

TOWN OF ROLESVILLE
WORK SESSION OF THE
TOWN BOARD

November 19, 2019

6:00 PM

MINUTES

PRESENT: Frank Eagles, Mayor
Jacky Wilson, Commissioner
Paul Vilga, Commissioner
Amy Stevens, Finance Officer
Kelly Arnold, Town Manager
Robin Peyton, Town Clerk

Ronnie Currin, Mayor Pro Tem
Sheilah Sutton, Commissioner
Michelle Young-Medley, Commissioner
Mical McFarland, Econ. Dev. Manager
David York, Town Attorney

This meeting is designed as a work session for board members to receive, review and discuss information prepared by staff. Only staff and board members are allowed to speak during the meeting without express special permission. Citizens are reminded that there is an opportunity during the public comment period of a regular board meeting occurring during the first Tuesday of each month for questions and concerns and citizens are welcome to contact the mayor or board members at other times by phone or email.

Financial Statements and Audit Results for FY18-19

Finance Officer Amy Stevens introduced David Boyce from Koonce, Wooten & Haywood who was present to provide a report on the audit conducted for FY18-19. Mr. Boyce stated that there were no issues and that the town internal controls are working. Mr. Boyce distributed a spreadsheet highlighting revenues and expenditures for the year. It was noted that permits and fees were down from last year and it was presumed this was due to building permits issued being down. Spreadsheet incorporated herein by reference.

Financial Update & Debt Model

Mr. Ted Cole from Davenport & Company presented the status of the town's finances and debt model.

TOWN BOARD REGULAR MEETING

7:00 PM

MINUTES

CALL TO ORDER

Mayor Eagles called to order the November 19, 2019 Town Board Regular Meeting at 7:00 p.m.

CONSENT AGENDA

Moved by Mayor Pro Tem Currin to approve the November 19, 2019 Town Board Regular Meeting Consent Agenda consisting of the following with the revision of removing item 1. Wake County Funding Agreement for Town to Assume All Maintenance of Rolesville Elementary School Community Park out from the Consent Agenda to be discussed under the Regular Agenda:

- ~~1. Wake County Funding Agreement for Town to Assume All Maintenance of Rolesville Elementary School Community Park.~~
2. Clerks Certification of Sufficiency of Voluntary Annexation Petition ion Case: A19-02 – Forestville Road Investors, LLC 14.7191 acres and Call for Public Hearing to be held January 7, 2020.
3. Barrington Phase 2, Preliminary Subdivision Plat.
4. Resolution of Findings of Fact: Site Plan Approval of Case: SP19-02 – Carlton Pointe.

The November 19, 2019 Town Board Regular Meeting Consent Agenda motion to approve with the noted revision was seconded by Commissioner Sutton and carried by unanimous vote.

REGULAR AGENDA

MA19-02 Kalas Falls/Rogers Farm – Watkins Property, Rezoning R2-SUD to R&PUD – 2nd Reading

Moved by Commissioner Wilson to approve Resolution No 2019-R-12, Town Board of Commissioners Statement of Consistency and approve the Case: MA 19-02 as presented. The request is reasonable and in the public interest because the Residential and Planned Unit Development Conditional Zoning district (R&PUD-CZ) incorporates a mix of land-use types. The proposed conditions of the Conditional Zoning district will encourage compatibility with the surrounding area; seconded by Commissioner Vilga. Motion carried with the following vote:

Ayes: Wilson, Vilga, Medley

Noes: Currin, Sutton

Continued Public Hearing Case: SUP19-01: (Quasi-Judicial) Kalas Falls / Rogers Farm – Watkins Property, PUD Master Plan Amendment

Open the Public Hearing

Mayor Eagles opened the continuation of the public hearing on Case: SUP19-01

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 the 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 the witnesses must be competent and material. North Carolina General Statute 160A-393 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. North Carolina General Statute 160A-393 specifically prohibits opinions that “the use of property in a particular way would affect the value of other properties” or*

opinions that “the 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 in those persons wishing to provide testimony in the hearing.

Evidence from Staff

Kelly Arnold, Town Manager, Town of Rolesville

Town Manager Kelly Arnold provided an introduction and overview of the PUD Master Plan Special Use Permit Amendment being proposed under Case: SUP19-01.

