

July 13, 2015
Board of Commissioners Meeting Minutes

The Wendell Town Board of Commissioners held their regularly scheduled meeting on Monday, July 13, 2015, in the Board Meeting Room at 7:00 p.m. with Mayor Timothy A. Hinnant presiding. Present were Commissioners Virginia Gray; Sam Laughery; John Boyette; James Parham; Jon Lutz; Teresa Piner-Manager; Jonnie Driver-Clerk; Tamah Hughes-IT; Bill Carter-Police; Butch Kay-Finance; David Bergmark-Planning and Allison Rice-Planner.

The Pledge of Allegiance was led by Chief Bill Carter and the invocation was given by Mr. Errol Briggerman.

Adjustment and approval of the agenda

With no request to adjust the agenda, Commissioner Parham made a motion to approve the agenda. The motion passed unanimously.

Item 1 – Public Comments

Carol Hinnant – 205 Dogwood Trail stated on behalf of the Historical Society she wanted to thank Teresa Piner, and Captain Slaughter and the Police Department for all they did to help with the July 4th Parade. She said I would also like to thank Wendell Baptist Church for preparing and serving the hot dogs as well as Covenant Presbyterian Church for the desserts. She thanked Parks and Recreation for keeping everything so clean and nice and all the town staff as well. She said the Historical Society was now a 501C3 organization and they could accept donations. She said she would also like to encourage anyone interested in joining the organization to go online and sign up to become part of our organization. She said the web-site address is www.wendellhistoricalsociety.com.

Item 2 – Consent Agenda

- a. Approval of the Minutes from Monday June 22, 2015.

Commissioner Parham made a motion to approve the consent agenda as written. With no further discussion the motion passed unanimously.

Item 3 - Public Hearing on Potential Text Amendments to the Appendix and Chapter 8 of the Unified Development Ordinance as it relates to Street Trees and Landscaping requirements.

Planning Director David Bergmark they had been looking at text amendments to the Appendix and Chapter 8 of the UDO dealing with landscaping and street trees. David said the proposed text amendments have been broken into three items addressing subdivision plantings, street trees, and buffers and screening.

David said under the subdivision plantings the proposed changes seek to clarify the intent of front yard planting requirement, change the terminology used for front yard plantings to differentiate it from 'street yards', and reduce the gallon size requirement of shrubs intended to screen HVAC units from 7 gallons to 3 gallons. (See attachment for changes to required planting which are hereby made a part of these minutes).

David stated the second change dealt with street trees. He said they currently do not have an established standard for the types of street trees allowed or the required width of the planting strip used to accommodate street trees. He said the current standard called for a 10 foot planting strip for

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street trees when canopy trees were planted and a 6 foot planting strip for understory street trees. Mr. Bergmark said the proposal brought before the planning board recommended changing the standard for canopy trees to an 8 foot planting strip, but based on staff's discussions with the town engineer and with developers, staff was now recommending that a 7 foot planting strip be required for both canopy and understory street trees. He said using a 7 foot planting strip would allow a developer to potentially use a 50 foot road right-of-way. Mr. Bergmark said under staff's new recommendation, canopy trees would still be required as street trees, except where overhead utility conflicts exist. He said the proposed change also created a list of allowed street trees where none currently existed. He said developers could still propose other types of trees for staff to consider (see attached ordinance #0-12-2015 for the changes to street tree plantings which are attached and made a part of these minutes).

David said the third change was in regard to Buffers and Screening. He said buffer yards are planted areas located parallel to the side and rear lot lines designed to separate incompatible adjacent uses and provide privacy and protection against potential adverse impacts of an adjoining incompatible use or zoning district. David said the current standards in Section 8.6 (A) (2) of the UDO includes a provision which reads, "Where a more intense proposed use abuts an existing single family residential use within any zoning category, a Type B buffer yard shall be required". He said this language was not reflected in the following buffer chart. He said the proposed changes were added to make it clear that this standard applied and was not in conflict with the buffer chart in Section 8.6 of the UDO. Mr. Bergmark said staff suggested making this section a separate paragraph and amending the text to read as follows (See attached Ordinance #0-12-2015 for the changes to Buffers and Screening that are hereby made a part of the minutes).

