



Town Board Regular Meeting
June 7, 2022 – 7:00 PM
502 Southtown Circle, Rolesville, NC 27571

MINUTES

PRESENT: Ronnie Currin, Mayor
Sheilah Sutton, Commissioner
Michelle Medley, Commissioner
Kelly Arnold, Town Manager
Robin Peyton, Town Clerk
Amy Stevens, Finance Director
David Simmons, Police Chief

Paul Vilga, Mayor Pro Tem
April Sneed, Commissioner
Dan Alston, Commissioner
Dave Neill, Town Attorney
Eric Marsh, Assistant Town Manager
Michael Elabarger, Planner

A. CALL TO ORDER

Mayor Currin called the meeting to order at 7:00 p.m.

1. Pledge of Allegiance

Mayor Currin led the Pledge of Allegiance

2. Invocation – Dr. Randy Bridges, Senior Pastor, Rolesville Baptist Church

3. New Employee Introductions

- Gary Broad-Police Officer
- Eddie Henderson-Project & Facilities Coordinator
- Dieva Hill-Human Resources Analyst

4. Review of Agenda by the Board and Addition/Changes of Items of New Business to the Agenda for Consideration.

Moved by Commissioner Sutton to approve the agenda; seconded by Commissioner Sneed. Motion to approve agenda carried by unanimous vote.

5. Board Liaison Reports

- Mayor Pro Tem Vilga – Parks & Recreation Advisory Board
 - The PARAB meeting was postponed.
 - Promoted the Parks & Recreation Trail Art program occurring during the month of June. Vilga showed an example of the art being placed in the parks and noted that the Rolesville town logo can be found somewhere on each piece of artwork.
- Commissioner Sutton – Economic Development
 - Rolesville Downtown Development met Friday May 20th with Wake County Economic Development who facilitated a brainstorming session for ideas regarding the Cobblestone development clock tower location and additions to the public

gathering space. The "highest point in Rolesville" was discussed as well as ideas of pointing to it. The RDD group meets monthly on the 4th Friday in Town Hall.

- Attended the Ribbon Cutting ceremony for Carolina Legacy Volleyball on Wednesday, May 25th.
 - Attended the Eastern Wake County Local Governments Association inaugural meeting in Knightdale on Wednesday, May 25th with officials from Knightdale, Zebulon and Wendell. Each municipality shared their successes and challenges. The event was held at First and Main which proved to be a great venue that is certainly a good economic driver for Knightdale and should be looked to for something similar when designing the new community center at Cobblestone in addition to classrooms and recreation. Rolesville is to host the next quarterly meeting of the EWLGA.
- Commissioner Medley – Planning Board
 - Absent from last Planning Board meeting but received summary from the Planning Director.
 - The Planning Board considered a request to change zoning from Wake County Highway District to Residential High Conditional Zoning District. The Planning Board voted down the request and the Town Board will hold a Public Hearing on the case at its July 6th meeting.
 - Commissioner Alston – Veterans
 - Flag Day is Tuesday, June 14th. Rolesville Rotary Club has a flag program where they will come out and place flags in your yard on Memorial Day, Flag Day, Juneteenth, Independence Day, 9/11 and Veterans Day. Price is \$50. More information is on the Rolesville Rotary Club Facebook page.
 - Should be hearing back from WakeMed following meeting on April 6th about a medical center in Rolesville.
 - Waiting to hear back from Congresswoman Deborah Ross regarding getting a Veterans Center and Recruiting Center in Rolesville.
 - May 17th participated in his son's Naval re-enlistment which occurred on his son's birthday.
 - Commissioner Sneed – Public Safety
 - Met at Fire Department June 6th.
 - FD has been going through inspections.
 - Insurance of Services Office inspection was held. They passed the first part with flying colors and are waiting for results of second.
 - Provided staff update.
 - Hiring Battalion Chief. Working with an outside consultant. Hoping to have the position filled by July 1st.
 - Looking for a bookkeeping company.
 - Hoping to have new rescue truck in service by July 4th. Expecting a second truck, (Engine 152) soon.
 - Gearing up for July 4th event where the new truck will be present.
 - Have an increased call volume.
 - Knock box program is ongoing. Information on Town of Rolesville website.

