

**TOWN OF WENDELL
BOARD OF COMMISSIONER MEETING MINUTES
June 11, 2018**

The Wendell Town Board of Commissioners held their regularly scheduled meeting on Monday, June 11, 2018, in the Town Board Room, Wendell Town Hall, 15 East Fourth Street.

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

ABSENT: Mayor Pro Tem Jon Lutz

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 Patrick Reidy, Police Chief Bill Carter, Parks & Recreation Director Jeff Polaski, Public Works Superintendent Brian Bray, and IT Administrator Tamah Hughes.

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:

Mike Harrison of Wendell Christian Church provided the invocation.

1. ADJUSTMENT AND APPROVAL OF THE AGENDA:

ACTION


Mover: Commissioner Carroll moved to approve the agenda as presented.

Vote: 4-0.

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

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

 Sheree Hedrick of Wendell visited Jury Galli in Pisa, Italy. On behalf of Jury Galli, Ms. Hedrick presented a pen to Planner Patrick Reidy.

 Ray Hinnant of Wendell requested that the Municipal Water Allocation Policy be reviewed so that the outcome is good for the Town of Wendell.

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. Continuation of a relationship with the Wake County Tax Collection Office for the

- collection of property taxes for the Town of Wendell.
- b. Adoption of the Triangle J Council of Governments [J-COG] charter amendments.
 - c. Adoption of the Fiscal Year 2019 Comprehensive List of Fees and Charges.
 - d. Adoption of resolution setting filing fee for candidate seeking the office of mayor or commissioner.

ACTION:

Mover: Commissioner Myrick moved to approve the consent agenda as presented.

Vote: 4-0.

- 4. UPDATE ON THE WAKE COUNTY FIRE COMMISSION.**
SPEAKER: Lucius Jones, municipal representative for the Town of Wendell
ACTION: Presentation.

[Staff Report]

Item Summary

Lucius Jones, municipal representative for the Town of Wendell, will provide an update on the Wake County Fire Commission.

Lucius Jones, municipal representative for the Town of Wendell on the Wake County Fire Commission, provided an update:

- Establishing processes with a formula for staffing at each of the departments
- Establishing processes with a formula for equipment for each department and its service area
- Submitted budget to the Wake County Manager

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 TO CONSIDER THE PERMANENT CLOSURE OF THE PORTION OF [UNOPENED] RIGHT-OF-WAY KNOWN AS LILLIAN AVENUE LOCATED OFF OF KNIGHTDALE EAGLE ROCK ROAD AND WITHIN THE TOWN'S ETJ [NC GS 160A-299].**
SPEAKER: Planner Patrick Reidy
ACTION: Public hearing. Board may take action.

[Staff Report]

Item Summary:

Board Meeting Minutes
June 11, 2018

Maria Barahona has submitted a request to formally close a portion (6,026 square feet) of Lillian Avenue in Wendell. Lillian Avenue splits the properties owned by Maria Barahona, identified by PIN#s 1774 43 9303 and 1774 53 0312 (Attachment A). On July 21, 1906, a final plat was recorded (BM1885 PG71) for the creation of the Eagle Rock Subdivision as shown in Attachment B.

The portion of Lillian Avenue requested for closure has not been improved, opened to the public, or accepted for maintenance by NCDOT; however it is still shown as right-of-way on Wake County's GIS records. Mrs. Barahona seeks to formally close this portion of Lillian Avenue in an effort to install a new well at 6806 Knightdale Eagle Rock Road. Without the right-of-way abandonment, the existing lot is too small to accommodate a new well. The applicant had sought access to municipal water through an annexation request, but the Town was unable to act on her request since it represented only a portion of an existing subdivision.

According to §160A-299 (Attachment C), in order for a road or alley to be formally closed, the municipality's Town Board must first adopt a resolution declaring its intent to close the street or alley and calling a public hearing on the question. The Town Board passed such a resolution (Attachment D) at its May 14, 2018 meeting. As per general statute, this resolution was published in the paper for four successive weeks, and notices were mailed to adjoining property owners and posted on the property.

Since Mrs. Barahona owns all of the requested land on both sides of Lillian Avenue, she would gain sole ownership of the land currently serving as right-of-way if it were closed. The requested land would be evenly split between Lots 1/2 and Lot 5 as shown on the right-of-way disposal plat (Exhibit E). The unimproved 20' wide publically dedicated alley behind the lots shall remain. If the alley were to ever be improved, four points of ingress/egress to the alley will remain. If the road closing request is approved, the applicant will record the final plat with the Wake County Register of Deeds.

Staff Recommendation:

Given that this portion Lillian Avenue is currently unimproved and multiple connections remain for access to the alley at the rear of Lillian Avenue, staff recommends adoption of the attached Order to Close the unimproved Road Right-of-Way (Attachment F).

