

**TOWN OF WENDELL
BOARD OF COMMISSIONER MEETING MINUTES
September 12, 2016**

The Wendell Town Board of Commissioners held their regularly scheduled meeting on Monday, September 12, 2016, in the Town Board Room, Wendell Town Hall, 15 East Fourth Street.

PRESENT: Mayor Virginia Gray; Mayor Pro Tem Jon Lutz; Commissioners: John Boyette and Ben Carroll.

ABSENT: Commissioners David Myrick and Jason Joyner

STAFF PRESENT: Town Manger Teresa Piner, Special Assistant to the Manger-Town Clerk Sherry Scoggins, Town Attorney Jim Cauley, Finance Director Butch Kay, Planning Director David Bergmark, Planner Allison Rice, IT Administrator Tamah Hughes, Police Chief Bill Carter, and Police Officer Paul Ryan Opanasenko

CALL TO ORDER:

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

PLEDGE OF ALLEGIANCE:

Police Chief Bill Carter led the Pledge of Allegiance.

INVOCATION:

Mr. Greg Lane of Wendell Baptist Church provided the invocation.

1. ADJUSTMENT AND APPROVAL OF THE AGENDA:

ACTION

Mover: Mayor Pro Tem Lutz moved to approve the agenda as presented.

Vote: 3-0.

2. PUBLIC COMMENT PERIOD (*one hour time limit in total*):

No public comments were received by the Town Board.

3. CONSENT AGENDA:

The Consent Agenda is acted upon by one motion and vote of the Board. Items may be removed from the Consent Agenda and placed on the Regular Agenda at the request of the Mayor or a Commissioner. The Consent Agenda contains the following item(s):

- a. Approval of the Minutes from the August 22, 2016, regular meeting.
- b. Certificate of Sufficiency for Annexation Petition A-16-01 and Resolution Fixing the Date for Public Hearing for Monday, October 10, 2016, at 7 p.m.; property description: Grove of Deerfield, Phases 3 and 4, 19.88 contiguous acres.

ACTION

Mover: Mayor Pro Tem Lutz moved to approve the consent agenda as presented.

Vote: 3-0.

4. Recognize Officer Paul Ryan Opanasenko for earning Advanced Law Enforcement Certificate.

ACTION: Recognition.

[Staff Report]

Item Summary:

On Monday, September 12, 2016 the North Carolina Criminal Justice Education and Training Standards Commission awarded Officer Paul Ryan Opanasenko the Advanced Law Enforcement Certificate. This prestigious award is presented by the Commission to recognize the competence of law enforcement officers, to foster interest in college education and professional law enforcement training programs and to attract highly qualified persons to the law enforcement field. Eligibility for this award is based on formal education, law enforcement related training beyond state mandates, and years of full time experience. It can take anywhere from 6 to 12 years to achieve this award.

Paul began his law enforcement career with the Louisburg College Police Department in November 2009 and served in both full time and part time capacities. In addition to routine patrol duties in a college environment, Paul obtained certification as a Field Training Officer and completed several Incident Command Courses as produced by the Federal Emergency Management Agency. He also served as the Agency's coordinator over its use of the North Carolina Division of Criminal Information.

Paul advanced to the level of Corporal with the Louisburg College Police Department prior to his joining the Wendell Police Department on November 6, 2013. Paul currently serves as a patrol officer here in Wendell.

Receipt of the Advanced Law Enforcement Certificate is a symbol of Paul's dedication and hard work in the law enforcement profession and is a credit not only to Paul but to the community he serves.

Police Chief Bill Carter provided an overview of Advanced Law Enforcement Certification earned by Officer Paul Ryan Opanasenko; staff report included above in italics.

Chief Carter presented the Advanced Law Enforcement Certificate to Officer Opanasenko.

ACTION: Recognized Officer Opanasenko.

