



Wake Forest Board of Commissioners Meeting Minutes

The Wake Forest Board of Commissioners met on **Tuesday, August 16, 2022** at **6:00 p.m.** in the Board Room at Wake Forest Town Hall, 301 S Brooks Street.

Mayor Jones called the meeting to order at 6:00 p.m.

Mayor Jones led everyone in the Pledge of Allegiance.

Council Members Present: Mayor Vivian A. Jones, Commissioner Jim Dyer, Commissioner Chad Sary, Commissioner Keith Shackelford, Commissioner Adam Wright, and Commissioner Nick Sliwinski

Commissioner Members Absent: None.

Staff Members Present:

Town Manager Kip Padgett
Town Attorney Hassan Kingsberry
Assistant Town Manager Candace Davis
Assistant Town Manager Allison Snyder
Town Clerk Theresa Savary
Paralegal Shiekell Richardson
Assistant Planning Director Jennifer Currin
Chief Financial Officer Aileen Staples
Assistant Finance Director Samantha Sanchez

Strategic Performance Manager Lisa Hayes
Fiscal Support Specialist Vickie Caudle
Lieutenant Donald Godfrey
Lieutenant Misko
Sergeant Babson
Police Chief Jeff Leonard
Police Captain Brian Mote
Fire Chief Ron Early

1. Approval of Agenda

1.A. Approval of Agenda

ACTION:

Mover: Commissioner Dyer moved to approve the agenda as presented.

Seconder: Commissioner Wright.
Vote: Motion carried 5-0.

2. Approval of Minutes

- 2.A. Approval of Minutes:
- July 5, 2022, Work Session
 - July 19, 2022, Regular Meeting

ACTION:

Mover: Commissioner Wright moved to approve the minutes as presented.
Seconder: Commissioner Sliwinski.
Vote: Motion carried 5-0.

3. Presentations

- 3.A. Resolution Recognizing Lt. Donald Lee Godfrey, Jr. on his Retirement

Mayor Jones presented Lt. Donald Lee Godfrey with a resolution recognizing his retirement.

RESOLUTION 2022-40
RESOLUTION OF APPRECIATION FOR
THE SERVICES OF
Donald Lee Godfrey, Jr.

WHEREAS, Donald Lee Godfrey, Jr. was hired as a Police Officer I in December of 1988 and served as a sworn member of the Wake Forest Police Department until his retirement on August 30, 2022; and

WHEREAS, Lee served as a Police Corporal for six months, a Police Sergeant for twelve years and a Police Lieutenant for two years; and

WHEREAS, Lee received many hours of training and served in a variety of specialized positions within the Wake Forest Police Department including Field Training Officer, Evidence Custodian, Computer Voice Stress Analyzer – Advanced Examiner, and Crisis Negotiator Team Leader; and

WHEREAS, Lee served unselfishly as a law enforcement officer for the good of the Town of Wake Forest, making sacrifices in personal and family ties;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Wake Forest, North Carolina, that Donald Lee Godfrey, Jr. is hereby officially commended by this Board

on behalf of the citizens of Wake Forest for valuable and outstanding service rendered to the Town of Wake Forest Police Department in his official capacity as a Police Lieutenant.

BE IT FURTHER RESOLVED that this resolution be made a part of the permanent records of the Town of Wake Forest and that a copy of this resolution is presented to Donald Lee Godfrey, Jr.

3.B. Proclamation Recognizing Constitution Week - September 17-23, 2022

Mayor Jones stated the proclamation would be mailed to the requestor.

**PROCLAMATION
CONSTITUTION WEEK**

*Whereas, September 17, 2022, marks the two hundred and thirty fifth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and
Whereas, it is fitting and proper to officially recognize this magnificent document and the anniversary of its creation; and*

Whereas, it is fitting and proper to officially recognize the patriotic celebrations which will commemorate the occasion; and

*Whereas, public law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week;
NOW, THEREFORE, I, Vivian A. Jones, by virtue of the authority vested in me as Mayor of the Town of Wake Forest, North Carolina do hereby proclaim the week of*

**SEPTEMBER 17 THROUGH SEPTEMBER 23
CONSTITUTION WEEK**

In the Town of Wake Forest, and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787.

3.C. Proclamation Recognizing National Stepfamily Day - September 16, 2022

Mayor Jones stated the proclamation would be mailed to the requestor.

**PROCLAMATION
NATIONAL STEPFAMILY DAY**

Whereas, National Stepfamily Day is enhanced by our strong commitment to support the stepfamilies of our nation in their mission to raise their children, create strong family structures to support the individual members of the family, instill in them a sense of responsibility to all extended family members.

Whereas, approximately half of all Americans are currently involved in some form of stepfamily relationship and it is the vision of Christy Tusing-Borgeld and the Stepfamily Foundation, that all stepfamilies in the United States be accepted, supported and successful.

