

Approved Oct. 19, 2010



## Wake Forest Board of Commissioners Minutes

September 21, 2010  
7:00 pm

Mayor Jones called the meeting to order at 7:05 p.m. There was difficulty loading a presenter's presentation.

### Council Members Present

Mayor Vivian Jones  
Commissioner Frank Drake  
Commissioner Anne Hines  
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

### Council Members Not Present

Commissioner Kaerberlein

### **Pledge of Allegiance.**

Boy Scouts with Troop 303 led everyone in the Pledge of Allegiance.

### **1. Approval of Agenda.**

**ACTION:** Commissioner Hines made a motion to approve the agenda.  
Commissioner Stinnett seconded the motion, which carried (4,0).

### **2. Approval of minutes.**

A. Meeting held August 3, 2010 (Board of Commissioners Work Session), meeting held August 17, 2010 (Regular Board of Commissioners Meeting and August 25, 2010 (Continued Board of Commissioners Meeting).

**ACTION:** Commissioner Stinnett made a motion to approve the minutes listed.  
Commissioner Hines seconded the motion, which carried (4,0).

**3. Presentations.**

- A. Proclamation recognizing the 100<sup>th</sup> Birthday of Mr. Worth Pearce.

Mayor Jones announced that we were contacted by Hillside Nursing Home with a request for a proclamation recognizing Mr. Worth Pearce's 100<sup>th</sup> birthday. She had a proclamation sent to him and was happy to do so to help him celebrate.

**PROCLAMATION RECOGNIZING  
THE 100<sup>TH</sup> BIRTHDAY  
OF MR. WORTH PEARCE**

**WHEREAS**, longevity of life is a blessing for an individual and for a community which benefits from the knowledge, creativity, and experiences this individual brings to all; and

**WHEREAS**, the town of Wake Forest recognizes with respect and admiration the contribution of senior citizens to our community; and

**WHEREAS**, Mr. William Worth Pearce was born in Franklin County on September 17, 1910 and has resided in Wake County most of his life. He worked in the dairy business which is so much a part of this county's history. He has been described as a man of great faith, a humble and kind spirit and a work ethic of the highest order and on this day should be honored for his 100 years on this Earth; and

**WHEREAS**, Mr. Pearce married Burma Leigh Mangum on October 17, 1933 and together they raised two daughters until her death. He was remarried to Mrs. Lorene Lowry O'Neal from April 2, 1994 until her death in 2009; and

**WHEREAS**, Mr. Pearce is a member of Woodland Baptist Church and he has faithfully served his Lord as a Deacon, Sunday School Teacher and a Training Union Director.

**WHEREAS**, the United States has the greatest number of centenarians in the world, numbering over 79,000, and today Mr. Pearce should be honored for this 100 years on this earth; and

**NOW, THEREFORE, BE IT RESOLVED** that I, Vivian A. Jones, Mayor of the Town of Wake Forest and on the behalf of the Board of Commissioners and the citizens of Wake Forest, honor Mr. Worth Pearce for his long life and prosperity, and wish him many more.

This the 13<sup>th</sup> day of September 2010.

- B. Presentation of Capital City Tree Award from Triangle J Council of Governments.

Ms. Lois Nixon and Renee Boyette with Triangle J Council of Governments recognized the Town of Wake Forest with the Wake County and Capital City Tree Award. The program was established in 1993 to promote trees in Wake County and implement program of trees providing air quality benefits and giving off oxygen so that there was a partnership between trees and people. Nominations for the next year would be open Dec. 2010 for the next 2-yr cycle. John Pelosi and Brian Bockhahn was presented the award. John Pelosi, Chair of the UFB was present. There would be a plaque placed on a tree at Rock Cliff Farm which was the area which had been nominated and won the award.

A. Presentation by Vik Mukherjee regarding request for funding for Eagle Scout Project.

Mr. Mukherjee was requesting funding for his Eagle Scout Project. He was a Life Scout with Troop 5. His project would be to build picnic tables for the American Legion Building and beautify the area around there. There were 3 different organizations working out from that building. He wanted to build them there because they would like to have outdoor events and not able to do so because they do not have them. His original plan was to build with donated woods. That would cost \$150, but they would not last that long. He wanted to build longer-lasting tables that would also be handicap accessible. The kits costs were around \$500-\$600 because it would be made with longer lasting materials and be less susceptible to the weather.

Commissioner Hines asked if he had contacted local builders. He had spoken with David Guetz with the American Legion and Home Depot. Commissioner Drake asked if it had been approved and how many badges he was away from. Mr. Mukherjee wanted to get his logistics taken care of first but had cleared it with the American Legion. He had 3 badges left and was a year from his 18<sup>th</sup> birthday.

