



Wake Forest Board of Commissioners Meeting Minutes

The Wake Forest Board of Commissioners met on **Tuesday, March 15, 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 Nick Sliwinski, and Commissioner Adam Wright

Staff Members Present:

Town Manager Kip Padgett
Town Attorney Hassan Kingsberry
Assistant Town Manager Candace Davis
Assistant Town Manager Allison Snyder
Strategic Performance Manager Lisa Hayes
Deputy Town Clerk Terry Savary
Planning Director Courtney Tanner
Assistant Planning Director Jennifer Currin
Senior Planner Kari Grace
Long Range Planning Manager Brad West
Senior Planner – Historic Preservation Michelle Michael
Planner 1 – Development Services Emma Linn

Planner II – Long Range Dylan Bruchhaus
Chief Financial Officer Aileen Staples
Purchasing Manager Randy Driver
Senior Budget Analyst Ben Blevins
Assistant Finance Director Samantha Sanchez
Police Chief Jeff Leonard
Police Captain Brian Mote
Interim Public Works Director Tim Bailey
Yard Waste Collection Supervisor Chad Hildebrandt
Sustainability Coordinator Jeanette Johnson

1. Approval of Agenda

1.A. Approval of Agenda

ACTION:

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

Second: Commissioner Sliwinski.

Vote: Motion carried 5-0.

2. Approval of Minutes

2.A. Approval of Minutes:

- January 21, 2022, Board Retreat
- February 1, 2022, Work Session
- February 15, 2022, Regular Meeting

ACTION:

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

Second: Commissioner Wright.

Vote: Motion carried 5-0.

3. Presentations

3.A. Consideration of a Resolution of Appreciation for the Service of Beverly "Bev" Whisnant on the Historic Preservation Commission

Commissioner Dyer presented a Resolution of Appreciation for the Service of Beverly "Bev" Whisnant on the Historic Preservation Commission:

RESOLUTION 2022-09
RESOLUTION OF APPRECIATION FOR THE SERVICE OF
BEVERLY "BEV" WHISNANT

WHEREAS, Beverly "Bev" Whisnant served most recently on the Historic Preservation Commission of the Town of Wake Forest from 2017 to 2022 and previously from 2002 to 2008;
and

WHEREAS, Beverly "Bev" Whisnant advocated for the preservation of the Wake Forest's History, Historic Districts and Properties; and

WHEREAS, Beverly "Bev" Whisnant put forth substantial effort toward improving the quality of life for the citizens of the Town of Wake Forest and has been previously recognized by the Town of Wake Forest as its Citizen of the Year and with the Distinguished Service Award from the Wake Forest College Birthplace Society; and

WHEREAS, Beverly "Bev" Whisnant served unselfishly in her capacity for the good of the Town of Wake Forest, as a founding and current member of the Wake Forest Historical Association, member of the Ailey Young House Steering Committee, the Community Christmas Dinner Committee, Kiwanis, and General James Moore Chapter of the Daughters of the American Revolution; and volunteer for the Wake Forest Historical Museum; and

WHEREAS, the Wake Forest Historic Preservation Commission, at their January 12, 2022 meeting, voted unanimously to recommend approval of this resolution to the Board of Commissioners; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Wake Forest, North Carolina, that Beverly "Bev" Whisnant is hereby officially commended by this Board on behalf of the citizens of Wake Forest for valuable service rendered to the Town of Wake Forest.

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 be presented to Beverly "Bev" Whisnant.