Whereas, North Carolina has been blessed by thousands upon thousands of loving stepparents and stepchildren who are daily reminders of the joy, trials, and triumphs of the stepfamily experience and of the boundless love contained in the bond between all types of parents and children.

Whereas, National Stepfamily Day is a day to celebrate the many invaluable contributions stepfamilies have made to enriching the lives and life experience of the children and parents of America and to strengthening the fabric of American families and society.

NOW, THEREFORE, I, Vivian A. Jones, Mayor of the Town of Wake Forest, do hereby proclaim September 16, 2022, as

“STEPFAMILY DAY”

in the Town of Wake Forest, North Carolina.

3.D. Proclamation Recognizing “Dr. Enoch E. Holloway Day” - September 11, 2022

Mayor Jones presented Dr. Enoch Holloway recognizing “Dr. Enoch E. Holloway Day” on September 11, 2022.

PROCLAMATION RECOGNIZING

“Dr. Enoch E. Holloway Day”

in the Town of Wake Forest

WHEREAS, September 2022 marks when Pastor Enoch Holloway celebrates his 40th year as Pastor of Friendship Chapel Baptist Church; and

WHEREAS, we give honor and praise for the deep and abiding Christian commitment of this man who in faith has worked diligently to provide spiritual guidance, leadership and comfort to his congregation and has worked tirelessly to strengthen the bonds of friendship and cooperation among all citizens of Wake Forest; and

WHEREAS, our entire community has benefited from the influence of Dr. Holloway’s work through the years; and

NOW, THEREFORE, I, Vivian A. Jones., Mayor of the Town of the Town of Wake Forest, North Carolina, do hereby proclaim Sunday, September 11, 2022, as

“Dr. Holloway Day”

in recognition of his outstanding record of service and in testimony of the high regard in which he is held in our community.

3.E. Proclamation recognizing the Supreme Pontiff of Hinduism (SPH) Bhagavan Nithyananda Paramashivam for his contribution to Society

Mayor Jones stated the proclamation would be mailed to the requestor.

PROCLAMATION

PROCLAMING APPRECIATION AND GRATITUDE FOR THE CONTRIBUTIONS TO FUNDAMENTAL PRINCIPLES OF ONENESS AND NONVIOLENCE BY THE SUPREME PONTIFF OF HINDUISM NITHYANANDA PARAMASHIVAM IN NORTH CAROLINA

WHEREAS, The Sovereign State of SHRIKAILASA is a peaceful, sovereign, service-oriented Hindu indigenous Nation and the First Nation of Hindus, rooted in the fundamental principle of Oneness and non-violence - the idea that all beings can live in peace and harmony, and that all human beings are equal and divine, and can reach their highest potential irrespective of their color, nationality, religion, gender or race; and

WHEREAS, The Supreme Pontiff of Hinduism (SPH) Nithyananda Paramashivam, the founder and Sovereign of the Sovereign State of SHRIKAILASA, the 293rd Guru Mahasannidhanam (Pontiff) of Madurai Adheenam, the 203rd Emperor of Suryavamsa Surangi Samrajyam, the spiritual Guru of millions, and the spiritual leader of the 2-billion Hindu diaspora worldwide, has, for the past 27 years and continuing, dedicated His life to the improvement of human condition worldwide and bring a superconscious breakthrough to humanity, through the revival of Hinduism - a religion of peace and co-existence and the establishment of various humanitarian initiatives, including the 108 SHRIKAILASA Uniting Nations (SKUN) initiatives, providing international assistance and protection across over one hundred countries; and

WHEREAS, through its thousands of enlightenment ecosystems, including temples, monasteries, universities, Gurukuls (schools), libraries, food banks, animal shelters and more; SHRIKAILASA has, to this day, under the guidance of The SPH, served over one billion of free meals globally, implemented sustainable food systems and distribution chains globally in the midst of the hunger pandemic, and provided free education and holistic health services to millions worldwide, and more; and

WHEREAS, The SPH, a persecuted religious leader since more than one decade, has taken the responsibility to safeguard the freedom, cultural heritage, and civilization of the indigenous marginalized Hindu peoples who have endured thousands of years of persecution, and to revive the 10,000 ancient non-violent indigenous traditions of Hinduism - The SPH having successfully brought the plight of persecuted Hindus to the United Nations through the representation of the Sovereign State of SHRIKAILASA; and

WHEREAS, It is clear that the current global challenges require global cooperation, and that SHRIKAILASA, along with its international partners, is determined to tirelessly work to

maintain global peace, advance human rights, promote health and well-being, provide free education for all, protect the vulnerable and marginalized, and more;

