

**TOWN OF WENDELL  
BOARD OF COMMISSIONER MEETING MINUTES  
February 26, 2018**

The Wendell Town Board of Commissioners held its regularly scheduled meeting on Monday, February 26, 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 Manager Teresa Piner, Special Assistant to the Manager–Town Clerk Sherry Scoggins, Finance Director Butch Kay, Planning Director David Bergmark, Police Chief Bill Carter, Parks and Recreation Director Jeff Polaski, and Information Technology Administrator Tamah Hughes.

**CALL TO ORDER:**

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

**PLEDGE OF ALLEGIANCE:**

Davion Truesdale, student at Carver Elementary School, led the Pledge of Allegiance.

**INVOCATION:**

Reverend James Lee of Wendell First Baptist Church provided the invocation.

**1. ADJUSTMENT AND APPROVAL OF THE AGENDA:**


**ACTION**

Mover: Mayor Pro Tem Lutz moved to adjust the agenda to include a closed session to discuss personnel in accordance with NC GS 143-318.11(a)(6) [personnel] and moved to approve the agenda as amended.

Vote: Unanimous.

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

The following person(s) spoke during Public Comment Period:

 Maya Bryant, Miss Zebulon, spoke in support of the arts integrated into the schools. She requested assistance in working with the schools to bring the arts to the students.

**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. Minutes of the January 27, 2018 Wendell Town Board of Commissioners Retreat.
- c. Approval of Ordinance O-02-2018 enacting and adopting the 2018 S-5 Supplement to the Code of Ordinances for the Town of Wendell.

**ACTION:**

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

Vote: Unanimous.

- 4. RECOGNITION OF CARVER ELEMENTARY SCHOOL TEACHER: DEBBIE HARTLEY**  
**SPEAKER: Mayor Virginia Gray**  
**ACTION: Recognition.**

*[Staff Report]*

**Item Summary**

*Ms. Hartley graduated from Zebulon High School, today it's known as Zebulon Middle School. She attended East Carolina University and graduated with a BS degree in Elementary Education (K-6) and Reading K-12. She began her teaching career as a kindergarten teacher at Underwood Elementary for 4 years, taught kindergarten at Reedy Creek Elementary for 1 year and has been a member of Carver Elementary teaching kindergarten and first grade for the past 18 years. In 2003 she was Carver's Teacher of the Year!*

*Some of the extra duties that Ms. Hartley does as Carver Elementary are: Mentor coordinator, mentor, SIP team member. She previously was a team leader, member of PBIS and DEN team. When away from Carver Elementary, Ms. Hartley is a wife, mom of a teenager, and a member of Central Baptist church where she sings on the Praise and Worship Team, teaches K-1 Sunday school, assists with Children's program on Wednesday nights, helps with chair set up, is a member of Central Baptist Preschool Board and is on the finance committee.*

Mayor Virginia Gray recognized Carver Elementary School teacher Debbie Hartley; report above in italics.

Ms. Hartley expressed her appreciation and invited residents to volunteer at the school.

- 5. PRESENTATION OF PROCLAMATION CELEBRATING THE CENTENNIAL OF WENDELL FIRST BAPTIST CHURCH.**  
**SPEAKER: Mayor Virginia Gray**  
**ACTION: Presentation.**

*[Staff Report]*

**Item Summary**

*Wendell First Baptist Church is rejoicing with a Centennial Celebration on March 17 and 18, 2018.*

*March 17, 2018, banquet will be hosted at Good Hope Missionary Baptist Church. [This is a ticketed occasion. For ticket information, contact Wendell First Baptist Church at 919-365-7676 or 919-365-3726.]*

*March 18, 2018, is a Sunday morning worship.*

*The Town of Wendell is honored to recognize this momentous milestone for Wendell First Baptist Church!*

Mayor Gray read the proclamation into the record:

**PROCLAMATION**  
**CELEBRATING THE CENTENNIAL OF WENDELL FIRST BAPTIST CHURCH**

*WHEREAS, from humble beginnings in the early 1900's, members seeking spiritual fulfillment and enlightenment met in a small house on the hill on Cemetery Street, today known as Industrial Drive;*

*WHEREAS, the church membership increased and the church school moved to a two-story building known as the "Lodge House."*

