the Consent Agenda Items as submitted. Commissioner Hines 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 for contiguous annexation submitted by Heritage Self Storage, LLC for property located off the NC-98 By-pass comprising 7.75 acres resulting in the following resolutions:**

RESOLUTION 2008-20

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE  
A PETITION RECEIVED UNDER G.S. 160A-58-1

(Body of resolution contained in Resolution Book 25)

RESOLUTION 2008-21

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 25)

**D. Approval of petitioned for contiguous annexation submitted by Gateway Forest, LLC and Friendship Chapel Commercial, LLC for property located off the NC-98 By-pass comprising 59.3 acres.**

RESOLUTION 2008-22

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE  
A PETITION RECEIVED UNDER G.S. 160A-58-1

(Body of resolution contained in Resolution Book 25)

RESOLUTION 2008-23

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 25)

- E. Approval of petition for contiguous annexation submitted by E. Hunt III, LLC for property located off Jenkins Road comprising 55.05 acres resulting in the following resolutions:**

RESOLUTION 2008-24

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE  
A PETITION RECEIVED UNDER G.S. 160A-58-1

(Body of resolution contained in Resolution Book 25)

RESOLUTION 2008-25

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 25)

- F. Approval of bids for a Motor Grader for the Streets Department:**

Low Bid: ASC Construction Company - Champion Model C86C - \$114,944

- G. Approval of resolution accepting/abandoning certain streets to the Town Street System for maintenance resulting in the following resolution:**

RESOLUTION 2008-26

RESOLUTION ACCEPTING CERTAIN STREETS TO THE  
TOWN STREET SYSTEM FOR MAINTENANCE

(Body of resolution contained in Resolution Book 25)

- H. Approval of Budget Ordinance Amendment No. 5 for FY 2007-2008 resulting in the following ordinance:**

ORDINANCE 2008-18

BUDGET ORDINANCE AMENDMENT NO. 5 OF THE  
TOWN OF WAKE FOREST, NORTH CAROLINA  
FOR THE FISCAL YEAR 2007-2008

(Body of ordinance contained in Ordinance Book 21)

6. **Legislative Items.**

A. **Consideration of appointment of members to the Downtown Revitalization Corporation (DRC) the FY 2008-2009.**

**ACTION:** Commissioner Drake made a motion to appoint members to the Downtown Revitalization Corporation (DRC) for the FY 2008-2009. Commissioner Kaerberlein seconded the motion, which resulting in the following resolution:

RESOLUTION 2008-27

RESOLUTION APPOINTING/REAPPOINTING MEMBERS  
TO THE DOWNTOWN REVITALIZATION CORPORATION

(Body of resolution contained in Resolution Book 25)

Jeff Adolphsen  
Nancy Bolts  
Ryan Hutchinson  
Mike Berry  
Ann Ayers

B. **Consideration of approval of resolution opposing Powell Bill Repeal HB 2751 - Highway Fund Name Changes.**

**ACTION:** Commissioner Kaerberlein made a motion to approve a resolution opposing Powell Bill Repeal HB 2751 - Highway Fund Name Changes. Commissioner Thibodeau seconded the motion, which carried unanimously resulting in the following resolution:

RESOLUTION 2008-28

RESOLUTION OPPOSING POWER BILL REPEAL  
HB 2751 - HIGHWAY FUND NAME CHANGES

(Body of resolution contained in Resolution Book 25)

7. **Planning Items.**

A. **Consideration of approval of Case SU-08-02: A request filed by JDH Capital, LLC for a special use permit for a shopping center in the Conditional Use Highway Business District for property located at the intersection of the NC-98 By-pass and Jones Dairy Road, being Tax PIN 1850-18-0618.**

Commissioner Drake spoke saying he did not see a lot that he liked.

