

**TOWN OF ROLESVILLE
REGULAR MEETING OF THE
TOWN BOARD**

June 5, 2018

MINUTES

PRESENT:

Frank Eagles, Mayor	Ronnie Currin, Mayor Pro Tem
Jacky Wilson, Commissioner	Sheilah Sutton, Commissioner
Paul Vilga, Commissioner	Michelle Young-Medley, Commissioner
Amy Stevens, Finance Officer	J. G. Ferguson, Parks & Recreation Director
Orlando Soto, Police Chief	Danny Johnson, Planning Director
Kelly Arnold, Town Manager	David York, Town Attorney
Robin Peyton, Town Clerk	

APPROVAL OF THE AGENDA

Mayor Frank Eagles called the Regular Meeting to order at 7:00 p.m. and led the pledge of allegiance.

INVOCATION

Commissioner Wilson gave the invocation.

SWEARING IN OF NEW TOWN MANAGER KELLY ARNOLD

Town Clerk Robin Peyton administered the Oath of Office to new Town Manager, Kelly Arnold

APPROVAL OF THE AGENDA

Mayor Eagles called for the approval of the June 5, 2018 meeting agenda with the addition before Agenda Item #B7 – *Case S18-01: Elizabeth Heights Preliminary Subdivision Plat*, of consideration of the Elizabeth Heights Special Use Order. Upon a motion by Mayor Pro Tem Currin and second by Commissioner Sutton, the June 5, 2018 meeting agenda was approved by unanimous vote.

APPROVAL OF THE CONSENT AGENDA

Upon a motion by Commissioner Wilson with the removal of item f. *Utility Customer Assistance Program Interlocal Agreement* for discussion and second by Commissioner Sutton, the June 5, 2018 consent agenda consisting of the following was approved by unanimous vote:

- Approval of the minutes of the May 1, 2018 Town Board meeting
- Approval of the minutes of the May 15, 2018 Town Board meeting
- Lyme Disease Awareness Proclamation
- Triangle J Council of Governments Charter Update
- CDBG Coop Agreement
- ~~Utility Customer Assistance Program Interlocal Agreement~~ (removed for discussion)
- FY17/18 Annual Audit Contract

PUBLIC COMMENT

NONE

CHAMBER OF COMMERCE REPORT

Chamber Executive Director Rachel Morris provided the following report:

- Successful graduation and announcement of future Leadership Rolesville students.
- Launch Rolesville scheduled to start September 6th.

PUBLIC HEARING (LEGISLATIVE) ON CASE MA18-01: CHANDLER'S RIDGE

Introduction by Staff

Planning Director Danny Johnson introduced the property under consideration for a zoning map amendment from Residential 1 District (R1) to Residential 2 District (R2).

Opening of the Public Hearing

Mayor Eagles opened the public hearing on Case MA18-01 at 7:17 p.m.

Comments from Applicant

Pam Davison, RLA with Bateman Civil Survey Company spoke on behalf of applicants.

Comments from Public in Favor

NONE.

Charles Lenoy of Watkins Farm Road asked what the differences in density meant, after which an explanation was provided.

George Garcia, 524 Averette Road, Rolesville, asked what the use will be for the remainder of the property not being developed. Applicant representation responded that that has no bearing on the public hearing.

Comments from Public in Opposition

NONE

Closing of the Public Hearing

There being no one remaining to speak, Mayor Eagles closed the public hearing at 7:20 p.m.

Moved by Mayor Pro Tem Currin to approve MA18-01 rezoning map amendment also approving the future land use plan as stated to be in compliance with Planning Board's recommendations; the zoning adopting the inconsistency statement as recommended by the Planning Board, amending the land use map to medium density; seconded by Commissioner Vilga. Motion carried by unanimous vote.

PUBLIC HEARING (LEGISLATIVE) ON CASE MA18-02: THALES ACADEMY

Introduction by Staff

Planning Director Danny Johnson provided an introduction, overview and staff recommendations on the property under consideration.

Mayor Eagles opened the public hearing on Case SUP17-02 at 7:28 p.m.

Comments from Applicant

Applicant's Attorney Beth Trahos with Nelson Mullins explained the choice of zoning being requested as it is consistent with adjacent property.

Michael Roach, Thales Academy, LLC and WFINV, LLC, 8151 Town Drive, Raleigh, NC, explained the timeline on the land purchases in the area of the property under application. Additional land will remain residential with no plans for development at this time.