6. Communication from Town Staff

Police Chief David Simmons

- Gave a presentation on Operation Medicine Drop.
- May 7th Bicycle Rodeo had 30 participants. The department gave out bicycle helmets. 50 helmets were received via a grant from NCDOT. The next rodeo will be in October.
- Camp KIDDS starts June 20th and ends June 24th with 30 participants.
- Preparing for July 4th celebration.

7. Public Invited to be Heard

Roxy Wilkins, 115 W. Young Street, Rolesville.

Ms. Wilkins' Mother, Nancy Kelly, was a Commissioner in Rolesville for 25 years and ended up being Mayor and her Step-Father was also a Commissioner for some time. Ms. Wilkins came to speak on her family's property located at 6200 Emily Lane. Ms. Wilkins is one of five owners of the property and is speaking on behalf of the other four. The property is known as the Rogers-Merritt Farm and has been under contract several times. The family feels the Town of Rolesville is holding sale of the property hostage by its not providing clear answers on rezoning of the property as posed by potential buyers. During prior presentations to the Town Board on the Commercial Growth Feasibility Study it was stated by Mical McFarland that the consultant conducting the CGF study contacted all interested parties. Ms. Wilkins stated that no one in her family was ever contacted adding that commercial and industrial zoning needs to be on a major highway like NC401 instead of in the middle of residential. Every potential buyer the family has been under contract with was for residential. The developer the property is currently under contract with has not received needed communication from the town to make them feel comfortable in moving forward with purchase of the property. Ms. Wilkins asked that the town assist with the rezoning of the property so that the family can move on.

Joe Mitchell, 189 Bear Track Trail

Mr. Mitchell stated he feels like the property located at 6200 Emily Lane is not a good fit for commercial and spoke to give validity to Ms. Wilkins' comments as the real estate agent handling the listing of the property.

B. CONSENT AGENDA

Moved by Commissioner Sutton to approve the consent agenda consisting of the following.

1. Minutes of the May 3, 2022 Regular Town Board Meeting and May 17, 2022 Work Session.
2. ANX 20-02 – Barham Land Annexation. Call for Public Hearing July 6, 2022.
3. ANX 22-03 – 5109 Mitchell Mill Road. Direct Clerk to Investigate the Petition Sufficiency.
4. Adoption of Flood Insurance Rate Maps.
5. Approve GFL Environmental Contract for solid waste and recycling collection for the period of 2022-2027.
6. Approve Town of Rolesville Bereavement Leave Policy.
7. Approve 2022-2023 Powell Bill Resolution.

8. Adoption of Ordinance 22-O-01 to amend the Code of Ordinance to Impose Term Limits for Appointed Boards.
9. Approve Chandler's Ridge Development Agreement (First Amendment).
10. Receive Commercial Growth Feasibility Study Final Report.

Motion to approve the consent agenda seconded by Commissioner Medley and carried by unanimous vote.

C. BOARD ACTION

1. Consideration of FY2022-2023 Budget.
Finance Director Amy Stevens recapped presentations given in prior meetings (March Work Session, April 20th Regular Meeting and May 3rd Public Hearing). Stevens pointed out changes made following the meetings which are reflected in the meeting agenda packet materials. \$550,000 requested by Commissioner Vilga to be earmarked for entrance to the Farm was allocated in revisions.

Moved by Commissioner Sneed to adopt the FY2022/2023 Budget to include the Budget Ordinance for dates from July 1st, 2022 through June 30th 2023, the Capital Project Ordinance dated June 7, 2022, and the Resolution Authorizing the Wake County Revenue to Levy and Collect Property Taxes; seconded by Commissioner Medley. Motion to adopt the budget carried by unanimous vote.