3.B. Presentation of Proclamation Proclaiming Mayor's Monarch Pledge Month

Mayor Jones stated the Proclamation Proclaiming Mayor's Monarch Pledge Month would be sent to the requestor:

MAYORS' MONARCH PLEDGE MONTH

WHEREAS, the monarch butterfly is an iconic North American species whose multigenerational migration and metamorphosis from caterpillar to butterfly has captured the imagination of millions of Americans; and

WHEREAS, 20 years ago, more than one billion Eastern monarch butterflies migrated to Mexico, but populations of this iconic species have declined by 90% in the last two decades; and

WHEREAS, cities, towns, and counties have a central role in raising awareness in the effort to help save the monarch butterfly and the Town of Wake Forest has played a leadership role in the effort to protect the monarch butterfly by planting a milkweed garden at E. Carroll Joyner Park and at the Northern Wake Senior Center; and

WHEREAS, every resident of Wake Forest can make a difference for the monarch by planting native milkweed and nectar plants to provide habitat for the monarch and pollinators in locations where people live, work and play; and

WHEREAS, on behalf of the residents of Wake Forest, I have signed the National Wildlife Federation's Mayors' Monarch Pledge to bring awareness to this issue; and

NOW, THEREFORE, I, Vivian A. Jones, Mayor of the Town of Wake Forest, North Carolina do hereby proclaim April, 2022, as Mayors' Monarch Pledge Month in the Town of Wake Forest and encourage all residents to preserve and strengthen the monarch butterfly population.

3.C. Presentation regarding Litter Reduction efforts from February 2021 - February 2022

Sustainability Coordinator Jeanette Johnson provided a presentation regarding Litter Reduction efforts.

4. Public hearings / Public Comment

4.A. Public Hearing to receive input for the FY 2022-2023 Budget

Mayor Jones asked if anyone wished to speak. No one came forward to speak. Mayor Jones closed the public hearing.

4.B. Public Hearing on LEGISLATIVE ITEM TA-22-01 Text Amendment to the Unified Development Ordinance

Mayor Jones asked if anyone wished to speak. No one came forward to speak. Mayor Jones closed the public hearing.

4.C. Public Comment

Jennifer Amyx at 9908 Calvados Drive, Wake Forest, NC stated she is a member of the Local Chapter of the North Carolina Wildlife Federation. She thanked the Board for the Monarch Pledge and thinks it's important. Ms. Amyx noted some of the details in the proclamation suggests more leadership of the town than is actually being made. The milkweed at Joyner Park is all naturally occurring milkweed and was not planted as a garden by the town. Ms. Amyx stated the garden at the senior center also has milkweed that was planted by members of the Neuse River Hawks Local Wildlife Federation. Ms.

Amyx wanted to clarify those things and thanked the Board for elevating the mission of the monarch butterflies. Mayor Jones apologized and thought the Parks & Recreation staff had planted some of the milkweed at Joyner Park. Mayor Jones will check with Town staff to confirm.

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 Budget Ordinance Amendment # 3 for FY 2021-2022
- 5.B. Approval of a resolution to schedule the public hearing and certify the sufficiency for a petition requesting contiguous annexation submitted by Ammons Property Two LLC for property associated with Traditions Townhomes located at 0 Traditions Grande Boulevard being Wake County PIN 1851-12-8142 and adjacent rights-of-way being approximately 7.5617 acres
- 5.C. Approval of resolution authorizing installment purchase agreement (FY 22 Police vehicles)
- 5.D. Approval of a resolution to schedule the public hearing and certify the sufficiency for a petition requesting annexation submitted by George C. Mackie Jr. and Martha Mackie for property associated with Hamlet at Quail Crossing located at 1423 Deerfield Crossing Drive, being Wake County Tax PIN 1850-26-8976 (portion) and adjacent rights-of-way.

ACTION:

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

Second: Commissioner Sary.

Vote: Motion carried 5-0.

6. Legislative Items

No Legislative Items were presented.

7. Planning Items

7.A. Consideration of LEGISLATIVE ITEM TA-22-01 Text Amendment to the Unified Development Ordinance

Mayor Jones stated the Planning Board voted (6-1) to find the request consistent with the Comprehensive Plan and recommended approval with the condition to strike the following language in the Unified Development Ordinance (UDO) Section 9.5.5 (A): *(e.g., structure could be wrapped by retail, office or some other active use along the primary façade).*

Commissioner Sary asked the reasoning behind the text amendment. Planner II Dylan Bruchhaus stated the original language is written with the intent of only having the first story of the parking structure wrapped and as staff expanded it to capture multiple stories the Planning Board suggested removing the original language.