Jessica Rosse with Kimley-Horn, Senior RE Marketing Analyst reviewed the absorption study included in the agenda packet.

Comments from Public in Favor

Shane Maxwell, 2808 Pluton Place, spoke in favor of the new Thales Academy

Comments from Public in Opposition

George Wrenn of 1408 Carrie May Lane asked about the turn lanes for the future school. Danny Johnson responded that the next hearing will answer many of the questions being asked.

Closing of the Public Hearing

There being no one remaining to speak, Mayor Eagles closed the public hearing at 7:38 p.m.

Moved by Commissioner Wilson regarding Case MA18-02 to approve the zoning request and adopt the Planning Board's consistency statement and statement of reasonableness; seconded by Commissioner Sutton. Motion carried by unanimous vote.

Commissioner Sutton requested that future staff memos contain example motions for and against cases that come before the Board as was done in the past.

PUBLIC HEARING (QUASI-JUDICIAL) ON CASE SUP18-01: THALES ACADEMY SPECIAL USE PERMIT

Mayor Eagles opened the public hearing on Case SUP18-01 at 7:40 p.m.

Town Attorney David York read the following statement: *Quasi-judicial hearings have characteristics similar to court proceedings. Quasi-judicial decisions must be based only on evidence presented at the hearing and site visits by the board if any. Witnesses must testify under oath or affirmation. Parties have the right to cross examine the witnesses and there is a right to present rebuttal evidence. The evidence provided by a witness must be competent material. North Carolina State law prohibits a person from giving opinions about scientific, technical or other specialized subjects, unless the person, from knowledge, skills, experience, training or education is in fact an expert on the subject. A person wanting to give an opinion as an expert must first state his or her qualifications to be an expert on the subject. State law specifically prohibits opinions of the use of property in a particular way would affect the value of other properties or opinions that increase in vehicular traffic resulting from a proposed development would pose a danger to the public safety unless the witness is an expert on the subject.*

Attorney York queried the board members as to their predisposition, prior discussion with opponents, or inability to make a decision based solely on evidence presented. Hearing satisfactory answers from all board members, the Town Clerk swore those persons in wishing to provide testimony.

Introduction by Staff

Planning Director Danny Johnson provided an introduction of the case under consideration.

Comments from Applicant

Applicant's Attorney Beth Trahos, Nelson Mullins, introduced herself and gave evidence as to her ability to be a witness.

Ross Massey, Civil Engineer with Stewart Engineering, Inc. spoke regarding the site organization and proposed development plan's consistency with the town's comprehensive plan.

Travis Fluitt, Kimley-Horn Traffic Engineer spoke regarding the traffic impact report provided with the application for special use permit.

The Board discussed additional requirements for 2nd exit onto Highway 98/Wait Avenue when the property comes before the board for site plan approval (Phase 6) which will amend the special use permit.

Tom Hester, MAI, CCIM, appraiser with Hester & Company, 228 Fayetteville Street, Suite 200, Raleigh, NC 27601, provided testimony regarding adjacent property value impact.

Attorney Trahos provided testimony as to the Ordinance Findings of Fact requirements being met by the special use permit proposal.

Comments from Public in Favor

NONE

Comments from Public in Opposition

NONE

Closing of the Public Hearing

There being no one remaining to speak, Mayor Eagles closed the public hearing on Case SUP18-01 at 8:32 p.m.

Moved by Commissioner Wilson to approve SUP18-01 with the addition that the streets be named as shown in the presentation and incorporating the conditions for approval; seconded by Mayor Pro Tem Currin. Motion carried by unanimous vote.

PUBLIC HEARING ON TOWN OF ROLESVILLE FY18/19 BUDGET

Mayor Eagles opened the public hearing on the FY18/19 Budget at 8:35 p.m.

Introduction by Staff

Finance Officer Amy Stevens provided a recap of the presentation provided during the town's May 15th Work Session.

Comments from Public in Favor

Mike Roach, Thales Academy, asked that the board include the construction of the Granite Falls Boulevard extension in the budget and that the construction be completed by the end of this calendar year.

Lynn Peed with PPM, Manager of Granite Ridge Apartments and Granite Falls communities asked that the allocation for the construction of Granite Falls Boulevard remain in the budget.

Veronica Dews, Site Property Manager for The Grande at Granite Falls asked for assurance that Granite Falls Boulevard would be built no later than December 15, 2018.

