

TOWN OF ROLESVILLE
REGULAR BUSINESS MEETING OF THE
TOWN BOARD

APRIL 7, 2014
MINUTES

PRESENT: Frank Eagles, Mayor
Gil Hartis, Commissioner
Frank Hodge, Mayor Pro Tem
Bryan Hicks, Town Manager
David York, Town Attorney
JG Ferguson, Parks & Rec Director
Ed and Mickey Strong
Charles Buchanan
Susan and Peter Newman
Michael Vance
Larry and Judy Velky
Sherwood Bobbitt
Marcel Beaudreau
Leroy Hood
James and Linda Demchak
Rudy and Glynn Roberson
Kristi Richards
Lee McPherson
Ronnie Currin, Commissioner
Betty Whitaker, Commissioner
Shannon Whitley, Commissioner
Thomas Lloyd, Planning Director
Clellie Allen, The Wake Weekly
Bobby Langston, Police Captain
Joyce Edwards
James and Phyllis Woodard
Al and Sandy Maxwell
Dana Hartis
Kathy Fuerst
Dr. Charles Johnson
Sharon Evans
Ray and Carolyn Taylor
Frank Brund
Jamie Schriver
Sonia Ingram
Greg Hobbs

Call to Order

Mayor Frank Eagles called the meeting to order and welcomed everyone. Mayor Eagles led the Pledge of Allegiance. Commissioner Shannon Whitley gave the invocation.

Approval of the Agenda

Commissioner Whitley made the motion to approve the agenda as presented. Commissioner Betty Whitaker seconded the motion, which passed unanimously.

Consent Agenda

With no changes noted, Commissioner Whitaker made the motion to approve the consent agenda. Commissioner Whitley seconded the motion, which passed unanimously.

Public Comments

There were no comments from the public.

Chamber of Commerce Report

Chamber President Sherwood Bobbitt shared with the board some of the chamber's upcoming events, an update on chamber membership and the results of some recent events.

Continuation of Public Hearing for Case TA14-06: An Amendment to the UDO to Create Specifications for Senior Housing within the R-3 District

Commissioner Gil Hartis read a prepared statement asking that he be recused from the discussion and vote of the proposed text amendment due to personal opinions of the issue that have formed; as well as the potential impact the text amendment could have on the value of his property.

Commissioner Frank Hodge made the motion to approve the recusal.

Commissioner Ronnie Currin asked if Commissioner Hartis' action could set a precedent for the board, forcing commissioners to abstain from voting on issues near their respective neighborhoods.

Town Attorney David York said that this would not set a precedent, as the decision is a personal one. He added that the situation is unique because the decision could have a direct financial impact on Commissioner Hartis' property.

Commissioner Whitley stated that, while she also lives in the Wall Creek subdivision, she does not share Commissioner Hartis' concern and will not recuse herself from this vote.

Commissioner Whitley seconded the motion to accept Commissioner Hartis' recusal from the text amendment vote. The motion passed unanimously.

Planning Director Thomas Lloyd told the board that staff does not support the proposed text amendment due to its lack of public support and findings from staff research indicating that most other Wake County municipalities do not have separate development rules for senior housing.

Commissioner Hodge read a statement reflecting on his long-term goals as a local leader to help shape Rolesville while protecting its residents' rights. He noted that the town board's careful attention to detail in planning has served the town well and, because of that, he called for a motion to deny the proposed text amendment, calling for senior housing projects to have the same requirements as all other R-3 developments, such as apartments and townhouses. Commissioner Whitley seconded the motion, which passed unanimously.

Public Hearing for case TA 14-05: a Text Amendment to the UDO to Define Bars/Taverns/Night Clubs and Make it an Allowable Special Use

Mayor Eagles opened the public hearing.

Mr. Lloyd briefed the board on Mr. James Demchak's business plan for a private sports club in town and the subsequent need for the town to create a defined use for bars/taverns/nightclubs, where alcohol is the primary sale. He noted that the proposed use would require a special-use permit approved by the town board.

Mr. Demchak told the board that his goal is to establish a sports bar with food, TVs and small games. He said he intends to set up the business as a private, members-only club to better regulate customer behavior and activity and strive for a safe environment.

Commissioner Whitaker asked if Mr. Demchak was familiar with the board's handling of these types of business plans in the past. Mr. Demchak said that town staff has worked with him on typical restrictions and he worked with the Planning Board to set revised hours of operation and other conditions.

Greg Hobbs, who manages the Redford Place shopping center, spoke in favor of the proposed text amendment and Mr. Demchak's business plan. He added that the shopping center itself has stringent guidelines that businesses must adhere to and management would actively enforce those rules.

Dr. Charles Johnson asked about Mr. Demchak's stance on concealed-carry permits.

Mr. Demchak didn't have a set stance on the issue and said he would need to research state and local laws on concealed weapons in bars.

Sonia Ingram asked if Mr. Demchak would be serving food in the establishment. Mr. Demchak said he plans to work with the Rolesville Café to offer food to patrons.

Mayor Eagles closed the public hearing.

Commissioner Whitley made the motion to table the decision on the text amendment until the Tuesday, April 22 Town Board of Commissioners' meeting. Commissioner Whitaker seconded the motion, which passed unanimously.

Discussion and Consideration of the Proposed Fee Schedule for Business Licenses for the 2014-15 Fiscal Year

Town Manager Bryan Hicks reviewed the proposed fee schedule for the board, which calls for no changes from the previous year's fee schedule.

Commissioner Whitaker made the motion to approve the proposed fee schedule for business licenses for the 2014-15 fiscal year. Commissioner Whitley seconded the motion, which passed unanimously.

