

**March 10, 2014**

**Wendell Town Board of Commissioners Meeting Minutes**

The Wendell Town Board of Commissioners held their regularly scheduled board meeting on Monday, March 10, 2014 at 7:00 p.m. in the Town Boardroom with Mayor Timothy A. Hinnant presiding. Present at the meeting were Commissioners Sam Laughery, James Parham; John Boyette; Virginia Gray; Manager Teresa Piner, Town Clerk Jonnie Driver; IT Administrator Tamah Hughes; Finance Director Butch Kay, Police Chief Bill Carter; Public Works Director Alton Bryant; Interim Planning Director David Bergmark, Planner Patrick Reidy. Commissioner Lutz was unable to attend due to the birth of his daughter.

Mayor Hinnant called the meeting to order at 7:00 p.m. and welcomed and thanked everyone for attending.

Police Chief Bill Carter led the Pledge of Allegiance and Minister Smith of New Hope Baptist Church gave the invocation.

**Adjustment and approval of the agenda**

No adjustments were made and Commissioner Laughery made a motion to approve the agenda. The vote was unanimous.

**Item 1 – Public Comment Period**

Stacy Harper – 302 E. Haywood Street stated she would like to thank the Public Works Department for their hard work during the recent ice storm and said that Wendell Streets were clearer than anywhere she drove, including downtown Raleigh.

Mrs. Harper said it had been 75 days since Christmas. She said the Lake Myra Lights were still up and it looked tacky. She said it had been Christmas in Wendell for approximately 525 day since the whole display was never taken down from Christmas 2012. She said the site looks horrible and was an eyesore to the community. She said when she has guests they ask what was going on with the Christmas Lights. What does that corner say for Wendell to people that are looking to buy a home or the ones looking to sell their home.

Mrs. Harper said the Town of Wendell as she understood it had spent approximately \$8300.00 on the Lake Myra Lights over the last two years for a light show that won't even carry the Wendell name or clean up their site. In order to see it affectively, people have to stand in the middle of the street or across the street on a neighbor's property. This is a light show that she contended had not done \$8300 worth of good for the town. It might bring a few visitors, but there are no stores open at that time.

Mrs. Harper said she urged the board to take these things in consideration as you begin to develop the budget for the next fiscal year. In the tough economic times that Wendell faces, she encouraged the board to think long and hard about how tax payer's money is allocated on a display that does not seem grateful for that \$8300, at least not grateful enough to clean up the site. She said if the board decided to allocate money to this private display, she would encourage them to have a contract with the light show operator with the following caveats:

March 10, 2014

**Wendell Town Board of Commissioners Meeting Minutes**

- (1) There should not be a sign proclaiming it to be Lake Myra Lights, if it is in Wendell and the town was paying the bill, it should be Wendell Wonderland or another proper title with the town's name.
- (2) There be an appropriate date to start set up of the display and after two years it should be easier to put up and we don't need to see Christmas in August, she thought it would be appropriate to start after the Harvest Festival which generates visitors to come to Wendell when stores are open.
- (3) That an appropriate date for the site to be cleared of all items related to the display be set. Surely a month after Christmas should be long enough and the light show operator should be subject to a penalty for every day the site goes without being cleaned. She said zoning violations are \$100.00 per day and if my memory serves me right, there were things about that site that could be considered zoning violations.

Please if you decide to fund this again, provide teeth in the contract where this site will be cleaned in an appropriate time frame.

Mrs. Harper said she would urge the board when making tough budget decision on cuts, please think long and hard on this allocation. Mrs. Harper stated she would rather keep the services we have than a light show that junks up a prominent corner of the town for most, if not all of the year.

**Item 2 – Consent Agenda**

- a. Approval of the Minutes from the Monday, February 25, 2014 Board of Commissioners' meeting
- b. Approval of the FY 2014/2015 Budget Calendar

Commissioner Parham made a motion to approve the consent agenda as written. The vote was unanimous.

**Item 3 – Discussion, review and action of budgetary requests for FY 2013-2014.**

Mrs. Piner said at the February retreat, Town Hall improvements were discussed in comparison to the cost of construction of a new facility. Staff was directed to look at estimates for both scenarios.

Mrs. Piner stated New Construction for a 20,000 sq. ft. facility was estimated to cost \$5,000,000 (Land included in the price. She said the terms for \$5,000,000 financed for 35 years at 4.25% would yield an annual payment of \$274,740 (to include principle and interest).

Mrs. Piner said another cost to consider will be the construction of a police satellite station in conjunction with a new Wake County EMS/Fire Facility which is scheduled to be constructed in the next couple of years at a cost of approximately \$500,000.

FY 2013/2014 (to be approved by the board in March and completed by June 30, 2014). Funds are available in the FY 2013 budget as a result of not pursuing the PARTF Grant.