Shane Maxwell, 2808 Pluton Place, came to express his complaint that yard waste is only picked up bi-weekly (lives in neighborhood on Rogers Road) and states that it is critical that the yard waste schedule be addressed ahead of the mid-year proposed absorption by the town.

Comments from Public in Opposition

NONE

Closing of the Public Hearing

There being no one remaining to speak, Mayor Eagles closed the public hearing at 8:56 p.m.

Board declined to take action on the FY18/19 budget at this time.

PUBLIC HEARING ON TOWN OF ROLESVILLE ECONOMIC DEVELOPMENT FY18/19

Mayor Eagles opened the public hearing on the proposed FY18/19 economic development initiatives at 8:58 p.m.

Introduction by Staff

Finance Officer Amy Stevens provided an overview of the proposed FY18/19 budget.

Comments from Public in Favor

NONE

Comments from Public in Opposition

NONE

Closing of the Public Hearing

There being no one remaining to speak, the Mayor closed the public hearing on FY18/19 Economic Development initiatives at 8:59 p.m.

CONSIDERATION OF SOLID WASTE BILLING ON WAKE COUNTY TAX BILLS

Finance Officer Amy Stevens provided information on transmitting the solid waste billing to Wake County on the annual tax bills.

Moved by Mayor Pro Tem Currin to approve the resolution to support the changing of the solid waste fee as a lump sum on the property bill beginning in July 1, 2019; seconded by Commissioner Sutton. Motion carried by unanimous vote.

Moved by Mayor Pro Tem Currin to approve the Findings of Facts and Conclusion of Law Order for the Special Use Permit for Elizabeth Heights for which the Board conducted an evidence hearing on May 1, 2018; seconded by Commissioner Wilson. Motion carried by unanimous vote.

CONSIDERATION OF CASE S18-01: ELIZABETH HEIGHTS PRELIMINARY SUBDIVISION PLAT

Planning Director Danny Johnson introduced Case S18-01 Elizabeth Heights Preliminary Subdivision Plat.

Moved by Mayor Pro Tem Currin to approve CASE S18-01 to approve the subdivision plat; seconded by Commissioner Sutton. Motion carried by unanimous vote.

CONSIDERATION OF SPECIAL EVENT APPLICATION – 4TH OF JULY

Town Clerk Robin Peyton presented the 4th of July Special Event Application requiring a motion to waive Town Code 113.5 which pertains to alcohol on Town property.

Moved by Commissioner Medley to recuse Commissioner Vilga from voting as he is President of the 4th of July Committee; seconded by Commissioner Wilson. Motion carried.

Moved by Commissioner Sutton to approve the 4th of July Special Event Application, waiving Town Code 113.5 for the duration of the event; seconded by Commissioner Wilson. Motion carried by unanimous vote.

SPECIAL EVENT ORDINANCE REVISION

Town Clerk Robin Peyton provided a recap of the Special Event Ordinance Revision introduced in the Board's May 15th Work Session.

Moved by Mayor Pro Tem Currin to approve TA18-01 amendments to Town Code Article 11, Chapter 113; seconded by Commissioner Wilson. Motion carried by unanimous vote.

Commissioner Sutton inquired regarding unused funding being rolled over in the Utility Customer Assistance Program Interlocal Agreement.

Moved by Commissioner Sutton to approve the Interlocal Agreement for the Utility Customer Assistance Program; seconded by Commissioner Vilga. Motion carried by unanimous vote.

MAYOR AND COMMISSIONERS REPORTS

Mayor Eagles reported that he was Principal for the day at Rolesville Elementary School

Mayor Pro Tem Currin requested that 2020 Census information be in the FYI packet to the Board for its next meeting. Mr. Currin reported that it appears North Carolina will pick up an additional representative with the 2020 Census.

TOWN ATTORNEY

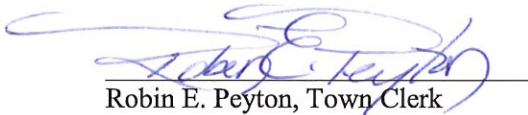
Town Attorney David York reported that Attorney Deborah Ross will be present for the 6/19 Work Session

ADJOURN

Moved by Commissioner Wilson to adjourn; seconded by Commissioner Sutton. Motion carried by unanimous vote. Meeting adjourned at 9:48 p.m.


C. Frank Eagles, Mayor

ATTEST:


Robin E. Peyton, Town Clerk

