

**April 11, 2016
Board Meeting Minutes**

The Wendell Town Board of Commissioners held their regularly scheduled board meeting on Monday, April 11, 2016 with Mayor Virginia Gray presiding. Present were Commissioners John Lutz; Ben Carroll; John Boyette, David Myrick; and Jason Joyner; Teresa Piner-Manager; Jonnie Driver-Town Clerk; Sherry Scoggins-Special Assistant to the Manager; Butch Kay-Finance Director; David Bergmark-Planning Director; Patrick Reidy-Planner; Bill Carter-Chief of Police; and Jeff Polaski-Parks and Recreation Director.

Mayor Gray called the meeting to order at 7:00 p.m. and welcomed everyone.

Chief Bill Carter led the Pledge of Allegiance and Mr. Errol Briggerman of Wendell Baptist Church gave the invocation.

Adjustment and approval of the agenda

Commissioner Joyner asked for the removal of Item #9 as the meeting has not yet occurred. Commissioner Lutz moved to adjust the agenda with the removal of Item #9. The motion passed unanimously.

Item 1 – Public Comment

Regina Harmon business owner in town said she was excited about the downtown area growing with a couple of new businesses coming in soon. She said 1903 would be open soon and another business was opening next to the Barber Shop. She said she would like to bring the trash situation to the board's attention. In past years there were recycling dumpsters in the downtown. There is one for cardboard, which she thinks the town gets paid back for by the sale of the cardboard. She said it is nice to have that dumpster, but as well as herself, Wine 101 has a lot of bottles and cans for recycling and asked if we could get the recycling dumpster back maybe that would be another revenue stream for the town and maybe pay for the dumpster.

Ms. Harmon said right now there is one dumpster and she understood that it would be leaving soon. She thought it would be better to have one community dumpster rather than individual dumpsters. She said from a business standpoint she was more than willing to pay her share for the dumpster along with everyone else to offset the funds received from recycling. She would appreciate the board looking into this for the downtown area.

Item 2 – Consent Agenda

- a. Approval of the Minutes of the March 22, 2016 pre-budget meeting.
- b. Approval of the Minutes of the March 28, 2016 Board of Commissioners Meeting
- c. Approval of an Amendment between Wake County and Wendell-Holmes Rural Fire Department

Commissioner Lutz moved to approve the consent agenda as presented. The motion passed unanimously.

Item 3 – Public Hearing, discussion and action on a Zoning Map Amendment request to rezone 2.65 acres of land (excluding ROW) located on Liles Dean Road and identified by Pin #'s 1784346178 and 1784345003 from RA to CMX.

David Bergmark-Planning Director said applicants Jane Stephens, Glenda Stephens and Lisa Stephens submitted a request for a change in zoning classification for two properties totaling approximately 2.65 acres. This area was currently zoned Rural Agricultural and requested to be rezoned to Corridor Mixed

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Use. Currently the applicants have no development plans for this property, but desire to rezone to CMX to increase the property's potential for development. Development of this site would require submittal of a site plan to the Planning Department for review and approval.

Mr. Bergmark said both properties are located within the Town of Wendell's corporate limits. The property at 60 Liles Dean Road contains three existing single family dwellings and associated accessory structures. The property at 0 Liles Dean Road is vacant and consists of a thin strip of road frontage. All property owners signed the rezoning petition.

Mr. Bergmark said this area was identified as being within the S6 "Infill/Redevelopment Area". This was where new businesses and developments should be concentrated. The designation was generally viewed as being urbanized and well served with infrastructure.

Mr. Bergmark said at the March 21, 2016 meeting, the Planning Board voted 6-0 in favor of the requested zoning map amendment. He said staff was also in favor of this rezoning request.

Mayor Gray opened the Public Hearing for anyone wishing to speak for or against the rezoning. No one wished to speak and Mayor Gray closed the Public Hearing.

Commissioner Lutz said that in his opinion this was the best location for the zoning designation and it made perfect sense to keep with the anticipated development of the town. Commissioner Lutz moved to approve the rezoning request of 2.65 acres from RA to CMX. Without further discussion the motion passed unanimously.

Item 4 – Discussion and action on a façade grant application to make improvements to 8 E. Third Street.

Commissioner Carroll asked to be recused from the discussion due to a financial interest in the property. Commissioner Lutz moved to recuse Commissioner Carroll from the discussion due to Commissioner Carroll's financial interest in the property. The motion passed unanimously.

