



Wake Forest Board of Commissioners Meeting Minutes

The Wake Forest Board of Commissioners met on **Tuesday, June 18, 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.

Mayor Jones stated that Commissioner Shackleford would not be in attendance for tonight's meeting.

Mayor Jones led everyone in the Pledge of Allegiance.

Council Members Present: Mayor Vivian A. Jones, Commissioner Ben Clapsaddle, Commissioner Faith Cross, Commissioner Keith Shackleford, Commissioner Nick Sliwinski, and Commissioner Adam Wright.

Commissioner Members Absent: None.

Staff Members Present

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
Senior Planner Patrick Reidy
Finance Director Samantha Sanchez
Budget & Performance Analyst Ben Blevins
Budget & Performance Manager Michelle Daniels
Senior Planner Michelle Michael

Zoning Enforcement Officer Ben Coleman
Human Resources Director Angela McCray
Director of Organizational Performance Lisa Hayes
Engineering Director Tim Watson
Public Facilities Specialist Steven Carpenter
Fire Chief Ron Early
Police Chief Jeff Leonard
Police Captain Julius Jefferson
Police Captain Brandon High
Police Lieutenant Patrick Misko
Downtown Development Director Jennifer Herbert

1. Approval of Agenda

ACTION:

Mover: Commissioner Sliwinski made a motion to remove *"Item 6.A. Consideration of Second Reading of an Ordinance Amending Chapter 10, Article V, Section 20-131 - Curfew, of the Code of Ordinances for the Town of Wake Forest, NC"* from the agenda. He suggested exploring other options for policies regarding unaccompanied minors for Friday Night on White rather than keeping something on the agenda that may not take up for a vote tonight.

Second: Commissioner Wright.

Vote: Motion carried 5-0.

ACTION

Mover: Commissioner Wright moved to amend the agenda to include the following item: *Resolution to Accept Streets into the Town of Wake Forest Street System for Maintenance.*

Second: Commissioner Sliwinski.

Vote: Motion carried 5-0.

2. Approval of Minutes

2.A. Approval of Minutes:

- May 7, 2024 Work Session
- May 21, 2024 Regular Meeting

ACTION:

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

Second: Commissioner Sliwinski.

Vote: Motion carried 5-0.

3. Presentations

3.A. Closed Session: NCGS 143-318.11(a)(3) Consultation with the Town Attorney

ACTION:

Mover: Commissioner Wright moved to go into closed session at 6:05 p.m.

Second: Commissioner Sliwinski.

Vote: Motion carried 5-0.

The Board reconvened to open session at 6:15 p.m.

4. Public hearings / Public Comment

- 4.A. Public Hearing on LEGISLATIVE CASE RZ-23-10, 306 S. Allen Road, a rezoning filed by GWP Developers LLC to rezone 2.75 acres located at 306 S. Allen Road, being Wake County Tax PIN 1840-68-8987 from General Residential 5 (GR5) to Residential Mixed-Use Conditional District (RMX-CD).

Senior Planner Patrick Reidy gave a brief update on a new condition that was added:

- In regards to the material used for exterior walls: Front shall be at least 75% masonry and no more than 25% lap siding (cementitious fiber, wood clapboard, wood siding, primed board, or wood shingle with vinyl, unfinished block, EIFs, and metal siding not allowed). The sides shall be at least 50% masonry, not more than 50% lap siding (cementitious fiber, wood clapboard, wood siding, primed board, or wood shingle with vinyl, unfinished block, EIFs, and metal siding not allowed). The rear shall be at least 25% masonry, no more than 75% lap siding (cementitious fiber, wood clapboard, wood siding, primed board, or wood shingle with vinyl, unfinished block, EIFs, and metal siding not allowed).

The following citizens provided comments:

- Deborah Hill, 257 S. Allen Rd., Wake Forest, NC 27587
- Jennifer Rose, 223 Sparrow Dr., Wake Forest, NC 27587
- Susan Ray, 332 South Allen Rd., Wake Forest, NC 27587
- Monica Tasca, 712 Quail Ave., Wake Forest, NC 27587

Mayor Jones asked if anyone else would like to speak. No one came forward to speak.

Mayor Jones declared the public hearing closed.

