

To be approved April 17, 2012.



**Wake Forest Board of Commissioners
Meeting Minutes
March 20, 2012
7:00 pm**

Mayor Jones called the meeting to order at 7:00 p.m.

Pledge of Allegiance.

Council Members Present

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

Staff Present

Mark Williams, Town Manager
Roe O'Donnell, Deputy Town Manager
Aileen Staples, Finance Director
Chip Russell, Planning Director
Eric Keravouri, Town Engineer
Deeda Harris, Town Clerk
Holly Miller, Assistant Town Engineer
Scott Miles, Assistant Town Engineer
Mike Barton, Public Works Director
Chad Sary, Assistant Planning Director
Darren Abbacchi, Captain
Eric Vernon, Town Attorney

1. Approval of Agenda.

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

2. Approval of minutes.

- A. Meeting held February 7, 2012 (Work Session and Joint Planning Board), meeting held February 21, 2012 (Regular Board of Commissioners Meeting).

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

3. Presentations.

- A. Proclamation Recognizing Girl Scout Week March 12-18, 2012.
- B. Proclamation Recognizing MS Awareness Week March 12-18, 2012.

Mayor Jones shared she had attended the scout celebration and presented the proclamation. The proclamation for the MS Awareness was mailed to the organization.

- C. Proclamation Recognizing National Volunteer Week (April 15 - 21, 2012).

Mayor Jones introduced Ms. Rosa Miller Boykin one of our premiere volunteers and recognized the other volunteers that were in attendance. Mayor Jones read the proclamation which was in honor of all the town's volunteers. Ms. Miller Boykin accepted on their behalf.

4. Public hearings / Public Comment.

- A. Public Hearing to receive public comment on the proposed five (5) year Capital Improvements Plan (CIP) updated for FY 2012 - 2017.

Mayor Jones asked was there anyone in attendance to comment on the Capital Improvement Plan. Mr. Tim Nau of 620 Moultonboro Ave. spoke on the town supporting the greenway trail. He had been a member of the Greenways Advisory Board for 3 years. He shared they were putting together 291 certificates and tokens of appreciations for those that participated in the adopt-a-trail. He asked the board to continue to make greenways a priority moving forward.

Mr. Greg Hoit stated he had served on the greenways advisory board. He thanked the board for his reappointment. He shared that Jan Ammons was Chair but travelling. He was Vice-Chair. He spoke in support of the greenways.

He stated there was overwhelming participating in the adopt-a-trail program. The Community Plan's top priority was greenway, sidewalks, and having an open community. It was what made Wake Forest special. There was quantification of benefits of greenways studies done on the amount of greenways. A study done on the Miami/Dade County Florida Health Department concluded there was a reduction of medical costs of about 365,000 per year, accessibility to schools reduced car trips, saved in carbon dioxide emissions and fuel. He thanked the board for supporting greenways.

Town Manager Williams stated some of the items discussed did get moved/changed to a higher priority (became a level H3 or level B an expansion of services. He reminded the board they normally go beyond level one. When reviewing the budget they will look at those in the H in Level 1 to fund those.

- B. Public Hearing to receive public input for the FY 2012-2013 Budget.

There would be time for public input for '12-'13 budget in May. Staff would be preparing their respective budget. The hearing was to receive comments. There was no one to comment so Mayor Jones declared the hearing closed.

- C. Public Hearing to receive public comment on the financing of South White Street Improvements.

There was no one to speak on the public hearing for comment on the financing of South White Street Improvements. Mayor Jones shared staff would be sending out the RFP which would be due by March 30th. Town Manager Williams said they would continue the meeting till 4/3 to award the bid. Mayor Jones closed the public hearing.

- D. 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.