*WHEREAS, the Lodge House meetings were held upstairs and the Sunday school and church services were held on the first floor.*

*WHEREAS, the brethren of church purchased the property from C. J. Todd and Amanda Todd for \$35;*

*WHEREAS, services were conducted in the Lodge House until a new edifice was constructed and included a cornerstone dated 1918 to serve the church membership.*

*WHEREAS, Reverend R. W. Crockett led the congregates in their spiritual journey by serving as the first pastor from 1918 until 1933;*

*WHEREAS, since Reverend Crockett's service, Wendell First Baptist Church has had ten reverends to heed the calling to spiritually lead Wendell First Baptist Church; with Reverend James E. Lee being the tenth and current Pastor;*

*WHEREAS, Wendell First Baptist Church has weathered the times and remained steadfast in its faith within the Town of Wendell that 2018 marks its centennial.*

*NOW, THEREFORE, I, Mayor Virginia Gray, on behalf of the Wendell Town Board of Commissioners do hereby congratulate Wendell First Baptist Church for attaining its centennial. Furthermore, Wendell First Baptist Church is wished peace, hope and continued spiritual growth in its next 100 years!*

*Duly proclaimed this 26th day of February 2018.*

Mayor Gray presented the proclamation to Reverend James Lee, Pastor of Wendell First Baptist Church.

- 6. PRESENTATION BY WAKE COUNTY ANIMAL CONTROL.  
SPEAKERS: Dr. Jennifer Federico and Karen Rogers  
ACTION: Presentation**

[Staff Report]

**Item Summary**

*Town of Wendell is located within Wake County and contracts with Wake County Animal Control for services.*

*The Town of Wendell has a number of new residents. This is an opportunity to hear about the services Wake County Animal Control provides for the people and animals that reside within Wendell.*

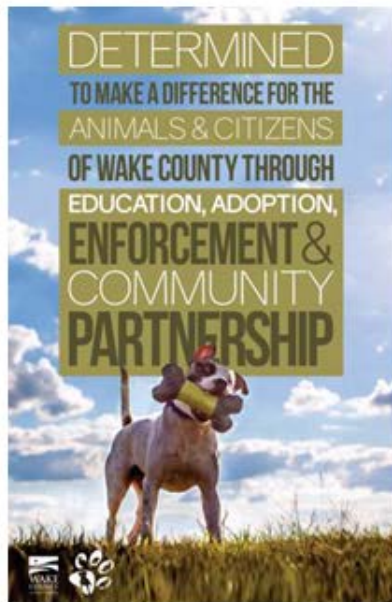


**Wake County Animal Control**  
Jennifer Lynn Federico, DVM – Animal Services Director  
Karen Rogers – Animal Control Manager

@wakegov    

wakegov.com





## Our Team

- Animal Control Manager
- 8 Animal Control Officers
- Ongoing continuous training

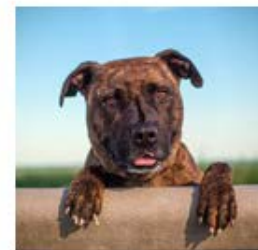


WAKE COUNTY

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## Wake County Animal Control Ordinance

- [http://www.amlegal.com/codes/client/wake-county\\_nc/](http://www.amlegal.com/codes/client/wake-county_nc/)
  - Chapter 91 - Animals
- Do not enforce local ordinances or laws
- Will enforce State Statutes

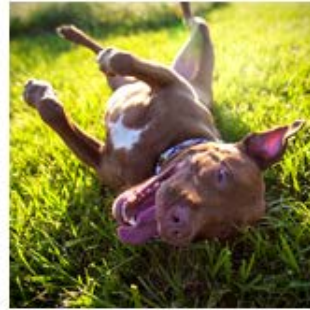


WAKE COUNTY

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## Key Parts

- Adequate Feed, Water and Shelter
- Animals at Large
- Rabies control
- Community Cat Initiative
- Dangerous Dog (recently updated)



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WAKE COUNTY

## 91.06 Adequate Feed, Water and Shelter

- Adequate Shelter
  - Three sides
  - Roof
  - Floor
  - Ventilation
  - Sufficient room



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WAKE COUNTY

## 91.07 Animals at Large

- *It shall be unlawful for any owner to permit an animal to be at large. This section shall not apply to a community cat caregiver.*



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WAKE COUNTY

## Rabies Control

- Keep your pets up to date on rabies vaccination!