Public Hearing Guidelines:

- Case is announced
 - Staff presentation
 - Applicant presentation
 - Public hearing is opened; citizens will follow the same rules as Public Comment Period and will have five minutes to speak
 - Close public hearing
 - Board members ask questions
 - Board may take action
-

5. Public hearing for Transportation Plan.

ACTION: Public hearing. Board action slated for the October 10, 2016 Board meeting.

[Staff Report]

Item Summary:

At the Town's request, Mike Surasky of AMT developed a proposal in February of 2015 for updating the Town's various transportation plans. The scope of work created by Mr. Surasky included changes and updates to the Town's Collector Street Plan, Thoroughfare Plan, and Unified Development Ordinance. The purpose of the new Arterial and Collector Street Plan (ACS) is to provide citizens, the development community and government staff with an easy-to-understand and rational document to guide arterial and collector street location and design.

The Town's existing Collector Street Plan was adopted in November of 2006, and incorporated into the Town's Comprehensive Plan in 2007. Since that time, changes in regional transportation plans and actual development patterns have made updates to the town's transportation plans necessary. Additionally, the Collector Street Plan and the UDO fail to identify what the ultimate right-of-way should be for those roads identified.

The UDO does include typical cross-sections for different road types, but does not assign those classifications to the roads within the plan. Without this information, the ultimate right of way is not identified and staff is unable to inform developers how much right-of-way dedication is required, or what resulting road improvements are necessary when adjoining property is developed. As a result of current regulations, the Town has only required 90 feet of right-of-way to be dedicated in areas where 100 or 110 feet is needed to construct the appropriate cross-section. Additional right of way is also due in part to the increased demand for pedestrian and bicycle facilities.

One key element of the Arterial and Collector Street Plan is to assign roadway classifications to all existing and future road connections in the Town's jurisdiction. AMT has also evaluated all relevant regional transportation plans, such as CAMPO's Metropolitan Transportation Plan (MTP) and the Northeast Area Study, to ensure that any long-range regional projects are incorporated into the Town's plan. The plan, in conjunction with the UDO, includes clear standards for when infrastructure improvements are required, how they are implemented, and who the responsible parties are. Finally, the Arterial and Collector Street Plan includes a corridor study of Wendell Falls Parkway, as well as a priority list of projects for the Town to pursue through grant opportunities.

The Draft ACS document is available on the Town website at

<http://www.townofwendell.com/departments/planning/transportation>

This document includes an internal and external literature review, new roadway cross-sections, a new arterial and collector street map which assigns those cross-sections to new and existing roads, as well as information on infrastructure improvement requirements and transportation impact assessments (TIA). This document should be referenced to view applicable street cross-sections referenced in Attachments D & E.

The purpose of developing a new Arterial and Collector street map (Attachment D) is to remove outdated or unnecessary connections, realign roads where necessary, and propose new connections where needed. New road connections are shown with a solid line. Modifications to existing road sections are shown with a dashed line. Many of the 'new connections' may already be shown as required improvements on the existing collector street map. Each collector or

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Timeline:

- February 23, 2015 – Town Board approved funding for Transportation Plan Update
- March, 2015 – AMT began research and development of the ACS Plan
- May 18, 2015 – Planning Board briefed on the ACS Plan
- June 15, 2015 – Planning Board received Draft ACS Plan material
- June 29, 2015 – A public information session was held at the Community Center for the purpose of receiving public input.
- July 20 2015 – The Planning Board voted to send the ACS Plan to the Town Board without a formal recommendation of approval or denial.
- September 14, 2015 – A public hearing was held, but no action was taken. Staff was directed to obtain additional public input.
- October 19, 2015 – A transportation sub-committee was formed to obtain additional public input and staff was directed to do additional advertising/outreach at a projected cost of \$1400.
- March, 2016 – Sub-committee met to review draft plan and organize public workshops. Letters and/or utility inserts were delivered to property owners and residents within Wendell's corporate limits, ETJ, and urban service area notifying them of the upcoming public workshops.
- April 5-14, 2016 – Three public workshops were held at Hephzibah Baptist church, Central Baptist Church, and East Wake Senior Center to solicit public input.
- May 16, 2016 – Sub-committee reviewed written comments received from the public, received updated recommendations from the Town engineer, and voted to send those recommendations to the full Planning Board with one additional request to consider Stott's Mill as an alternative southern bypass.
- July 7, 2016 – Planning Staff met with property owners along Marshburn road to discuss their thoughts and concerns about proposed improvements to Marshburn road.
- July 18, 2016 – the Planning Board voted 4-2 In favor of recommending approval of the Draft ACS Plan.

