

Approved 10/19/21



**Wake Forest Board of Commissioners  
Meeting Minutes  
September 21, 2021, at 6:00 PM**

Mayor Jones called the meeting to order at 6:00 p.m. She led everyone in the Pledge of Allegiance.

**Council Members Present**

Mayor Vivian A. Jones  
Commissioner Jim Dyer  
Commissioner Chad Sary  
Commissioner Liz Simperts  
Commissioner Bridget Wall-Lennon  
Commissioner Adam Wright

**Staff Present**

Kip Padgett, Town Manager  
Candace Davis, Assistant Town Manager  
Allison Snyder, Assistant Town Manager  
Deeda Harris, Town Clerk  
Aileen Staples, Chief Financial Officer  
Joseph Guckavan, Director of Engineering  
Courtney Tanner, Planning Director  
Jennifer Currin, Assistant Planning Director  
Emma Linn, Planner I-Development Services  
Ron Early, Fire Chief  
Brian Mote, Captain, Police Dept.  
Julius Jefferson, Captain, Police Dept.  
Adam Oates, Chief Information Officer  
Deborah Dunn, Centre Manager, Renaissance Centre

1. Approval of Agenda

**ACTION:** Commissioner Wright made a motion to approve the agenda.  
Commissioner Simperts seconded the motion, which carried (5,0).

2. Approval of Minutes

2.A. Approval of Minutes for Meetings held August 3, 2021 (Work Session & Joint Public Hearing) and meeting held August 17, 2021 (Regular Board of Commissioners Meeting)

**ACTION:** Commissioner Wall-Lennon made a motion to approve the minutes for meetings held July 6, 2021 (Joint Public Hearing) and meeting held July 20, 2021 (Regular Board of Commissioners Meeting)  
Commissioner Wright seconded the motion, which carried (5,0).

3. Presentations

Mayor Jones said the proclamation recognizing Good Neighbor Day was sent to the Human Relations Council. The Town Clerk would send the Police Department the proclamation for National Night Out.

3.A. Proclamation Recognizing September 18, 2021 as "Good Neighbor Day"

3.B. Proclamation Recognizing "Public Power Week" October 3-9, 2021

Mayor Jones presented the proclamation to Chris Terrell Electric Department Supervisor with Wake Forest Power and Kiel Ortez Customer Service Representative with the Finance Department.

3.C. Proclamation Recognizing "National Night Out" – October 4, 2021

3.D. Proclamation Recognizing October 2021 as "Community Planning Month"

Mayor Jones presented the Community Planning Month to Planning Director Tanner and Planning Board Chair Joe Kimray. Mayor Jones said the Board appreciated the hard work of the Planning Board.

4. Public hearings / Public Comment

4.A. Public Comment: There was no one to speak.

5. Consent Agenda

5.A. Resolution to Amend Resolution No. 2021-92 to Accept Streets into the Town of Wake Forest Street System for Maintenance

5.B. Acceptance of Streets for Maintenance - Stonegate Phase 3B and 7

5.C. Acceptance of Streets for Maintenance - Heritage Fairview

5.D. Approval of a resolution to schedule the public hearing and certify the sufficiency for a petition requesting contiguous annexation submitted by G98 Commercial, LLC for property located at 0 Capital Boulevard, being Wake County Tax PIN 1830-87-2437 and adjacent right-of-way

5.E. Resolution Recognizing Todd M. Howe on his Retirement

5.F. Approval of resolution authorizing second amendment to land lease agreement with Crown Castle

5.G. Approval of resolution designating Deputy Finance Officer

5.H. Approval of resolution to reschedule the public hearing for a petition requesting contiguous annexation submitted by Greenpointe, LLC for property associated with proposed Mason Oaks Subdivision Phase 3 being Franklin County Tax PIN 1842-34-7743 (portion) which is approximately 4.518 acres

**ACTION:** Commissioner Dyer made a motion to approve the items above on the Consent Agenda.

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

6. Legislative Items

- 6.A. Consideration of an Ordinance Amending the Code of Ordinances Chapter 30 - Traffic and Vehicles; Article VI. - Traffic Schedules; Sec. 30-253. - Schedule VIII, One-Way Streets (S. College Street and W. Owen Ave)

Mayor Jones said Engineering, Public Works, and Parks and Recreation reviewed options to increase access to the Holding Park Pool at the request of the Board of Commissioners. After providing options to the Board of Commissioners at their meeting on August 17, 2021, the Board recommended to reverse the existing one-way conditions from south and east to west and north.