David said the Planning Board voted in favor of the text amendments and staff recommended the proposed text amendments.

Mayor Hinnant said he did not have a problem with the changes, but asked where the developers stand on this change. Are they for or against it, will it hurt or help them. David said we got favorable responses from developers because it was easing off a little on the minimum width of the planting strip. Mayor Hinnant asked if anyone requested the change or did this just come from staff. David said this came to our attention when we started reviewing SF13 for Wendell Falls and we began reviewing landscaping requirements. We recognized the Town did not have a street tree list and compared the ten foot planting strip with other municipalities, which is not in line with what other municipalities required.

Commissioner Laughery said there was a bill passed recently on design standards by the State Legislature, does this impact our landscape requirements. David said it did not impact landscape requirements.

Mayor Hinnant opened the public hearing. No one wished to speak for or against the proposed changes, and Mayor Hinnant closed the public hearing.

Item 4 – Discussion and Action on Potential Text Amendments to the Appendix and Chapter 8 of the Unified Development Ordinance as it relates to Street Trees and Landscaping Requirements.

Commissioner Laughery made a motion to approve the text amendments to the appendix and Chapter 8 of the UDO. The motion passed unanimously.

ORD # 0-13-2015
AN ORDINANCE TO AMEND CHAPTER 8, THE TABLE OF CONTENTS,
AND THE APPENDIX OF THE TOWN OF WENDELL
UNIFIED DEVELOPMENT ORDINANCE
AS IT RELATES TO STREET TREES AND LANDSCAPING REQUIREMENTS

WHEREAS, Chapter 8 of the Unified Development Ordinance (UDO) establishes landscaping standards for the Town of Wendell; and

WHEREAS, the Town of Wendell has initiated a petition to amend Section 8.6 of the Unified Development Ordinance (UDO) to clarify minimum buffering requirements; and

WHEREAS, the Town of Wendell has initiated a petition to amend Section 8.7 of the UDO to clarify the intent of front yard planting requirement, change the terminology used for front yard plantings to differentiate it from 'street yards', and reduce the gallon size requirement of shrubs intended to screen HVAC units from 7 gallons to 3 gallons; and

WHEREAS, the Town of Wendell has initiated a petition to amend Section 8.8 of the UDO to change the width of street tree planting strips to 7 feet, and to increase the spacing between understory street trees from 20 feet to 25 feet; and

WHEREAS, the Town of Wendell has initiated a petition to add 'Appendix F' to the UDO to include an approved residential street tree list and to amend the UDO Table of Contents to include reference to Appendix F; and

WHEREAS, the Town of Wendell Unified Development Ordinance Section 15.11 establishes uniform procedures for amending the text of the Ordinance;

NOW, THEREFORE BE IT ORDAINED by the Town Board of the Town of Wendell, North Carolina:

SECTION 1. That Section 8.6A2 of the UDO (Required Buffer Yards) be amended read as follows:

2. The size of a buffer shall be determined both by the zoning district of the proposed development and by the adjacent zoning district(s). Buffer yards shall be required in accordance with the table below when any use is being established on a property that abuts an existing developed lot or less intense zoning district.
 - a. Notwithstanding the following chart, where a more intense proposed use abuts an existing single family residential use within any zoning category, a minimum of a Type B buffer yard shall be required. This provision shall not negate the requirement for Type A buffer yards to be installed where required by this section

		Adjacent Zoning District					
		OSC, RA, RR R2, R3 R4	R7 NC	CMX TND CC	DMX	MH CH	M&I
District of Proposed Development	OSC, RA, RR R2, R3 R4		C'	B'	B'	A'	A'
	R7 ² NC ³	C					
	CMX ³ TND ³ CC ³	B	C				
	DMX ³	C	C				
	MH CH	A	B	B	C		
	M&I	A	A	A	B	B	