Commissioner Drake stated the town had assisted in projects in the past. It was not unprecedented but the previous projects were on town-owned property. Commissioner Stinnett asked if he had spoken to Parks and Recreation Director Simpson as she may have more insight as to what would work well. She would be a good contact. He had contacted her, but needed to clarify what he wanted to do.

Commissioner Stinnett thought they should discuss it more at the Work Session on October 5, 2010.

C. Introduction of candidates for the advisory boards.

Mr. Tim Riordan and Ms. Parker Schlink shared information with the Board as to why they were seeking appointment to an advisory board.

**4. Public hearings / Public Comment.**

A. Public Hearing on amendments to the section of the Code pertaining to membership on Advisory Boards to the Code of Ordinances of the Town of Wake Forest.

The Board Members at their Work Session on September 7, 2010 had discussed limiting membership of out-of-town citizen appointments to the advisory boards. Town Manager Williams said currently the wording was such the Board only had to appoint one out-of-town member, but up to three. After more discussion the Board decided not to make changes to the out-of-town membership.

The Board did agree they needed to increase the membership of the Youth Advisory Board. They have so many good applicants to apply that they hated to turn them down. Also the School system had grown and there were youth in Wake Forest that

attended area schools that are outside of the town limits of Wake Forest. They decided they did want the flexibility to appoint from within town and outside.

Mayor Jones opened the public hearing. No one was in attendance to speak.

**ACTION:** Commissioner Drake made a motion to increase the number of members to read “between 9 and 15 members” to the Youth Advisory Board and no other change in the text amendments.  
Commissioner Hines seconded the motion, which carried (4,0).

- B. 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 attended to 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.)*

- A. Approval of Tax Releases.
- B. Approval of Appointment of Members to the Fireman’s Relief Fund.
- C. Approval of Appointments to the Unified Development Ordinance (UDO) Committee.
- D. Approval of Budget Amendment #1 for FY 2010-2011.

**ACTION:** Commissioner Thibodeau made a motion to approve the items listed on the Consent Agenda above.  
Commissioner Drake seconded the motion, which carried (5,0).

**RESOLUTION 2010-21**

**RESOLUTION APPOINTING TRUSTEES  
TO THE FIREMAN'S RELIEF FUND**

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Wake Forest, North Carolina, that the following person(s) be appointed as trustees for the NC Fireman's Relief Fund to serve a one-year term to expire October 31, 2011:

Mr. Grif Bond

Mr. Randy Bright

This the 21<sup>st</sup> day of September 2010.

Motion by: Pete Thibodeau

Second by: Frank Drake

Mayor: 

ATTEST:

  
Reed W. Harris  
Town Clerk

**RESOLUTION 2010 - 22**  
**RESOLUTION APPOINTING MEMBERS TO**  
**THE UNIFIED DEVELOPMENT ORDINANCE (UDO)**  
**COMMITTEE OF THE TOWN OF**  
**WAKE FOREST, NORTH CAROLINA**

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 Unified Development Ordinance (UDO) Committee:

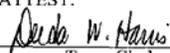
Grif Bond – Planning Board  
Zach Donahue – Planning Board  
Russell Gay – Developer (Heritage)  
Matt Hale – Architect (Hale Architecture)  
Greg Harrington – Planning Board  
Ward Marotti – Planning Board  
Harry Mitchell – Engineer/Landscape Architect (BNK)  
Mike Moss – Surveyor (Cawthorne, Moss & Panciera)  
Rob Weintraub – Developer (Heritage)  
Bob Zumwalt – Land Planning/Engineer (The John R. McAdams Co.)  
  
Commissioner Stinnett - (Ex-officio)  
Mayor Vivian A. Jones - (Ex-officio)

This the 21<sup>st</sup> day of September 2010.

Motion by: Pete Thibodeau

Second by: Frank Drake

Mayor: 

ATTEST:  
  
Town Clerk

**ORDINANCE 2010 - 16**  
**BUDGET ORDINANCE AMENDMENT NO. 1 OF THE TOWN OF WAKE FOREST,**  
**NORTH CAROLINA FOR THE FISCAL YEAR ENDING JUNE 30, 2011.**

*The full body of the ordinance can be found in Ordinance Book #23.*

**ACTION:** Commissioner Thibodeau made a motion to approve the items on the Consent Agenda.  
Commissioner Drake seconded the motion, which carried (4,0).

**6. Legislative Items.**

A. Appointment of Candidates to the Advisory Boards.

Town Manager Williams explained since the interviews at the Work Session there was another position vacated on the Recreational Advisory Board. The term ended in December 2010. It was up to the Board if they wanted to appoint a person for a few months or leave vacant. In December, they would appoint someone for a 3-yr term. The Commissioners decided to leave it vacant. Ballots were provided and votes cast. There was a tie for the position on the Human Relations Council, so Mayor Jones voted.