**ACTION:** Commissioner Wright made a motion to approve Ordinance Amending the Code of Ordinances Chapter 30 - Traffic and Vehicles; Article VI. - Traffic Schedules; Sec. 30-253. - Schedule VIII, One-Way Streets (S. College Street and W. Owen Ave) to reverse the existing one-way conditions from south and east to west and north (S. College Street and W. Owen Ave.).  
Commissioner Simperts seconded the motion, which carried (5,0).

7. Planning Items

- 7.A. Continuation of Action on LEGISLATIVE CASE RZ-21-05, Mason Oaks Parcel 3: Request filed by The Nau Company to rezone from the existing Franklin County -General Business (GB) to General Residential 10 Conditional District (GR10-CD) for 4.52± acres located at 0 Capital Boulevard being Franklin County Tax PIN: 1842-34-7743 (portion)

Mayor Jones stated the Board needed to continue this item to the October 5, 2021, meeting.

**ACTION:** Commissioner Sary made a motion to continue Action on LEGISLATIVE CASE RZ-21-05, Mason Oaks Parcel 3: Request filed by The Nau Company to rezone from the existing Franklin County -General Business (GB) to General Residential 10 Conditional District (GR10-CD) for 4.52± acres located at 0 Capital Boulevard being Franklin County Tax PIN: 1842-34-7743 (portion).  
Commissioner Wright seconded the motion, which carried (5,0).

- 7.B. Consideration of Action on LEGISLATIVE CASE RZ-21-02, Quail Crossing: Request filed by McAdams Company to rezone from the existing Rural Holding District (RD) to General Residential 10 Conditional District (GR10-CD) and associated master plan for 36.48± acres located at 1423 Deerfield Crossing being Wake County Tax PIN: 1850-26-8976 (portion) and adjacent right-of-way to centerlines

The Planning Board, at their September 7, 2021 meeting, tabled action to their September 14, 2021 meeting. At their September 14, 2021 meeting, the Planning Board voted 7-0 to find the request consistent with the Community Plan and recommend approval of the

zoning map amendment (rezoning) request with the conditions. The conditions proposed were as listed below:

1. Major Site Master Plan (SP-21-06) is a condition of the rezoning request. Amendments of the master plan shall require a rezoning amendment unless the Administrator finds the modification to be minor and in keeping with the spirit and intent of the adopted subdivision master plan.
2. All development will comply with all requirements of the Town of Wake Forest Unified Development Ordinance (UDO) unless expressly stated as an exception and will comply with approved Master Plan as submitted with this rezoning application.
3. The development shall have a maximum number of 260 units.
4. Vinyl siding shall not be permitted; however, vinyl windows, decorative elements, and trim are permitted.
5. Any exterior wall of a unit visible from a street shall contain at least two decorative elements such as, but not limited to, the following elements:
  - a. Bay window;
  - b. Recessed window;
  - c. Decorative window;
  - d. Trim around windows;
  - e. Side porch;
  - f. Two or more building materials;
  - g. Decorative brick or stone;
  - h. Decorative trim;
  - i. Decorative shake;
  - j. Decorative gable;
  - k. Decorative cornice;
  - l. Portico;
  - m. Dormer.
6. A varied color palette shall be utilized on buildings throughout the development to include a minimum of three-color families for siding and shall include varied trim, shutter, and accent colors complimenting the siding color.
7. Developed open space and park space shall contain, a minimum of three of the following elements, but not limited to, the following: walking trails; swimming pool; clubhouse; butterfly gardens; fitness center; dog park; community garden; hammock lounge; firepits.
8. The development shall provide a clubhouse a minimum of 1,000 square feet and a pool.
9. All buildings shall have a minimum separation of six feet.
10. Alternative street section designs as shown on Sheet 2.00 of the master plan shall apply instead of the cross sections shown in Section 6.7.2 of the UDO.
11. Buildings shall be permitted to be erected on the master lot within this development and will front on a private right-of-way or common open space (Section 4.3.1.B.).
12. The park spaces provided in the development shall be a minimum of 2,000 square feet and a minimum of four (4) such parks shall be provided throughout the development (Section 7.5.1).

