

**REGULAR BOARD OF COMMISSIONERS MEETING
TOWN OF WAKE FOREST, NORTH CAROLINA
January 16, 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, Public Works Director Barton, Planning Director Russell, Planner Ayers, Planner Summers, Deputy Town Manager O'Donnell, Engineering Director Keravori, Finance Director Staples, Parks & Recreation Director Simpson, and Town Attorney Vernon.

Mayor Jones led everyone in the Pledge of Allegiance.

Mayor Jones introduced Tenice Caudle, an applicant for the Human Relations Council.

1. Approval of agenda.

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

2. Approval of minutes.

A. Meetings held December 7, 2006 (Work Session and Joint Public Hearings) and December 19, 2006 (Regular Board of Commissioners Meeting).

ACTION: Commissioner Drake made a motion to approve the minutes of meetings held December 7, 2006 (Work Session and Joint Public Hearings) and December 19, 2006 (Regular Board of Commissioners Meeting). Commissioner Boyd-Lawson seconded the motion, which carried unanimously (5-0).

3. Presentations.

None.

4. Public hearings / Public Comment.

A. Public hearing to receive public comment on the financing of the construction of an Electric Substation.

At 7:03 p.m., Mayor Jones opened the public hearing to receive public comment on the financing of the construction of an Electric Substation.

At 7:04 p.m., there being no one present to speak to this item, Mayor Jones closed the public hearing.

B. Public hearing to receive public input for the FY 2007-2008 Budget.

At 7:05 p.m., Mayor Jones opened the public hearing to receive public input for the FY 2007-2008 Budget.

At 7:06 p.m., there being no one present to speak to this item, Mayor Jones closed the public hearing.

C. Public Comment.

None.

5. Consent Agenda.

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

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

B. Approval of Budget Ordinance Amendment #3 for Fiscal Year FY 2006-2007 resulting in the following ordinance:

ORDINANCE 2007-01
BUDGET ORDINANCE AMENDMENT NO. 3 OF THE
TOWN OF WAKE FOREST, NORTH CAROLINA
FOR THE FISCAL YEAR 2006-2007
(Body of ordinance contained in Ordinance Book 20)

C. Approval of piggyback purchase for financial software, New World Systems.

D. Approval of petition requesting contiguous annexation submitted by Mountaineer Group I for the property located off Galaxy Drive, comprising 8.30 acres resulting in the following resolutions:

RESOLUTION 2007-01
RESOLUTION DIRECTING THE CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER G.S. 160A-58.1
(Body of resolution contained in Resolution Book 24)

RESOLUTION 2007-02
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 audit contract with Joyce and Company (copy on file in Town Clerk's Office).**
 - F. **Approval of Case PP-06-01: Wake Forest Pedestrian Plan.**
6. **Legislative Items.**
- A. **Consideration of approval of appointments/reappointments to various advisory boards (applications and ballots on file in Town Clerk's Office).**

ACTION: Commissioner Drake made a motion to approve the appointments/reappointments to the various advisory boards. Commissioner Boyd-Lawson seconded the motion, which carried unanimously (5-0) resulting in the following resolution:

RESOLUTION 2007-03
RESOLUTION APPOINTING/REAPPOINTING
MEMBERS TO VARIOUS ADVISORY BOARDS
(Body of resolution contained in Resolution Book 24)

Cemetery Advisory Board:

Appointment: Kelly Baker Williams	Term will expire 12/31/2009
Reappointment: John G. Mills	Term will expire 12/31/2009
Frank Smith	Term will expire 12/31/2009

Human Relations Council:

Appointment: Tenice Caudle	Term will expire 12/31/2007 (Filing unexpired term)
Reappointment: Tim Roth	Term will expire 12/31/2009
Glendine King-Jeffreys	Term will expire 12/31/2009
Stephanie M. Jenny	Term will expire 12/31/2009

Parks and Recreation Advisory Board:

Appointment: Jim Thompson	Term will expire 12/31/2008
Earl Creutzburg	Term will expire 12/31/2008
Reappointment: Tom Shipman	Term will expire 12/31/2009
Thomas H. Hodges, Jr.	Term will expire 12/31/2009
David Faircloth	Term will expire 12/31/2009

Senior Center Advisory Board:

Appointment: Donald Daria Term will expire 12/31/2007 (filling unexpired term)
Reappointment: Sarah Bridges Term will expire 12/31/2009
 Hope Newsom Term will expire 12/31/2009
 Wanda Mukherjee Term will expire 12/31/2009 (non-senior)

Urban Forestry Board

Appointment: Donald Daria Term will expire 12/31/2009
Reappointment: Pete Jordan Term will expire 12/31/2009