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 petition requesting contiguous annexation submitted by Wake Forest Reservoir Properties LLC & WS-TWF Investments LLC for the properties located off Oak Grove Church Road & Future Northside Loop Road comprising 122.49 acres.
- B. Approval of Budget Amendment No. 2 for FY 2011-2012.
- C. Approval of Purchase of Radio Dispatch Consoles for Police Department.
- D. Approval of Adopting a Memorandum of Agreement to join with Wake County and Other Municipalities in Developing a Multi-jurisdictional Hazard Mitigation Plan.
- E. Consideration to approve the Falls Lake Nutrient Management Strategy Rules as amended in the Phase II Stormwater Ordinance.

Commissioner Donahue asked that Items B and C be removed from the Consent Agenda. Mayor Jones stated they would become Items B and C under Financial Section.

ACTION: Commissioner Donahue made a motion to approve the consent agenda which items included:

- A. Approval of petition requesting contiguous annexation submitted by Wake Forest Reservoir Properties LLC & WS-TWF Investments LLC for the properties located off Oak Grove Church Road & Future Northside Loop Road comprising 122.49 acres.

- D. Approval of Adopting a Memorandum of Agreement to join with Wake County and Other Municipalities in Developing a Multi-jurisdictional Hazard Mitigation Plan.
- E. Consideration to approve the Falls Lake Nutrient Management Strategy Rules as amended in the Phase II Stormwater Ordinance.

Commissioner Drake seconded the motion, which carried (5,0).

6. Legislative Items.

- A. Consideration of Appointment of Candidate to the Planning Board.

ACTION: Commissioner Drake made a motion to approve the appointment of Mr. Bill Fisher as the ETJ member on the Planning Board.

Commissioner Donahue seconded the motion, which carried (5,0).

7. Planning Items.

- A. Consideration of Approval of Site Plan Review: SP-11-03 – 401 Inc Building.

Mayor Jones stated the Planning Board voted 6,0 to recommend approval of the site plan at their meeting March 6, 2012.

ACTION: Commissioner Stinnett made a motion to approve the Site Plan Review: SP-11-03 – 401 Inc Building.

Commissioner Donahue seconded the motion, which carried (5,0).

8. Administration and Financial Items.

- A. Consideration of Approval of Updated Contract with Wake Forest Fire Department.

Finance Director Staples stated this item was an updated contract with the WF Fire Dept. It expired in 2004 has been renewed automatically annually. Commissioner Stinnett asked what changes were different than the original. Town Attorney Vernon shared he had reviewed the contract and updated it to reflect the current statutory citation and the level of insurances. There was an increase in Section 5 Insurance Coverage limits to mirror what require of other contractors.

ACTION: Commissioner Drake made a motion to approve the Contract with Wake Forest Fire Department.

Commissioner Hines seconded the motion, which carried (5,0).

- B. Approval of Budget Amendment No. 2 for FY 2011-2012.

Commissioner Donahue asked for this item to be removed from the consent agenda. Finance Director Staples explained the Budget Amendment was on the Board's agenda about 5-6 times during the fiscal year. It was used when there needed when other revenues were recognized. Staff recognized the revenue and the need to reduce the appropriated fund balance.

ACTION: Commissioner Stinnett made a motion to approve Budget Amendment No. 2 for FY 2011-2012.
Commissioner Harrington seconded the motion, which carried (5,0).

C. Approval of Purchase of Radio Dispatch Consoles for Police Department.

Commissioner Donahue asked for this item to be removed from the consent agenda. He was looking for the justification of need. He answered his own question as he read in the staff write up and competitive bid was a sole provider. Staff shared that compatibility was important.

ACTION: Commissioner Harrington made a motion to approve the Purchase of Radio Dispatch Consoles for Police Department.
Commissioner Donahue seconded the motion, which carried (5,0).

9. Public Services Items.

A. Approval of the South White Streetscape Construction Administration Contract.

The contract submitted by Kimley Horne was in the amount of \$127,738.00. The Commissioners did not have any questions.

ACTION: Commissioner Drake made a motion to approve the Contract with South White Streetscape Construction Administration Contract in the amount of \$127,738.00.
Commissioner Donahue seconded the motion, which carried (5,0).

B. Consideration of Approval Proposed No Parking Zones and other Traffic-related Matters on North Wingate Street adjacent to Southeast Baptist Theological Seminary (SEBTS).