Commissioner Thibodeau said that he agreed. He said that he has seen too many communities have opposing shopping centers and it looks kind of odd to me. He said he was not persuaded by Finding 6 that the proposed use will be in harmony in the sense that it provides needed opportunities. When reading the market analysis in great depth, I notice where the now whether or not that's substantial or not, but the project calls for on the order of 67,000 square feet of development. The marketing analysis addresses 50,000 square feet. Now whether or not that's substantial or not, I have problems with the site layout and the treatment of the green space and the need for dueling shopping stores.

Commissioner Drake said he agreed with Commissioner Thibodeau's conclusion on findings and have the same reservations about Findings 1 and Findings 4 of which he said he was unpersuaded.

Finding 4, Commissioner Thibodeau said he would also agree. He said he would like to solicit the other Commissioners views on this. On reading the traffic impact analysis report it struck me in the executive summary and then the body of the report the report seemed to call for more improvements than are proposed - that might be his misinterpretation. He said he doesn't know what the rest of the Commissioners thought or what staff's response to that would be. He said he felt like this is what was asked for and this is what was provided.

Mayor Jones spoke saying is that a fair assessment Ann?

Assistant Planning Director Ayers spoke saying actually it's the other way around. The improvements that are required under the Town's Transportation Plan exceed what was recommended in the Traffic Impact Analysis and what NC-DOT was requiring. And, so in that manner the road improvements of the Transportation Plan ended up being the more onerous requirement of the three.

Commissioner Drake spoke saying NC-DOT appears to have done something not once but twice that causes me to question the rationality of the person who made the decision. The first shopping center on one corner of the intersection has a separate driveway out on the NC-98 By-pass which he feels mildly put, as ill-advised. The new shopping center they are proposing shoulder to shoulder with this one also has an outlet directly to the NC-98 By-pass which he feels is doubly ill-advised. I realize that DOT, in its infinite wisdom, that they think it is a good idea. He said he has regrettably fathomed the utility of that statement. He said he has tried and has failed.

Mayor Jones asked if she could respond to his comments? I think that the right-in/right-out from the shopping center is a good thing. Because it does allow another exit from the shopping center. It eliminates some of the traffic going to the intersection. From what she has been able to read about traffic patterns it is a better thing than having one way out and one way in toward the intersection. If you have

those cars who are going to turn right, as they come out, if they are able to come out at a right-out space that helps with congestion at the intersection.

Commissioner Drake said he is ready to agree with half of that. He thinks it would be true for right-in. He said that he is not prepared to agree that it is true for right-out. In fact, he said his fear is that we will take the second step in transforming the NC-98 By-pass into a commercial strip that will not be the NC-98 By-pass that people have hoped that it will be. Right-in reduces, perhaps, the traffic at an intersection that is lighted and might take more cars off that road faster. But right-out is not something -

Mayor Jones spoke saying that if the car has to come out of the parking lot up to Jones Dairy Road at the intersection and then turn right they are helping to clog that intersection rather than just going out in the front.

Commissioner Drake said he understands that statement. It is the applicant's burden to persuade him. They have failed.

Commissioner Thibodeau said he agrees. I understand the statement. I can't really agree with it. Multiple right-outs - you've got a right-out there at another proposed development, a right-out at Jones Dairy Road. It seems to be more of a traffic impediment than a solution. He said that he is not convinced that it is the right thing.

Commissioner Hines spoke saying that she thought the project was quite nice. She said the applicant went to great extent to create a green landscaping that they were bringing in with the collection pools for the water run-off. She said she was real impressed with the details that they had incorporated into the project. She said she liked the street scape of it to the highway where it did not just look like a stupid strip shopping center. She said that the applicant went to great lengths to make it look like a community type shopping area. She said she understands Commissioners Drake and Thibdoeau's outlook for the exits on 98. She feels that the Board of Commissioners sometimes approve things that are not nice products and sometimes don't approve things that are nice products.