Public Input Received:

Prior to the September 2015 public hearing, the Town received a limited amount of public comments regarding the Transportation Plan. As a result, staff was directed to initiate a new round of public input which resulted in a more robust response from the public.

Some concerns expressed did not relate to a specific property or area, but rather focused on the potential impact infrastructure improvement requirements could have on rural property owners wishing to build a home for a relative or existing homeowners looking to replace their homes.

In order to address these concerns, staff has included a proposal within the ordinance for adoption to address 'family subdivisions'. This language would replace the limited 'family subdivision' provision contained in the Town's current regulations for the Residential Agricultural (RA) zoning district. Under the proposed language, property owners could subdivide lots for direct family members without having to improve existing road frontage, but would be required to dedicate additional right-of-way to accommodate the future road improvements. A similar provision was created for the construction of one dwelling on a parcel of 10 acres or more in size which currently has no dwellings.

Additionally, staff included language which would allow the replacement of homes without being required to make road infrastructure improvements, with the exception of sidewalk and curb and

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gutter where there is an existing sidewalk on the same side of the street within 300 feet of the property.

Other concerns expressed were related to specific streets or areas shown on the draft ACS map. Staff mapped these comments on the draft ACS plan and consulted the Town engineer to determine which proposed changes were appropriate from an engineering standpoint. Attachment D shows the results of that evaluation. The comments shown in green represent those changes the Town's engineer is in favor of. Those comments in red represent changes the engineer did not support. Finally, comments shown in yellow represent changes which may be reasonable from an engineering perspective, but which have other complications or obstacles to implementation. Attachment E represents the Draft ACS plan with those changes suggested by the public AND supported by the Town engineer incorporated.

Residents of Marshburn Road expressed concern over Marshburn being classified as a 4-lane divided major thoroughfare. Those who attended the July 7th public meeting requested that Marshburn Road be shown as a 3-lane undivided road instead. The Town engineer was not in support of this change due to the development potential and access Marshburn Road has to US-64 Bypass. To help illustrate this point, staff created a map which shows the amount of undeveloped or underdeveloped acreage along Marshburn Road (Attachment F).

As seen in Attachment F, there is nearly 1500 acres of undeveloped or underdeveloped property along Marshburn Road (bounded by Marks Creek on the east and existing development on the west) which would use Marshburn Road as the primary point of access. If this area were developed at 2 units per acre (which is lower than a typical subdivision), this would still equate to over 7000 residents at build-out. The transportation impact would be even greater if the area were developed at a higher density, or included non-residential uses.

Finally, staff also kept a log of all written comments received – some of which cannot be mapped. A copy of those comments is included on the town website at <http://www.townofwendell.com/departments/planning/transportation>.

