



Wake Forest Board of Commissioners Work Session Meeting Minutes

The Wake Forest Board of Commissioners met on **Tuesday, May 7, 2024**, 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.

Commissioners Present: Mayor Vivian A. Jones, Commissioner Ben Clapsaddle, Commissioner Faith Cross, Commissioner Keith Shackelford, Commissioner Nick Sliwinski, and Commissioner Adam Wright.

Commissioners Absent: None.

Staff Members Present:

Town Manager Kip Padgett
Assistant Town Manager Candace Davis
Assistant Town Manager Allison Snyder
Assistant Town Manager/CFO Aileen Staples
Town Attorney Hassan Kingsberry
Town Clerk Theresa Savary
Planning Director Courtney Tanner
Assistant Planning Director Jennifer Currin
Long Range Planning Manager Brad West
Senior Planner Tim Richards
Finance Director Samantha Sanchez
Purchasing Manager Randy Driver
Human Resources Director Angela McCray
Planner II Emma Linn

Communications & Public Affairs
Director Bill Crabtree
Director of Organizational Performance
Lisa Hayes
Budget & Performance Manager
Michelle Daniels
Contracts & Procurement Specialist
Hollie Aldridge
Assistant Stormwater Engineer Nick Nolte
Facilities Maintenance Specialist Steven Carpenter
Police Chief Jeff Leonard
Captain Brandon High
Captain Julius Jefferson
Lieutenant Patrick Misko

1. Presentations

1.1. Discussion of Nondiscrimination Ordinance

Danya Perry from Wake County Government presented a Nondiscrimination Ordinance: Introduction & Status Update. Mr. Perry explained that since the ordinance was put into effect, they have been working with municipalities to encourage their involvement. The nondiscrimination ordinance aims to increase coverage beyond what state and federal laws currently protect.

Commissioner Shackelford asked about the cost associated with the ordinance. Mr. Perry stated that, currently, the cost of the contract with Campbell Law School is about \$30,000 per year. Mr. Perry stated that at this time, the county is covering those costs. Eventually, the cost will be shared with the towns. He said the more people that participate, the smaller the cost would be.

Commissioner Clapsaddle asked what positive impact this ordinance would have on small business owners and businesses in Wake Forest, and throughout the county. Mr. Perry replied that it creates an atmosphere of belonging, welcoming, and openness. He also stated that it would have no impact on businesses.

Commissioner Clapsaddle also asked if the ordinance has deterred anyone from opening a business in Wake County. Mr. Perry stated that he had not heard of any such instances.

Commissioner Sliwinski asked whether Wake Forest's corporate limits, which extend into Franklin County, would allow the Wake County manager to make jurisdictional decisions in Franklin County within Wake Forest's corporate limits. Mr. Perry responded no, but he would like to get back to Commissioner Sliwinski on it.

Commissioner Sliwinski mentioned that the county plans to contract with a third party, specifically the Campbell Law School Restorative Justice Clinic. However, that leaves the door open for a change in that third party in the future. If such a change were to occur, would the municipalities that sign the interlocal agreement have a say in selecting the new third party? Mr. Perry stated that they have not yet received a large number of complaints that would necessitate a change. However, if the number of complaints increases, it is unclear whether the cost will remain the same and whether another organization should be considered.

Commissioner Sliwinski inquired about Section 2.04, which discusses the authority of a county employee in an investigatory capacity having the same authority as a municipal employee. He asked about the extent of this authority. Mr. Perry said he would need to consult with the county attorney for clarification. Commissioner Sliwinski also had inquiries related to the open records law.

Questions were asked relating to jurisdiction. Attorney Kingsberry explained that if they adopt the agreement, it would be applicable within the town limits and the ETJ and would still be subject to their agreement with Wake County.

Commissioner Cross inquired about who determines the complaint standard. Mr. Perry responded that the county attorney is responsible for setting the standards. Commissioner Cross then asked if the municipality is entitled to know what these standards are. Mr. Perry explained that the standards are outlined in the nondiscrimination ordinance.