Commissioner Drake said that Commissioner Hines was correct. I think we do that. He said that we try hard not to, but sometimes we do not succeed. He said that if the only concern he has was with the one I expressed with regard to the traffic that alone might not have been sufficient to cause my reservations. Regrettably it was not. He said he is not satisfied that it would not have a significant deleterious effect on the business health of the downtown being situated where it is. There are certain things that I just don't think profit any town being located one right after the other. One example is car lots and that is the appearance on Capital Boulevard. There are shoulder to shoulder shopping centers like shoulder to shoulder car lots. It does not have the slightest appeal. At least, not to him.

Commissioner Kaerberlein said: “May I ask, because your comment about how they are competing. I guess I am not clear because of my understanding that the anchor food store does not have a competitor in Wake Forest.”

Commissioner Drake said the anchor stores is a whole other issue. The anchor store will not compete with downtown businesses. There is not a grocery store downtown. There are a number of restaurants downtown. There are a number of out lots on this parcel facing out on the street which he feels speak to his concerns. As far as the grocery store is concerned that is a different question entirely. He said he understands the sort of store that is going to be and also understands that sort of store could as well be built in other places in town and serve the citizens as well. The grocery store in the center could be built in other locations in town. There is a crying need for a grocery store there but not there. He said it is his understanding that there will be a grocery store in the shopping center next door.

Commissioner Thibodeau said he couldn't agree with Commissioner Drake more about downtown. This proposed use and this proposed location given that there is another grocery store next door to it further for lack of a better word undermines. The possibility of a future grocery store in the center of downtown where it is desperately needed. The presentation by the applicant, as you stated, the burden is on the applicant. He said he did not see persuasive evidence that this would not have an effect on downtown.

Commissioner Hines said that she found it just the opposite. She said it was her understanding that the types of businesses that were planning to locate in the shopping center would not compete with the downtown businesses in any manner.

Commissioner Drake said that a statement made by counsel if he remembered correctly. He said he was curious about the sources of that when he made it.

Commissioner Hines said that I don't think he would make it up. He has been in this business a long time and I know he works well with his clients with these issues.

Commissioner Kaerberlein said that he agrees with Commissioner Hines. He said he feels the applicant went over and above to meet all the standards that we placed in front of them. He said he understands what he is saying about the traffic. He said he did not share Commissioner Drake's other concerns.

Commissioner Stinnett spoke saying she had concerns with the bridges on Jones Dairy Road. The narrowness of Jones Dairy Road and how much traffic. It is already congested. She said we have already approved one shopping center on that corner and now we're going to throw another shopping center on that corner and it will be many years down the road before that road gets any physical help so I think traffic will be an issue.

Mayor Jones said the bridges are going to be replaced in a couple of years.

Commissioner Drake said do you want to make a motion.

**ACTION:** Commissioner Kaeberlein made a motion to accept the Planning Board recommendation to approve Case SU-08-02: A request filed by JDH Capital, LLC for a special use permit for a shopping center in the Conditional Use Highway Business District for property located at the intersection of the NC-98 By-pass and Jones Dairy Road based on the findings of fact and conditions as recommended by Planning Staff. Commissioner Hines seconded the motion and the vote was as follows:

<u>Aye</u>	<u>Nay</u>
Chris Kaeberlein	Pete Thibodeau
Anne Hines	Frank Drake
	Margaret Stinnett

Commissioner Drake made a motion to deny Case SU-08-02: A request filed by JDH Capital, LLC for a special use permit for a shopping center in the Conditional Use Highway Business District for property located at the intersection of the NC-98 By-pass and Jones Dairy Road based on Findings 1, 4, and 6. Commissioner Thibodeau seconded the motion and the vote was as follows:

Finding 1: The proposed use or development is located, designed, and proposed to be operated so as not to be detrimental to the public health, safety, and general welfare, in that the project will benefit the neighborhood by providing a well lighted and pedestrian friendly neighborhood shopping center with opportunities for local businesses, restaurants, and services, and will reduce travel times and associated gas usage and traffic congestion. Adjacent properties will be heavily screened by the preservation of existing vegetation along the existing stream buffer while properties to the west and north will be partially screened due to the preexisting grade conditions and streetyard plantings. All site and building design will be in accordance with all federal, state and local rules and regulations