13. No units of the same floor plan and exterior color will be located immediately adjacent to each other or directly across the street of one another.
14. At least 15% of the area of each façade that faces a street/parking area must be windows or main entrance doors.
15. The development shall provide a minimum of three (3) electric vehicle (EV) charging stations. Final locations to be determined at construction drawing submittal.
16. Upon establishment, tree reforestation areas shall follow the same UDO requirements as tree save areas.
17. Prior to the approval of Construction Drawings, the developer shall collaborate with the Wellington Park residents and provide financial assistance towards the relocation of the residents in an amount up to \$375,000. Any relocation administration costs incurred by the developer for the relocation shall be in addition to the \$375,000 of relocation assistance provided by the developer. No relocation assistance funds may be used to remove an abandoned structure. Once all residents have been relocated, tracking of assistance disbursement and paid invoices accounting for the funds shall be provided to the Town of Wake Forest Planning Department. Once all invoices have been provided showing expended relocation funds (excluding administration and demolition costs), the Town shall reduce the recreation facility fee due equal to 1/3rd of the funds used towards relocation up to a maximum of \$125,000. The recreation fee reduction shall be applied on a per unit reduction. (For example, using the current recreation fee of \$2,202 (the recreation fee is subject to change each fiscal year), if 260 units are built and the full \$375k is used towards relocation, the new recreation facility fee per unit would be \$1,721.23).
18. At the time of Construction Drawings, Engineering staff shall determine if any fencing is required around the perimeter of proposed stormwater control measures.

Commissioner Sary shared some comments. He said this item was two processes that were tied together. One process was the eviction; the other was the rezoning the Commissioners were considering. They were two separate issues but tied together. Commissioner Sary stressed the vote the Board would be taking was not about forcing an eviction and closing Wellington Park. He stated the decision to close Wellington Park was decided by Mr. Mackie the property owner months ago, not the Town of Wake Forest. He said he and others on the Board had tried to find ways for the residents to be able to stay and unfortunately that was to no avail. He said there were some conditions as part of the approval of the rezoning that would provide some assistance to the residents.

Commissioner Wall-Lennon said as she understood it, the owner had served notice that he wanted to close the mobile home park, but evictions had not started. Commissioner Wall-Lennon had tried to find a solution that both parties could agree upon. She stated over the last three months, she had spent time in meetings with residents in Southeast Raleigh our local area that was undergoing the same process. She like the other Commissioners had tried to find a reasonable solution. She had met with County

Commissioners, county staff, DHIC (formerly Downtown Housing Improvement Corporation) the developer, and attended the weekly meetings of the residents and others.

Commissioner Wall-Lennon said the developer had proposed in Condition #17 a sum of \$250,000 for a fund to be used for relocation assistance for the residents. She reminded everyone that at the Joint Public Hearing the Board was agreeable to consider \$125,000 of fees waived for Parks and Recreation Fees. Since that meeting, she wanted to be sure the residents understood how they could spend the funds. She said there was a Memorandum of Understanding in place between Middleburg Communities, the developer, and Triangle Family Services.

Commissioner Wall-Lennon said there was a Statement of Work that would be added to the Memorandum of Understanding. She listed moving expenses that could be considered for reimbursement to the twenty-five or so residents currently living at Wellington Park or just recently moved out from at Wellington Park.

She also stated the developer could not get construction drawings until Condition 17 was met.

Commissioner Wright said this was an unfortunate situation but appreciated the efforts of Jason Middleburg.

Commissioner Dyer stated he did read everything that everyone submitted and that he did care. He felt this was the best solution. He shared he had lived in government housing and a mobile home, so he related to their situation.

Mayor Jones commented the project was distressing for all of us. She said the person getting the most benefit was the property owner. She said he owned the property and therefore had the right to do what he wanted to do on his property. She said no one knew if the owner had participated in helping the residents or not. She commended Jason with Middleburg Properties for working hard to put the condition together to affect the residents as little as possible. She said she hoped everyone could put this behind them and move forward.

**ACTION:** Commissioner Sary made a motion to approve LEGISLATIVE CASE RZ-21-02, Quail Crossing: Request filed by McAdams Company to rezone from the existing Rural Holding District (RD) to General Residential 10 Conditional District (GR10-CD) and associated master plan for 36.48± acres located at 1423 Deerfield Crossing being Wake County Tax PIN: 1850-26-8976 (portion) and adjacent right-of-way to centerlines.  
Commissioner Wall-Lennon seconded the motion, which carried (5,0).