The proposed no parking was on N. Wingate Street adjacent to the seminary. The Commissioners had discussed it at the retreat. They were advising no parking at anytime to increase the site distance at the crosswalk. A map of the area was included in the agenda packet. They were eliminating 3-4 parking spaces close to the cross walk.

ACTION: Commissioner Drake made a motion to approve No Parking Zones and other Traffic-related Matters on North Wingate Street adjacent to SEBT College to increase the site distance at the suggestion of Ryan Hutchins of the SEBTS.
Commissioner Stinnett seconded the motion, which carried (5,0).

C. De-ordinance of No Parking on Owen Avenue.

The parking area was where mailbox was. The Commissioners had also spoken of this area at the retreat. The mailbox had been moved so it could be accessed from the sidewalk. Commissioner

Stinnett asked how many more spaces they would gain. Town Engineer Kervavouri stated it would be three. The board was pleased to hear that.

ACTION: Commissioner Drake made a motion to approve the De-ordinance of the No Parking on Owen Avenue.
Commissioner Stinnett seconded the motion, which carried (5,0).

D. De-ordinance of Handicap Space on W. North Ave.

The parking spot was also discussed by the Commissioners at the retreat. There was a handicap spot ordinance earlier for a person that was no longer needed.

ACTION: Commissioner Stinnett made a motion to approve the De-ordinance of the Handicap Space on W. North Ave.
Commissioner Hines seconded the motion, which carried (5,0).

E. Consideration of Declaring the Structure at 205 S. Brooks Street as Surplus and Authoring Staff to Start Process of Disposal.

Town Manager stated that per Ordinance the Town Board had to declare the structure as surplus. Staff had made efforts to get the structure moved in whole or part and would continue to pursue before resorting to tearing it down. Before anything was done, it would be brought back before the board.

ACTION: Commissioner Stinnett made a motion to Declare the Structure at 205 S. Brooks Street as Surplus and Authoring Staff to Start Process of Disposal. Commissioner Harrington seconded the motion, which carried (5,0).

F. Consideration of Granting Permission to John Rich to Connect the Municipal Water Supply.

Mayor Jones shared that John Rich wanted to connect to the town's water supply. He reported his well running dry and would submit a petition for annexation, but according to ordinance, if not connected to sewer he would be connected to water and pays out of town water rates, pay taxes if annexed. He would be subject to City of Raleigh rates if he did not annex his property. Staff recommending approval similar to what was approved for property on Jones Dairy Road, but sewer service was not readily availability. In an extension like this, the City of Raleigh would look to town because it was outside area agreed to in the merger.

If he annexed, by statute the town would have to pay for the sewer connection of 500-600 feet. Because he was just requesting water service, he was responsible for that cost. He would file an annexation petition, but would be held in abeyance. It would go with the land and not the petitioner.

ACTION: Commissioner Drake made a motion to approve Mr. John Rich to connect to Municipal Water Supply subject to and payment of all municipal fees.
Commissioner Hines seconded the motion, which carried (5,0).

10. Parks and Recreation Items.

11. Public Safety Items.

12. Other Business.

13. Closed Session.

N.C.G.S 143-318.11(a)(5) Land Acquisition – 327 Brooks Street

N.C.G.S 143-318.11(a)(4) Discussion of Economic Development of River Place

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

ACTION: Commissioner Hines made a motion to go into closed session at 7:57 p.m.
Commissioner Harrington seconded the motion, which carried (5,0).

ACTION: Commissioner Drake made a motion to come out of closed session at 8:56 p.m.
Commissioner Stinnett seconded the motion, which carried (5,0).

14. Continue Meeting to Tuesday, April 3 at 5:30 p.m.

ACTION: Commissioner Stinnett made a motion to continue the meeting to Tuesday, April 3,
2012 at 5:30 p.m.
Commissioner Hines seconded the motion, which carried (5,0).

Town Clerk

Mayor Vivian A. Jones