2. Community Group Funding Committee Recommendations.
Mayor Pro Tem Vilga provided recommendations for awarding the Community Group Funding applicants for the following amounts along with an explanation of what each applicant does for the community:

Northern Wake Optimist Club	\$2,000
Rolesville Athletic Club	\$2,625
Thorne to Rose Foundation	\$2,000
Tri-Area Food Ministry	\$2,625
Woodrow Wilson DAV	\$ 750

The above amounts provide some award to all five applicants and totals the \$10,000 budgeted amount for the funding for the FY2022/2023.

Moved by Commissioner Sneed to approve the Community Group Funding recommendation as made by the Community Group Funding Committee; seconded by Commissioner Alston. Motion to approve carried by unanimous vote.

Mayor Currin noted that he met with the head of the Rolesville Athletic Club where it was revealed the club is trying to get the girls dugout up to the same standard as the boys which was renovated by volunteers in recent years. Mayor Currin added that if those in the community can make donations to the Rolesville High School Booster Club for the girls' dugout, he will match the largest donation.

3. Public Hearing: MA22-04: 414 South Main Street (former Pine Glo).

Mayor Currin opened the public hearing on MA22-04 at 7:53 p.m.

STAFF COMMENTS

Planning Director Meredith Gruber provided an introduction and background on the application under hearing for Case: MA22-04, 414 South Main Street, rezoning request from General Industrial (GI) to General Commercial Conditional Zoning District (GC-CZ). Ms. Gruber listed the proposed excluded uses which may be found in the [agenda packet](#) for the meeting. Staff believes the current zoning is due to the use of the former property owner and its use of the building. Principle #5 and goals 4 and 5 and of the town's [Main Street Vision Plan](#) are supported by the proposed use of the property should the rezoning request be approved. Ms. Gruber is proposing putting off a Traffic Impact Analysis (TIA) until time of site plan rather than waive the TIA as the Land Development Ordinance (LDO) allows.

Staff is recommending approval of the rezoning under Case MA22-04, 414 South Main Street. The Planning Board unanimously recommended approval as well.

APPLICANT

Robert Shaar, 924 Evening Snow Street, Wake Forest, NC

Mr. Shaar, a resident of Rolesville since 2013, came before the board to state his experience as a developer and present his proposed plans for the building located at 414 South Main Street. Mr. Shaar reported he has several Letters of Interest (LOIs) from sports organizations as well as a potential restaurateur.

COMMENTS FROM PUBLIC IN FAVOR

Hugh Largey 421 Lindsays Run, Rolesville, NC

Asked if there was a provision in the zoning for Leisure Recreation like perhaps miniature golf and other more non-structured athletics for visitors of residents of Rolesville and more mature non-serious athletes.

COMMENTS FROM PUBLIC IN OPPOSITION

None

Mayor Currin closed the public hearing at 8:08 p.m.

Moved by Commissioner Alston to adopt rezoning request MA 22-04, 414 South Main Street; seconded by Commissioner Sutton. Motion to adopt carried by unanimous vote.

Moved by Commissioner Alston to adopt a Plan Consistency Statement, a Statement of Reasonableness, and a Future Land Use Map Amendment; seconded by Commissioner Sutton. Motion to adopt carried by unanimous vote.

4. Public Hearing: MA22-02: Elizabeth Springs R40W to R&PUD.
Mayor Currin opened the public hearing on MA22-02 at 8:011 p.m.

STAFF COMMENTS

Senior Planner Michael Elabarger provided the introduction by staff of Cases MA22-02 and SP22-01, Elizabeth Springs Watershed Removal applications and provided historical background on prior development requests on the property and noted its regulation falling under the Unified Development Ordinance (UDO) not the recently adopted Land Development Ordinance (LDO) which have different guidelines.

APPLICANT

Kevin Peach, Attorney for applicant Experience 1 Homes, LLC, 8493 Central Drive, Raleigh, NC

Responding to a question posed by Commissioner Medley, Mr. Peach reported that the property was regraded to flow away from the watershed thereby allowing the property to be removed from the watershed by the State of North Carolina. The applicant is asking that a portion of the property be rezoned from R40 to match the rest of the development zoned R&SUP.