UDO Updates:

Incorporation of the Arterial Collector Street (ACS) Plan material into the appendix of the UDO will require minor modifications to other sections of the UDO. References to the Collector Street plan or Thoroughfare Plan in the following sections of the UDO will need to be replaced with references to the ACS plan. These proposed changes to the UDO are included in the draft ordinance (see Attachment B)

Table of Contents –

- Rename Appendix C 'Arterial and Collector Street Plan'*
- Rename 9.5 and 9.6 to reference the ACS Plan*
- Section 2.8,B,1 – Replace 'Collector Street Plan' with 'Arterial and Collector Street Plan'*
- Section 16.4 (Sketch Plan requirements)*
- Section 17.8E1 (Open Channel in Dedicated Floodplain and Open Space Area)*
- Chapter 19 (Definitions)*
- Chapter 9 (Circulation) – Replace all references to the 'Town of Wendell Collector Street Plan' or 'Thoroughfare Plan' with 'Town of Wendell Arterial and Collector Street Plan'*

Additionally, the following more substantive changes will need to be made to the UDO:

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- *Based on public comments received regarding the impacts of the transportation plan, staff recommends that an amended 'family subdivision' provision be added to Chapter 15 of the UDO, to exempt eligible properties from infrastructure improvements.*
- *That a provision be added to the UDO which exempts undeveloped properties of 10 acres or more constructing one single family dwelling from infrastructure improvement requirements normally subjected to development. Right-of-way dedication will still be required.*
- *That a provision be added to the UDO which exempts the replacement of existing single family homes from infrastructure improvement requirements, with the exception of sidewalk, curb, and gutter for properties with existing sidewalk on the same side of the street within 300 feet.*
- *That a provision be added to chapter 15 to allow for administrative modifications to site-specific applications of the proposed cross-sections. These modifications would not change the number of lanes required, but would allow for minor changes in the location or width of elements such as sidewalk, bike lanes, the vegetative verge, etc. where needed, such as in transition areas between cross-sections or when fitting a new road section with an existing street section that is not likely to redevelop soon.*
- *All non-local street cross-sections in Chapter 9 will need to be deleted, as they will be replaced with the new cross-sections developed in the ACS plan. All local street cross-sections are replaced with updated graphics to account for the Town's revised street tree regulations.*
- *As recommended by AMT, staff proposes to lower the threshold for when a Transportation Impact Assessment (TIA) is required to be more consistent with adjacent municipalities (150 peak hour trips).*
- *Section 9.3D (Bikeways) will need to be updated to reference the new cross-sections in the ACS plan. Currently, all collector and thoroughfare cross-sections proposed in the ACS incorporate bike-lanes. This represents a change from our current standards, which only require bicycle facilities on those roads identified within the comprehensive plan.*
- *Section 2.17 (Gateway Overlay) will need to be updated to include deletion of the 5 cross-sections included for Wendell Boulevard and removal of 2.17D3 (Streetscape Standards). Development along Wendell Boulevard shall follow the applicable cross-sections and associated streetscape standards included in the ACS.*

Staff Recommendation:

- *Staff recommends approval of the proposed text amendments to include material from the updated transportation plan as Appendix C of the UDO, and to amend various sections of the UDO to support the changes proposed in Appendix C.*
 - *Note – Staff is not requesting action at the September 12, 2016 meeting.*
- *The proposed changes establish the ultimate cross-section for existing roads, updates the Town's needs as it relates to future connections, and provides measures to mitigate costs in extenuating circumstances, such as for family subdivisions.*

Planning Board Recommendation:

At their July 18, 2016 meeting, the Planning Board voted 4-2 in favor of recommending approval of the Draft ACS plan and associated UDO amendments. The only change since the Planning Board's vote was to amend the road segment between Eagle Rock Road and Wendell Boulevard from a 4-lane divided road to a 3 lane undivided road (item R26 on Attachment D), based on conversations with DOT about the replacement of the Old Battle Bridge Road bridge.

Voting in Favor: Errol Briggerman, Ruth van der Grinten, Victoria Curtis, & Harold Broadwell

Voting Against: Ashley Anderson & Lloyd Lancaster

Absent: Gilda Wall, Kathe Schaecher

Statement of Plan Consistency and Reasonableness:

- *The Planning board found the proposed amendments to be consistent with the following principle of the comprehensive plan and deemed them reasonable and desirable in order to anticipate and respond to traffic needs in a manner which provides clear expectations for developers and citizens.*
 - *Principle Number 8: “Ensure local and regional transportation interconnectivity and options while also maintaining and enhancing Wendell as a walkable community.*
 - *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.”*

Planning Director David Bergmark provided an overview of the Transportation Plan; staff report included above in italics.