¹ Only required where adjacent, more intense use is pre-existing and no equivalent buffer is provided on the adjacent property

² Only multifamily dwellings shall be required to provide buffers

³ Only multifamily and non-residential uses shall provide buffers between less intense adjacent uses

	= buffer yard not required by proposed development
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SECTION 2. That Section 8.7 of the UDO (Subdivision Plantings) be amended to read as follows:

8.7 Subdivision Plantings

- A. Applicability:** Residential uses with front setbacks of 5 feet or more in a residential or mixed-use subdivision that includes more than five dwelling units. Foundation planting requirements shall apply to all residential development. (Amended 9-26-11)
- B. Required Planting:**
 - I.** A front yard planting shall be required for single family dwellings with setbacks of 15 feet or more. Front yard plantings shall be located within the front yard of the property boundary and do not remove the requirement for street tree

plantings within the right-of-way. The developer may choose a tree from the Acceptable Plant Material List (Appendix A). The type of front yard planting required shall vary according to the lot width as follows:

- a. 0 – 49 feet: 1 understory or ornamental tree required.
- b. 50 – 99 feet: 1 canopy tree required
- c. 100+ feet: 1 canopy tree required per 50 feet of lot width

- 2. Required street trees (see Section 8.8) and/or existing trees over 4 inches DBH may be counted toward fulfillment of the front yard planting requirement above.
- 3. Where there are abutting rear yards, one tree and one shrub shall be planted on each lot for every 15 feet of rear property line. Existing vegetation may be used towards satisfying this requirement.
- 4. Planted areas around cable boxes and HVAC units shall be provided with a minimum of four 3-gallon evergreen shrubs, unless some other opaque screening is provided, planted 5 feet on center surrounding the box/unit. Shrubs shall have a minimum planted height of 18 inches (1.5 ft.).
- 5. Foundation plantings are required at a rate of one shrub per 5 linear feet of dwelling frontage. Multi-family uses shall install foundation plantings along the foundation of all street facing sides, whether public or private, with the exception of rear alleys.

(Amended 7-13-15)

SECTION 3. That Section 8.8 of the UDO (Street Tree Plantings) be amended to read as follows:

8.8 Street Tree Plantings

Trees shall be planted in the right-of-way in planting strips or in tree wells, as indicated in the table below. Spacing of trees should allow for a clear view of buildings and land uses.

Zoning Districts	OSC	RA	RR, R2 R3, R4	R7 NC	CMX CC	DMX	CH, MH, MHO, M&I, TND, GO
Street Tree Requirements	n/a	n/a	Planting strip	Planting strip	Planting strip or tree wells	Planting strip or tree wells	Planting strip or tree wells

(Amended 9-26-11)

A. Applicability:

- 1. Street trees shall be planted in the right-of-way, between the street and the sidewalk, in all zoning districts except in OSC, RA districts, where no street trees are required. This requirement shall apply to newly constructed streets and as feasible on existing or reconstructed streets, as determined by the TRC.
- 2. Where sidewalk is only required on one side of the street, street trees shall be planted at the same intervals and the same distance from the curb on both sides of the street.

- 3.** Where specific cross-sections or streetscape plans have been developed as part of an adopted corridor or small area plan, the required plantings shall adhere to said plan.
- B.** Planting strips shall have a minimum width of 7 feet for canopy and understory trees. See Appendix F for an approved street tree list, which includes spacing and planting strip width requirements. Planting strips are permitted and encouraged to be designed as bio-swales (rain gardens) to substitute for conventional piped storm drainage.
- C.** In mixed-use districts along street frontages that contain ground floor retail uses and on-street parking, or where specified on an adopted area plan, trees shall be planted in tree wells. Tree wells shall provide an adequate root aeration zone around the base of a tree. Tree grates or ground cover shall cover the exposed area of soil and protect this zone. The wells shall be a minimum of 5 feet square.
- D.** Planting strips shall not be required in alleys.
- E.** Street trees shall be planted as canopy trees and installed at an average distance of 40 feet on-center. Where overhead utilities exist prior to development, understory trees may be substituted, installed at an average distance of 25 feet on-center.
- F.** Street trees shall be placed at least 8 feet from light poles and 10 feet from electrical transformers in order to allow these utilities to be safely serviced.
- G.** Along State-maintained roads, plantings shall comply with NCDOT standards.
- H.** Where conflicts exist which prevent required street trees from being installed within the road right-of-way, the required plantings shall be installed on private property parallel to the road as a Street Yard instead.
- I.** Street tree species should be consistent within a given block, as determined by the administrator. Appendix F includes approved street tree species.