Signage	\$11,000
Windows	\$35,000
Awnings	\$ 8,000

March 10, 2014

Wendell Town Board of Commissioners Meeting Minutes

Lighting	\$13,000
Computers	<u>\$20,000</u>
	\$87,000

FY 2014/2015 (to be included as a part of the budget process and completed by June 30, 2015)

Remodeling	\$145,000
Board Room	20,000
HVAC	75,000
Furniture	40,000
Carpet/Paint	20,000

Mrs. Piner said this does not include a new roof. The roof is not leaking and does not need immediate attention but due to its age, repairs will most likely be needed in the next few years. A full roof replacement could cost up to \$100,000.

Commissioner Gray said she would like to keep the renovations separate from the other things, because when she first looked at this she saw signage and wondered what \$11,000 could be for signage for this building. She said she would also like some additional information on the estimates on the awnings. She said she knew we had some issues in the board room with some microphone, monitors and things, but it was her expectation for our goal to be to stay at \$100,000. She said she thought the estimates were high. She said let's look at this building as a separate thing.

Commissioner Boyette said in the estimate for the new building you said that included land. Mrs. Piner said we have some property that we could potentially look at so if you were going to buy land you would probably be talking about another \$100,000-\$200,000. Commissioner Boyette said the \$500,000 quoted on the police satellite station was for the town's 2,000 square feet of the Wake County EMS/Fire facility.

Commissioner Parham said he agreed with Commissioner Gray, if we were talking about renovations, let's just talk about renovations, not the computers, and things. He said he thought 5 million for a new facility was out at this time.

Commissioner Laughery asked how was the \$87,000 was identified in the budget. Was there anything special we had to do for the budget to use this money? Mrs. Piner said we would do a budget amendment at the end of the fiscal year; funds were not set aside specifically for the items listed, but resulted from not pursuing the PARTF grant. Commissioner Laughery said he was in favor of passing this request tonight, he said these were items we need to address and the money was in the budget so he thought we should move forward.

Mayor Hinnant said at the retreat the board stated that we would purchase the IT items that were needed; he just wanted to make sure that we had enough to get the IT items because that was a priority. Tamah said the \$20,000 covered the PC and Laptops. Tamah said there were two other items the backup solution \$15,000 and the app for users to update and send information \$3,000. Mayor Hinnant said if we put a \$40,000 place holder for computer/IT that would be more realistic.

March 10, 2014

### Wendell Town Board of Commissioners Meeting Minutes

Commissioner Gray said that was why she was concerned when she looked at the list \$11,000 for signage, \$8000 for the awnings because we already have frames. She felt like we were over estimating and the money was tight and what we had added up for IT was actually \$41,000 and she would rather pick something and finish it than nitpick at a lot of things and never get them completed. She said if we took the lighting and awnings off that would do a lot.

Commissioner Laughery said it sounds like we were considering adding another \$20,000 to it; you have \$87,000 in the budget we can use for this. If we were to up that to \$107,000 you would have to go back and look at the budget to come up more funds, so he thought all we could consider tonight was the \$87,000 because that was what we had funds for. He said he would like to hear more detail about the backup solution and the IT needs. Mayor Hinnant said at our retreat we all agreed on these items and we can't keep going back to revisit. He said what we had talked about would consume the \$87,000 and for the work session we could put town hall renovations on the work session agenda. He said he would ask the board for a motion that we do IT, windows and signage up to \$87,000. Commissioner Laughery made a motion to use the \$87,000 on IT windows, and signage. Everyone voted in favor of the motion.

#### **Item 4 – Discussion, review and action of road improvement priorities within the Town of Wendell.**

Mrs. Piner stated the board had a list of the proposed 2013-2014 Street Resurfacing List from Landing View Drive to Forest Lane. Those are areas that we would like to go out and advertise for bids. She said we have talked with the City of Raleigh personnel to discuss the town's priority resurfacing list and potential conflicts with their plans for work on underground utilities in Wendell and we have revised the proposed 2013-2014 Street resurfacing list to avoid conflicts with work planned by City of Raleigh.

Mrs. Piner stated the board has previously expressed the desire to make improvements to existing unpaved streets within the Town. Over the last several years, Wake County has assisted the Town in paving streets with CDBG funds. She stated there was also a list of unimproved Street Priority List.

Commissioner Laughery asked were you only asking for authority to go out and get bids and that was what the motion needed to be. Mrs. Piner said that was correct and we would bring the bids back to you.

Mayor Hinnant said he did not think that just giving you authority to get bids was what we needed to do, we need to adopt a plan. He said he was asking for a motion that we instruct the town staff to start implementing this plan and they would bringing the bid back for us to review.

