

Approved Sept. 21, 2010.



**Wake Forest Board of Commissioners
Minutes
August 17, 2010
7:00 pm**

Council Members Present

Mayor Vivian Jones
Commissioner Frank Drake
Commissioner Anne Hines
Commissioner Chris Kaerberlein
Commissioner Margaret Stinnett
Commissioner Pete Thibodeau

Staff Present

Mark Williams, Town Manager
Eric Vernon, Town Attorney
Chip Russell, Planning Director
Susan Simpson, Parks & Recreation Director
Eric Keravuori, Director of Engineering
Deeda Harris, Town Clerk
Chad Sary, Asst. Planning Director
Aileen Staples, Finance Director

Mayor Jones called the meeting to order at 7:01 p.m. Boy Scouts in attendance led everyone in the Pledge of Allegiance.

1. Approval of Agenda.

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

2. Approval of minutes.

- A. Meeting held July 6, 2010 (Board of Commissioners Work Session), meeting held July 20, 2010 (Regular Board of Commissioners Meeting).

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

3. Presentations.

- A. Proclamation recognizing the Month of August as Breastfeeding Awareness Month.
B. Proclamation recognizing Constitution Week as September 17-23, 2010.
C. Proclamation recognizing Good Neighbor Day, September. 19, 2010.
D. Proclamation recognizing September as Firefighter Appreciation Month.

The Mayor's proclamation for the August being Breastfeeding Awareness Month was mailed. The proclamation for the DAR program and Good Neighbor Day would be read at their programs. Mayor Jones presented the proclamation for Firefighter Appreciation Month to Chief Freddie Lynn. Ms. Cottle from the MDS was in attendance at well.



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Proclamation Recognizing World Breastfeeding Month

Whereas, the people of the Town of Wake Forest, North Carolina are deserving of good health; and

Whereas, all available knowledge indicates that human milk optimally enhances the growth, development and well-being of the infant by providing the best possible nutrition, protection against specific infection and allergies, and the promotion of maternal and infant bonding; and

Whereas, breastfeeding promotes healthier mothers and benefits society through lower health care costs for infants, a healthier workforce, stronger family bonds, less waste and is economical, and provides benefits at little or no cost and

Whereas, breastfeeding is recognized by major medical organizations, such as the American Academy of Pediatrics, the American College of Obstetricians and Gynecologists, the American Academy of Family Physicians, the American Dietetic Association, the National Association of WIC Directors, UNICEF and WHO as the preferred method of infant feeding and they support breastfeeding throughout the early years of life; and

Whereas, La Leche League in the USA Celebrates World Breastfeeding Week 2010 in conjunction with the annual World Breastfeeding Week, August 1-7, 2010, which is proclaimed by the World Alliance for Breastfeeding Action along with the World Health Organization and UNICEF; and

Whereas, the families of the Town of Wake Forest need reliable sources of information to make an informed choice about the care and feeding of their infants;

Now therefore, I Vivian A. Jones of Mayor of the Town of Wake Forest, do hereby proclaim the month of August 2010 as

Breastfeeding Awareness Month

With special emphasis on breastfeeding promotion and urge all citizens to join me in seeking reliable nutrition information and supporting breastfeeding as a high priority for healthier babies in the Town of Wake Forest, North Carolina.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 27th day of July 2010.



Vivian A. Jones
Mayor

CONSTITUTION WEEK

PROCLAMATION

WHEREAS, as our Founding Fathers, in order to secure the blessings of liberty for themselves and their posterity, did ordain and establish a Constitution for the United States of America; and

WHEREAS, it is of the utmost importance that all citizens fully understand the provisions and principles contained in the Constitution in order to support, preserve, and defend it against all encroachment; and

WHEREAS, the two hundred twenty first anniversary of the Signing of the Constitution provides an opportunity for all American citizens to reflect upon the historic efforts and achievements of the Framers of the Constitution and the rights, privileges, and responsibilities contained within the Constitution; and

WHEREAS, the National Society Daughters of the American Revolution supports the recognition of patriotic ideals and historical events and was responsible for the inception of Constitution Week, and General James Moore Chapter, on behalf of the Wake Forest area, seeks to fulfill the Society's commitment to patriotism and national ideals; and

WHEREAS, the freedoms guaranteed to American citizens, whether by birth or through naturalization, should be celebrated by appropriate ceremonies and activities during Constitution Week, September 17th through September 23rd, as designed by Proclamation of the President of the United States of America, in accordance with Public Law 915;

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

and urge all our citizens to take time during this week to reflect upon and to be appreciative of the many benefits of our Constitution and American citizenship.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 17th day of August 2010.