SECTION 4. That an approved residential street tree list be added to the UDO as 'Appendix F', to read as follows:

Appendix F. Approved Residential Street Tree List

The applicant may request alternate trees to serve as residential street trees. The administrator shall review such requests on a case by case basis for appropriateness. Street trees for non-residential development shall be reviewed by the administrator on a case by case basis.

Common Name	Scientific Name	Canopy (ft)		Tree Spacing	Min Planting Width
		Height	Width		
Canopy Trees					
Shademaster ¹ Honey Locust	Gleditsia triacanthos 'inermis'	50-70'		40'	7'
Maidenhair Tree (male only)	Gingko Biloba	50-75'	30-40'	40'	7'
Japanese Zelkova	Zelkova Serrata	45'	20'	40'	7'
Princeton American Elm	Ulmus Americana 'Princeton'	50'	40'	40'	7'
Patriot Elm	Ulmus X 'Patriot'	50'	40'	40'	7'
Black Gum	Nyssa sylvatica	>50'		40'	7'
Hardy Rubber (male only)	Eucommia ulmoides	> 50'		40'	7'
Chinese/Lacebark Elm	Ulmus parvifolia	>50'		40'	7'
Japanese Pagodatree	Sophoro Japonica	>50'		40'	7'
Silver Linden	Tilia tomentosa	>50'		40'	7'
Turkish Filbert	Corylus corlurna	40-50'		40'	7'
Chinese Pistache	Pistacia chinensis	30-60'	30-50'	40'	7'
Red Maple 'Scanlon'	Acer Scanlon	40'	15'	25'	7'
Red Maple 'Bowhall'	Acer Rubrum 'Bowhall'	40'	15'	25'	7'
Red Maple 'Armstrong'	Acer Rubrum 'Armstrong'	45'	20'	25'	7'
American Hophornbeam	Ostrya Virginia	40'		40'	7'
Understory Trees					
Chinese Pistache ' Keith Davey'	Pistacia chinensis 'Keith Davey'	30'	30'	25'	7'
Crapemyrtle	Lagerstormia spp.	30'		25'	7'
Amur Maackia	Maackia amurensis	20-30'	20-30'	25'	7'
Serviceberry	Amelanchier arborea	30'		25'	7'
Kousa Dogwood	Cornus kousa	20-30'	20-30'	25'	7'
White Fringe Tree	Chionanthus virginicus	10-25'	10-20'	25'	7'
Chinese Fringe Tree	Chionanthus retusus	15-25'	15-25'	25'	7'
Eastern Redbud	Cercis Canadensis	20-30'	25-30'	25'	7'
Goldenraintree	Koelreuteria paniculata	30'	30'	25'	7'
Sargent Cherry	Prunus sargentii	25-30'		25'	7'
Amur Maple	Acer ginnala	20'	20'	25'	7'

Understory Trees					
Common Name	Scientific Name	Canopy (ft)		Tree Spacing	Min Planting Width
		Height	Width		
Leprechaun Ash	Fraxinus pennsylvanica 'Leprechaun'	20'	15'	25'	7'
Crimson Sentry Norway Maple	Acer platanoides 'Crimson Sentry'	25'	15'	25'	7'
Trident Maple	Acer buergerianum	20-30'	20-30'	25'	7'

SECTION 5. That the Table of Contents be amended to include Appendix F as follows:

'F Approved Residential Street Tree List F-1'

SECTION 6. That all laws and clauses of law in conflict herewith are hereby repealed to the extent of said conflict.