Commissioner Gray said Mrs. Piner said some of the streets may be eligible for CDBG funds, at what point would the town investigate if the streets were eligible for CDBG funds. Mrs. Piner stated that the County and Town evaluate the needs several years ahead of time. Mrs. Piner said we give Wake County our list years ahead.

Commissioner Laughery said he would like to see things move ahead. He would have a hard time voting on going forward with this program without knowing what the numbers were and he did not know how we could do that. He did not know what implementing the plan means.

March 10, 2014

### Wendell Town Board of Commissioners Meeting Minutes

Mayor Hinnant said he was trying to get the plan adopted, where staff would go out every year and look at the unimproved surfaces and come back with an amount they thought we could afford to do and bring it back to the board. It will be up to us to decide whether we do it or not.

Commissioner Laughery said he thought we all agreed that we would like to get all the unpaved roads paved, but if we were looking for a consensus that the board feels that way, then we could get that, but when we start spending money we need to know the exact amount that we were approving.

Commissioner Gray asked if the Mayor Hinnant wanted the plan to set the wheels in motion and get things moving and that the amount was going to vary from year to year depending on the money. Mayor Hinnant said yes. Commissioner Gray said you just want us to look at it every year and at that point money comes into play make improvements. Mayor Hinnant said that was correct.

Commissioner Parham said he could go along with implementing the plan, because we were not dealing with any money at this point.

Commissioner Parham made a motion to adopt a plan that would allow staff on a yearly basis to access the streets and prioritize the need for pavement, seek bids and bring to the board for approval dependent upon available funds. Everyone voted in favor of the motion.

#### **Item 5 – Discussion, review and action of a proposed text amendment to Section 16-11 of the Wendell Code of Ordinances.**

Mrs. Piner stated the Wendell Chamber of Commerce had requested that they be allowed to have a designated area at the Town Square to use for the sales and consumption of alcoholic beverages. She said currently the Code of Ordinances does not allow for the possession of any alcoholic beverages on town property unless during a scheduled event inside the community center.

Mrs. Piner said Section 14.21 also needs to be amended so that it was not in conflict with Section 16-11. She said Section 16-11 amendment would read:

(a) No person shall have in his possession any alcoholic or other intoxicating beverage while in or on the property administered by or under the jurisdiction of the parks and recreation department other than inside the community center during a scheduled event or as otherwise allowed by the Wendell Board of Commissioners.

Mrs. Piner said section 14.21 was the other cross reference section and you would see that it also would read as otherwise allowed by the Wendell Board of Commissioners.

Mrs. Piner said she there were two actions needed for this evening, (1) to change the ordinances which would allow for the matter to be brought back to the town board for approval and (2) if we chose to move forward with permitting the sale of alcohol at the Harvest Festival by the Wendell Chamber of Commerce for 2014.

Commissioner Gray asked what kind of process we were setting up to implement this. She thought this would be burdensome for the Chamber to come in and put these wheels in motion. Mayor Hinnant said

**March 10, 2014**

**Wendell Town Board of Commissioners Meeting Minutes**

what we were asking was that they come up with a plan. That would apply to anyone asking to serve alcohol at the square to present a plan and the board would vote on it.

Commissioner Boyette asked would it not be a set list of rules like it must be contained, must be so far off the street, and can't serve this. Teresa said most of those guidelines will fall under the ABC Board's permit. They have requirements for containment.

The town attorney stated it would be his suggestion that requirements to permit the sale alcohol would mirror the requirements that were hammered out for the Community Center policy years ago; you have to provide an insurance certificate for example. They already exist in your Community Center rental policy.

Commissioner Parham made a motion to amend Section 16.11 and 14.21 of the Wendell Code of Ordinances. The vote was unanimous.

Mayor Hinnant said he also needed a motion to approve the Chamber's request for selling alcohol at the Harvest Festival as pertaining to the plan that was submitted. Commissioner Parham made a motion to approve the sale of alcohol at the Harvest Festival by the Chamber pertaining to the plan that they submitted in accordance with the ordinance adoption. The vote was unanimous.

Commissioner Gray said at our retreat we had a conversation about a policy we have at the Community Center about alcohol consumption inside as it relates to things on the outside. She said she did not know if that was something we needed to vote on, because there seemed to be a consensus at the retreat that we need to be a little less restrictive about that, and come up with some different solutions. Mayor Hinnant said we can always amend the ordinance, but he had no problem if you would like to have a discussion about it. Commissioner Gray asked Teresa to place that item on the next agenda for discussion.

**Item 6 – Discussion and review of sections 12.8 and 19.3 of the UDO regarding Murals and action to direct the matter to the Wendell Planning Board for discussion and action.**

Planner Patrick Reid said the Board of Commissioners was asked to consider an amendment of Chapters 12.8Q and 19.3 of the UOD as it relates to mural requirements and to forward to the Planning Board for review and recommendation.