Commissioner Shackelford sought clarification on whether the conciliation process is essentially mediation. Mr. Perry confirmed that it is. Commissioner Shackelford then asked if a business participating in the process would have the opportunity to talk through the mediator and voluntarily enter a compromise. Mr. Perry replied, yes. Commissioner Shackelford noted that the agreement does not provide a remedy for monetary damages or any other punitive remedies, to which Mr. Perry responded that he was not entirely sure.

Commissioner Clapsaddle asked if there is anything similar to the nondiscrimination ordinance in the Town of Wake Forest. Town Manager Padgett stated that the town adheres to state and federal law, but the town's definitions are not as detailed.

Human Resources Director Angela McCray mentioned that the Town of Wake Forest's current policies already cover everything included in federal and state law.

Commissioner Sliwinski sought clarification that the ordinance is not specific to the Town of Wake Forest and is instead an interlocal agreement that would allow the county ordinance to be applicable within the town's corporate limits. Town Attorney Kingsberry replied, correct.

ACTION

Mover: Commissioner Clapsaddle made a motion that town staff prepare a Wake Forest nondiscrimination ordinance for the board to review at the June 4, 2024, Board of

Commissioners Work Session.
Secunder: Commissioner Shackelford.

Town Attorney Kingsberry asked Commissioner Clapsaddle if he wanted to adopt a resolution to collaborate with Wake County or pursue an entirely separate process.

DISCUSSION

- Commissioner Shackelford expressed his support for the county agreement but also indicated that he would support a town ordinance as an alternative.
- Commissioner Clapsaddle mentioned that he would be willing to withdraw his motion if the town agreed to an ordinance that endorsed nondiscrimination and supported the interlocal agreement with Wake County.
- Commissioner Cross inquired whether opening the ordinance for public comment for residents and small business owners would be more appropriate. Mr. Padgett responded that typically the board does not vote on an action item at a work session unless it is an emergency. If the board decides to proceed, the item would be placed on an upcoming regular voting meeting. Mr. Padgett mentioned that the item could be added as a specific public comment or could be addressed under the general regular public comment allowed at every regular meeting.
- Commissioner Clapsaddle withdrew his initial motion but then made a motion that they concur with the interlocal agreement regarding enforcement of the Wake County Nondiscrimination Ordinance in municipal jurisdictions. He asked that this be prepared for the board's consideration at the Board of Commissioners Meeting on June 18, 2024.

Town Attorney Kingsberry explained that the town would adopt this interlocal agreement through a resolution, not an ordinance. Commissioner Clapsaddle agreed with the correct procedure for adopting the agreement, whether it be a resolution or an ordinance.

Mayor Jones suggested that the best approach would be to have the staff present to the board, where a formal vote could be taken at a later date. She emphasized there was no requirement to vote on anything at this particular meeting. Commissioner Clapsaddle then requested that staff prepare a report to present to the board. The board agreed that staff should present a report to them.

Commissioner Sliwinski mentioned that he would support obtaining a staff report and wanted to ensure that there would be public comment on this issue. Commissioner Cross agreed with him.

Commissioner Clapsaddle inquired whether it was certain that the staff would present it to the board on June 4th. Mayor Jones replied that she was unsure when it would come before the board and that it would depend on how much time the staff needed to put it together. Town Manager Padgett indicated that it would most likely be presented at the June 18th regular meeting.

Commissioner Cross and Commissioner Sliwinski would both like to see the item as a specific public comment on the agenda.

Mayor Jones inquired whether the existing laws cover everything in this, except for the Crown Act. Mr. Perry explained that it furthers the protection at both federal and state levels. Mayor Jones clarified that the act doesn't expand the coverage, but rather allows for discussion instead of resorting to a lawsuit.