Planning Director Bergmark said there were a number of methods in which transportation improvements could be funded, including taxes, bonds, impact fees, exactions, and state and federal grants. He said the high cost of road infrastructure improvements made it incredibly difficult for taxes to cover the costs. David said the criteria by which transportation projects for state and federal funds are evaluated makes it difficult for smaller jurisdictions to compete. He said roads in smaller municipalities simply did not have the same amount of congestion and daily vehicle trips. He said CAMPO did have a long range plan, but the closest project in the Wendell area is still 20 years out, and could continue to be 20 years out even after the next update to their plan.

Planning Director Bergmark said a number of wake county municipalities received authority to issue impact fees back in the 1980s. However, the Wendell Board of Commissioners in place at that time decided to not participate in the request. David said, as a result, Wendell is the only municipality in eastern Wake County that does not have the authority to issue impact fees. He said other Towns, such as Knightdale, will collect \$400 per single family dwelling and even more for non-residential uses. Mr. Bergmark said collecting these fees allows municipalities to pool transportation-specific funds for future improvements.

Commissioner Boyette stated the re-alignment of Old Zebulon Road, Selma Road and Wendell Boulevard intersection would occur if there is development. He questioned what requirements would be attached to the re-alignment if only one side is re-developed or would both sides need to be redeveloped at the same time. Planning Director Bergmark stated from the engineering stand point, the north side was looked at for re-alignment.

Commissioner Boyette stated to make that happen would require at least two or three properties along Wendell Boulevard and the church. Planning Director Bergmark stated it would take multiple properties.

Mayor Pro Tem Lutz questioned how much of this plan is a change from the 2006 plan. Planning Director Bergmark said the most significant changes included:

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- Wendell Valley Boulevard out of Wendell Falls crossing over the railroad and connecting to Eagle Rock Road and aligning with Old Battle Bridge Road
- Using Stott's Mill Road as the southern by-pass
- Adding a number of minor collector roads, which are two-lane roads with bike lanes

Mayor Pro Tem Lutz questioned if this is development driven how would the town address areas that are developed with sidewalks next to areas that do not have sidewalks. Planning Director Bergmark stated the Town Board has the option to accept a fee-in-lieu on a case by case basis.

Mayor Gray opened the public hearing at 7:37 p.m.

Curt Phipps of 515 Liles Dean Road spoke about the section of Wendell Boulevard between Hephzibah Church and McDonalds. He is not necessarily opposed, and he has questions. NCDOT is responsible for Wendell Boulevard. If something is developed on Wendell Boulevard the developer is responsible for providing the right-of-way and paying to construct the half of improvements on Wendell Boulevard. Once the line is on the map, do not know what NCDOT will require for Wendell Boulevard.

James Pearce of 7921 Old Nowell Road spoke about his property on Old Nowell Road. The proposed Old Nowell Road corridor going through his property is a three lane road. He complimented town staff for their assistance. His understanding is if the plat is not recorded prior to the adoption of the Transportation Plan, he will need to write a check for road improvements for fee-in-lieu. He has three sons that he would like to see build on the family property, but it would be cost prohibitive to do so. He would like to see the plan not approved.

Lucius Jones of 410 Selma Road spoke about Academy Street. Academy Street is not designated as a collector street. There is building and redevelopment in west town. Classification of streets impacts what may be built and care needs to be used when classifying streets. He is in support of changing the classification of Academy Street.