PUBLIC IN FAVOR

None

PUBLIC IN OPPOSITION

None

COMMENTS FROM APPLICANT

David Schmidt, Developer, Experience 1 Homes, LLC, 1132 Goliath Lane, Apex, NC

Mr. Schmidt stated that his company bought the property from Wright-Whitley Properties with the understanding that as soon as the property was removed from the watershed the rezoning would be approved as per prior statements made by former Planning Director Danny Johnson. Mr. Schmidt stated that the traffic engineer was present to answer questions and respectfully asked for approval of the request as the entry feature and amenities cannot be built without approval.

There being no one remaining to speak, Mayor Currin closed the Public Hearing on MA22-02 at 8:30 p.m.

Moved by Commissioner Sutton to approve the rezoning request MA22-02 Elizabeth Springs Former Watershed Area; seconded by Commissioner Alston. Motion carried by unanimous vote.

Moved by Commissioner Sutton to adopt the Plan Consistency Statement, Statement of Reasonableness and Future Land Use Map Amendment; seconded by Commissioner Sneed. Motion to adopt carried by unanimous vote.

5. Evidentiary Hearing: SUP22-01 Elizabeth Springs Watershed Area.

Mayor Currin opened the Evidentiary Hearings on SUP22-01 Elizabeth Springs Watershed Area and Evidentiary Hearing PR22-03 Elizabeth Springs Watershed Area at 8:27 p.m. as both hearings were to be held concurrently with two separate votes.

Town Attorney Dave Neill provided the statement of evidentiary hearing and conducted the voir dire process with the board members in accordance with N.C.G.S. 160D-601. There being no indication of bias or conflict of interest by any member of the board, proceeding with the hearing was deemed appropriate and the Town Clerk swore in those witnesses wishing to provide testimony.

6. Evidentiary Hearing: PR22-03 Elizabeth Springs Watershed Area.

APPLICANT

Kevin Peach, Attorney for applicant Experience 1 Homes, Developer

Mr. Peach introduced witnesses for the applicant to include the following:

Tim Grissinger, Assistant Director, Bateman Civil Survey, 112 Piperwood Drive, Cary, NC
Mr. Peach queried Mr. Grissinger on his qualifications to provide expert testimony.

Town Attorney Dave Neill reported that the Town acknowledges Mr. Grissinger as an expert witness.

Mr. Peach queried Mr. Grissinger regarding the obligatory findings of facts to which Mr. Grissinger responded to them having been met.

Travis Fluitt, Traffic Engineer with Kimley-Horn, 421 Fayetteville Street, Raleigh
Mr. Peach queried Mr. Fluitt as to his qualifications to provide expert testimony.

Town Attorney Dave Neill reported the Town recognized Mr. Fluitt as a traffic engineer expert.

Mr. Peach queried Mr. Fluitt regarding the obligatory findings of facts to which Mr. Fluitt responded to them having been met.

Mr. Fluitt provided information on the Traffic Impact Analysis (TIA) that was conducted in December 2017 for the project as well as a Trip Generation Analysis with the new land use mix. None of the improvements from the recommended study have changed.

Gaye Orr, President and Partner with Coldwell Advantage Banker, 7511-102 Morning Dove Road, Raleigh
Ms. Orr submitted her credentials to the board in order to offer testimony in the hearing as an expert witness in real estate.

Town Attorney Dave Neill stated that the town recognized Ms. Orr as an expert in residential real estate.

Mr. Peach queried Ms. Orr as to potential impact the project may have on real estate values to which Ms. Orr stated, should the pending motion be denied, sales of the properties would be affected negatively due to the entrance and amenities, currently bare land, not being able to be built out. Conversely, should the entrance and amenities be built, there would be a positive impact on sales and there is concern of the market cooling.

David Schmidt 1132 Goliath Lane, Apex

Mr. Schmidt stated that there would be a negative impact if the entrance and amenities were not built out as current residents are waiting for the build out and potential buyers would be looking for the entrance and amenities on the cleared lots to come to fruition.

PUBLIC IN OPPOSITION

None

Mayor Currin closed the public hearing on Case SP22-01 and Case ?? at 9:01 p.m.