SECTION 7. That if this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions of this ordinance which can be given separate effect and to the end the provisions of this ordinance are declared to be severable.

SECTION 8. That this ordinance is found to be consistent with the following principles of the comprehensive plan and is deemed reasonable in order to establish appropriate standards for providing separation between different uses of land and to improve the natural aesthetics of the Town.

- o Principle Number 1: "Preserve the small-town feel and historic character of the community"
- o Principle Number 5: "Promote Wendell's attractiveness to business and people of all walks of life. Emphasize the strengths of the Town's diverse population."
- o Principle Number 9: "Protect and preserve Wendell's natural resources and amenities, including its streams, lakes, wetlands, and hardwood forests while balancing private property rights."

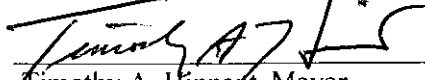
SECTION 9. That this ordinance has been adopted following a duly advertised public hearing of the Town Board and following recommendation by the Planning Board.

SECTION 10. That this ordinance shall be enforced as provided in G.S. 160A-175 or as provided for in the Wendell Town Code.

SECTION 11. That this ordinance shall become effective upon its adoption by the Wendell Board of Commissioners.

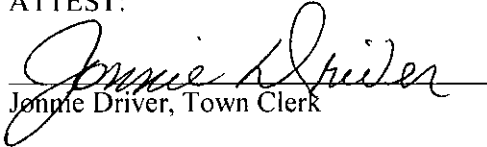
DULY ADOPTED the 13th day of July, 2015.

TOWN OF WENDELL



Timothy A. Hinnant, Mayor

ATTEST:



Jonnie Driver, Town Clerk

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Item 5 – Consideration of an application for membership to the Wendell Parks and Recreation Commission.

Manager Piner stated we recently went through the citizen appointment process and had a few positions that remained vacant. The board directed staff to continue to accept applications past the deadline for those vacancies. We have an application for the Parks and Recreation Commission from Mr. Ryan Zakany. Mr. Zakany has worked with Parks and Recreation in the past as a coach. She said his references were not from this area, but she did check with Parks and Recreation Department and they said he has a relationship with them through coaching.

Mayor Hinnant said out of respect to the applicant, it would be an embarrassment if he was not nominated. He thought we would be better off to take the application and wait until we have candidates for all the vacant positions and then vote.

Commissioner Parham asked if we accepted references from out-of-state. Mrs. Piner said we do not indicate where the references should be from. Because the references are from out of state, she contacted the Parks and Recreation department due to their working relationship. She said anyone that worked with our Parks and Recreation Department has had a background check conducted.

Commissioner Gray stated that she understood the Mayor's position, but we still have several places that that we need to fill and if we wait until we fill all of those this person could wait a long time. She would like to make a motion to move forward with appointing Mr. Ryan Zakany to the Parks and Recreation Commission. The motion passed unanimously.

Item 6 – Discussion and action to rescind Privilege License Taxes, Article II Sections §22-19 through §22-67.

Manager Piner stated House Bill 1050 was filed May 14, 2014 and signed by Governor McCrory on May 29, 2014. The bill allowed for municipalities to continue to leverage privilege licenses in FY 2014-2015 for businesses located inside the corporate limits and to repeal both the city and county's ability to levy local privilege license taxes beginning July 1, 2015.

Manager Piner stated as of July 1, 2015, the Town of Wendell may no longer levy privilege licenses and therefore had prepared an ordinance to rescind that portion of the code of ordinances administered by the Town of Wendell.

Attorney Cauley stated there was one change that needed to be made in the Ordinance. Under Section 2 where it refers to Section 22 that should refer to Section 1.