**ACTION:** Commissioner Thibodeau made a motion to appoint the persons elected to the Historic Preservations Commission, Human Relations Council and Recreation Advisory Board.  
Commissioner Drake seconded the motion, which carried (4,0).

**RESOLUTION 2010 - 23**

**RESOLUTION APPOINTING MEMBERS TO  
THE ADVISORY BOARDS OF THE  
TOWN OF WAKE FOREST, NORTH CAROLINA**

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 fulfill the unexpired vacancies on the following the advisory boards:

**Ms. N. Parker Schlink - Historic Preservation Commission** (term will expire 12/31/2010)

**Mr. Kevin Jones - Human Relations Councils** (term will expire 12/31/2011)

**Mr. Earl Creutzburg - Recreation Advisory Board** (term will expire 12/31/2011)

This the 21<sup>st</sup> day of September 2010.

B. Appointment of Voting Delegate for the NC League of Municipalities Annual Conference.

Mayor Jones was the only one planning to attend the conference in Winston Salem, NC.

**ACTION:** Commissioner Stinnett made a motion to appoint Mayor Vivian Jones as the Voting Delegate for the Town of Wake Forest for the NC League of Municipalities Annual Conference.  
Commissioner Drake seconded the motion, which carried (4,0).

**RESOLUTION 2010 - 24**

**RESOLUTION APPOINTING A VOTING DELEGATE FOR  
THE NC LEAGUE OF MUNICIPALITIES ANNUAL CONFERENCE FOR  
THE TOWN OF WAKE FOREST, NORTH CAROLINA**

*The full body of the Resolution can be found in Book #26.*

**7. Planning Items.**

**8. Administration and Financial Items.**

- A. Consideration of approval of amendments to the fee schedule of the Town of Wake Forest.

Finance Director Staples stated one of the changes to the current fee schedule was a reduction in the Periodic Fire inspections from \$35 to \$15. Town staff had received complaints from smaller businesses about the fee. Commissioner Drake questioned the fee for demolition and destruction. Planning Director Russell was to research and let him know. They took that into consideration. Also include was a fee for the Police Department for background checks required under N.C.G.S. 66-165.

**ACTION:** Commissioner Drake made a motion to approval of amendments to the fee schedule of the Town of Wake Forest.  
Commissioner Stinnett seconded the motion, which carried (4,0).

**Ordinance 2010 – 17**

**ORDINANCE TO AMEND FEES FOR THE PUBLIC SAFETY AND  
INSPECTIONS DEPARTMENTS OF THE FEE SCHEDULE OF THE  
TOWN OF WAKE FOREST, NORTH CAROLINA**

*The full body of the ordinance can be found in Ordinance Book #23.*

- B. Consideration of approval of amendments to the Customer Service Policy.

Finance Director Staples stated in 2005, the current policy was adopted. Included in this policy was automatic meter reading, roll out utility billing software. Customer Service Supervisor Brown researched other utility companies. They wanted to make the bill easier for customers and worked with Communications to design a new look for the bill and were moving towards eliminating the late letter, door tags etc. Staff were looking to streamline and go to one bill, which would have the due date and also the disconnect notice on it. Information located on the back of the bill would describe the program and promoting the energy audits and other initiatives. Staff were proposing going to 4 extensions per year, to eliminate reconnects after hours and only reconnect

during business hours unless there was a medical situation. Town Staff had the capability to remotely connect and disconnect the repeat offenders.

Finance Director Staples explained that once the town went to the new metering customers could then be offered the option of prepaid metering. It had been found with customers who had difficulty paying, by using the prepaid option the process was more useful and customers could monitor their usage. They could get an alert and if someone had severe arrears, they could catch it up--up usually within 18 months. A certain percentage would go towards the old bill. Upon approval, staff would work with Communications and Customer Service staff to redo brochure, bill inserts, run a segment on Focus on WF, provide press releases etc.

There was discussion about the new bill design. It was suggested since there would not be a second notice, to make the cut-off date more prominent. If they were only providing one bill and no other notice, it would be worthwhile to make the notice more unmistakable and as noticeable as possible. There was some confusion about the dates on the bill. After investigating, Finance Director Staples determine that was an error and actually the dates were only to be used as an example.

**ACTION:** Commissioner Thibodeau made a motion to approve the amendments to the Customer Service Policy.  
Commissioner Hines seconded the motion, which carried (4,0).