Moved by commissioner Alston to approve the Special Use Permit request SUP22-01, Elizabeth Springs Former Watershed Area, based on the evidence and testimony received at the hearing to determine the Findings of; seconded by Mayor Pro Tem Vilga. Motion to approve carried by unanimous vote.

Moved by Commissioner Alston to approve Preliminary Subdivision Plat request PR22-03, Elizabeth Springs Former Watershed Area, based on the evidence and testimony received at the hearing to determine the Findings of Facts; seconded by Commissioner Sutton. Motion to approve carried by unanimous vote.

The Town Board recessed.

The Town Board returned from recess at 9:10 p.m.

The following evidentiary hearings (PR21-04 and SP21-02 were facilitated concurrently).

7. Evidentiary Hearing: PR21-04 Wallbrook
The Town Clerk was asked by the Town Attorney to enter previous evidentiary hearing comments in to record from previous hearings and administer the oath of office to those wishing to provide testimony. A new voir dire was conducted as the following hearings concerned different locations and projects and does not repeat from the previous hearings. Satisfactory answers were received thereby eliminating any concern of conflicts of interest.
8. Evidentiary Hearing: SP21-02 Wallbrook Townhomes.

STAFF REPORT

Planning Director Meredith Gruber provided the staff report and reported that the Land Development Ordinance (LDO) regulates the preliminary plat and the Unified Development Ordinance (UDO) the site plan processes.

Gruber reviewed standards under LDO for the preliminary plat and standards under the UDO for the site plan.

Gruber reported that the project went through six reviews by the Technical Review Committee and that staff is recommending approval.

Application and staff report were admitted in to evidence.

EVIDENCE FROM APPLICANT

No opposing council was seen as being present.

Mark Frederick, Parker, Poe, Adams and Bernstein 301 Fayetteville Street, Raleigh
Mr. Frederick, Attorney presented himself as representative for the applicant, Crosslands Southeast. Mr. Frederick distributed a binder containing documents used in the proceedings to include the Special Use Permit Resolution approved by the Town Board in 2021, the Traffic Impact Analysis (TIA), TIA addendum and a report by the Real Estate Appraiser speaking in the hearing. The documents were tendered and admitted in to evidence.

Mr. Frederick provided an overview of the Wallbrook project, a multi-use development.

Michael Isaac, Senior Project Engineer for Crosslands Southeast, 121 W. Trade St. Suite 2550, Charlotte, NC

Mr. Frederick queried Mr. Isaac as to his qualifications and was acknowledged by the Town as an expert in project engineering.

Mr. Isaac was queried as to the findings of facts under his purview and his responses were the approval criteria were met by the proposed project as submitted in the hearings.

John Briond, President of Hampton Pointe Homeowners Association, 1000 Evening Shade Avenue, Rolesville, NC

Mr. Briond posed the cross-examination question on the paris-tract of the buffer which backs up to Middleground Avenue to which Mr. Austin Williams agreed to upgrades and the keeping of mature trees in addition to erecting a fence. It was confirmed that those agreements were correct. Expressing stormwater concerns, Mr. Briond asked if the buffer would not cross his property. Mr. Isaac responded that the projects calls for it to travel under Main Street. In response to his traffic questions, Mr. Briond was asked to wait for testimony by the transportation engineer. It was revealed that the Paris tract is not part of the evening's hearings. As the paris-tract is not part of the hearing so conditions were not required under the current site plan review.

Brian Figundis, Arc Consulting, 2755 -B Charles Boulevard, Greenville, SC

Mr. Frederick queried Mr. Figundis as to his qualifications and was acknowledged by the Town as an expert in civil engineering and site plan design.

Mr. Figundis was queried as to the findings of facts under his purview and his responses were the approval criteria were met by the proposed project as submitted in the hearings.

Signed findings of Fact and Conclusions of Law with Conditions approved April 6, 2021 admitted and accepted in to evidence.

Allen Hatters, 602 Crestar Drive, Rolesville

Question on trees remaining through construction in his area and how will the intersection of Wall Creek and Main Streets be affected by the proposed project intersection.

Mike Sanchez, McAdams 255 Meridian Parkway, Durham

Following the provision of his qualifications, Mr. Sanchez was tendered and accepted as an expert in civil engineer and site design.