Commissioner Cross asked if any small business owners had been polled about their involvement in this at the county level. Mr. Perry responded not explicitly. Commissioner Cross asked what other resources are made available. Mr. Perry responded there are state and federal-level resources.

1.2. Presentation on the Wake County Public School System (WCPSS) District Strategic Plan

Dr. Clinton Robinson, Jr. and Dr. Leigh Ann Alford-Keith from the Wake County Public School System (WCPSS) Board of Education provided a presentation on the WCPSS Strategic Plan.

Commissioner Wright asked why they do not value growth over proficiency. Ms. Alford-Keith clarified that they do not prioritize one over the other and consider all aspects equally.

Commissioner Cross asked about the current graduation rate. Ms. Alford-Keith responded that it stands at 89 percent, noting that it has decreased due to the pandemic.

Commissioner Wright inquired about the reasons for teachers leaving. Ms. Alford-Keith listed salary compression, entry salaries, class size impacts, and increased expectations as some of the reasons. Mr. Robinson also mentioned changes in student behavior. Mayor Jones expressed surprise upon learning that only half of the employees are teachers. Ms. Alford-Keith explained that the other employees include bus drivers, cafeteria workers, counselors, facilities staff, maintenance workers, and others.

Commissioner Wright inquired about additional opportunities for other schools and expressed a desire to have further conversations with Mr. Robinson at a later date.

Commissioner Sliwinski asked about the priority of achieving the goal of 95 percent student attendance and emphasized the importance of ensuring reliable and safe transportation for the students, as without transportation, children cannot attend school. Mr. Robinson replied that it is a high priority.

Commissioner Cross suggested that the board hear about the capacity of the schools in their municipality. It was agreed that Mr. Robinson would send reports to the commissioners quarterly.

Commissioner Shackelford expressed a desire to ensure that the town is engaging and supportive.

Mr. Robinson inquired about the mayor and commissioners visiting the schools in Wake Forest. He also mentioned that a neighboring municipality had established a leadership academy for its students. Mayor Jones responded by sharing information about the Youth Leadership Wake Forest Group, which is led by the Wake Forest Area Chamber Foundation.

Ms. Alford-Keith mentioned that they are present to establish a new level of partnership. Mayor Jones asked if the Board had any other questions. No further questions were heard.

- 1.3 Presentation on LEGISLATIVE CASE RZ-23-03, White Street Mixed Use, a conditional district rezoning filed by Chase Massey on behalf of Thales Academy, Inc., to rezone 3.93 acres located at 0 North White Street, being Wake County Tax PIN 1841966020, from Neighborhood Business (NB) to Neighborhood Mixed-Use Conditional District (NMX-CD).

Senior Planner Tim Richards provided an overview of Legislative Case RZ-23-03, White Street.

The board expressed concerns regarding the proposed development's potential impact on several aspects, including parking, setbacks along N. White St., buried power lines, road connections at Royal Mill Ave. to Harris Rd., building heights, traffic impact analysis, road design, parking overflow, enhanced building design standards, and improvements on N. White St.

Mayor Jones questioned why the existing power lines wouldn't be buried. Mr. Richards replied that he would let the applicant address that. He mentioned that the applicant had communicated that burying the power lines would be costly, especially on the Royal Mill Ave. frontage, due to the high voltage power lines.

Commissioner Cross asked if the surrounding power lines in that area were buried. Mr. Richards explained that the high voltage power lines continue down Royal Mill Ave. When asked if the power lines would be buried along N. White St. near the church, Mr. Richards didn't have an answer but committed to finding out.

The board then discussed the connection of Royal Mill Ave. to Harris Rd. and the timing of the upfit.

Mr. Richards explained that the conditions changed since the Planning Board Comment Session:

- #2: Reference to gathering space on master plan
- #3: Uses added to list not allowed: alcoholic beverage sales store, bar/tavern, and gun sales store
- #13 and #14: At least 6% of units to be affordable units for 10 years

Mr. Richards stated that the Planning Board recommended approval by a vote of 7-0 at the April 9, 2024 public comment session. The board found the request consistent with the Comprehensive Plan.