ACTION:

Mover: Commissioner Dyer moved to approve Item TA-22-01 Text Amendment to the Unified Development Ordinance.

Secunder: Commissioner Sary.

Vote: Motion carried 5-0.

7.B. Consideration of Resolution authorizing the Town Manager to execute, on behalf of the Town of Wake Forest, the professional services contract of the comprehensive UDO (Unified Development Ordinance) and MSSD (Manual of Specifications, Standards & Design) update

Senior Planner Kari Grace provided an overview of the professional services contract of the comprehensive UDO and MSSD update.

Commissioner Dyer asked how they came up with an amount of a \$337,905 budget. Ms. Grace responded it's a combination of the work associated with the UDO update as

well as MSSD updates. She said this was proposed by the consultant, not necessarily staff, as far as itemizing out each item.

Commissioner Sary asked what role will Tool Design be playing in the process. Ms. Grace stated Tool Design would serve as the technical consultant on the MSSD updates.

Commissioner Sary asked what the make of a UDO Advisory Committee would be. Ms. Grace said they haven't reached out to make any invitations as of yet because the project hasn't been approved to proceed. Ms. Grace said they do envision the committee including stakeholders, business owners, the development community, and residents.

ACTION:

Mover: Commissioner Wright moved to approve the professional services contract of the comprehensive UDO (Unified Development Ordinance) and MSSD (Manual of Specifications, Standards & Design) update.

Second: Commissioner Dyer.

Vote: Motion carried 5-0.

8. Administration and Financial Items

8.A. Consideration of approval of amendment to Purchasing Policy

Chief Financial Officer Aileen Staples provided an overview of the amendment request.

Purchasing Manager Randy Driver spoke about issues with supply chain demand.

ACTION:

Mover: Commissioner Wright moved to approve as presented.

Second: Commissioner Dyer.

Vote: Motion carried 5-0.

**RESOLUTION APPROVING AMENDMENT TO PURCHASING AND WAREHOUSE
POLICY**

TOWN OF WAKE FOREST, NORTH CAROLINA

WHEREAS the Board of Commissioners approved a purchasing policy in October 2007 and updated in August 2019. This policy outlines the responsibilities and procedures governing the purchases of goods, equipment and services for the Town of Wake Forest.

WHEREAS the policies and procedures provided ensure the fair and equitable treatment for all parties involved in public purchasing is demonstrated while following all applicable statutory requirements; and

WHEREAS, North Carolina General Statute 143-129 states the following: For purchases of apparatus, supplies, materials, or equipment, the governing body of any political subdivision of the State may, subject to any restriction as to dollar amount, or other conditions that the governing body elects to impose, delegate to the manager, school superintendent, chief purchasing official, or other employee the authority to award contracts, reject bids, or readvertise to receive bids on behalf of the unit. Any person to whom authority is delegated under this subsection shall comply with the requirements of this Article that would otherwise apply to the governing body.

WHEREAS the Board of Commissioners delegates authority to the Town Manager and/or his designee (Purchasing Manager or Chief Financial Officer) to authorize any purchase of apparatus, supplies, materials or equipment up to \$1,000,000.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Wake Forest amends the Purchasing and Warehouse Policy as presented.

8.B. Consideration of approval of Town of Wake Forest Strategic Plan Update 2022

Strategic Performance Manager Lisa Hayes provided an overview regarding the Strategic Plan Update 2022.

Mayor Jones appreciates Ms. Hayes work and thinks it’s a great update to the Strategic Plan.

ACTION:

Mover: Commissioner Dyer moved to approve as presented.

Second: Commissioner Wright.

Vote: Motion carried 5-0.