James Woodard, 420 Green Turret Drive

Mr. Woodward questioned who would be liable should something happen involving the out of ground portion of the septic pipe proposed in the easement requested on his project to which was responded that the City of Raleigh would be responsible and writes liability provisions in to its easement agreements.

Matt Pietsch, Project Manager with Stantec Engineering, 801 Jones Franklin Rd., Suite 300, Raleigh, NC

Mr. Pietsch submitted his qualifications and was accepted as an expert witness in transportation engineering and traffic impacts.

Mr. Pietsch directed his testimony to the findings of facts under his purview and his responses were the approval criteria were met by the proposed project as submitted in the hearings.

Ron Patterson, 600 Crestar Drive, Rolesville, NC

Asked about the right turn at extension of Wall Creek Drive. Mr. Pietsch explained that a left turn will no longer be permitted out of Wall Creek in the project plans.

Mitch Amiano, 4900 Burlington Mills Road, Rolesville, NC

Asked for clarification on the realignment of Burlington Mills Road to which a clarification was provided.

Nathaniel Cooper, 116 Wall Creek Drive, Rolesville, NC

Mr. Cooper asked where the new sidewalks were to be placed, the traffic impact on existing street if traffic is approved and if the Traffic Impact Analysis included existing streets to which answered were provided.

Charles Johnson, 120 Wall Creek Drive, Rolesville, NC

Questioned the proposed alignment of the extended Wall Creek Drive, specifically why wouldn't people want to turn right to use it as a pass through if traffic is backed up on Main Street. Mr. Pietsch responded to his questions.

Commissioner Sutton asked if the street near the ABC store continues to which Mr. Figundis answered that there is a stub there that will continue through Carlton Pointe.

Hunter Howell, 412 W. Chad Street, Cary, NC Bowbridge Property Appraisers

Mr. Howell provided his qualifications, was tendered as expert in property appraisal and accepted by the Town as an expert witness.

Tabs 2 & 3 admitted in to the record and admitted into evidence.

Tab 4 of the binder admitted in to evidence.

IN OPPOSITION

None

CLOSING REMARKS

Attorney Frederick summarized the evidence presented with respect to each approval criteria.

There being no one remaining to present evidence, Mayor Currin closed the public hearings on PR21-04 and SP21-02 at 10:54 p.m.

Moved by Commissioner Sutton to approve the Preliminary Subdivision Plat under Case: SP21-01 based on the evidence presented in determining the Findings of Fact; seconded by Commissioner Alston. Motion to approve carried by unanimous vote.

Moved by Commissioner Vilga to approve the Site Plan, SP21-02, Wallbrook Townhomes, based on the evidence and testimony received at the hearing to determine the Findings of Fact; seconded by Commissioner Medley. Motion to approve carried by unanimous vote.

D. COMMUNICATIONS

1. Communication from Town Attorney

- In 2008 the towns of Apex, Knightdale and Garner received local legislation that allowed them to publish public hearing notices on their websites eliminating the requirement to publish in a local newspaper. The Town of Garner is now asking that being extended to all notices, not just those that pertain to public hearings. Representative Gill has agreed

to introduce Bill 1031 in response to Garner's request. Other Wake County municipalities have been asked if they wish to be included. General Consensus was to add Rolesville with Representative Everette as Co-Sponsor.

2. Communication from Town Manager


- Bid opening on LAPP project occurred June 7th at 2:00 p.m. Requirement is for three bids to be received and only two were submitted so no bids were opened. Second attempt will be June 28th.
- June 21st Town Board Work Session will begin with Town Board discussion of meeting facilitation policies and procedures.

3. Communication from Town Board

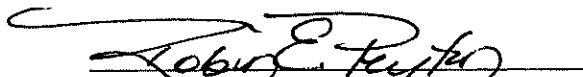
NONE

E. ADJOURN

There being no further business before the board, Mayor Currin adjourned the meeting at 11:10 p.m.


Ronnie I. Currin, Mayor

ATTEST:


Robin E. Peyton, Town Clerk