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WAKE COUNTY

## Community Cat Initiative

- TNR = trap, neuter, return
- What we offer
- How you can help!

Eartip = TNR'd



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WAKE COUNTY

## Dangerous Dog / Potentially Dangerous Dog

- Updated November 2017



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WAKE COUNTY



## How to contact us

(919) 856-6911



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WAKE COUNTY

## Thank you!



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WAKE COUNTY

Commissioner Boyette questioned what animals are required to have rabies vaccination. Dr. Federico stated dog, cat, and ferret.

Commissioner Boyette questioned what animal services are provided after-hours and weekends. Ms. Rogers stated for after-hours and weekends, there is an emergency list. The animal control follow up after-hours and weekends except for running at large and animal in the trap calls. If someone calls and has an animal bite, aggressive animal, bats in the house, injured or sick

animals, law enforcement assists and talk with officer the dispatcher will patch the call though to the on-call person.

**7. REQUEST BY WENDELL COUNCIL OF CHURCHES FOR WAIVER OF COMMUNITY CENTER RENTAL FEE.**

**SPEAKER: Parks & Recreation Director Jeff Polaski**

**ACTION: Board may take action.**

*[Staff Report]*

**Item Summary**

*The Wendell Council of Churches is a non-profit organization comprised of eight churches within the Wendell community.*

*The Wendell Council of Churches submitted a waiver of community center rental fee application for its upcoming National Day of Prayer on May 3, 2018. The request is to set-up for the event at 6:30 p.m. with the event beginning at 7:15 p.m. and concluding at 8:30 p.m. The Wendell Council of Churches anticipates 200 persons attending.*

*The Wendell Parks & Recreation Commission received the request at its February 5, 2018, meeting. Based upon the information within the application, the Wendell Parks & Recreation Commission unanimously approved the request with the condition that the cost for the police office and cleaning fee would not be waived.*

Parks and Recreation Director Jeff Polaski provided an overview of the request by the Wendell Council of Churches for waiver of the Community Center rental fee; staff report above in italics.

**ACTION:**

Mover: Mayor Pro Tem Lutz moved to approve the waiver fee [only] for the Wendell Council of Churches.

Vote: Unanimous.

**8. DISCUSSION OF REQUEST FOR SIDEWALK FEE-IN-LIEU FOR PHASE 3A OF OLDE WENDELL.**

**SPEAKER: Planning Director David Bergmark**

**ACTION: Board may take action.**

*[Staff Report]*

**Item Summary**

*In May of 2015, plans were approved for 10 single family residential lots (5 on each side of Garden Club Way) to be developed along the entrance of the Olde Wendell Subdivision, known as Olde Wendell Phase 3. Based upon the existing zoning designation for this area (R4), sidewalk was required on both sides of Garden Club Way. The approved preliminary plan and construction drawings reflected this requirement. Wendell's policy is to allow sidewalks to be installed lot by lot as homes are constructed in order to minimize damage to the sidewalk during the construction process. The sidewalk must be in place prior to the certificate of occupancy being issued for each home.*

*In late January, as the first home was nearing completion, town staff reminded the builder that the sidewalk would need to be installed prior to issuance of a Certificate of Occupancy (CO).*

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*Due to expressed concerns regarding sidewalk installation, town staff conducted a site visit to evaluate potential conflicts. Based upon that site visit, staff found that installing the sidewalk as shown on the plan would be cost prohibitive due to the grade at the site, as well as infrastructure conflicts such as electrical boxes (Attachments A, B, and C).*

*On February 6<sup>th</sup>, staff met with the developer of Olde Wendell, Phase III to address the sidewalk issue. The developer asked staff to move forward with processing a sidewalk fee-in-lieu request for the Board's consideration for the south side of Garden Club Way (Attachment D). The UDO permits sidewalk fee-in-lieu requests, with Town Board approval.*

*For reference, On March 9, 2015, the Board of Commissioners approved a sidewalk fee-in-lieu request in the amount of \$9,912.87 on the boundary of the Olde Wendell, Phase III project, for sidewalk installation along Wendell Boulevard.*