**RESOLUTION OF THE BOARD OF COMMISSIONERS
APPROVING THE STRATEGIC PLAN UPDATE 2022**

WHEREAS, in order to plan effectively for the future, the Town of Wake Forest Board of Commissioners conducted a visioning and strategic planning process which resulted in the adoption of a Strategic Plan in 2015 (“Strategic Plan”); and

WHEREAS, the governing body, Town Manager and Department Directors reviewed the 2015 Strategic Plan and facilitated updates in 2017 and 2019; and

WHEREAS, the Town Manager, Strategic Performance Manager and Department Directors meet on August 16, 2021 to evaluate its performance to date in implementing the Strategic Plan and, as a result, have updated and made modifications to the Vision and Values for Board of Commissioners consideration; and

WHEREAS, the staff recommended Vision and Values, were presented to the Board of Commissioners at the August 26, 2021 Board work session with the Board of Commissioners incorporating ideas and recommendations generated to draft a Strategic Plan Update 2022; and

WHEREAS, the draft Strategic Plan Update 2022, including Mission, Vision, Values and Goals, was presented to the citizens of Wake Forest through four community focus group sessions in September/October 2021 to engage community stakeholders and solicit input to the draft plan; and

WHEREAS, an employee survey took place in September 2021 to gauge employee response to the draft Strategic Plan Update (2022) Vision and Values; and

WHEREAS, the Board of Commissioners participated in a retreat on January 21, 2022, with a main purpose of reviewing and finalizing the draft Strategic Plan Update 2022; and

WHEREAS, during the retreat, the draft Strategic Plan Update 2022 was analyzed for continued relevance and priority recommendations were made for each goal; and

WHEREAS, the Town Manager will work with staff to develop tasks, measures, and descriptions of what will be done to complete the objectives outlined in the Strategic Plan Update 2022; and

WHEREAS, the Strategic Plan Update 2022 will be effective at the beginning of the new fiscal year, July 1, 2022: and

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Town of Wake Forest hereby approves the Strategic Plan Update 2022 as set forth in the attached Exhibit #1 - Strategic Plan Update –2022.

9. Public Services Items

No Public Services 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 had no update.

Commissioner Shackelford had no update.

Commissioner Sliwinski had no update.

Commissioner Wright attended the Film Festival dinner. He reminded everyone about the 2022 Wake Forest STEM Saturday held on April 30, 2022 at Joyner Park Community Center.

Commissioner Dyer attended a meeting at the Senior Center. He attended a Historic Preservation Commissioner (HPC) meeting. The HPC are busy planning many things including the Christmas Historic Home Tour to be held on the first Saturday in December. The Human Relations Council is working on Multicultural Day. There's a congressional luncheon on March 22, 2022. The Memorial Flag-Raising Ceremonies will begin on the first Monday of every month, April through October.

Mayor Jones attended a meeting at the Senior Center. She attended the Wake Forest Film Festival at the Renaissance Center and said it was great seeing the support from the community. She is a member of the Legislative Policy Committee for the League of

Municipalities and attended their first meeting this week. Mayor Jones congratulated Lisa Hayes on being recognized as a North Carolina Main Street Champion. Mayor Jones attended the Koinonia Foundation and congratulated Ruth Ann Dyer on being presented with the Russell Dew Community Service Award. She met with Mr. Baker's Civic Classes at Wake Forest High School. Mayor Jones mentioned John Hodges with TJCOG is retiring and is sorry to see him go. Hallie Willis is leaving the Downtown Development Department.

Town Manager Kip Padgett had no update.

12.D. "Closed Session: N.C.G.S. 143.318.11(a)(3) Consultation with the Town Attorney
Closed Session: N.C.G.S. 143.318.11(a)(3) Consultation with the Town Attorney: Town of Wake Forest v. Pullen (20-CVS-12922)"

ACTION:

Mover: Commissioner Wright moved to go into closed session.

Seconder: Commissioner Sary.