**RESOLUTION 2010 - 25**

**RESOLUTION APPROVING AMENDMENTS TO THE CUSTOMER SERVICE  
POLICY**

WHEREAS, the Board of Commissioners of the Town of Wake Forest adopted a comprehensive Customer Service Policy in October 2005; and

WHEREAS, significant changes have occurred over the past few years and to serve our customers more efficiently and to assure that all Town of Wake Forest customers are treated equitably; and

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of Wake Forest that the following amendments to the Customer Service Policy are made:

1. Increase number of extensions to four (4) from two (2) annually
2. Eliminate the use of door tags along with the fee
3. Eliminate the after-hours reconnection service and reconnect during business hours only
4. Initiate a "emergency" reconnection with a fee of \$100
5. Eliminate weekly on-call shift
6. Establish one bill only which will incorporate delinquent/disconnect date

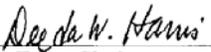
Adopted this the 21<sup>st</sup> day of September, 2010.

Motion by: Pete Thibodeau

Second by: Anne Hines

Mayor: 

ATTEST:

  
Town Clerk

**9. Public Services Items.**

- A. Consideration of Approval of a Construction Plan Development for Phase II and III of the South White Street Renovation Project.

Kimley Horne had provided a proposal to the staff for the design work for Phase II and III. Commissioner Drake raised questions about the information listed under exceptions. After some discussion, the Commissioners accepted that the information listed was "standard" language. Assistant Engineering Director Spring shared that some of Kimley Hornes fees were taken out in order to meet the Department's budget. The Commissioners did ask that staff speak with the City of Raleigh to make sure tie-ins were addressed.

Commissioner Thibodeau asked about their rates. Assistant Engineering Director Spring stated this project would be lump sum project. If there was a change order, then the rates would come into play. She also mentioned they were planning to do more site work and specs to make sure things were addressed. Should there be a change order, there would be rates then.

**ACTION:** Commissioner Stinnett made a motion to approve the Construction Plan Development for Phase II and III of the South White Street Renovation Project. Commissioner Hines seconded the motion, which carried (4,0).

- B. Consideration of approval additional parking on Brooks Street and the removal of one handicap parking space in the downtown parking area.

**ACTION:** Commissioner Drake made a motion to approval additional parking on Brooks Street and the removal of one handicap parking space in the downtown parking area. Commissioner Stinnett seconded the motion, which carried (4,0).

**ORDINANCE 2010-18**

**ORDINANCE AMENDING CHAPTER 30 TRAFFIC & VEHICLES  
SECTION 30-241. SCHEDULE I. PARKING PROHIBITED  
AT ALL TIMES OF THE CODE OF ORDINANCES OF  
THE TOWN OF WAKE FOREST, NORTH CAROLINA**

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Wake Forest, North Carolina, that Chapter 30. Traffic & Vehicles Section 30-241. Schedule I. Parking Prohibited at all Times be amended as follows:

Eliminate: "No Parking" Zone on S. Brooks on the west side from the intersection of Owen Ave. heading north 115 feet. The new configuration will add five spaces of on-street parking.

Further request to abandon handicap space on 221. S. Brooks (in front of old Planning Building).

This the 21<sup>st</sup> day of September 2010.

Moved by: Frank Drake

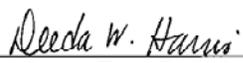
Seconded: Margaret Stinnett

Mayor: 

APPROVED AS TO FORM:

Eric A. Vernon  
Town Attorney

ATTEST:

  
Town Clerk

- C. Consideration of Request to NCDOT to change Speed Limit on a section of Ligon Mill Road from the fire station going south/west to the bridge from 45 mph to 35 mph.

Mayor Jones commented if and when the high speed rail came through that this may help make the bridge that will be built over the train tract not be so big if/when the highspeed rail came through. If the speed limit was lower than it was currently, construction in the way the bridge in the area would be different. Lowering the speed limit would be a way to help the citizens. The Cooks had asked for it to be reduced. The procedure was for the local government to initiate in asking NC DOT to lower the speed limit. After some discussion, the Board decided not to take any action at this time. They would wait to see how plans progressed with the high speed rail. Also, no one was sure if residents had been made aware of the proposed change in speed limit.

**ACTION:** No action was taken.

**10. Parks and Recreation Items.**

**11. Public Safety Items.**

**12. Other Business.**

**13. 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. Commissioner Drake seconded the motion, which carried (4,0).

**ACTION:** Commissioner Drake made a motion to come out of closed session. Commissioner Hines seconded the motion, which carried (4,0).

**14. Adjournment.**

**ACTION:** Commissioner Thibodeau made a motion to adjourn at 9:48 p.m. Commissioner Stinnett seconded the motion, which carried (4,0).

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Town Clerk

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Mayor