Sid Baynes of 3900 Wendell Boulevard spoke about Wendell Boulevard. A previous study recommended development of a north side connector and south side connector to relieve congestion on Wendell Boulevard. He recommended re-evaluating the priority of the north and south side connectors as a large amount of the traffic goes into Johnston County. He questioned the projections of Wendell Falls Boulevard relieving the traffic off of Wendell Boulevard. He requested another look at the priority list. Sees the lines of the Transportation Plan like the "Map Act" and it is a concern for development and property rights.

Carol Hinnant of 205 Dogwood Trail stated the purpose of transportation is to get people from point A to point B in a safe and efficient manner as possible. Transportation is also an economic development driver. She stated Rolesville Road becoming a "T" intersection does not seem feasible. This does not grant access to the property that is across the street from Sheetz and was looked at as a potential site for retail on the front. That property was the reason for the study at that intersection. This proposal leaves an island of land and she does not understand why the need for a complete change of the intersection. Would like to see improvements to what the Town already has. For the southern part of Town, agrees with Sid Baynes and expressed using

care when putting lines on the map. The Town needs a transportation map and does not believe this map addresses relieving congestion on Wendell Boulevard. She requested the map be sent back to the drawing board.

As no one else came forward to speak, Mayor Gray closed the public hearing at 8:01 p.m.

Mayor Gray stated this will come back to the Wendell Town Board of Commissioners at the October 10, 2016, Town Board meeting.

ACTION: Deferred to the October 10, 2016, Board meeting.

6. City wide speed limit.
ACTION: Discussion.

[Staff Report]

Item Summary:

In follow up to the memo dated August 22, 2016 (included below), speeds in some neighborhoods have been recorded by the Town's radar sign posted within the neighborhoods. Although there are outliers, most vehicles were found to be driving less than the posted speed, therefore traffic calming measures and other tools may need to be explored.

On Tuesday, August 30, 2016, staff met with Mike Surasky with AMT to discuss criteria for speed limit changes. AMT has worked with other communities to assess and provide guidelines for traffic calming and speed limit reductions in an effort to assist residents and staff regarding the process and procedures for implementing traffic process and procedures that focus upon "the 5 E's".

- *Education – Neighborhoods receive the necessary information and tools to be active participants in addressing their traffic concerns.*
- *Engineering – Traffic calming strategies that address community – identified traffic issues, traffic calming measure(s) are developed and applied.*
- *Evaluation – The applied traffic calming measure is evaluated for effectiveness. The policy criteria and standards should be regularly updated to reflect the results.*
- *Economics- Support implementation of the least restrictive and least expensive traffic calming methods to stay within budget.*
- *Enforcement – Police enforcement supports the traffic calming plan developed by residents, town staff, and public officials.*

Staff plans to review the material provided by AMT and bring back a proposal to the Town Board for its consideration to address speed and safety within neighborhoods.

August 22, 2016 Memo Material

At the Monday, August 8, 2016 Board meeting, the question was raised as to whether a 35 mph speed limit was suitable for all neighborhoods in the town limits. Chief Carter and I have met to discuss the best approach for assessing the speed limits within the town. All available information suggests that the best practices for setting speed zones should be based on an engineering study and analysis of free flow speeds.

In its September/October 2013 Issue of Public Roads, the Federal Highway Administration published an article entitled "Setting Speed Limits for Safety" by Davey Warren, Guan Xu, and Raghavan Srinivasan. The authors indicated that for residential streets, the Federal Highway

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Administration suggests the following should be included in any study:

- *Operating speed: 50th and 85th percentile speed as recorded by radar speed display equipment (The 85th percentile speed is the speed that 85 percent of drivers travel at or below. Similarly, the 50th percentile speed is the speed that 50 percent of drivers travel at or below. The 85th percentile is typically viewed as one of the best indicators of a reasonable and safe speed.),*
- *Crash statistics,*
- *Extent of pedestrian/bicyclist activity,*
- *Presence/usage of on-street parking,*
- *Access density: driveways and unsignalized intersections per mile,*
- *Signals per mile,*
- *Area type,*
- *Presence/absence of adverse alignment,*

It is our desire to develop a comprehensive approach, using quantifiable and objective data such as that listed above, which can be used to determine the appropriateness of speeds along a street or combination of streets. Appropriate speeds are defined as those that are safe, credible, consistent, and enforceable.

