

TOWN OF WENDELL
BOARD OF COMMISSIONER MEETING MINUTES
April 23, 2018

The Wendell Town Board of Commissioners held its regularly scheduled meeting on Monday, April 23, 2018, in the Town Board Room, Wendell Town Hall, 15 East Fourth Street.

PRESENT: Mayor Virginia Gray; Mayor Pro Tem Jon Lutz; Commissioners: John Boyette, David Myrick, Ben Carroll, and Jason Joyner.

STAFF PRESENT: Town Manger Teresa Piner, Special Assistant to the Manager–Town Clerk Sherry Scoggins, Finance Director Butch Kay, Planning Director David Bergmark, Police Chief Bill Carter, Public Works Superintendent Brian Bray, and Information Technology Administrator Tamah Hughes.

CALL TO ORDER:

Mayor Gray called the meeting to order at 7:03 p.m. and welcomed attendees.

PLEDGE OF ALLEGIANCE:

Mason Hetzell, student at Wendell Middle Elementary School, led the Pledge of Allegiance.

INVOCATION:

Errol Briggerman of Wendell Baptist Church provided the invocation.

1. ADJUSTMENT AND APPROVAL OF THE AGENDA:

ACTION

Mover: Mayor Pro Tem Lutz moved to remove Item 5 and to approve the agenda as adjusted.

Vote: Unanimous.

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

No one spoke during the Public Comment Period.

3. CONSENT AGENDA

The Board of Commissioners uses a Consent Agenda to act on non-controversial and routine items quickly. 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 items:

- a. Wake County Tax Report
- b. Approval of the minutes from the March 26, 2018, regular meeting.
- c. Approval of the minutes from the April 9, 2018, budget work session meeting.

ACTION:

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

Vote: Unanimous.

- 4. RECOGNITION OF WENDELL MIDDLE SCHOOL TEACHER: CATHERINE SLADE**
SPEAKER: Mayor Virginia Gray
ACTION: Recognition.

[Staff Report]

Item Summary

Mrs. Slade graduated Summa Cum Laude from Ball State University with a Bachelor of Science in Music Education and continued her studies at the University of North Carolina Greensboro with a Masters in Music. The 2017-18 school year will be her 13th year of teaching. Mrs. Slade's band students regularly earn individual honors and distinctions. Each year at least one of her students earns all-county and most years at least one student earns all-district honors. This year's Concert Band earned the prestigious Superior Rating at the Music Performance Adjudication as part of a State Band Festival. The band regularly performs at local elementary schools, Stars in the East, and at various events in the Town of Wendell, including Wendell Wonderland. Ms. Slade's expertise was vital in our school's highly successful first musical Annie Jr. that was held over the weekend. It is amazing how a child that struggles to put their instrument together when they enter her program become truly talented musicians. Mrs. Slade has been at Wendell Middle School for four years, she makes a true difference in our school and community. Mrs. Slade is truly irreplaceable!

Mayor Virginia Gray recognized Wendell Middle School teacher Catherine Slade; report above in italics.

Ms. Slade extended an invitation for the following Wendell Middle School events:

- 7 and 8 grade Band Concert on May 8th at 7:15 p.m.
- 6 grade Band Concert on May 15th at 7:00 p.m.
- End-of-Grade [EOG] volunteers/proctors needed after Memorial Day; please contact the school

- ~~**5. PRESENTATION BY LIME BIKE.**~~
~~**SPEAKER: Parks & Recreation Director Jeff Polaski**~~
~~**ACTION: Presentation**~~

Item 5 was removed.

- 6. DISCUSSION OF PROPOSED SIDEWALK PROJECT UPDATE.**
SPEAKER: Planning Director David Bergmark
ACTION: Discussion.

[Staff Report]

Item Summary

At the April 9, 2018 meeting, the Town Board approved a fee in lieu of bike-lane installation request along Wendell Boulevard in the amount of \$3062. At this meeting, the Town Board expressed a desire to use these funds towards sidewalk installation and directed staff to investigate potential locations. The Board specifically mentioned a section of Wendell

Boulevard near the IGA as a desired area for sidewalk infill.