- 4.B. Public Comment: If anyone would like to address the Board on the Interlocal Agreement Regarding Enforcement of the Wake County Nondiscriminations Ordinance in Municipal Jurisdictions

The following citizens provided comments:

- Robin Roper, 7021 Daniel Rd., Wake Forest, NC 27587
- Cheryl Adams, 509 Holding Oaks Ct., Wake Forest, NC 27587

- 4.C. 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 3 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.

The following citizens provided comments:

- Amanda Cottrill, 1627 Main Divide Dr., Wake Forest, NC 27587
- Scott Brown, 4920 Granite Lake Dr., Wake Forest, NC 27587
- Lucas Beaver, 4423 Hopson Rd., Morrisville, NC 27560
- Paul Carrington, 75 Farmers Path Ct., Louisburg, NC 27549
- Janet Chadwick, 214 Alberbury Commons Ct., Wake Forest, NC 27587
- Cheryl Adams, 509 Holding Oaks Ct., Wake Forest, NC 27587
- Derek Ellington, 7620 Thompson Mill Rd., Wake Forest, NC 27587
- Stephen Welch, 561 Clifton Blue St., Wake Forest, NC 27587
- Jeff Meinhart, 209 Clifton Woods Dr., Louisburg, NC 27549
- John Pavlovitz, 1212 Dunn Creek Xing., Wake Forest, NC 27587
- Michael Bunn, 5470 Pearce Rd., Zebulon, NC 27597
- Michael Seethaler, 2804 Sojournertruth Way, Raleigh, NC 27610
- Ken Cheeseman, 107 November St., Garner, NC 27529
- Tommy Waltz, PO Box 1516, Wake Forest, NC 27587
- David Griffin, 905 Traditions Ridge Dr., Wake Forest, NC 27587
- Jonah Moran, 3824 Quarry Rd., Zebulon, NC 27597
- Melanie Mottershead, 921 Heritage Greens Dr., Wake Forest, NC 27587
- Trent Moody, 564 Peach Orchard Rd., Louisburg, NC 27549
- Brandon Vanderford, 4920 Granite Lake Dr., Wake Forest, NC 27587
- Robert Bosley, 75 Adler Ct., Franklinton, NC 27525
- Will Arterburn, 4901 Granite Lake Dr., Wake Forest, NC 27587
- Tamara Weightman, BA Folk, PLLC, 5000 Centregreen Way, Suite 500, Cary, NC 27513
- Abby Black, 520 South Main St., Wake Forest, NC 27587

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 resolution authorizing Franklin County Tax Administrator to Levy and Collect Property Taxes and Stormwater Fees for FY 2024-2025 for the Town of Wake Forest

[Filed in the Clerk's Office as Resolution 2024-42.]

- 5.B. Approval of resolution authorizing Wake County Tax Administrator to Levy and Collect Property Taxes and Stormwater Fees for FY 2024-2025 for the Town of Wake Forest

[Filed in the Clerk's Office as Resolution 2024-43.]

- 5.C. Approval of Budget Ordinance Amendment # 5 - FY 2023-2024

[Filed in the Clerk's Office as Ordinance 2024-19.]

- 5.D. Approval of Adoption of an Ordinance Amending the Code of Ordinances Chapter 14, Article II, Section 14-31 – 14-38 – Nuisances

[Filed in the Clerk's Office as Ordinance 2024-14.]

- 5.E. Resolution to Accept Streets into the Town of Wake Forest Street System for Maintenance

[Filed in the Clerk's Office as Resolution 2024-41.]

ACTION:

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

Seconded: Commissioner Sliwinski.

Vote: Motion carried 5-0.

6. Legislative Items

- 6.A. Ordinance Amending Chapter 10, Article V, Section 20-131 - Curfew, of the Code of Ordinances for the Town of Wake Forest, NC.

Item removed from the agenda.

7. Planning Items

- 7.A. Consideration of LEGISLATIVE CASE RZ-23-10, 306 S. Allen Road, a rezoning filed by GWP Developers LLC to rezone 2.75 acres located at 306 S. Allen Road, being Wake County Tax PIN 1840-68-8987 from General Residential 5 (GR5) to Residential Mixed-Use Conditional District (RMX-CD).

Commissioner Wright asked Mr. Reidy to address the stormwater situation. Mr. Reidy explained that at this point, staff doesn't have specific details about the stormwater calculations, but they are planning to use underground detention to accommodate the increase in impervious area and connect it to the storm drain system. He mentioned that the underground systems are designed to release the water over a 2 to 5-day period, depending on the size of the rain event. If the rezoning is approved, they would create construction drawings to verify the accuracy of the calculations.