Vote: Motion carried 5-0.

The Board of Commissioners went into closed session at approximately 6:50 p.m.

The Board of Commissioners returned to open session at 7:12 p.m.

ACTION:

Mover: Commissioner Dyer moved to approve a Resolution of Condemnation.

Seconder: Commissioner Wright.

Vote: Motion carried 5-0.

**RESOLUTION OF THE BOARD OF COMMISSIONERS
REGARDING ACQUISITION OF A FEE SIMPLE INTEREST
IN CERTAIN PROPERTY AS PART OF THE EXTENSION OF THE
SMITH CREEK GREENWAY PROJECT**

WHEREAS, the Town of Wake Forest ("Town") received a grant from the North Carolina Clean Water Management Trust Fund, a division of the North Carolina Department of Natural and Cultural Resources ("CWMTF") for the acquisition of fee interests in certain subdivided parcels situated north of Burlington Mills Road along the Smith Creek corridor over which the

Town intends to complete certain greenway improvements to extend the Smith Creek Greenway trail and amenity system ("Project");

WHEREAS, *the Board of Commissioners of the Town ("Board") hereby determines that it is necessary and in the public interest to acquire fee interests in certain subdivided parcels situated north of Burlington Mills Road along the Smith Creek corridor for the following public purpose: To protect the safety, comfort and public wellbeing for Town citizens and to provide the public certain riparian greenway amenities and improvements for environmental, educational and recreational uses;*

WHEREAS, *the parent tract to be subdivided and included in the Project is currently owned by Jeffrey W. Newhouse and Lisa A. Hayes f/k/a Lisa A. Newhouse, such parent tract located at 2004 Old Crawford Road, Wake Forest, NC 27587 and comprised of approximately 4.42 acres (in aggregate) and identified by the Wake County Revenue Department as Parcel Identification Number(s) #1749156658 (the "Newhouse Tract"), of which 0.46 acres is to be created via subdivision and included in the Project for the construction of future greenway extension and improvements ("S-5 Parcel");*

WHEREAS, *the Town attempted to acquire the S-5 Parcel by way of direct negotiations with the owners of the Newhouse Tract pursuant to the terms and conditions of the Grant, but was unable to do so, and therefore, the acquisition of said S-5 Parcel is no longer subject to the CWMTF grant, but is nonetheless still vital to the Project;*

WHEREAS, *the Board, having found that the public purpose described herein together with the furtherance of the Project necessitates the acquisition of the S-5 Parcel as more particularly described on Exhibit A and depicted on Exhibit B, each attached hereto and incorporated herein by reference, directed the Town Attorney at a duly held Closed Session of the Meeting of the Board of Commissioners dated March 15, 2022 (the "Closed Session Directive"), to file a condemnation action to acquire the S-5 Parcel; and*

NOW, THEREFORE, BE IT RESOLVED *by the Board that the Town hereby ratifies the Closed Session Directive which authorized the fee acquisition of the S-5 Parcel, by eminent domain, or other agreement between the parties, for the continued implementation and furtherance of the Project and public purpose described herein and such other lawful purposes to which the Town may devote the S-5 Parcel.*

BE IT FURTHER RESOLVED *that all prior actions of the Town Attorney and staff or the Town on behalf of the Town pursuant to the Closed Session Directive are hereby ratified and confirmed, and the Town Attorney and staff of the Town be and are hereby authorized and directed to proceed with such additional notices, filings and other necessary proceedings in the Superior Court of Wake County, North Carolina, to effectuate the acquisition of the S-5 Parcel authorized by the General Statutes of North Carolina, special act or the Charter of the Town,*

said Town Attorney being hereby authorized on behalf of the Town to give or receive such notice or notices as may be by law required.

13. Adjournment

With no further business to discuss, Mayor Jones adjourned the meeting at 7:13 p.m.

Duly approved in open session this 19th day of April 2022.

(ATTEST)



Mayor



(Deputy) Town Clerk