Based upon the fee collected (\$3062), the Town could expect to hire a contractor to install between 125 and 175 linear feet of sidewalk. The exact linear footage would vary based on whether easements or encroachments were needed, as well as whether the sidewalk stretch would include any new curb ramps at an intersection. These figures assume curb and gutter are already in place.

The following section describes four potential sidewalk projects. Based upon the limited funds to work with, some sidewalk gaps would only be partially filled.

Sidewalk Infill Options for Consideration:

1. *Fourth Street between the Park & Ride lot and the Cell Tower Site (~115 feet, and would require an ADA curb ramp).*
 - a. *Note – Fourth Street is a Town Maintained road and thus would not require a DOT encroachment.*
2. *Wall Street between Short Street and existing Sidewalk just west of Todd Street*
 - a. *The entire stretch is ~285 feet, so this would only cover a portion of the missing segment.*
 - b. *Note – Wall Street is a Town Maintained road and thus would not require a DOT encroachment.*
3. *North Side of Wendell Boulevard adjacent to new EMS facility*
 - a. *On the north side of Wendell Blvd, sidewalk is absent between Marshburn Road and the new EMS facility at 3001 Wendell Boulevard. This stretch is nearly 1300 linear feet in length and contains insufficient ROW in spots, as well as utility conflicts.*
 - b. *The \$3062 collected could potentially cover the cost of installation of sidewalk within the undeveloped tract owned by Fred Anderson, immediately adjacent to the new EMS facility. An access and maintenance agreement could be obtained to locate the sidewalk outside of the current right-of-way. This project would consist of approximately 150 feet of sidewalk.*
 - c. *Note – When this site develops, a new sidewalk would be required to be installed anyways as a development requirement.*
4. *South Side of Wendell Boulevard between Academy Street and Parrish Realty Office Building.*
 - a. *This sidewalk gap is approximately 300 feet in length total, so the \$3062 would only cover a portion of this gap.*
 - b. *A DOT encroachment would be required.*

Staff Recommendation:

Staff recommends that the Town Board pursue Option #1. This recommendation is based on the fact that Fourth Street is a town maintained road which eliminates the need for a DOT encroachment, the existing gap is less than 150 feet in length, there are no significant obstacles to installation present, and while this tract is undeveloped, it is less likely to develop in the near future.

Planning Director David Bergmark provided an overview of the proposed sidewalk project update; staff report above in italics.

Commissioner Boyette suggested to put sidewalks where best utilized. His preference is placement of sidewalk on Wendell Boulevard. His suggestion is to build the part that can be

built or hold on until it can be done in its entirety. Does not believe the Fourth Street near the cell tower will be used as much as Wendell Boulevard.

Mayor Pro Tem Lutz would like to hold the funds so it may make an impact on Wendell Boulevard.

ACTION:

Mover: Mayor Pro Tem Lutz moved to hold the sidewalk funds until sidewalk can be installed on Wendell Boulevard.

Vote: Unanimous.

Commissioner Boyette requested a total cost for sidewalk installation on Wendell Boulevard between Academy Street and where it picks up at the EMS station and at the O'Reilly at the sidewalk.

Planning Director Bergmark stated an estimate from AMT Engineering for sidewalk construction only is \$200,000. He added this does not include design, survey, utility conflicts, new ramps, driveways and right-of-way acquisitions.

Town Manager Piner stated there are some drainage issues.

Mayor Gray requested the \$3,062 for sidewalk be added to the SnapShot.

7. PRESENTATION OF THE STANDARD AND SPECIFICATIONS MANUAL.

SPEAKER: Planner Patrick Reidy.

ACTION: Presentation.