Commissioner Wright inquired about the potential impervious surface if the property were to be upfitted to its previous use. Mr. Reidy stated that it would likely be similar, but they haven't evaluated it yet. He explained that parking standards are now higher than they were when the property was originally developed and expects an increase in parking.

Further, Commissioner Wright asked whether the street would be widened. Mr. Reidy confirmed that the street would be widened along their frontage. He also mentioned that the Capital Improvement Plan (CIP) and bond money would facilitate the widening of the road to make the necessary connection, including adding a sidewalk on one side and improving curb, gutter, and drainage along with the plan to connect to Wait Avenue.

Commissioner Wright inquired whether the traffic to the senior housing location would be less as opposed to a senior center due to the presence of staff and families. Mr. Reidy replied, yes.

Commissioner Wright also asked Mr. Reidy to ensure how they plan to adhere to the 62+ age restriction. Mr. Reidy explained that compliance would be reported annually as a rezoning condition with penalties for any units found to be out of compliance until rectified.

Additionally, Commissioner Wright inquired about the need for a fire lane. Mr. Reidy stated that it was not raised as a concern during the review and was not requested by fire reviewers.

Commissioner Wright commented on concerns about affordable housing and the impact of restricting the project and its adaptive reuse. He highlighted the potential for the project to lead to more expensive housing if adapted into a nursing home rather than providing housing for new residents.

Commissioner Clapsaddle sought clarification on rezoning condition number 8, which stated that all units must have a minimum lease contract of 3 months and that violations would be assessed per unit, not in compliance. He inquired whether this condition was put in place due to the initial intent for the majority of the housing to be used for corporate purposes. In response, Mr. Reidy mentioned that while the staff felt that condition number 8 could be removed based on the changes, the applicant decided to keep it to demonstrate goodwill towards the Planning Board recommendations.

Commissioner Cross expressed that having the option of shorter leases is not a bad idea.

Commissioner Sliwinski asked whether there were any recommendations from the Planning Board or neighbors that the developer had refused. Mr. Reidy replied no, stating that they had been agreeable to all the Planning Board recommendations.

Commissioner Cross noted that the area is easily accessible by bicycle to downtown and suggested the possibility of having more than 4 bicycle spaces. Commissioner Wright mentioned that he believed the developer would likely install a bicycle rack with more than 4 spaces.

Commissioner Shackleford requested to be recused due to a possible conflict. He wanted to err on the side of caution because he believed that his friend might have been acquainted with the developer, in the past, but he couldn't confirm it.

ACTION:

Motion: Commissioner Sliwinski, Commissioner Clapsaddle, Commissioner Cross, and Commissioner Wright moved to approve Commissioner Shackleford's recusal.

Vote: Motion carried 4-0

Commissioner Cross expressed satisfaction with the developer's handling of concerns related to the age requirement of 62+. She appreciated the approach of reusing existing structures instead of demolishing them. She also raised concerns about stormwater management in the surrounding neighborhood and suggested exploring the possibility of making the street a no-parking zone due to its narrowness. Additionally, she noted that there seemed to be minimal traffic differences between nursing homes and age-restricted residential areas.

Commissioner Sliwinski thanked the applicant for their cooperation and adherence to the requirements. He highlighted the need for minimal tree disturbance, replanting more trees than being removed, road widening, infrastructure improvements, and stormwater management in an area prone to stormwater issues. He commended the application as the most consistent with the board's plan during his tenure of 2 1/2 years.

ACTION:

Mover: Commissioner Wright moved to approve Legislative Case RZ-23-10, 306 S. Allen Road with the consistency statement.

Second: Commissioner Clapsaddle.

Vote: Motion carried 4-0.

8. Administration and Financial Items

8.A. Consideration of approval of FY 2024-2025 Budget Ordinance

ACTION:

Mover: Commissioner Sliwinski moved to approve the FY 2024-2025 Budget Ordinance as presented.

Second: Commissioner Clapsaddle.