***THEREFORE**, I, Vivian A. Jones as Mayor of the Town of Wake Forest on August 16, 2022, do hereby congratulate The Supreme Pontiff of Hinduism Nithyananda Paramashivam, Head of the Sovereign State of SHRIKAILASA, on His 42nd Chaturmasya and commend, appreciate, and celebrate the achievements of The SPH Nithyananda Paramashivam globally and in the Town of Wake Forest, North Carolina On this auspicious occasion for Hindus all over the world, I, Vivian A. Jones do proclaim the 2022 Chaturmasya (Hindu Holy Season for Austere/Spiritual Observances & Meditation) as the 42nd Celebrations of the Revival of KAILASA, the ancient enlightened Hindu civilizational nation, and look forward to building an enduring friendship with the Sovereign State of SHRIKAILASA and to collaborate in mutually benefiting ways, for a peaceful and sustainable future for all beings.*

4. Public hearings / Public Comment

4.A. Public Comment: If anyone would like to address the Board of Commissioners on an item other than a public hearing item 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.

Margaret Watkins asked the Board of Commissioners to consider extending the hours of the Wake Forest Loop Bus during Friday Night on White.

Mayor Jones asked if anyone else had any public comments. No one came forward to speak. Mayor Jones closed the public comment.

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.

- 5.A. Approval of a Resolution to surplus the badge and service weapon carried by Lt. Donald Lee Godfrey, Jr.
- 5.B. Approval of Capital Project Ordinances (Roadway and Transportation; Parks and Recreation; Greenways; and Parking Facilities)
- 5.C. Resolution recommending the appointment of review officers for the Town of Wake Forest

ACTION:

Mover: Commissioner Dyer moved to approve the consent agenda as presented.

Seconder: Commissioner Sary.

Vote: Motion carried 5-0.

6. Legislative Items

- 6.A. Consideration of an Ordinance Amending the Code of Ordinances Chapter 14, Article III, Section 14-66 thru 14-75 - Noise

Strategic Performance Manager Lisa Hayes presented the proposed updates to the noise ordinance and provided some background on the noise ordinance. She provided a summary of the feedback received from an online survey:

- Quiet Hours
- Permit Notification – Ms. Hayes stated the citizens preferred method would be through email.
- Permit Review Time – Ms. Hayes stated the best responses were between 1 – 5 days or 1 – 2 weeks. Staff would propose a 7-business day turnaround.
- Changes in Permitting- Earlier end time, available option to be louder than previously.
- Overall Comments

Ms. Hayes stated the comments would be made available online.

There were 325 comments received from the online survey. Ms. Hayes said most responses identified quiet hours from 9:00 p.m. to 8:00 a.m. with the exception of Friday and Saturday nights being 10:00 p.m.

Ms. Hayes identified the following top five issues received from the online survey:

1. Loud Mufflers & Vehicles
2. Fireworks
3. Residential Parties & Music
4. Traffic
5. Lawn & Landscaping

Ms. Hayes provided an overview of standardized hours and decibel readings. She provided an overview of the permitting process, clarified citation rules and the update on enforcement and penalty process.

Commissioner Sary asked if the Police would enforce the noise ordinance. Ms. Hayes stated the Police will enforce on the weekends and Planning Department Staff will work on enforcing the noise ordinance during the week.

Commissioner Wright asked how loud amplified music is during an event downtown. Ms. Hayes replied, between 60-65 decibels but they're proposing it be moved to 75-decibels.

Mayor Jones said it appears someone can request a permit for 365 days. Ms. Hayes replied yes, if you want to exceed the 75-decibels you could request a permit for 365 days. The Planning Board will investigate further to see if it's reasonable and responsible. If staff receives a lot of complaints staff would revoke the permit.

Mayor Jones asked if a lot of businesses had inquired about playing their music louder. Ms. Hayes replied, no. Mayor Jones said she doesn't understand why they want to raise the decibel level. Ms. Hayes explained, businesses were going above the current 60-65 decibels limit and were required to apply for a permit but with the proposed change to 75-decibels businesses would fall within the decibel limit and would not have to apply for a permit.

Commissioner Wright asked how it would affect Friday Night on White (FNOW). Ms. Hayes said it would not. Commissioner Wright asked if town events were exempt. Assistant Town Manager Allison Snyder clarified that town events are not exempt. Commissioner Wright asked if they're going to offer an exception. Ms. Hayes said she's not sure they've measured the decibels at FNOW but would do so. Commissioner Wright wants to make sure they're not impacting FNOW or any other similar live events.

Mayor Jones commented this may work well for downtown and commercial businesses, but this is a town wide ordinance. She asked what would happen if my neighbor were having a party. Ms. Hayes stated if they were to exceed the 75-decibel limit, they'd be issued a citation if exceeding the decibel limit. Mayor Jones expressed concern with a 75-decibel limit in a residential area.