Vivian A. Jones
Mayor



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**GOOD NEIGHBOR DAY
PROCLAMATION**

WHEREAS, the Human Relations Council was established to encourage understanding and good will between all citizens regardless of race, sex, religion, creed, family status, disability, nationally or economic status and thus promote the general welfare of the Town of Wake Forest; and

WHEREAS, the Human Relations Council hold its meetings at various locations to promote good relations in all areas and to afford as many citizens as possible the opportunity to attend such meetings; and

WHEREAS, the Human Relation Council wishes to sponsor meetings and forums intended to lead all citizens to a clearer understanding of the true meaning of responsible citizenship in the Town of Wake Forest, of the obligation inherent in being a good citizens and of the need for mutual understanding and respect by all citizens for each other.

NOW, THEREFORE, I, Vivian A. Jones, Mayor of the Town of Wake Forest do hereby proclaim September 19, 2010 as Good Neighbor Day in Wake Forest and urge all citizens of Wake Forest to actively support and take pride in the worthwhile efforts of this organization and in the work of the Human Relations Council.

This the 17th day of August 2010.

Mayor

Attest:

Town Clerk

Proclamation

WHEREAS, fighting fires is one of the most hazardous professions, requiring physical strength, stamina, extensive training, courage, selfless concern for the welfare of our citizens; and

WHEREAS, in addition to their daily service to communities, firefighters throughout the state and across the nation have joined the Muscular Dystrophy Association for more than fifty years in the fight against neuromuscular diseases; and

WHEREAS, the Muscular Dystrophy Association is extremely grateful to the firefighters of Wake Forest whose 2010 "Fill the Boot" campaign will assist MDA in providing medical services at local clinics, summer camp, research grants, support groups and public education seminars at no cost to local children and families; and

WHEREAS, in honor of the efforts of the firefighters of Wake Forest, MDA is sponsoring Wake Forest Firefighter Appreciation Month for the month of September, 2010; and

WHEREAS, it is appropriate for all Wake Forest citizens to join the Muscular Dystrophy Association in this tribute to our firefighters.

NOW, THEREFORE, I, Vivian A Jones, Mayor of Wake Forest, do hereby proclaim the month of September 2010 as

WAKE FOREST FIREFIGHTER APPRECIATION MONTH

And commend the firefighters of Wake Forest for their efforts on behalf of the Muscular Dystrophy Association.

*In witness whereof I have hereunto
Set me hand and caused this seal to
be affixed.*

Mayor

Attest:
Town Clerk

Date: Aug. 17, 2010

4. Public hearings / Public Comment.

- A. 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.

No one was in attendance to speak.

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 Tax Releases.
- B. Approval and Final Reading of the Text Amendments of the Public Art Ordinance.
- C. Resolution for the Appreciation of Services of Advisory Board Members.

ACTION: Commissioner Hines made a motion to approve the items on the consent agenda.
Commissioner Kaeberlein seconded the motion, which carried (5,0).

**Ordinance 2010-15
Public Art Ordinance**

The full body of the ordinance can be found in Ordinance Book No. 24.

The full body of Resolutions 2010-20 through 2010-43 for the appreciation of services for the Advisory Boards can be found in Resolution Book No. 26.

6. Legislative Items.

- A. Consideration of Approval of Appointment of Board Members to the Wake County Growth Issues Task Force.

The Wake County Commissioners were reconvening the Growth Issues Task Force. They were requesting municipalities to appoint members to it. Mayor Jones asked if any others were interested in serving on that committee. Mayor Jones and Commissioner Stinnett were interested in remaining. They were appointed and attended the previous meetings.

ACTION: Commissioner Drake made a motion to approve the appointment of Vivian A. Jones, Mayor and Commissioner Stinnett to Board Members on the Wake County Growth Issues Task Force.
Commissioner Thibodeau seconded the motion, which carried (5,0).

RESOLUTION 2010 - 19
RESOLUTION APPOINTING MEMBER TO
THE WAKE COUNTY GROWTH ISSUES TASK FORCE

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Wake Forest, North Carolina, that the following persons be appointed to the Wake County Growth Issues Task Force:

Mayor Vivian A. Jones
Commissioner Margaret Stinnett

This the 17th day of August 2010.

Motion by: Anne Hines

Second by: Chris Kaerberlein

Mayor: 

ATTEST:


Town Clerk

7. Planning Items.

- A. Consideration of Approval of Agreement for Professional Services with the Lawrence Group.

The Lawrence Group analyzed the existing report in 2009. The report was presented to the Planning Board and Board of Commissioners in May, 2010. This agreement was the next step in developing a Unified Development Ordinance. Staff recommended the Lawrence Group provide those services. The fee was estimated to be \$199,600. Commissioner Drake said he understood the work product deliverable was in 24 months and not to exceed \$7,000 in expenses.

ACTION: Commissioner Stinnett made a motion to approve the Agreement for Professional Services with the Lawrence Group.
Commissioner Kaerberlein seconded the motion, which carried (5,0).