Commissioner Laughery asked what this was going to cost the Town. Teresa said around \$20,000 which was equal to a half cent tax for us. Commissioner Laughery asked Attorney Cauley if anyone had carried this to court. Attorney Cauley said no, this was a legislative decision.

Commissioner Parham made a motion to approve the ordinance to repeal the Privilege License Taxes. The motion passed with a unanimous vote.

Item 7 – Discussion and action of message board guidelines.

Manager Piner currently stated that the town did not currently have a policy establishing a standard for messages being placed on the Town's Electronic Message Board located on Wendell Boulevard. She said

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		OSC, RA, RR R2, R3 R4	R7 NC	CMX TND CC	DMX	MH CH	M&I
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	R7 ² NC ³	C					
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¹ Only required where adjacent, more intense use is pre-existing and no equivalent buffer is provided on the adjacent property

² Only multifamily dwellings shall be required to provide buffers

³ Only multifamily and non-residential uses shall provide buffers between less intense adjacent uses

	= buffer yard not required by proposed development
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 - I.** A front yard planting shall be required for single family dwellings with setbacks of 15 feet or more. Front yard plantings shall be located within the front yard of the property boundary and do not remove the requirement for street tree

plantings within the right-of-way. The developer may choose a tree from the Acceptable Plant Material List (Appendix A). The type of front yard planting required shall vary according to the lot width as follows:

- a. 0 – 49 feet: 1 understory or ornamental tree required.
- b. 50 – 99 feet: 1 canopy tree required
- c. 100+ feet: 1 canopy tree required per 50 feet of lot width

- 2. Required street trees (see Section 8.8) and/or existing trees over 4 inches DBH may be counted toward fulfillment of the front yard planting requirement above.
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(Amended 9-26-11)

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- 2. Where sidewalk is only required on one side of the street, street trees shall be planted at the same intervals and the same distance from the curb on both sides of the street.

- 3.** Where specific cross-sections or streetscape plans have been developed as part of an adopted corridor or small area plan, the required plantings shall adhere to said plan.
- B.** Planting strips shall have a minimum width of 7 feet for canopy and understory trees. See Appendix F for an approved street tree list, which includes spacing and planting strip width requirements. Planting strips are permitted and encouraged to be designed as bio-swales (rain gardens) to substitute for conventional piped storm drainage.
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- F.** Street trees shall be placed at least 8 feet from light poles and 10 feet from electrical transformers in order to allow these utilities to be safely serviced.
- G.** Along State-maintained roads, plantings shall comply with NCDOT standards.
- H.** Where conflicts exist which prevent required street trees from being installed within the road right-of-way, the required plantings shall be installed on private property parallel to the road as a Street Yard instead.
- I.** Street tree species should be consistent within a given block, as determined by the administrator. Appendix F includes approved street tree species.

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Japanese Zelkova	Zelkova Serrata	45'	20'	40'	7'
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Hardy Rubber (male only)	Eucommia ulmoides	> 50'		40'	7'
Chinese/Lacebark Elm	Ulmus parvifolia	>50'		40'	7'
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Red Maple 'Scanlon'	Acer Scanlon	40'	15'	25'	7'
Red Maple 'Bowhall'	Acer Rubrum 'Bowhall'	40'	15'	25'	7'
Red Maple 'Armstrong'	Acer Rubrum 'Armstrong'	45'	20'	25'	7'
American Hophornbeam	Ostrya Virginia	40'		40'	7'
Understory Trees					
Chinese Pistache ' Keith Davey'	Pistacia chinensis 'Keith Davey'	30'	30'	25'	7'
Crapemyrtle	Lagerstormia spp.	30'		25'	7'
Amur Maackia	Maackia amurensis	20-30'	20-30'	25'	7'
Serviceberry	Amelanchier arborea	30'		25'	7'
Kousa Dogwood	Cornus kousa	20-30'	20-30'	25'	7'
White Fringe Tree	Chionanthus virginicus	10-25'	10-20'	25'	7'
Chinese Fringe Tree	Chionanthus retusus	15-25'	15-25'	25'	7'
Eastern Redbud	Cercis Canadensis	20-30'	25-30'	25'	7'
Goldenraintree	Koelreuteria paniculata	30'	30'	25'	7'
Sargent Cherry	Prunus sargentii	25-30'		25'	7'
Amur Maple	Acer ginnala	20'	20'	25'	7'