8. Administration and Financial Items

8.A. Consideration of acceptance of a supplemental grant award for the Renaissance Centre in the amount of \$53,688.66 from the 2021 American Rescue Plan Act administered by Small Business Administration

Renaissance Center Manager Dunn said the town had been awarded an additional grant from the 2021 American Rescue Plan Act administered by Small Business Administration in the amount up to \$53,688.66. This grant required no matching funds. As with the previous grant awarded, staff would use funds to support main stage programming, cultural arts educational classes, administrative costs, and ordinary and necessary business expenses of the Renaissance Centre. The period to use the funds had also been extended to June 30, 2022.

**ACTION:** Commissioner Sary made a motion to approve the acceptance of a supplemental grant award for the Renaissance Centre in the amount of \$53,688.66 from the 2021 American Rescue Plan Act administered by Small Business Administration. Commissioner Dyer seconded the motion, which carried (5,0).

8.B. Consideration of Approval of a Stormwater Infrastructure Assessment & Utility Fee Development Contract

Mr. Joseph Guckavan introduced himself as the new Director of Engineering. At the last meeting, the Board was presented information regarding entering a contract to provide a feasibility study of the stormwater infrastructure. This item was authorizing the Town Manager to sign the contract.

**ACTION:** Commissioner Dyer made a motion to approve the items above on the Consent Agenda with Item 5B moved to Item 8B. Commissioner Wright seconded the motion, which carried (5,0).

9. Public Services Items

10. Parks and Recreation Items

11. Public Safety Items

12. Other Business

12.A. Wake Co. Tax Releases

12.B. Monthly Report

12.C. Commissioner Reports

Commissioner Sary did not have a report.

Commissioner Wall-Lennon said she attended Friday Night on White and thought the turnout was great. She said next week she would be attending the Northeast Community Plan Open House as well as the Urban Forest Board meeting.

Commissioner Dyer shared the Historic Preservation Commissioner meeting was held last week. Members were in the process of taking online classes for certification. He said he would not be attending the Human Relations Council

meeting on September 23, 2021. That meeting conflicted with the Board of Commissioners Special Meeting.

Commissioner Wright said they were planning a webinar to address Adult Daycare to inform the community of the various resources available to them.

Commissioner Simperts said she attended the Pastoral Installation Service for Pastor Wilder of Olive Branch Baptist Church and the Wake Forest Downtown Board Meeting. She mentioned there may be a few tickets for the Spirits of Wake Forest Tour. She said citizens could view the Wake Forest Downtown Instagram page for updates and information on downtown events.

Mayor Jones said she planned to attend the Northeast Community Plan Update. She mentioned the follow up meeting would be September 28, 2021, for further discussion. She said everyone seemed happy to attend Friday Night on White. She had received comments where citizens appreciated the September 11<sup>th</sup> Remembrance. She also attended the Fire Department the September 11<sup>th</sup> Ceremony and the Optimist Club Car Show. She stated the art shows she attended were great.

Mayor Jones attended the first night of the Citizen's Academy hosted by the Planning Department. She was interviewed by a Boy Scout who was working on the community badge. Mayor Jones attended several chamber events and the ribbon cutting of Seekers Cove.

She attended the meeting of the Black Business Alliance to speak with them. She enjoyed learning about the different businesses. She mentioned Wake Transit had set up a tracker system to see the service investments completed. It would be updated a couple times a year (<https://waketransittracker.com/>).

Mayor Jones noted today was World Gratitude Day. She expressed appreciation to residents and employees because they took care of each other and worked to make the community the best it could be. The Town of Wake Forest was a wonderful place to live and appreciated everyone.

Town Manager Padgett introduced new employees. He said the Board had met Engineering Director Joe Guckavan when he presented earlier in the meeting. Town Manager Padgett introduced Samantha Sanchez, the new Assistant Finance Director.



13. Adjournment

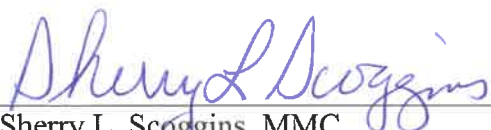
Mayor Jones adjourned the meeting at 6:38 p.m.

Duly approved this 19<sup>th</sup> day of October 2021.



Vivian A. Jones  
Mayor

ATTEST:



Sherry L. Scoggins, MMC  
Interim Town Clerk