RESOLUTION 2007-04
RESOLUTION RECOMMENDING TO THE
WAKE COUNTY BOARD OF COMMISSIONERS
REAPPOINTMENT OF OUT-OF-TOWN MEMBER
TO THE WAKE FOREST BOARD OF ADJUSTMENT
AND WAKE FOREST PLANNING BOARD
(Body of resolution contained in Resolution Book 24)

Board of Adjustment: Tom Littleton Term will expire 12/31/2008
Planning Board: Sarah Bridges Term will expire 12/31/2008

B. Consideration of discussion concerning appointment of Mayor Pro-tem.

ACTION: Commissioner Camacho made a motion to appointment Commissioner Frank Drake as Mayor Pro-tem. Commissioner Barrington seconded the motion, which carried unanimously (5-0).

C. Consideration of approval of request received from Bob and Elizabeth Johnson for closure of the South White Street Parking Lot (Gazebo) for the 8th Herbfest in Historic Downtown Wake Forest from April 19, 20, 21, & 22 from 8 a.m. until 6 p.m. as well as Wait Avenue from South White Street to the railroad.

ACTION: Commissioner Barrington made a motion to approve a request received from Bob and Elizabeth Johnson for closure of the South White Street Parking Lot (Gazebo) for the 8th Herbfest in Historic Downtown Wake Forest from April 19, 20, 21, & 22 from 8 a.m. until 6 p.m. as well as Wait Avenue from South White Street to the railroad with the applicant providing adequate insurance coverage and naming the Town of Wake Forest as additional insured. Commissioner Stinnett seconded the motion, which carried unanimously (5-0).

7. **Planning Items.**

- C. **Consideration of approval of Case ZA-06-05: an amendment to the Wake Forest Zoning Ordinance, amending Article III. Definitions of Terms Used in this Ordinance and Article V. District Regulations, which adds provisions to allow for Traditional Neighborhood Developments.**

ACTION: Commissioner Barrington made a motion to approve Case ZA-06-05: an amendment to the Wake Forest Zoning Ordinance, amending Article III. Definitions of Terms Used in this Ordinance and Article V. District Regulations, which adds provisions to allow for Traditional Neighborhood Developments as recommended by the Planning Board. Commissioner Boyd-Lawson seconded the motion, which carried unanimously (5-0) resulting in the following ordinance:

ORDINANCE 2007-02
ORDINANCE AMENDING ARTICLE III. DEFINITION
OF TERMS USED IN THIS ORDINANCE AND ARTICLE V.
DISTRICT REGULATIONS OF THE ZONING ORDINANCE
OF THE TOWN OF WAKE FOREST, NORTH CAROLINA
(Body of ordinance contained in Ordinance Book 20)

- A. **Consideration of approval of Case SR-07-01: An amendment to the Subdivision Regulations of the Town of Wake Forest, North Carolina.**

ACTION: Commissioner Barrington made a motion to approve Case SR-07-01: An amendment to the Subdivision Regulations of the Town of Wake Forest, North Carolina as recommended by the Planning Board. Commissioner Drake seconded the motion, which carried unanimously (5-0) resulting in the following ordinance:

ORDINANCE 2007-03
ORDINANCE AMENDING THE SUBDIVISION REGULATIONS
OF THE TOWN OF WAKE FOREST, NORTH CAROLINA
(Body of ordinance contained in Ordinance Book 20)

Article I. Legal Provisions. Section 1. Exceptions for Planned Unit Developments - delete and insert-lieu thereof the following:

1. Exceptions for Planned Unit Developments and Traditional Neighborhood Developments. The standards and requirements of this ordinance may be modified in the case of a planned unit development or a traditional

neighborhood development, as provided for in the Wake Forest Zoning Ordinance, if in the judgement of the ~~Planning and Zoning Board~~, the Board of Commissioners, the modifications are not repugnant to the intent of this ordinance and conform to the requirements of the Wake Forest Zoning Ordinance.

B. Consideration of approval of Case ZA-07-01: An amendment to the Wake Forest Zoning Ordinance amending Article VII. Off-Street Parking and Loading.