Mr. Richards stated that staff recommends approval of the rezoning as proposed and finds it to be generally consistent with the Comprehensive Plan and in the public interest because it is consistent with Community Plan direction for:

- Neighborhood Commercial areas
- Commercial & Industrial Area #2
- Setbacks and Parking Lots

- Sidewalks and Multi-Use Paths
- Gateways

Commissioner Cross asked if the Traffic Impact Analysis (TIA) considered the traffic flow from the church to the baseball field during peak hours. Mr. Richards responded that the church has not been constructed yet and he does not think it was included in the analysis but confirmed that traffic counts were conducted as part of the TIA.

Commissioner Cross asked if there had been any conversation about overflow parking at the ballfield and if there had been any concerns about it. Mr. Richards said he has not heard any concerns about the spillover issues.

Commissioner Cross inquired about the height of the retaining wall on the backside facing the ballfields. Developer David Phillips responded that the retaining wall would be eight feet high and there would be six feet of fence.

Commissioner Cross asked if two access points were required in this type of development. Mr. Richards replied that the UDO does not require two access points.

Commissioner Cross inquired about the possibility of implementing enhanced building design standards on all sides of the building. Mr. Richards responded that the applicant has not proposed any enhanced building design standards, so the building would need to adhere to the default building design standards.

1.3. Presentation on the service contract for on-demand transit services provided by River North LLC (Via Transportation, Inc.)

Planner II Emma Linn provided an overview of the on-demand transit services contract.

Mayor Jones expressed enthusiasm for including the Wakefield area in the transit service and asked if Raleigh had agreed to a free service fare. Ms. Linn replied, yes. Commissioner Wright believes this is an amazing idea saving money and increasing services.

Mayor Jones asked if there were any further questions. No further questions were heard.

The board recessed at approximately 8:12 p.m.

The board reconvened at approximately 8:17 p.m.

1.4. Presentation of Proposed FY 2024-2025 Annual Operating Budget

Town Manager Padgett introduced the new Budget & Performance Manager Michelle Daniels.

Town Manager Padgett provided an overview of the proposed budget for FY 2024-2025 and said the budget will come before the board on the following dates:

- Public Hearing - Tuesday, May 21, 2024
- Work Session - Tuesday, June 4, 2024
- Approve Budget - Tuesday, June 18, 2024

Mayor Jones asked if anyone had any questions or comments. No questions or comments were heard.

A hard copy of the proposed budget for FY 2024-2025 is filed and available in the Town Clerk's Office for review.

1.5. Presentation of updates to Purchasing Policy

Finance Director Samantha Sanchez and Purchasing Manager Randy Driver provided a brief overview of the proposed amendments to the Towns Purchasing Policy.

Mayor Jones asked if there were any questions. No questions were heard.

1.7. Friday Night on White Update

Communications & Public Affairs Director Bill Crabtree gave a brief presentation addressing the challenges that the town is currently facing with Friday Night on White, which threatens the future of this event.

Mr. Crabtree mentioned that if the challenges they are addressing don't improve and the town continues to encounter the same issues as in recent months, the staff will go back to the board and ask for their consideration on a proposed curfew for children 16 years of age and under.

Town Manager Padgett stated that Downtown Developer Director Jennifer Herbert and Town Attorney Hassan Kingsberry are collaborating on a curfew ordinance in case they decide to implement a curfew.

Commissioner Clapsaddle asked if the synchronization with other police departments for assistance would all go through the town's commanding control systems and leadership. Mr. Crabtree replied, yes.

Mayor Jones said she appreciates all that the staff has done in working through the challenges facing Friday Night on White and favors a curfew.