Planner Patrick Reidy provided an overview of the request to permanently close a portion of [unopened] right-of-way known as Lillian Avenue located off of Knightdale Eagle Rock Road and within the Town's ETJ [NC GS 160A-299]; staff report above in italics.

Commissioner Boyette questioned the roads as the street names on the plat were unfamiliar. Planner Reidy stated Scarboro Street is now Knightdale Eagle Rock Road. He added he does not know when the names were updated.

Mayor Gray opened the public hearing at 7:13 p.m. No one spoke on this item. Mayor Gray closed the public hearing at 7:13 p.m.

ACTION:

Mover: Commissioner Carroll moved to approve the order for the closure of the portion of [unopened] right-of-way known as Lillian Avenue located off of Knightdale Eagle Rock Road and within the town's ETJ.

Vote: 4-0.

6. PUBLIC HEARING TO CONSIDER A ZONING TEXT AMENDMENT TO CHAPTER 6 OF THE UDO AS IT RELATES TO NITROGEN EXPORT STANDARDS.

SPEAKER: Planning Director David Bergmark

ACTION: Public hearing. Board may take action.

[Staff Report]

June 11, 2018 Update:

Per the Town Board's request, the Planning Board reviewed the Town's water allocation policy at their May 21st meeting to consider removing all language related to nitrogen export requirements. At their May meeting, the Planning Board voted 5-0 in favor of removing nitrogen language in Sections 6.5M1d, 6.5M4c, and 6.5E (Definitions) of the UDO, as well as removing language related to Low Impact Development (LID) project classification in Section 6.5N5.

The language to be removed is included in the 'Proposed Amendments' portion of this report.

May 14, 2018 Update:

At their April 23, 2018 meeting, the Town Board asked staff to provide the Town's current stormwater regulations to the Board for review, with an evaluation of how these regulations compare to neighboring jurisdictions. A link to the Town's current stormwater regulations is included as Attachment A. A comparison chart to other neighboring jurisdictions is included as Attachment B.

For comparison purposes, Wendell's stormwater regulations were evaluated against those of Zebulon, Knightdale, Rolesville, Wake County, Garner, and Apex. As can be seen in Attachment B, the primary difference in stormwater standards relates to limiting the nitrogen export rate. Of those reviewed, only Wake County, Garner, and Wendell regulate nitrogen export. Wendell is the only one of those three jurisdictions not currently required to do so by the State (though all but one Wake County municipality will be subject to nitrogen export limits in approximately 1 year). Once mandated by the State, nitrogen export requirements will be more restrictive than Wendell's current stormwater ordinance.

The Town's stormwater regulations are contained within Chapter 6 of the UDO. As a result, any proposed amendments would require a public hearing, following review and recommendation by the Wendell Planning Board.

January 9, 2017 Update:

At their January 9, 2017 meeting, the Wendell Board of Commissioners adopted two changes to the Town's stormwater rules to reduce regulatory standards. The first change created an exception to the Town's nitrogen requirement for small residential infill development.

"Residential Infill Development" was defined as residential development which is 1) located within the primary corporate limits or adjacent to the primary corporate limits, and 2) Less than 20 acres in size, and 3) Has no vacant or underdeveloped land of 10 acres or more in size adjacent to the project which could be feasibly added to the development to create a larger subdivision.

The second change adopted was to amend Section 6.5N5e to only require 'one' additional LID technique (rather than two) when the Town's nitrogen threshold was not met by development (for those not considered 'residential infill development'), and to increase the number of LID alternatives available to choose from.

History:

In 2006, representatives from Wake County and each municipality in the county formed a task force to address stormwater issues. The task force met seventeen times over twenty months and produced a report that includes nine major recommendations and a five-year implementation plan. Part of these recommendations included the creation of a collaborative stormwater ordinance for interested towns.

The stormwater task force asked that the draft stormwater ordinance include: 1) water quality requirements that at least meet the minimum requirements for the municipal NPDES Phase II requirements; 2) water quality requirements that include control of the 10-year, 24 hour storm; and 3) encouragement of Low Impact Design (LID) standards.

Members of the Stormwater Implementation Team included: Wendell Commissioner Sid Baynes, Zebulon Mayor Bob Matheny, Zebulon Planner Mark Hetrick, Rolesville Planner Bryan Hicks and Wendell Planning Director Teresa Piner.