8. Administration and Financial Items.

- A. Consideration of Permit Fee Waiver for James Massenburg c/o Wake Forest Baptist Church.

Mr. Massenburg and the Wake Forest Baptist Church were seeking to have the fees for the permit waived. Commissioner Kaerberlein and Commissioner Drake had concerns about the precedent this may set. Commissioner Kaerberlein wanted to know the rationale for granting it. Planning Director

stated they have waived fees to help development in that particular neighborhood because it was a community development neighborhood. This was done by application only and usually done because of the target for revitalization of the East-end Community. This was also charitable work being done by the church. This was an area to utilize the CDBG funds (Community Development Block Grant) where funds were used in target areas of low to moderately low incomes and in distress. Planning Director Russell further explained the CDBG funds went back to the early 80s when a lot of work was going on there. It had been quite a number of years since there had been a request. The latest use of funds was to pave and gutter to connect Perry Street to Jubilee Village to connect the neighborhood. The next funding would be used for the Massenburg Center renovations. It was in the same targeted area and focused where the need was demonstrated.

Town Attorney Vernon mentioned the decision would not discriminate due to the way citizens could access fund if there was a legitimate reason. This was tied to a specific area and to be funded by CDBG funds.

ACTION: Commissioner Drake made a motion to approve the waiving of inspection fees for Mr. James Massenburg.
Commissioner Hines seconded the motion, which carried (4,1).
Commissioner Kaeberlein voted nay.

B. Consideration of Approval of the Town of Wake Forest's Sewer Availability Fee.
(Attachment 8.B.)

This item was discussed at the Work Session. The Commissioners had come to the conclusion to gradually raise the fees:

Until and including September 30 th , 2010	\$5.51/gal
October 1 st , 2010 through March 31 st , 2011	\$6.51/gal
April 1 st , 2011 through September 30 th , 2011	\$7.51/gal
October 1 st , 2011 and thereafter	\$8.51/gal

ACTION: Commissioner Stinnett made a motion to approve Town of Wake Forest's Sewer Availability Fee.
Commissioner Drake seconded the motion, which carried (4,1).
Commissioner Thibodeau voted nay.

RESOLUTION 2010 - 19
RESOLUTION APPOINTING MEMBER TO
THE WAKE COUNTY GROWTH ISSUES TASK FORCE

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Wake Forest, North Carolina, that the following persons be appointed to the Wake County Growth Issues Task Force:

Mayor Vivian A. Jones
Commissioner Margaret Stinnett

This the 17th day of August 2010.

Motion by: Anne Hines

Second by: Chris Kaerberlein

Mayor: 

ATTEST:


Town Clerk

9. Public Services Items.

10. Parks and Recreation Items.

- A. Consideration of Architectural/Engineering Design Services for the Renovation of the Alston-Massenburg Center.

The Board of Commissioners in the Northeast Development Plan had decided to expand the center to a more usable space was included in the current budget. Architect Matt Hale had met with the group to come up with the drawing. The quote was \$48,000.

ACTION: Commissioner Kaerberlein made a motion to approve the Architectural/Engineering Design Services for the Renovation of the Alston-Massenburg Center.

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

B. Consideration of Contract with Capital Area Soccer League (CASL).

The Capital Area Soccer League (CASL) had submitted a contract for using the fields and would pay the town semi-annual amounts that the town would use to upkeep the fields.

The amount was \$50,000 for the first 3 years and gradually increases to \$60,000.

Parks and Recreation Director Simpson stated CASL had been using the fields for years under a gentleman's agreement. They presented the proposal to Town Staff. It was a great partnership between the two and would still offer the services and not have to fund the maintenance of the fields in house. Parks and Recreation staff were in agreement with the times they wanted to have use of the fields. It was not anymore time or space which they had been using previously.

ACTION: Commissioner Thibodeau made a motion to approve the contract with Capital Area Soccer League (CASL).
Commissioner Kaeberlein seconded the motion, which carried (5,0).

11. Public Safety Items.

13. Closed Session:

N.C.G.S. 143-318.11.(a)(6) – Discussion of Personnel Matter.

N.C.G.S. 143-318.11.(a)(4) – Discussion of Economic Development with the Town Attorney.

ACTION: Commissioner Thibodeau made a motion to go into closed session at 7:46 p.m. to discuss the personnel matter and the economic development with the Town Attorney.
Commissioner Kaeberlein seconded the motion, which carried (5,0).

ACTION: Commissioner Kaeberlein made a motion to come out of closed session at 9:38 p.m.
Commissioner Stinnett seconded the motion, which carried (5,0).

14. Adjournment.

ACTION: Commissioner Hines made a motion to continue the meeting to Wednesday, August 25, 2010 at 5:30 p.m.
Commissioner Thibodeau seconded the motion, which carried (5,0).

Town Clerk

Mayor