Commissioner Cross asked how the process of a curfew would be enforced. Town Attorney Kingsberry said the town already has a curfew ordinance that was adopted in 2020. Staff will amend that ordinance and add a section related to Friday Night on White. Town Attorney Kingsberry explained the current ordinance enforces the curfew from midnight to morning, but staff will change those hours for Friday Night on White to 8:00 p.m. to midnight. The police will oversee enforcement, issuing citations, and criminal charges.

1.8. Presentation of Capital Area Metropolitan Planning Organization (CAMPO) Memorandum of Understanding.

Planner II Emma Linn shared there is a minor amendment to the CAMPO Memorandum of Understanding to include the Town of Coates, Town of Wilmington, and Chatham County, as well as to make some administrative updates to include codes and current practices.

Mayor Jones mentioned that every time there's a population change, they must look at the boundaries.

Mayor Jones asked if anyone had any questions. No questions were heard.

2. Discussion of Monthly Financial Report
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2.1 Monthly Financial Report

Received.

3. Review of Draft Agenda for Upcoming Regular Meeting

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The draft agenda was reviewed.

4. Other Business

4.1. Consideration of Wake Forest Tower Site Lease with Wake County

Town Attorney Kingsberry explained that Wake County is interested in renewing a lease with the Town of Wake Forest, which has been in place for approximately twenty years. He clarified that Wake County currently leases space on the town's tower site at Flaherty Park for Fire and Police Communications and EMS. Town Attorney Kingsberry mentioned that the lease before the board is to renew the current lease and provide an additional twenty-year renewal term if necessary. This matter has already been reviewed by the Wake County Board of Commissioners, and they are awaiting approval from the Town of Wake Forest. The terms of the lease involve the town leasing the space to Wake County for free with one renewal term of twenty years.

Commissioner Wright asked if it was normal to lease for free. Attorney Kingsberry replied, yes.

Mayor Jones asked if there were any other questions. No other questions were heard.

ACTION

Mover: Commissioner Wright made a motion to approve.

Secunder: Commissioner Sliwinski.

Vote: Motion carried 5-0.

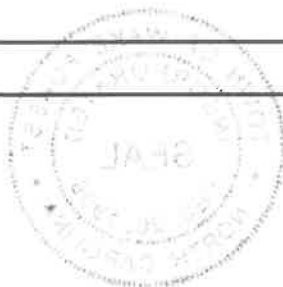
4.2. CIP Project Tracker

Received.

4.3. Strategic Plan Quarterly Tracker_Q3 FYE2024

Received.

5. Commissioner Reports



Commissioner Wright attended the STEM Event at Joyner Park Community Center and the Building Safety Month Event.

Commissioner Shackelford attended the Trentini Foundation Banquet.

Commissioner Cross attended Meet in the Street, National Day of Prayer, and the Urban Forestry Board Meeting. She is scheduled to attend Planning 101.

Commissioner Clapsaddle attended the 2024 Youth of the Year Lunch at the Boys and Girls Club and Meet in the Street. He shared that May is Military Appreciation Month and that Military Spouse Appreciation Day is always the Friday before Mother's Day. Armed Forces Day is on May 18th, and Memorial Day is on May 27th. He is scheduled to attend Planning 101.

Commissioner Sliwinski attended the Building Safety Month Event and a reception for the Friends of the Renaissance Centre.

Mayor Jones commended Construction Inspector Supervisor Lamar Minter for being named a Road Scholar and expressed appreciation for his extra service. Residents reached out to Mayor Jones about the new Spirit Program in the Parks and Recreation Department, expressing how wonderful it was for their children to be able to participate in those programs. She also attended the NCLM City Vision Conference, the Building Safety Month Event, and the JROTC Military Ball at Wake Forest High School.


Town Manager Padgett had no report.


6. Adjournment

The Board of Commissioners adjourned the meeting at 9:10 p.m.

Duly approved in open session this 18th day of June 2024.

(ATTEST)


Theresa Savary, Town Clerk


Vivian A. Jones, Mayor