Commissioner Myrick asked to be recused due to his father-in law owning the building. Commissioner Lutz moved to recuse Commissioner Myrick from the discussion and vote based on family ties to the owners of the building. Commissioner Boyette said State Law was clear about what was considered a conflict of interest and thought it was only a board member or his spouse. Attorney Cauley said it was generally members of the household, but he had consulted with Mr. Myrick and based on the situation and the appearance, he recommended that he take that approach. The motion passed unanimously.

Patrick Reidy-Planner stated at the April 4, 2016 meeting, the Appearance Commission reviewed one Downtown Façade Grant application for the March 31st deadline period.

Mr. Reidy said the Appearance Commission members recommended to the Board of Commissioners by a vote of 3 to 0, approval of the downtown façade grant application for 8 E. Third Street in the amount of \$1,000 noting that the application met the intent of the program.

Mr. Reidy said on January 4, 2016, an application was submitted to the Planning Department by building tenant Ben Carroll for the downtown façade grant program. The application proposes to add black awnings over the windows, paint the metal store front, and add gooseneck lighting on the building at 8

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E. Third Street. The building was currently being renovated to be occupied by a retail store. The total estimated cost for the project is \$5,150. The amount applied for by the applicant for the downtown façade grant program was \$1,000.

Mr. Reidy said the application was deemed complete. Project costs and details had been provided and photos of the existing façade were included with the application.

Staff requested that the Board of Commissioners review the recommendation of the Appearance Commission in relation to the Downtown Façade Grant program objective and guide lines in order to render action on the submitted application.

Commissioner Lutz moved to approve the Façade Grant Application for 8 E. Third Street in the amount of \$1,000. The motion passed unanimously.

Item 5 – Discussion and action on a mural request for 115 E. Third Street

Patrick Reidy-Planner stated at the April 4, 2016 meeting the Appearance Commission reviewed two mural applications.

Mr. Reidy said the Appearance Commission recommended to the Board of Commissioners by a vote of 3 to 0 approval of the mural application for the side of 115 E. Third Street (Third Street Screen Print).

In 2013, as part of their long-rang work plan, the Appearance Commission set a goal of painting murals in the downtown area of Wendell. The purposes of adding murals was to create conversation pieces to help draw visitors to the downtown and surrounding area; help improve the vibrancy of the community; and to help encourage other building/business owners to have murals painted on their property or just add a fresh coat of paint to the building.

Mr. Reidy said Ed Morrell; owner of Third Street Screen Print approached the Appearance Commission about adding a mural to the Pine Street side of his building. He had met with Ms. Nora Cambier, Mr. Morrell and his staff to brainstorm ideas. Mr. Morrell decided that his artist would create a design with the town logo and motto of “Small Town, Big Charm” as a way of branding the town through art. Ms. Cambier suggested trying to incorporate a tobacco leaf into the design as a way to pay tribute to Wendell’s former newspaper “Gold Leaf Farmer”.

The proposed mural consists of the town logo and motto in the town colors and a gold tobacco leaf at the far right of the mural. Mr. Morrell committed his employees to outline and paint the mural after the entire side of the building was given a fresh coat of white paint. (Proposed image attached and made a part of the minutes).

Mr. Reidy said staff reviewed the proposed mural and it was deemed to meet regulations. Staff requests that the Board of Commissioners review the recommendation of the Appearance Commission in relation to the mural regulations in order to render action on the submitted application.

Commissioner Lutz moved to approve the mural request for 115 E. Third Street and stated that the mural met the standards for appropriateness and directed the manager to issue a certificate of appropriateness. The motion passed unanimously.

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Item 6 – Discussion and action on a mural request for 3541 Wendell Boulevard

Patrick Reidy-Planner said at the April 4, 2016 meeting, the Appearance Commission reviewed two mural applications.

The Appearance Commission recommended to the Board of Commissioners by a vote of 3 to 0, approval of the mural application for the side of 3541 Wendell Boulevard (Klip Chicks Salon).

In 2013, as part of the Appearance Commission long-range work plan set a goal of having murals painted in the downtown area of Wendell. The purposes of adding murals was to create conversation pieces to help draw visitors to the downtown and surrounding area; help improve the vibrancy of the community; and to help encourage other building/business owners to paint a mural on their property or just add a fresh coat of paint to the building.

Over the past two years, the Appearance Commission held fundraisers to help pay for beautification efforts in Wendell and had raised about \$5,100. The Appearance Commission voted to fund the cost of the proposed mural due to its prominent location along Wendell Boulevard. Staff created a draft public art easement to help ensure that any public art not solely commissioned by the private property owner will remain in place and will be maintained.