Understory Trees					
Common Name	Scientific Name	Canopy (ft)		Tree Spacing	Min Planting Width
		Height	Width		
Leprechaun Ash	Fraxinus pennsylvanica 'Leprechaun'	20'	15'	25'	7'
Crimson Sentry Norway Maple	Acer platanoides 'Crimson Sentry'	25'	15'	25'	7'
Trident Maple	Acer buergerianum	20-30'	20-30'	25'	7'

SECTION 5. That the Table of Contents be amended to include Appendix F as follows:

'F Approved Residential Street Tree List F-1'

SECTION 6. That all laws and clauses of law in conflict herewith are hereby repealed to the extent of said conflict.

SECTION 7. That if this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions of this ordinance which can be given separate effect and to the end the provisions of this ordinance are declared to be severable.

SECTION 8. That this ordinance is found to be consistent with the following principles of the comprehensive plan and is deemed reasonable in order to establish appropriate standards for providing separation between different uses of land and to improve the natural aesthetics of the Town.

- o Principle Number 1: "Preserve the small-town feel and historic character of the community"
- o Principle Number 5: "Promote Wendell's attractiveness to business and people of all walks of life. Emphasize the strengths of the Town's diverse population."
- o Principle Number 9: "Protect and preserve Wendell's natural resources and amenities, including its streams, lakes, wetlands, and hardwood forests while balancing private property rights."

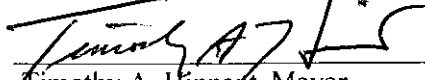
SECTION 9. That this ordinance has been adopted following a duly advertised public hearing of the Town Board and following recommendation by the Planning Board.

SECTION 10. That this ordinance shall be enforced as provided in G.S. 160A-175 or as provided for in the Wendell Town Code.

SECTION 11. That this ordinance shall become effective upon its adoption by the Wendell Board of Commissioners.

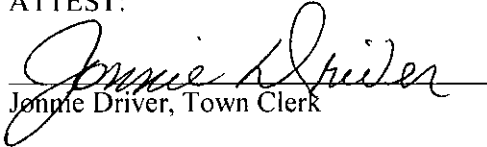
DULY ADOPTED the 13th day of July, 2015.

TOWN OF WENDELL



Timothy A. Hinnant, Mayor

ATTEST:



Jonnie Driver, Town Clerk

July 13, 2015
Board of Commissioners Meeting Minutes

to date; she had reviewed requests on a case by case basis for appropriateness. She said to avoid potential conflicts and create clear expectations for potential users, staff believes it would be prudent to adopt a policy governing the use of the sign.

Manager Piner stated the Economic Development Committee reviewed a draft policy created by staff at their May meeting and offered their suggestions.

Manager Piner said at the last meeting, the board asked that she make changes to the Electronic Message Board Use Policy and in your packet, as attachment B is a revised draft of the Policy.

Commissioner Laughery made a motion that Attachment B, Draft Electronic Message Board Use Policy be adopted with the following changes:

B. Prohibited Content: iii be scratched totally and add each non-profit organization within the corporate limits be allowed to advertise one (1) fund raising event per calendar year. The text must be submitted to the town two weeks prior to the event and will run one week prior to the scheduled event.

Commissioner Laughery said when he was voting on this originally, he assumed that a non-profit could advertise some of their events.

Commissioner Gray said if we do scratch Section (B) (iii) it states fundraising events, such as bake/food sales/golf tournaments were prohibited, but up in the prior section we include chamber events, but here we prohibit a golf tournament which was one of their largest fund raisers. She said the East Wake Education Foundation holds a Valentine Ball, a golf ball drop. She said they were all big fund raisers and she did not know how to choose just one.