Finding 4: The proposed use will not cause undue traffic congestion or create a traffic hazard, in that the proposed road improvements meet the requirements of the Transportation plan and exceed the minimum requirements identified in the Traffic Impact Analysis to accommodate the traffic impacts. Given the traffic impacts, the proposed development includes long stacking lanes into and out of the shopping center, but the proposed road improvements, turn lanes

and direct access aligned with the intersection of Friendship Chapel Road assure that the development will not impede traffic. The construction of dedicated left turning lanes on three of the four arrivals to the Friendship Chapel Road intersection will greatly reduce congestion and aid in the smooth flow of traffic. The driveways, including a right-in and right-out driveway on the NC-98 Bypass and two (2) driveways on Jones Dairy Road provide access to the development in a manner that does not cause undue traffic congestion or create a traffic hazard, subject to final approval by the North Carolina Department of Transportation.

Finding 6: The proposed use, if developed accordingly to the plan submitted and approved, will be in harmony with the area in which it is located, in that the proposed development is in harmony with the surrounding environment, provides needed dining and shopping opportunities to neighboring residents and businesses, reducing the need to travel to other areas for those services – an act which would add to both air pollution and traffic congestion. Lighting standards allow a maximum of one foot candle at the property lines assuring parking lot lighting will not disrupt the area with light intrusion. The design of the buildings will be in harmony with the area and will serve as an extension of the town center in accordance with the pattern and character of the Town Center District.

Aye

Nay

Pete Thibodeau

Chris Kaeberlein

Frank Drake

Anne Hines

Margaret Stinnett

- B. Consideration of approval of Case RZ-08-04: A request filed by Pacific Management Group, LLC to rezone 1.105 acres from R-15, Residential-15 District to Conditional Use NB, Neighborhood Business District for property located at 1636 Wake Drive, being Tax PIN 1739-79-7830.**

**ACTION:** Commissioner Hines made a motion to accept the Planning Board recommendation to approve Case RZ-08-04: A request filed by Pacific Management Group, LLC to rezone 1.105 acres from R-15, Residential-15 District to Conditional Use NB, Neighborhood Business District for property located at 1636 Wake Drive. Commissioner Kaeberlein seconded the motion and the vote was as follows:

Aye

Nay

Commissioner Hines  
Commissioner Kaeberlein

Commissioner Thibodeau  
Commissioner Drake  
Commissioner Stinnett

Commissioner Drake made a motion to deny Case RZ-08-04: A request filed by Pacific Management Group, LLC to rezone 1.105 acres from R-15, Residential-15 District to Conditional Use NB, Neighborhood Business District for property located at 1636 Wake Drive. Commissioner Stinnett seconded the motion and the vote was follows:

Aye

Nay

Commissioner Drake  
Commissioner Thibodeau  
Commissioner Stinnett

Commissioner Kaeberlein  
Commissioner Hines

**C. Consideration of approval of Site Plan Review: ABC Store #14.**

**ACTION:** Commissioner Drake made a motion to accept the Planning Board recommendation to approve the Site Plan Review: ABC Store #14. Commissioner Kaeberlein seconded the motion, which carried unanimously (5-0).