[Staff Report]

Item Summary

The purpose of a Standards and Specifications Manual is to serve as an approved document that is utilized as minimum standards for all development (non-residential and residential) and utility construction projects within the jurisdiction of a municipality. Currently, the Town of Wendell does not have an approved Standards and Specifications Manual, which has made reviewing development plans cumbersome. Staff has been working with AMT Engineering for the past 18 months to create a draft Standards and Specifications Manual for the Town Board to consider approving.

The purpose of these Specifications is to present standards for typical conditions encountered. All projects which include construction of public facilities, such as storm drainage facilities or streets, require that the design services be performed by, or under the direct supervision of, a Professional Engineer, a Professional Land Surveyor, or a Professional Landscape Architect licensed to practice in the State of North Carolina, or as approved by the Town of Wendell.

The existence of these Standard Specifications and Construction Details does in no way relieve the Professional Engineer, Professional Land Surveyor, or the Professional Landscape Architect of the responsibility to correctly adapt these standards to the actual site conditions encountered on a specific project. The Professional Engineer, Professional Land Surveyor, or the Professional Landscape Architect must review the applicable portions of these specifications and

determine that these minimum standards will function correctly for the project.

There may be circumstances whereby the engineer, surveyor, or landscape architect may wish to increase pipe strength classification, bedding requirements, reinforcing, depth of stone base, depth of asphalt, etc. In such situations where changes or modifications are proposed, the Town of Wendell shall be consulted prior to completion of final design and plan submittal.

This will serve to help ensure that the review time for all plans submitted is minimized.

Staff Recommendation:

Staff recommends that the Town Board receive a presentation from Sam MacDonald of AMT Engineering regarding the final draft and take action on the manual at their May 14th meeting.

Planner Patrick Reidy introduced Sam MacDonald of AMT Engineering.

Sam MacDonald, project manager with AMT Engineering, provided an overview as to how standard and specifications will benefit the Town of Wendell with establishing acceptable minimum standards for infrastructure.

Commissioner Joyner questioned the Town currently does not have Standards or does not have them clearly defined. Planner Reidy stated it's a combination of the two.

Commissioner Joyner questioned the cost for the Standards and Specifications project. Town Manager Piner stated \$2,500.

The Standards and Specifications Manual is detailed and technical and Board members were encouraged to submit questions to Town Manager Piner in advance of the May 14 meeting.

ACTION:

Place on the May 14, 2018, agenda.

8. PRESENTATION OF THE 2018 CITIZEN ADVISORY BOARD RECRUITMENT APPLICATIONS.

SPEAKER: Special Assistant to the Manager Sherry Scoggins

ACTION: Presentation; board action requested at the May 14, 2018 meeting.

[Staff Report]

Item Summary

Recruitment for the citizen advisory boards launched on Tuesday, February 27, 2018, and wrapped-up on Tuesday, April 3, 2018.

Applications were reviewed for residency requirements. Those meeting the requirements are included in the packet for consideration. Applicants living outside of the residency requirements were notified of their ineligibility to serve at the municipal level and provided information about Wake County citizen advisory boards.

*Letters were mailed to the applicants on April 5th with an invitation to hear the business of the Town at the April 23, 2018 regular meeting **and** invited to stay afterwards to meet the mayor and commissioners.*

Action by the Board is requested at the May 14, 2018, Town Board meeting.

Special Assistant to the Town Manager Scoggins provided an overview of the 2018 Citizen Advisory Board Recruitment applications; staff report above in italics.

ACTION:

Place on the May 14, 2018, agenda.

9. DISCUSSION OF INTER-LOCAL AGREEMENT BETWEEN THE TOWN OF WENDELL AND WAKE COUNTY REGARDING ADMINISTRATION OF WENDELL'S STORMWATER ORDINANCE AND EROSION AND SEDIMENTATION CONTROL ORDINANCE.

SPEAKER: Town Manager Teresa Piner

ACTION: Discussion and review.

[Staff Report]

Item Summary

The original interlocal agreement (ILA) between Wake County and the Town of Wendell for erosion and sedimentation control and stormwater services was approved in 2010 and expires on June 30, 2018. The proposed agreement for the continuation of services has an amended term expiring June 30, 2028. Also enclosed is a summary of proposed changes to provisions from the original ILA.