ACTION: Commissioner Drake made a motion to approve Case ZA-07-01: An amendment to the Wake Forest Zoning Ordinance amending Article VII. Off-Street Parking and Loading as recommended by the Planning Board. Commissioner Barrington seconded the motion, which carried unanimously (5-0) resulting in the following ordinance:

ORDINANCE 2007-03
ORDINANCE AMENDING ARTICLE VII.
OFF-STREET PARKING AND LOADING OF THE
ZONING ORDINANCE OF THE
TOWN OF WAKE FOREST, NORTH CAROLINA
(Body of ordinance contained in Ordinance Book 20)

D. Consideration of approval of resolution for the exchange of property.

ACTION: Commissioner Stinnett made a motion to approve a resolution for the exchange of property. Commissioner Boyd-Lawson seconded the motion, which carried unanimously (5-0) resulting in the following resolution:

RESOLUTION 2007-05
RESOLUTION AUTHORIZING A LAND EXCHANGE
BETWEEN THE TOWN OF WAKE FOREST
AND RICHARD W. KUNKLE AND WIFE,
BARBARA S. KUNKLE FOR PROPERTY LOCATED
IN THE CRENSHAW MANOR SUBDIVISION
(Body of resolution contained in Resolution Book 24)

WHEREAS, Section 160A-271 of the North Carolina General Statutes expressly provides that a town may exchange real property belonging to the town for other real property by private negotiations if the town receives a full and fair consideration in exchange for its property; and

WHEREAS, the Town of Wake Forest and Richard W. Kunkle and wife, Barbara S. Kunkle desire to exchange with each other certain tracts of real property of like value; and

WHEREAS, the Board of Commissioners determined that is in the public interest to effect the exchange embodied in the Land Exchange Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Wake Forest that for the purpose stated above, and under the authority of N.C.G.S. 160A-271, the land exchange is described as follows:

1. Description of properties to be exchanged: The Town of Wake Forest presently owns real property located in the Crenshaw Manor Subdivision, show as "Greenway Dedication & Utility Easement" on plat recorded in Book of Maps 1990, Page 1192, Wake County Registry (the "Map"), located northwest of Crenshaw Point, Wake Forest, NC (Tax PIN 1830-47-5027), out of which the Town intends to exchange with Richard W. Kunkle and wife, Barbara A. Kunkle an approximately 2,641 square foot portion of said property located adjacent to Lot 97 as shown on the Map.

The proposed exchange property owned by Richard W. Kunkle and wife, Barbara A. Kunkle is an approximately 2,641 square foot portion of the real property described as Lot 97 as shown on the Map, with a street address of 1571 Crenshaw Point, Wake Forest, NC (Tax PIN 1830-47-0428).

2. Value of the Properties: Pursuant to an appraisal conducted by Michael P. Casey, Licensed Residential Real Estate Appraiser, dated December 8, 2006, the Town of Wake Forest property and the Kunkle property are equal in size and value, with fair market value of each parcel between \$10,000 and \$15,000.

8. Administration and Financial Items.

A. Consideration of approval of resolution outlining terms of Installment Purchase Agreement for Electric Substation.

ACTION: Commissioner Camacho made a motion to approve a resolution outlining the terms of Installment Purchase Agreement for Electric Substation. Commissioner Boyd-Lawson seconded the motion, which carried unanimously (5-0) resulting in the following resolution:

RESOLUTION 2007-06
RESOLUTION MAKING CERTAIN FINDINGS AND
DETERMINATIONS, AUTHORIZING THE FILING OF AN
APPLICATION WITH THE LOCAL GOVERNMENT COMMISSION,
REQUESTING THE LOCAL GOVERNMENT COMMISSION TO
SELL BONDS AT PRIVATE SALE AND APPROVING THE
SUCCESSFUL BIDDER IN CONNECTION WITH THE ISSUANCE
OF REVENUE BONDS OF THE TOWN OF WAKE FOREST, NORTH CAROLINA
(Body of resolution contained in Resolution Book 24)

9. Public Services Items.

A. Consideration of approval of amendments to Chapter 32. Utilities of Wake Forest Code of Ordinances.

Consensus of the Board of Commissioners was to continue this item to the February 20, 2007 meeting.

10. Parks and Recreation Items.

A. Consideration of approval of Interlocal Agreement and Joint Use Agreement with the Wake County Public School System for Heritage High School.

Consensus of the Board of Commissioners was to continue this item to the February 20, 2007 meeting.

11. Public Safety Items.

None.

12. Other Business

ACTION: Commissioner Drake made a motion for staff to commence the calculation of fire services impact fees for new development. Commissioner Stinnett seconded the motion and the vote was as follows:

Aye

Commissioner Boyd-Lawson
Commissioner Drake
Commissioner Stinnett

Nay

Commissioner Barrington
Commissioner Camacho

13. Adjournment.

ACTION: At 8:20 p.m., Commissioner Stinnett made a motion to continue the meeting to February 6, 2007 at 5 p.m. Commissioner Drake seconded the motion, which carried unanimously (5-0).