Engineering study and analysis may lead to recommendation of any one or a combination of several of the following options:

- *Traffic calming devices*
- *Stop signs*
- *New or additional sidewalk installation (50/25/25)*
- *Prohibition of street parking*
- *Adjustment of speed limits*

As we conduct this study and evaluate recommendations it is critical that any recommendations be driven on ensuring all evaluated speed zones are set so that the speeds are safe, credible, consistent, and enforceable. According to the previously mentioned article the Federal Highway Administration reports that “studies show that setting speed limits lower than the prevailing speed without changing the road environment will have little effect on speed and might increase crash risk.” As a collateral issue best practice would preclude us from creating speed zones that actually impede traffic or create the impression of a speed trap.

As we move forward in our efforts on how to best address this issue, we are scheduling a meeting with the town’s traffic engineer to examine and prepare an objective and systematic approach to ensure a comprehensive process. This meeting is set for August 30, 2016.

On Tuesday, August 30, 2016, staff met with Mike Surasky with AMT to discuss criteria for speed limit changes.

Town Manager Teresa Piner provided an overview of the city wide speed limit report; staff report included above in italics.

Mayor Gray questioned when a staff recommendation would be available for Board review. Town Manager Piner stated a process can be drafted for the first meeting in October.

ACTION: Deferred to the October 10, 2016, Board meeting.

7. Contracts for Clean Water Management Trust Fund (CWMTF) and Wake County.

ACTION: Board may take action.

[Staff Report]

Item Summary:

Due to the condition of Buffalo Creek and its label as a 303(d) stream, Wake County and the Town of Wendell have recognized the importance of protecting the waters as a part of the Upper Neuse Watershed. Because the State of NC and the EPA recognize Buffalo Creek as a 303(d) stream, it is on a pollution watch which allocates the necessary reductions to one or more pollutant sources. Under section 303(d) of the Clean Water Act, states are required to submit lists of impaired waters. These are waters that are too polluted or otherwise degraded to meet water quality standards. In North Carolina, the General Assembly established the Clean Water Management Trust Fund in 1996 to assist in improving water bodies within the State. In January of 2013, the Wendell Town Board passed a resolution in support of North Carolina continuing to fund the Clean Water Management Trust Fund.

A map which identifies the condition of Buffalo Creek may be found below.

<http://ncdenr.maps.arcgis.com/apps/webappviewer/index.html?id=87870e4480c54b8abf6bd7ee97ebc26b>

Because of the importance of protecting this waterbody, the Town has worked with Mr. David Proper, Urban Program Director with The Conservation Fund in identifying property available for purchase along the Buffalo Creek corridor. As a result, a parcel was identified that abuts the south side of Wendell Park and is located to the north of Wendell Falls Parkway, REID 0170666. Those local to the area may know the property as the Nowell, Baptist, or Parkview property. In total, the property contains approximately 53 acres. For purposes of receiving grant funding, attention was paid to 36 acres that abut the east side of Buffalo Creek.

The Town applied for funding through Wake County's Open Space and Parks Advisory Committee as well as Clean Water. The Town was awarded \$285,300 to be reimbursed by Clean Water for the purchase of 36 acres to be used as passive open space. A conservation easement is required by Clean Water as well as Wake County and the property cannot be used for active open space such as ball fields. The \$285,300 will be used as matching funds to the request made to Wake County. Wake County Open Space and Parks Advisory Committee has approved to fund the project in the amount up to \$271,700. This request will go before the Wake County Board of Commissioners for final approval on October 3, 2016.

Contracts with Wake County will also need to be approved once received. They are being drafted at this time and will come before the Wendell Town Board for approval on September 26, 2016.