Teresa said when we looked at this, the only thing that would not be permitted that had in the past, was the Valentine Ball, but other than that she was not aware of any fund raising events, where admission was required, that had been advertised in the past. Commissioner Gray said she was concerned about the one time per year advertising. Commissioner Laughery said he shared your concerns, but he was not sure what that number should be.

Commissioner Boyette said he could not speak to the church events, but in his mind Section (3)(A)(ii) Chamber events/announcements would override the fact of something else being prohibited at the bottom. Commissioner Gray said it specifically states prohibited content golf tournaments and she thought it was time to clear it up.

Mayor Hinnant said since there were concerns, does the board want to table this matter and allow staff to come up with additional wording and bring back at the next meeting.

Commissioner Boyette said he was fine with the motion Commissioner Laughery made to allow one fund raising event per year.

Commissioners Laughery, Lutz, Parham and Boyette voted in favor of the motion. Commissioner Gray voted in opposition of the motion. The motion passed with a 4-1 vote.

Commissioner Laughery suggested that the board take a look at how this was working in three-four months.

July 13, 2015
Board of Commissioners Meeting Minutes

Item 8 – Commissioners Comments

Commissioner Gray reminded everyone that there were still openings on some of the citizen boards and the Town would love to have those interested in serving participate. She said she would also like to thank the Historical Society for a great day on July 4th.

Commissioner Boyette said the Eastern Wake News reminded him that the 64/264 Bypass had been open for 10 years. He thought we had seen the benefits on the road network being brought our way. He said it would be upgraded to I-495 which should bring even more business and industry our way.

Commissioner Parham stated Reverend Sims had finished painting the bathrooms at the Senior Center and there was paint left if anyone would like to paint another area.

Commissioner Lutz said he wanted to compliment the Historical Society and the Town on the wonderful job they did for the July 4th Celebration and I am getting ideas for making their wagon look better next year.

Commissioner Laughery stated he wanted to remind all the citizens to shop locally in Wendell and support our business. He said he was happy to report that the cell tower on Cook Street was working and T-Mobile was the only carrier currently on that tower. He said they had also processed a building permit for the tower at Fourth Street and Hollybrook Road and they were supposed to begin working this week. Commissioner Laughery asked Teresa if she would update the board on the Wi-Fi project.

Manager Piner said staff was excited to report that the first stations went up near the end of June and staff had been testing and making adjustments. The Wi-Fi will only continue to get stronger. Tamah checked before the meeting tonight and there were 42 users on the Wi-Fi. She said as Tamah continues to test and tweak it, the system will only improve.

Commissioner Laughery said he was looking forward to having the discussion of the buildings downtown that are in a state of disrepair. He said he did not know if there was anything the Board could require of the owners, but he thought we needed to make an issue out of the current condition of some of the buildings.

Item 9 – Mayor Comments

Mayor Hinnant said there was still time to file for an elected office in Wendell. He said he would not be endorsing anyone on the Board for any position and the reason was he did not want the current board to become controversial. He did not expect to become a lame duck mayor, and in an effort to continue to move forward. If he was not involved in who was running against whom, maybe we could get a consensus and keep moving forward. He said he would be leaving office in November and there were still some things that the board would like to get addressed. He said we talked about our boundaries north and south and he knew there had been conversation with Rolesville and Archer Lodge. He said Rolesville was further along than Archer Lodge, but this was something we do not want to let drop off the radar. He said the next thing was our future voting structure and with Wendell Falls coming in, what we do not want was for any subdivision area to have control over an entire community. He said he had also asked the Manager and Finance Director to look at the pay structure for the employees who had and could achieve certificates for the job they were in. He said the Police Department had had this in place and it should be town wide and not just one department.

July 13, 2015
Board of Commissioners Meeting Minutes

Item 10 – Mayor Hinnant adjourned the meeting at 7:35 p.m.

Timothy A. Hinnant, Mayor

Attest:

Jonnie S. Driver, Town Clerk