*The submitted fee-in-lieu request would not change the requirement for sidewalk to be installed on the opposite side of Garden Club Way. The developer has committed to staff to have their contractor grade for the installation of sidewalk on the north side of Garden Club Way. Furthermore, in order to avoid potential conflicts with existing infrastructure on the north side of the road, the developer proposed to locate the sidewalk further from the existing road-side right of way and drainage ditch within a proposed sidewalk easement.*

*The adopted fee schedule lists a sidewalk fee-in-lieu in the amount of \$25 per linear foot. The linear footage of the sidewalk required on the south side of Garden Club Way is 514 feet. This results in a sidewalk fee-in-lieu amount of \$12,850 that would be due prior to the release of the first certificate of occupancy.*

**Staff Recommendation:**

*Staff believes that the \$12,850 for the sidewalk fee-in-lieu is a reasonable request based on current site conditions. If the request is approved, there would still be sidewalk present on one side of the road.*

*Staff recommends approval of the fee-in-lieu request.*

Planning Director David Bergmark provided an overview of the request for sidewalk fee-in-lieu for Phase 3A of Olde Wendell; staff report above in italics.

Mayor Gray questioned if there will be a complication across the road. Planning Director Bergmark stated it can be pulled further behind the ditch, within an easement. He added the Town Board may deny the request if the developer submitted a fee in lieu request for the opposite side of the road, and require the installation of the sidewalk.

Mayor Gray questioned if there is a section on this side that if granted that will just stop. Planning Director Bergmark stated the cross over at Wendell Boulevard is at Garden Club Way.

Mayor Pro Tem Lutz questioned is the \$12,000 for those lots or for the entire side of the street. Planning Director Bergmark stated it is for the entire side of the street.


Mayor Pro Tem Lutz questioned if this was an oversight by the developer. Planning Director Bergmark stated the construction drawings showed what the grade should be. There are a couple of light poles that would have needed to be moved and a drainage area to be accommodated. The developer's engineer was aware of most of this. The builder was not aware of the constraints for these sites.

**ACTION:**


Mover: Mayor Pro Tem Lutz moved to approve the sidewalk fee in lieu of request for the south side of Garden Club Way.

Vote: Unanimous.

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


 **Capital Area Metropolitan Planning Organization [CAMPO] (Mayor Gray)**


Mayor Gray provided the following update of the CAMPO meeting:


 Public hearing on FY 2019 Unified Planning Work Program

 FY 2018-2017 Transportation Improvement Amendment #2

 FY 2019 LAPP project program

 Received 2045 Metropolitan Update Safety Performance Measures and Targets

 Wake transit implementation update

 FY 2018 Wake Transit Plan Amendment

**10. COMMISSIONERS' REPORTS.**

Commissioners Carroll, Myrick, Boyette, and Joyner stated no report.

Mayor Pro Tem Lutz stated he attended Princesses in the Park on Saturday with his daughter. He and his daughter had a good time and it was well done by the staff. He also attended the Party with a Purpose and it do was well done and organized!

**11. MAYOR'S REPORT.**

Mayor Gray stated the citizen board applications are being accepted February 27, 2018 through April 3, 2018. Citizen Boards carried out the Party with a Purpose and each board helps within the Town.

Mayor Gray stated since the last meeting, the Town has hosted Princesses in the Park, Party with a Purpose and Bond with the Blue. There is a lot happening and a lot more to come. She suggested keeping an eye on social media and the website.

Mayor Gray also thanked the Wendell Rotary Club and Dr. Lutz for organizing the State of the Town Address. She stated 2017 was a great year last year!

**12. CLOSED SESSION.**

**ACTION: Will be called if necessary.**

**ACTION:**

Mover: Mayor Pro Tem Lutz moved to go into closed session in accordance with NC GS 143-318.11 (a) (6) [personnel] at 7:43 p.m.

Vote: Unanimous.

**ACTION:**

Mover: Mayor Pro Tem Lutz moved to return to open session at 7:49 p.m.

Vote: Unanimous.

**13. ADJOURN.**

**ACTION:**

Mover: Mayor Pro Tem Lutz moved to adjourn at 7:50 p.m.

Vote: Unanimous.

Duly adopted this 26th day of March 2018, while in regular session.

**ATTEST:**

\_\_\_\_\_  
Virginia R. Gray, Mayor

\_\_\_\_\_  
Sherry L. Scoggins, MMC; Town Clerk