Town Manager Teresa Piner provided an overview of the contract for Clean Water Management Trust Fund (CWMTF) and Wake County; staff report included above in italics.

ACTION

Mover: Mayor Pro Tem Lutz moved to approve the contract as presented.

Vote: 3-0.

8. Update on board committee(s) by Town board members:



Triangle J Council of Governments (COG) Board of Delegates [Mayor Pro Tem Lutz]

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Mayor Pro Tem Lutz stated he attended the August 24, 2016, COG meeting. At the meeting, discussed employee insurance, met new staff, and discussed changing parameters for federal trade zone 93 to help incoming business.

 ~~Wendell Fire Department Board of Directors [Commissioner Joyner]~~

Commissioner Joyner was absent from the Board meeting.

 Regional Mayors and County Chairs (TJCOG) [Mayor Gray]

Mayor Gray stated the meeting was held in Sanford and presenters told their community story, provided an overview of what has been accomplished and what they learned along the way. Many of the things Sanford is doing, Wendell is doing.

9. Commissioners' Reports.

Commissioner Carroll and Mayor Pro Tem Lutz stated no report.

Commissioner Boyette reminded everyone that on Sunday, September 18, 2016, the Wendell Fire Department will have a live burn training exercise on Wendell Boulevard for the house that is beside the IGA. The road will be closed at 7 a.m. between Hanor Lane and Marshburn Road and will re-open by 12 noon.

Commissioner Boyette stated the Transportation Plan is complicated. The Transportation Plan is like the building code. The building code for a house is constantly being updated. When the Building Code is updated, no one knocks on your door to tell you to update your home. The Building Code comes into effect when your home is renovated or a new home is built. The Transportation Plan is similar. If someone wants to live and work on the farm and does not wish to develop, then it's still a farm. The Transportation Plan includes the comments of those outside of the Town of Wendell. The Transportation Plan is a work in progress and there is a Transportation Plan in place now. The Town of Wendell is growing because we are in Wake County and growth brings traffic and people. Growth also allows the Town to expand Parks and Recreation and open space and to shape the community.

Commissioner Boyette stated Wilson, NC and Chattanooga, TN both have municipal broadband and both sued their respective states over the right to build a municipal broadband as a utility and compete with the commercial sector. The FCC was on the side of the municipalities to have internet service regulated as a utility. The FCC lost its case and is not seeking to appeal. This is not good news for connectivity in Wendell. Internet access is as much a necessity as water and sewer. Multiple studies have shown that places that do not have internet do not have economic development. A shovel ready site needs accessibility to water, sewer, gas and high speed internet.

10. Mayor's Report.

Mayor Gray shared that Commissioner Myrick is sick and Commissioner Joyner had an

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unexpected work emergency.

Mayor Gray stated she attended the Eastern Wake County Education Foundation Work Group and the purpose is to advocate for our area schools. The schools are a part of our economic development. The group is developing plans and she will share when the details are firmed up.

Mayor Gray shared the International Food and Music Festival is this Saturday at the Town Square beginning at 11 a.m.

Mayor Gray shared the Wendell Historical Society Reverse Raffle is this Thursday at the Wendell Community Center.

Mayor Gray stated the Economic Development Committee is having a Business After Hours at Beer and Wine 101 on September 22, 2016. The purpose is to get folks together to showcase local businesses.

Mayor Gray expressed appreciation to those who attended this evening on spoke during the public hearing. She has notes for those who spoke. One concern she has is the property across the street from Sheetz and access to the land.

11. ADJOURN:

ACTION

Mover: Mayor Pro Tem Lutz moved to adjourn at 8:24 p.m.

Vote: 3-0.

Duly adopted this _____ day of September 2016, while in regular session.

ATTEST:

Virginia R. Gray,
Mayor

Sherry L. Scoggins, MMC
Town Clerk