Approval of the draft agenda for the April 22, 2014 regular business meeting

Commissioner Whitley asked for an update on the plans for the downtown farmers market.

Commissioner Hodge asked for an update on the Fourth of July festivities.

Mr. Hicks presented to the board a proposed structure change to meeting agendas that would be implemented in May. The board would hear comments on public hearings at the monthly third Tuesday meetings (informational meetings) and would then take action at the following monthly first Monday meeting (business meeting).

Mayor and Commissioners' Reports

Commissioner Whitley reminded the board of the upcoming rabies and microchip clinic to be held at Main Street Park on Saturday, May 3.

Mayor Eagles reported that he and Mr. Hicks had lunch with members of the county manager's office. During that meeting he expressed his concern that Rolesville hasn't received much assistance from the county.

Commissioner Currin noted that there is a meeting on April 22 with representatives from DOT to discuss the plans for super streets along the Rolesville Bypass.

Mayor Eagles added that the bypass plans call for the East Young Street intersection near the Eastern Wake EMS station to be signalized and have mountable medians for emergency vehicles to cross over. He also said that the bypass should be open in September.

Staff Reports

Parks and Recreation Director JG Ferguson reminded the board that Rec Day is on Saturday, April 26, starting at 3 pm. He also reported that the first movie night of the season will be Saturday, May 17.

Captain Langston reviewed the results of the Police Department's recent Medicine Drop. He also presented the board with options for dealing with the department's need for additional office space. With the need for space and property owner Lloyd Mattingly's willingness to contribute funds to upfit a new facility, the board felt that the department should pursue the option which would move them to the old State Employees Credit Union office in the same shopping center. Captain Langston said he and Chief Matt Anderson agree that is the best option.

Mr. Hicks added that he feels confident that a revised four-year lease for the new building can be negotiated in order to keep the Town Hall and the Police Department on the same lease schedule. Mr. Hicks said that he is unsure whether this can be added to the current year's budget or if the Police Department should wait until the new fiscal year begins July 1.

Commissioner Hodge asked Captain Langston how much space the Police Department needs. Captain Langston said that it's difficult to give an exact number but, generally, the department needs more rooms and offices.

Mr. Lloyd reported nine residential building permits in March, attributing that low number to poor weather. He also said he anticipates two development sketches to be submitted soon for dormant developments: one on Forestville Road and the other for the Cedar Lakes subdivision.

Mr. Lloyd also reported that he, Mr. Hicks and town planner Matt Klem have been visiting local businesses to discuss changes to the town's sign ordinance, set to go into effect on April 30.

Commissioner Whitley said she heard that the city of Raleigh is also reviewing its sign ordinances.

Commissioner Hodge noted that the number of political signs is increasing while the town is requiring businesses to remove signs. Commissioner Whitley said that political

signs are different from business signs. Commissioner Hodge asked if the town should allow businesses to continue unregulated advertising during the summer political season. Commissioner Whitley responded that there will always be some reason to make exceptions and to do so is counterproductive.

Mr. Bobbitt said that he has heard concerns from chamber members and has encouraged business owners to contact town staff with questions and concerns.

Mayor Eagles asked about the process in changing sign regulations if it is deemed necessary. Mr. Hicks said that a business could fill out an application to call for an amendment to the ordinance, which would then go to the Planning Board or, if the business could prove that the ordinance causes a specific hardship, it would go to the Board of Adjustment.

Both Commissioner Whitley and Mayor Eagles said they have heard positive feedback regarding the sign ordinance.

Commissioner Hodge asked Mr. Bobbitt to serve as a conduit between the town and chamber members. Commissioner Whitaker encouraged business owners to get involved in the process rather than react after the fact.

Mr. York said he has reviewed the level 4 agreement with Wake County Public Schools and suggests revising the agreement so that the town could ensure that any field lights installed at Rolesville Middle School would remain town property.

Mr. Hicks reported that Secretary of Transportation, Tony Tata, has agreed to meet with board members and Rolesville residents on Tuesday, June 17 to answer questions and discuss construction projects. However, because that town board meeting is scheduled to be cancelled, Mayor Eagles asked if the meeting with Secretary Tata could be rescheduled. Mr. Hicks said he will look into this, noting that the earlier meeting with other DOT representatives may negate the need for Mr. Tata to make a visit to Rolesville.

Mr. Hicks also stated that the city of Raleigh released an updated report on Rolesville's water merger debt payoff schedule. Raleigh staff confirmed that the town of Rolesville will pay off its debts ahead of schedule, with an estimated payoff date of July 1. Mr. Hicks said he is also in discussions with Raleigh staff to work towards combining the town's garbage bill with city of Raleigh water and sewer bills.

With the debt payoff around the corner, Mr. Hicks said the discussions can now shift to how Rolesville wants to handle its current fee schedule for developers wishing to tap onto the city of Raleigh water and sewer system. The town could opt to reduce or eliminate that fee or keep the fee in place, using the funds to build up the town's savings which could go towards future economic development projects.

Closed Session

Commissioner Hodge made the motion to go into closed session to discuss matters protected under attorney-client privilege pursuant NC GS § 143-318.11-A3.

Commissioner Whitaker seconded the motion, which passed unanimously.

Commissioner Whitley made the motion to return to regular session. Commissioner Whitaker seconded the motion, which passed unanimously. No action was taken.

Adjournment

With no other business, Commissioner Whitley motioned to adjourn the meeting. Commissioner Whitaker seconded the motion, which passed unanimously.

Leslie Rudd, Town Clerk

C. Frank Eagles, Mayor