The proposed mural consists of the quote “Breathe deeply; Appreciate the moment” with a decorative background. Lisa Gaither, a Raleigh muralist, had been hired to paint the mural and was working with the business owner to determine the exact colors to use on the mural. (Proposed mural was attached and made a part of the minutes).

Staff reviewed the proposed mural and it was deemed to meet the regulations. Staff was requesting that the Board of Commissioners review the recommendation of the Appearance Commission in relation to the mural regulations in order to render action on the submitted application.

Commissioner Boyette asked if the mural would face the Baptist Church. Mr. Reidy replied that it would.

Commissioner Lutz moved to approve the mural stating it met the standard of appropriateness and to direct the manager to issue a certificate of appropriateness. The motion passed unanimously.

Mayor Gray thanked the Appearance Commission for their work and stated she was looking forward to seeing it.

Item 7 – Request by Council of Churches to waive the rental fee at the Community Center for National Day of Prayer, Thursday, May 5, 2016.

Jeff Polaski-Parks and Recreation Director said Wendell Council of Churches had held the Observance of National Day of Prayer within the Town for many years. The event was typically scheduled for lunch and held in Town Hall or at J Ashley Wall Square.

For the first time last year the Council requested to hold an evening event at the Community Center. The Recreation Commission reviewed the application and voted unanimously in favor of waiving the rental fee but not waiving the cleaning fee of \$175.00 per the fee waiver policy. There would be no staffing fee as Tim Kay is scheduled to work due to other programming. Programming in the activity

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rooms would not be altered and would continue as scheduled. Rental cost of \$60.00 per hour and \$40 for staff, for a total of \$160 would be waived.

The Town has not charged the Council of Churches for the use of the Square in the past. This had been a program which the Town and Council had jointly participated in for many years and the recommendation was not to charge the Council of use of the square.

Commissioner Lutz moved to waive the rental fee at the Community Center for the National Day of Prayer. Without further discussion the motion passed unanimously.

Item 8 – Request by the American Belarusian Relief Organization (ABRO to waive rental fees for the cross country trail

Jeff Polaski-Parks and Recreation Director said this request was for a 5K Fundraiser that Wakefield Central Baptist Church of Zebulon would like to hold at the park. He said they were looking for a two hour rental fee waiver which would be \$60.00. This 5K Fundraiser would benefit the Belarus Relief Project. Wakefield Central Baptist Church has been a host for more than 20 years, and for the first time, ABRO has invited the host churches to travel to Belarus to participate in a mission project.

They were planning a 5K to be run after dark on the Wendell Park trail to help raise funds for the trip on June 25, 2016. Wakefield Central Baptist Church would list the Town of Wendell as a sponsor of this event, and they would also provide proof of insurance and include the Town as other insured.

Mr. Polaski said Wakefield Central Baptist Church was a participant in the Wendell Parks and Recreation Church Softball League. The Parks Commission voted unanimously to waive the rental fee for this event. He said there was no staff or cleaning fees associated with this event, as the Community Center would not be used, only outdoor bathroom facilities.

Commissioner Lutz asked what criteria the committee looks for when determining whether or not to waive the fee. Mr. Polaski said this church was active in Wendell's recreation program and a lot of their members were Wendell residents. They also had other fund raisers planned and they had an auction and some of the businesses in Wendell donate items for the auction.

Commissioner Myrick moved to waive the rental fee of \$60.00 for Wakefield Central Baptist Church for the 5K/Run Fundraiser. With no further discussion the motion passed unanimously.

Item 9 – Commissioners' reports

Commissioner Boyette said "How about them Tar Heels".

Commissioners' Joyner, Myrick, Lutz and Carroll did not make reports.

Item 10 – Mayor's Report

Mayor Gray said she attended the Transportation Plan Committee Meeting and they had planned a series of three workshops. Interested citizens could attend and discuss their concerns and ideas about the plan with Committee members and Planning Staff. Two workshops had already been held and the last one was Thursday, April 14, 2016 at the East Wake Senior Center in Wendell from 6:00-8:00 p.m. and she urged everyone to attend.

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The Appearance Commission discussed the two murals and they were planning an art event later in May and she appreciated how hard they were working.

She said she attended the State Employees Credit Union Open House which had a program where they took local foreclosed homes and rehabilitated them. They use local builders and landscapers and invested in our community with their money. She said the one in Wendell was ready and was located on Wendell Boulevard toward Zebulon.

Item 12 – Adjourn

Commissioner Myrick moved to adjourn at 7:30 p.m. The motion passed unanimously.

Virginia R. Gray, Mayor

Attest:

Jonnie S. Driver, Town Clerk