Commissioner Laughery made a motion to send to the Planning Board for review and recommendation.

Commissioner Gray said one thing that concerned her about the proposed amendment was the limitations of how the image can be produced. Could you explain to me why that was the case? Patrick said some places do banners and those fade quickly and can be damaged by wind and rain, so that was why they were not allowed. Mayor Hinnant said that was staff's recommendation, the Planning Board would give us their recommendation also. Commissioner Gray said it says there would be no murals on the primary façade and she could see how that would be the initial inclination, but she thought that was something that needed to be considered, because some of the businesses only have a front façade. She said she wanted us to be very careful when it goes to the Planning Board and comes back to the board that we were not getting our fingers into where we don't need to.

**March 10, 2014**

**Wendell Town Board of Commissioners Meeting Minutes**

The vote was unanimous to send to the Planning Board for review and recommendation.

**Item 7 – Discussion to schedule a second retreat of the Town Board of Commissioners in April.**

Mayor Hinnant said he hoped we could do it on a week night and he thought between 3 and 4 hours we could get this retreat done.

Commissioner Laughery made a motion to hold a Planning Meeting on Saturday, April 19<sup>th</sup> at the Community Center with no end time specified and each Commissioner and Town Manager submit two agenda topics with the final agenda topics to be decided at our March 24<sup>th</sup> meeting.

Mayor Hinnant said he hoped since the weather was starting to improve that we would not have to give up a Saturday and we could do it on a weeknight. Commissioner Laughery said he did not think three hours at night was going to be enough time to discuss some of the items that we had. We had some major decisions on things that were going to be coming down the road in Wendell. Also for each agenda item that we choose to discuss, he would like to see us come out of the meeting with a specific plan of some kind with some action items and dates and names rather than just talking about different issues.

Commissioner Parham said he agreed with Commissioner Laughery we needed to be in a position where we were not rushed.

Commissioner Gray said it was Commissioner's Laughery desire that we bring the items to the March 24<sup>th</sup> meeting. Commissioner Laughery said we needed to go ahead and get those items to the manager as soon as possible and Teresa would send the list back to us and we would finalize the agenda at the March 24<sup>th</sup> meeting.

Mayor Hinnant said we started the last Saturday meeting at 8:00. Was that still a good time, everyone said that was fine. Mayor Hinnant said since we heard from staff at the last meeting, he would prefer not to tie staff up for another Saturday, he thought this meeting was going to be geared more to what direction we wanted to town to go, do we really need staff to be there. Commissioner Laughery said he agreed this was planning meeting for the Board and we do not need for staff to be there except for Teresa.

The motion passed unanimously for the Saturday, April 19<sup>th</sup> at 8:00 a.m. retreat at the Community Center.

**Item 8 – Commissioners' Comments**

Commissioner Laughery said he would like to remind everyone that we had some great places in town to shop and eat and he would encourage everyone to support our businesses.

Commissioner Boyette said at the last meeting Commissioner Laughery's comments really got to me and he agreed with him. He thought the town had been moving in bits and starts for a long time and it could do better on taking action. He said he was excited about the next planning meeting and that we were going to put some action items on the agenda and get some things moving.

Commissioner Gray said she was asked to announce the Façade Grant Application was coming up and the deadline was March 30<sup>th</sup>. She said several businesses had participated over the last few months.

**March 10, 2014**

**Wendell Town Board of Commissioners Meeting Minutes**

She said she wanted to thank Mrs. Harper for the comments she made tonight. She always welcomed the thoughts and concerns of the citizens and sometimes they were complimentary and sometimes they were not but we had to be man enough to hear them. She said the Chamber meeting was rescheduled because of the weather and would take place on Tuesday, March 11<sup>th</sup> and she would be there and report on that at the next meeting.

Commissioner Parham had no comments.

**Item 9 – Mayor’s Comments**

Mayor Hinnant said Mrs. Harper also commented on the good job that Public Works had done during the bad weather and he felt like we were ahead of the ball, especially in the second snow storm. He said we do thank all the staff for the jobs they do considering what they have to do with limited staff. He thanked all of them in each department and said we appreciate all your efforts.

**Item 10 – Closed Session**

Commissioner Parham made a motion to go into closed session pursuant to General Statue 143-318.11(a)(5) real estate, and Personnel General Statue 143-318.11(a)(6).

Commissioner Parham made a motion come out of Closed Session and resume the Regular Session.

Commissioner Parham made a motion to approve the Resolution for the acquisition of the property interest on Anderson Drive. The vote was unanimous.

**Item 11 – Adjourn**

Commissioner Parham made a motion to adjourn at 8:50 p.m. The vote was unanimous.

---

James Parham, Mayor Pro-Tempore

Attest:

---

Jonnie S. Driver, Town Clerk