Commissioner Sliwinski asked if they could differentiate between a commercial and residential ordinance. Assistant Town Manager Allison Snyder did look at outlining by zoning and outlining by use but because of the intermix of uses it didn't end out being a fair assessment, so staff decided going town wide.

Mayor Jones asked what can be done about barking dogs. Ms. Snyder said barking dogs are currently handled by Wake County Animal Control, but animal control is limited on what they can do about a barking dog. She said it would have to be based on the dog's health and physical welfare for animal control to take action.

Commissioner Sary asked if commercial and residential can be separated. He said more needs to be done on the residential side. Commissioner Sary would like staff to prod a bit more from the residential side. He would also like to have a 6-month grace period to see how it's working.

Commissioner Sliwinski asked if it's possible that 75-decibels at one end of town can come off different on the other side of town. Ms. Hayes replied, yes.

Commissioner Shackelford stated he'd like a second reading.

Ms. Hayes stated staff will perform further research and bring it before the Board at a later date.

A hardcopy of the proposed Noise Ordinance Updates is filed in the Clerk's Office with the August 16, 2022 minutes.

7. Planning Items

No Planning Items presented.

8. Administration and Financial Items

No Administration and Financial Items presented.

9. Public Services Items

No Public Service Items presented.

10. Parks and Recreation Items

No Parks and Recreation Items presented.

11. Public Safety Items

No Public Safety Items presented.

12. Other Business

12.A. Department Monthly Report
Received.

12.B. Wake County Tax Release

Received.

12.C. Commissioner Reports

Commissioner Sary congratulated the Town on the S-Line Grant, he'll attend the Public Arts Commission (PAC) and the Triangle J Council of Government (TJCOG) Boards Delegate Meeting, attended FNOW.

Commissioner Shackelford had no updates.

Commissioner Sliwinski held the Mental Health Care webinar with Commissioner Wright and thanked Wake Med, Commissioner Wright, and the Town for having the event.

Commissioner Wright said the Mental Health Care webinar was an exciting event and so many questions were asked, attending the Future Speak Annual Meeting in Raleigh, NC.

Commissioner Dyer attended a meeting for the Memorial Flag-Raising in Wake Forest and are planning for the recipients for next year, he attended the Historic Preservation Commission Meeting, attended the NC Triangle Apprenticeship Program (NCTAP) at the Renaissance Centre, attended the NC Regional S-Line Mobility Hub Plan in Sanford, NC.

Mayor Jones attended the Purple Heart Reunion Picnic; she thanked Commissioner Dyer for attending the NCTAP in her absence, attended the Electricities Conference, she thanked whoever came up with the idea to put the town's core values on the elevator doors.

Town Manager Kip Padgett said the possible joint public hearing with the Planning Board for September 6, 2022 is not going to happen because staff is waiting on information from the developer. The joint public hearing is now tentatively scheduled for October 4, 2022.

12.D. Closed Session - NCGS 142-318.11(a)(5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease:

12.E. Closed Session: N.C.G.S. 143.318(a)(1): To prevent disclosure of privileged, confidential, or info not of public record.

ACTION:

Mover: Commissioner Wright moved to go into closed session for items N.C.G.S. 142-318.11(a)(5) and N.C.G.S. 143.318(a)(1).

Secunder: Commissioner Dyer.

Vote: Motion carried 5-0.

The Board of Commissioners went into closed session at 6:57 p.m.

The Board of Commissioners returned to open session at approximately 7:35 p.m.

ACTION:

Mover: Commissioner Wright moved to approve the release of the closed session minutes from January 2009 to present as recommended by Town Attorney Hassan Kingsberry.

Seconder: Commissioner Sliwinski.

Vote: Motion carried 5-0.

Strategic Performance Manager Lisa Hayes welcomed Sarah Odio from UNC School of Government. Ms. Odio provided a presentation on the 353 S. White Street Project.

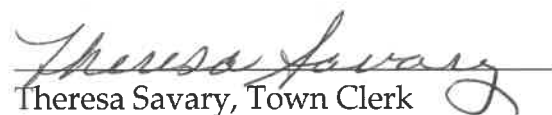
A hardcopy of the 353 S. White Street Development is filed in the Clerk's Office with the August 16, 2022 minutes.

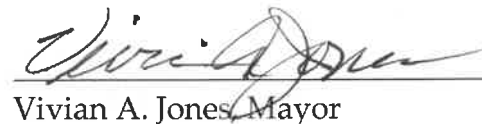
13. Adjournment

With no further business to discuss, the meeting was adjourned at 7:45 p.m.

Duly approved in open session this 20th day of September 2022.

(ATTEST)


Theresa Savary, Town Clerk


Vivian A. Jones, Mayor