The updated ILA will be forwarded later in the week once review is complete.

Town Manager Piner provided an overview of Inter-Local Agreement between the Town of Wendell and Wake County regarding administration of Wendell's stormwater ordinance and erosion and sedimentation control ordinance; staff report above in italics. *A copy of the proposed agreement is included in the minutes book as reference.*

Commissioner Joyner questioned the section referencing civil penalties. Town Manager Piner stated that is in Article 1 and reflects what is required by State law for penalties.

Commissioner Joyner questioned nitrogen. Town Manager Piner stated that the Town will be tipped into Phase 2 in the next 12 months. Wendell will be included in Phase 2 because of population and density.

Commissioner Joyner stated he has issues with moving forward with a 10 year agreement that is essentially the same as Wake County's. Wendell is missing growth to attract more businesses. He would like to see what the adjacent municipalities are doing and what Wake County is presently doing.

Mayor Gray suggested looking at what Knightdale and Zebulon do.

Town Manager Piner asked the Board if they would like this included as an agenda item for the May 14 meeting.

Commissioner Joyner stated there is a working chart to begin a conversation. His concern is nitrogen and competitiveness for development and where Wendell is in comparison to our municipal neighbors.

ACTION:

Place on the May 14, 2018, agenda.

10. UPDATE ON BOARD COMMITTEE(S) BY TOWN BOARD MEMBERS:

-  **Capital Area Metropolitan Planning Organization [CAMPO] (Mayor Gray)**
-  **East Wake Senior Center Auxiliary Meeting (Commissioner David Myrick)**

Mayor Gray provided the following update of the CAMPO meeting:

-  Public hearing on fiscal year 2018-2027 transportation improvement program amendment #3
-  NC Vision Zero presentation
-  Discussed 2018-2027 transportation improvement program amendment #4
-  Update on Prioritization Spot 5 and target modal mixes

Commissioner David Myrick provided the following update of the East Wake Senior Center Auxiliary meeting:

-  Fish Fry Fundraiser was successful
-  Plumbing issues addressed by Town staff
 - o Town of Wendell owns the Senior Center building

11. COMMISSIONERS' REPORTS.

Commissioners Carrol, Myrick and Boyette stated no report.

Mayor Pro Tem Lutz stated he attended Opening Day at the Park on Saturday. He thanked the Parks and Recreation staff for a wonderful day.

Commissioner Joyner stated he enjoyed the earlier budget conversation. He stated it is nice to see traffic in Downtown Wendell. On Friday he experienced the theft of his vehicle. The person fled from the car and as he was securing his car, former Mayor Jones was in foot pursuit. The suspect was caught. He thanked the Wendell Police Department.

12. MAYOR'S REPORT.

Mayor Gray shared the following:

- Attended Jake May Opening Day at the Park this past Saturday.
- Attended Annie Jr the musical at Wendell Middle School.
- Wendell Council of Churches is hosting two National Day of Prayer Observances on Thursday, May 3:
 - o Noon, J Ashley Wall Town Square
 - o 7:15 PM at Wendell Community Center, 601 W Third Street
- Public Safety Day is Saturday, May 5, 2018 from 10 AM to 2 PM

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- Spring Into the Arts Walk is Saturday, May 12, 2018 from 9 AM to 5 PM with many activities throughout Downtown Wendell
- Spring Into the Arts Walk Artist Reception and Silent Auction is Friday, May 18, 2018 from 6:30 PM to 8 PM

13. CLOSED SESSION.

ACTION: Will be called if necessary.

No closed session was called.

14. ADJOURN.

ACTION:

Mover: Mayor Pro Tem Lutz moved to adjourn at 7:58 p.m.

Vote: Unanimous.

Duly adopted this 14th day of May 2018, while in regular session.

ATTEST:

Virginia R. Gray, Mayor

Sherry L. Scoggins, MMC; Town Clerk