**D. Consideration of approval of Case SU-07-07: A request filed by Thomas Ryan Preddy and Russell Scott Riggs for a special use permit for a car wash in the NB, Neighborhood Business District for property located at Forestville Road and Rogers Road, being Tax PINs 1840-41-1437 and 1840-41-2363.**

Commissioner Kaeberlein asked if the car wash uses recycled water and the system fails, there is nothing to turn it off. Assistant Planning Director Ayers reported that if the recycled water system fails, then it turns off. She said she did not know when they went out and found if the recycling was working. Commissioner Hines stated that a senior citizen lives behind it. Assistant Planning Director Ayers stated that a buffer is being planned. Commissioner Thibodeau said he felt that the washer made as much noise. There is a horseshoe driveway that goes around. The resident house is behind there (pointing to map). How deep is the total landscaping? Is it 10, 15, 25 feet. Assistant Planning Director Ayers said that 10 feet is the length of the landscaping buffer so it keep the branches down below. It does give a nice evergreen street. This lot is heavily wooded. The applicant will have to comply with the noise ordinance. Commissioner Drake asked if the Commissioner Thibodeau asked about the daycare close by. Assistant Planning Director Ayers said that the daycare was on a 2-3 acres plot down the road.

Commissioner Hines spoke saying that water consumption has three (3) different (copies on following page). Assistant Planning Director Ayers said there were different types of carwashes. The average per car use is just over 60,000 gallons. A normal car wash used outside a house uses 16,000 gallons of use. Commissioner Hines said she was confused about that. Assistant Planning Director Ayers said that was in the report that she sent to Town Clerk Wilson (copies on following page). Commissioner Stinnett asked the applicant, Mr. Thomas Preddy, to delay it due to the drought situation. He said that whatever the Board of Commissioners felt like. He said he would come back for the Board of Commissioners to deny or approve the carwash.

**ACTION:** Commissioner Thibodeau made a motion to remove Case SU-07-07: A request filed by Thomas Ryan Preddy and Russell Scott Riggs for a special use permit for a car wash in the NB, Neighborhood Business District for property located at Forestville Road and Rogers Road from the table for discussion. Commissioner Hines seconded the motion, which carried unanimously (5-0).

Town Attorney Vernon spoke saying that this is a special use permit. He said that it was submitted at a public hearing. Unless all of you either heard the evidence yourself or either went back and listen to the tape, you are not eligible to vote. Commissioner Kaerberlein said he could speak saying that he and Commissioner Thibodeau were at the public hearing serving on the Planning Board. Commissioner Hines spoke saying that she was a candidate at the time and listen to the evidence presented at the public hearing. Town Manager Williams stated that if a question came up he wanted stated for the record. He also reported that this item was tabled the night that the three (3) new board members were sworn in. Town Attorney Vernon said being a member of the Board of Commissioners is not the question. Town Manager Williams reported that each of the new Board members needed to make the statement that they were present at the public hearing for the record. Commissioner Thibodeau said he was present at the Planning Board meeting and heard the evidence. Commissioner Kaerberlein stated that he was at the Planning Board meeting as well. Commissioner Hines stated that she was at the Planning Board meeting as a candidate for Commissioner. Town Attorney Vernon said each of you have to render your decision based on what was said at the public hearing. Town Manager Williams said that revised information was presented at the meeting that night. Commissioner Hines asked what information was presented (copies on following page). Commissioner Thibodeau said that as he understood it is 800 gallons per day - multiplied it by 16.35. Is that correct? Is that how the Board would derive that amount for that. Mr. Preddy replied that is correct.

**ACTION:** Commissioner Stinnett made a motion to approve carwash. Commissioner Kaeberlein seconded the motion and the vote was as follows:

Aye

Nay

Commissioner Stinnett Commissioner Hines

Commissioner Kaeberlein Commissioner Drake

Commissioner  
Thibodeau

Commissioner Drake made a motion to deny based on Findings 1 and 5. Commissioner Thibodeau seconded the motion and the vote was as follows:

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

**E. Consideration of approval of amending Ordinance 2007-50: Ordinance amending the Planning and Zoning Fees (Fire Impact Fees effective July 1, 2007) of the Fee Schedule of the Town of Wake Forest, North Carolina.**

**ACTION:** Commissioner Drake made a motion to approve an ordinance amending Ordinance 2007-50: Ordinance amending the Planning and Zoning Fees (Fire Impact Fees effective July 1, 2007) of the Fee Schedule of the Town of Wake Forest, North Carolina. Commissioner Hines seconded the motion, which carried unanimously resulting in the following ordinance:

ORDINANCE 2008-19

ORDINANCE AMENDING ORDINANCE 2007-50  
AMENDING THE PLANNING AND ZONING  
FEES OF THE FEE SCHEDULE OF THE  
TOWN OF WAKE FOREST, NORTH CAROLINA  
(Body of ordinance contained in Ordinance Book 21)

**8. Administration and Financial Items.**

**A. Consideration of approval of FY 2008-2009 Budget Ordinance.**

**ACTION:** Commissioner Drake made a motion to approve the FY 2008-2009 Budget Ordinance according to the last work session. However with the following amendment: In addition to the budget as proposed, he would further move for the abolishment of a separate garbage bill for the residents

of the Town or those served by garbage service and instead of that bill that the cost of garbage services be recouped through 4 cents per \$100 addition to the tax rate making the rate 50 cent per \$100. Commissioner Kaeberlein seconded the motion.

Commissioner Kaeberlein said he would like to amend Commissioner Drake's motion by adding an additional 1 cent for the fire department. Commissioner Drake seconded the motion, and the vote on the amendment was as follows:

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

Mayor Jones called for the vote on Commissioner Drake's original motion as amended with the 1 cent for the fire department and the vote was as follows:

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

ORDINANCE 2008-20

BUDGET ORDINANCE OF THE TOWN OF WAKE FOREST,  
NORTH CAROLINA FOR THE FISCAL YEAR 2007-2008  
(Body of ordinance contained in Ordinance Book 21)

ORDINANCE 2008-21

ORDINANCE TO AMEND THE PAY AND CLASSIFICATION PLAN  
OF THE TOWN OF WAKE FOREST, NORTH CAROLINA  
(Body of ordinance contained in Ordinance Book 21)

ORDINANCE 2008-22

ORDINANCE AMENDING THE FEE SCHEDULE OF  
THE TOWN OF WAKE FOREST, NORTH CAROLINA

(Body of ordinance contained in Ordinance Book 21)

9. **Public Services Items.**

- A. **Consideration of approval of amendment to Chapter 30 Traffic and Vehicles - Section 30-251 Schedule VIA. Parking in direction of traffic flow - Add all streets maintained within the corporate limits of the Town of Wake Forest, North Carolina.**

**ACTION:** Commissioner Stinnett made a motion to approve the amendment to Chapter 30 Traffic and Vehicles - Section 30-251 Schedule VIA. Parking in direction of traffic flow - Add all streets maintained within the corporate limits of the Town of Wake Forest, North Carolina. Commissioner Drake seconded the motion, which carried unanimously (5-0) resulting in the following ordinance:

ORDINANCE 2008-23

ORDINANCE AMENDING CHAPTER 30 TRAFFIC AND VEHICLES  
SECTION 30-251 SCHEDULE VIA. PARKING IN DIRECTION OF  
TRAFFIC FLOW - ADD ALL STREETS MAINTAINED WITHIN THE  
CORPORATE LIMITS OF THE TOWN OF WAKE FOREST, NORTH CAROLINA

(Body of ordinance contained in Ordinance 21)

- B. **Consideration of approval of amendment to Chapter 30 Traffic and Vehicles - Article VI Traffic Schedules Section 30-241 Schedule I Parking prohibited at all times - South Main Street beginning 365 feet north of the intersection of West Sycamore Avenue, west side, continuing north ~~130~~ 110 feet.**

**ACTION:** Commissioner Drake made a motion to approve the amendment to Chapter 30 Traffic and Vehicles - Article VI Traffic Schedules Section 30-241 Schedule I Parking prohibited at all times - South Main Street beginning 365 feet north of the intersection of West Sycamore Avenue, west side, continuing north 110 feet. Commissioner Kaerberlein seconded the motion, which carried unanimously (5-0) resulting in the following ordinance:

ORDINANCE 2008-24

ORDINANCE AMENDING CHAPTER 30 TRAFFIC AND VEHICLES  
ARTICLE VI - TRAFFIC SCHEDULES - SECTION 30-241 SCHEDULE I  
PARKING PROHIBITED AT ALL TIMES - SOUTH MAIN STREET  
BEGINNING 365 FEET NORTH OF THE INTERSECTION OF WEST  
SYCAMORE AVENUE, WEST SIDE, CONTINUING NORTH 110 FEET

(Body of ordinance contained in Ordinance Book 21)

**C. Consideration of approval of 3-way stop at the junction of Clatter Avenue and Fleming House Drive in Crenshaw Hall.**

**ACTION:** Commissioner Stinnett made a motion to approve a 3-way stop at the junction of Clatter Avenue and Fleming House Drive in Crenshaw Hall. Commissioner Drake seconded the motion, which carried unanimously (5-0) resulting in the following ordinance:

ORDINANCE 2008-25

ORDINANCE AMENDING CHAPTER 30 TRAFFIC AND VEHICLES  
ARTICLE VI. TRAFFIC SCHEDULE - SECTION 30-256 SCHEDULE X  
STOP INTERSECTIONS OF THE CODE OF ORDINANCES OF THE  
TOWN OF WAKE FOREST, NORTH CAROLINA

(Body of ordinance contained in Ordinance Book 21)

**10. Parks and Recreation Items.**

**A. Consideration of approval of amendment(s) to Chapter 22. Parks and Recreation of the Code of Ordinances.**

**ACTION:** Commissioner Hines made a motion to approve amendments to Chapter 22 Parks and Recreation of the Code of Ordinances of the Town of Wake Forest, North Carolina. Commissioner Kaeberlein seconded the motion, which carried unanimously (5-0) resulting in the following ordinance:

ORDINANCE 2008-26

ORDINANCE AMENDING CHAPTER 22 PARKS AND RECREATION  
ARTICLE I IN GENERAL OF THE CODE OF ORDINANCES OF THE  
TOWN OF WAKE FOREST, NORTH CAROLINA

(Body of ordinance contained in Ordinance Book 21)

11. **Public Safety Items.**

- A. **Consideration of approval of request received from Nicholas Dale - Cady Construction, to close portions of Elm Avenue, South Brooks Street, and Wait Avenue on Sunday, September 14, 2008 from 7:30 a.m. to approximately 6:00-7:00 p.m. for a benefit charity bicycle race sponsored by the Raleigh All-Stars Cycling Team (copy on file in Town Clerk's Office).**

**ACTION:** Commissioner Kaeberlein made a motion to approve a request received from Nicholas Dale - Cady Construction, to close portions of Elm Avenue, South Brooks Street, and Wait Avenue on Sunday, September 14, 2008 from 7:30 a.m. to approximately 6:00-7:00 p.m. for a benefit charity bicycle race sponsored by the Raleigh All-Stars Cycling Team. Commissioner Drake seconded the motion, which carried unanimously (5-0).

12. **Closed Session:** N.C.G.S. 143-318-11(a)(3) - Inco, Inc. - (electric substation)

**ACTION:** At 9:08 p.m., Commissioner Thibodeau made a motion to go into closed session as per N.C.G.S. 143-318-11(a)(3) - Inco, Inc. (Electric substation). Commissioner Drake seconded the motion, which carried unanimously (5-0).

13. **Adjournment.**

**ACTION:** At 9:20 p.m., Commissioner Kaeberlein made a motion to return to the regular meeting. Commissioner Thibodeau seconded the motion, which carried unanimously (5-0).

At 9:21 p.m. Commissioner Drake made a motion to continue the meeting to July 1, 2008 at 5:30 p.m. Commissioner Stinnett seconded the motion, which carried unanimously (5-0).

Town Clerk

Mayor