COMMENTS

- Commissioner Sliwinski expressed gratitude to the staff for their hard work and confirmed support for the presented budget
- Commissioner Wright said he'd like to see if they could look at redoing the downtown zone and inhabit some of the newer developments that are taking place. When that's done, he'd like to see the rate of living in the downtown zone go down.
- Commissioner Cross thanked staff for their hard work. She appreciated that the tax rate came in under what was estimated but voiced concerns about the undue burden on the taxpayers with property revaluations and other fees.
- Mayor Jones appreciated the staff's financial management and noted that the fund balance exceeds the town's policy, which she viewed positively.
- Commissioner Sliwinski pointed out what he believed to be a typo in the budget ordinance. Aileen Staples clarified that there is an additional 0.5 cent in the budget ordinance for housing and it's one cent for housing and 1.5 cents for transportation.

Vote: Motion carried 4-1.

Yay

Commissioner Sliwinski
Commissioner Clapsaddle
Commissioner Shackelford
Commissioner Wright

Nay

Commissioner Cross

8.B. Consideration of Approval of an Interlocal Agreement Regarding Enforcement of the Wake County Nondiscriminations Ordinance in Municipal Jurisdiction

ACTION:

Mover: Commissioner Clapsaddle moved to approve the Interlocal Agreement regarding enforcement of the Wake County Nondiscriminations Ordinance in Municipal Jurisdiction.

Second: Commissioner Wright.

COMMENTS

- Commissioner Sliwinski stated that while he does not condone any form of discrimination, his objection to the interlocal agreement is related to its enforcement rather than the subject matter.

- Commissioner Cross agreed with what Commissioner Sliwinski said. She said she agreed with the spirit of the ordinance but does not support its execution through the county.
- Mayor Jones also sided with Commissioner Sliwinski and Commissioner Cross, sharing her dissatisfaction with the county's authority to determine what is deemed inappropriate or not.
- Commissioner Sliwinski suggested that the town could take the lead in addressing discrimination internally by implementing measures to convey their stance against discrimination.

Vote: Motion carried 3-2.

Yay

Commissioner Clapsaddle
Commissioner Shackelford
Commissioner Wright

Nay

Commissioner Cross
Commissioner Sliwinski

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. Wake County Tax Release

Received.

12.B. Department Monthly Report

Received.

12.C. Commissioner Reports

Commissioner Wright attended the Cars & Carnivores Street Festival and Friday Night on White.

Commissioner Shackelford participated in the Juneteenth Celebration and spoke at the Wake Forest Charter School 8th-grade graduation.

Commissioner Cross encouraged everyone to attend the Touch-A-Truck Event and the Fourth of July Events.

Commissioner Clapsaddle attended Friday Night on White and emphasized the significance of Juneteenth Day on June 19th. He expressed his gratitude to the Wake Forest Police Department, other supporting municipalities, and the town staff.

Commissioner Sliwinski commended the Northeast Coalition for an excellent Juneteenth celebration and thanked staff at the Alston Massenburg Center for the kickoff event. He also attended a FUNGO game and had a tour of the Ailey Young House.

Mayor Jones found the Juneteenth Celebration enjoyable. She also attended the graduations of Heritage High School and Wake Forest High School. Additionally, she mentioned that Wake Forest received the National Main Street Accreditation and expressed her appreciation to Jennifer Herbert and her team. She participated in the Triangle Community Coalition (TCC) 25th Anniversary Celebration and congratulated the Technology Engineering & Design students at Wake Forest High School for their successful participation in a tiny house project. Lastly, Mayor Jones shared the accomplishment of Wake Forest being ranked as the 10th best city to move to in North Carolina by USA Today Homefront.

Assistant Town Manager Candace Davis had no report.

12.D. Closed Session: NCGS 143-318.11(a)(6) Personnel

ACTION:

Mover: Commissioner Wright moved to go into closed session at 8:43 p.m.

Second: Commissioner Sliwinski.

Vote: Motion carried 5-0.

The Board reconvened to open session at 9:40 p.m.

ACTION:

Mover: Commissioner Wright moved to approve a 7% pay raise for Town Attorney Hassan Kingsberry and a 7% raise for Town Manager Kip Padgett while maintaining his current vehicle allowance.

Seconder: Commissioner Shackleford.

Vote: Motion carried 5-0.

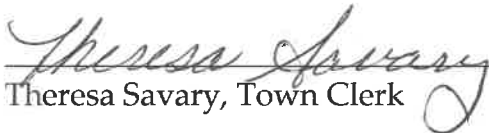
13. Adjournment

With no further business to discuss, the meeting was adjourned at 9:41 p.m.

Duly approved in open session this 16th day of July 2024.

(ATTEST)


Vivian A. Jones, Mayor


Theresa Savary, Town Clerk