Nil Ghosh, Morningstar Law Group, 421 Fayetteville Street, Raleigh, NC

Mr. Ghosh is the attorney present to represent the applicant Mitchell Mill Investors, LLC, introduce speakers and offer support. Attorney Ghosh requested the following testimony and any reports, Town plans, as well as the project plan be entered into record as evidence that the conditions for approval have been met.

Barbara Todd, Landscape Architect and Land Planner with American Engineering, 875 Walnut Street, Suite 360, Cary, NC 27511

Ms. Todd provided her qualifications and testified to the landscape and land plans' compliance with the requirements of the town's ordinance and comprehensive plan.

Jay Gilleece, Hugh J. Gilleece and Associates, 875 Walnut St # 360, Cary, NC 27511

Mr. Gilleece reported that the site plan under consideration meets all of the Unified Development Ordinance requirements and asked for its approval.

Town Manager Kelly Arnold asked the applicant to consider striping two or three parking spaces on Graymont Oaks Drive and Falls Bluff Road at the greenway in order to facilitate public access and viewing as it is a collector street with bike lanes. The applicant agreed.

Town Manager Kelly Manager asked that the applicant strike the condition as written regarding private streets from townhouses with the option for further discussion at the time of site plan approval. Attorney Nil Ghosh stated the applicant agrees to the striking of the condition with option for further discussion at time of site plan approval.

J. G. Ferguson, Parks & Recreation Director, Town of Rolesville

Mr. Ferguson spoke on how the area greenways are being planned for access and closing gaps in future as they develop.

Matt Peach, Senior Transportation Engineer with Stantec Engineering, Raleigh, NC

As Mr. Peach has addressed the board before, Mr. Peach was waived from having to provide his credentials again. Mr. Peach spoke on the Traffic Impact Analysis (TIA) conducted for the project.

Commissioner Vilga questioned conditions regarding traffic signals versus round-a-bouts. A condition was added that, when a warrant analysis determines a traffic signal is needed, the

developer will construct a traffic signal or provide *equivalent value* thereby providing the town the option to install a round-a-bout and incur the additional expense.

Tom Hester, Hester & Company, 228 Fayetteville Street, Suite 200, Raleigh, NC 27601
Mr. Hester distributed a property impact analysis he prepared in the area of the proposed Kalas Falls planned unit development. Impact analysis incorporated herein by reference.

Attorney Nil Ghosh provided a wrap-up of the testimony at this time.

Comments from Public in Favor
NONE

Comments from Public in Opposition
NONE

Moved by Mayor Pro Tem Currin to approve the public hearing Case SUP19-01 with evidence of testimony received at the hearing to determine the findings of facts; seconded by Commissioner Wilson; seconded by Commissioner Wilson. Motion carried by unanimous vote.

There being no one remaining to speak, Mayor Eagles closed the public hearing on SUP19-01 at 8:27 p.m.

Carlton Pointe Greenway and Open Space Amendment Concepts

The consensus of the board was one of agreement. A quasi-judicial hearing will be held by the board to amend the special use permit.

Determining Types of Retail Activity in Commercial Centers

Discussion was held on the ability to possibly preclude businesses of the same nature from locating within same complex or center. It was noted that the town does not wish to discourage retail and it was decided that staff would seek the advice of Kathleen Rose of Rose & Associates and report back with her recommendations.

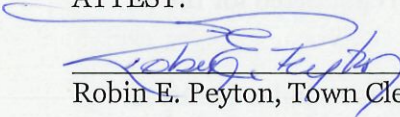
Wake County Funding Agreement

Town Attorney David York requested the following be added to the funding agreement between Wake County School Board and the Town of Rolesville: Article 1.A. Add: *except the school board will be responsible for school use related custodial services and maintenance.*

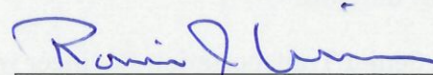
CLOSED SESSION

Moved by Commissioner Vilga to enter into Closed Session pursuant to N.C.G.S. 143-318.11(a)(5) Land Acquisitions; seconded by Mayor Pro Tem Currin. Motion to enter closed session carried by unanimous vote.

ATTEST:



Robin E. Peyton, Town Clerk



Ronnie I. Currin, Mayor