Members of the team who served as resources were: Knightdale Engineer Keith Gifford, Wendell resident Betsy Rountree, NCDENR-DWQ representative Bill Diuguid, Wake County Environmental Services Director Tommy Esqueda, Knightdale Planner Stephen Morgan, Home Builder Association representative Suzanne Harris, AMEC Earth and Environmental Engineer Keith Readling, Wake Forest Engineer Scott Mills, Neuse River Keeper Dean Naujoks, AMEC Earth and Environmental Engineer Henrietta Locklear, Danny Bowden with the City of Raleigh, Wake County Planning Board Member Mike Golder, Wake County Environmental Service Representative Britt Stoddard, CORPUD representative Robert Massengill, and Wake County representative Hunter Freeman.

The stormwater implementation team's discussion of the draft stormwater ordinance was completed in November of 2008, and these recommendations were incorporated into Wendell's Unified Development Ordinance in 2009.

As part of the Town's stormwater regulations, no development or redevelopment shall contribute a nitrogen export load exceeding 3.6 pounds per acre per year unless they achieve classification as a Low Impact Development (LID), as described in Section 6.N.2.5 of the UDO. Under the original language created as part of the stormwater ordinance, developments had the option to buy-down their nitrogen export load by paying monies to the North Carolina Riparian Buffer Restoration Fund. However, when the first developments were submitted which would be subject to these regulations, the Town learned that this fund could not legally accept monies from the Town. As a result, this buy-down option was removed from the UDO. However, the LID requirement remained for those developments which did not meet the 3.6 pounds per acre limit.

Proposed Amendments:

Per the Town Board's instructions, staff prepared amendments to Section 6.5M1d, 6.5M4c, and 6.5E (Definitions) to remove any language related to nitrogen export load requirements. The following sections detail the specific language to be removed. With the removal of nitrogen export load standards, there would no longer be a need for a 'Residential Infill Development' category, as the only different standard which applied to residential infill development was that it was not subject to nitrogen export requirements.

At their May meeting, the Planning Board also recommended deleting section 6.5N5, which lists standards for 'Low Impact Development (LID) Project Classifications' (Amendment #4). If all nitrogen requirements were removed, there would be no regulations requiring a project to acquire a LID Project Classification. While this is true, staff would note that leaving this language in the UDO could allow the Town to incentivize a developer to voluntarily obtain this

classification with a tool such as the water allocation policy.

Amendment 1:

- *To delete section 6.5M1d, which states a requirement for development within Ultra-Low and Low-Density projects to not exceed a nitrogen export load of 3.6 pounds per acre per year. The deletion is shown with red strike-through below.*

M. Standards Based on Project Density.

1. *Development Standards for Ultra-Low and Low-Density Projects: Ultra-Low and Low-Density projects shall comply with each of the following standards, in addition to the general standards found in Section B in this Section:*
 - a. *Stormwater runoff from the development shall be transported from the development by vegetated conveyances to the maximum extent practicable.*
 - b. *All Development and Redevelopment shall be located outside the Riparian Buffer Zone and Flood Protection Zone.*
 - c. *The approval of the stormwater permit shall require an enforceable restriction on property usage that runs with the land, such as a recorded deed restriction or protective covenants, to ensure that future development and redevelopment maintains the site consistent with the approved project plans.*
 - ~~d. *With the exception of Residential Infill Development, no Development or Redevelopment shall contribute a nitrogen export load exceeding 3.6 pounds per acre per year, unless it achieves classification as an LID Project in accordance with Section N.2.5. In calculating the nitrogen export, the applicant must use the known footprint method.*~~
 - e. *For Ultra Low-Density Projects only, pervious portions of the site must be utilized to the maximum extent practicable to convey and control stormwater runoff.*
 - f. *For Low-Density Projects only, Structural and Non-Structural BMPs shall control and treat the difference in the stormwater runoff peak discharge rate leaving the project site between the pre- and post-development conditions for, at a minimum, the one-year, 24-hour storm. Runoff volume drawdown time shall be a minimum of 48 hours, but not more than 120 hours.*
 - g. *General engineering design criteria for all projects shall be in accordance with 15A NCAC 2H .1008(c), as explained in the Design Manual.*
 - h. *Developers must manage residential runoff so that after Development the site will not exceed the Target Curve Numbers in the table in Section M.2.*
 - i. *Ultra-Low Density Projects and Low-Density Projects may be eligible for target curve number credits, as described found in Section M.3, below.*

Amendment 2:

- *To delete section 6.5M4c, which states a requirement for development within High-Density projects to not exceed a nitrogen export load of 3.6 pounds per acre per year. The deletion is shown with red strike-through below.*
4. *Development Standards for High-Density Projects: High-density projects shall implement stormwater control measures that comply with each of the following standards, in addition to the general standards found in subsection N of this chapter.*
 - a. *The measures shall control and treat runoff from the first inch of rain. Runoff volume drawdown time shall be a minimum of 48 hours, but not more than 120 hours.*
 - b. *All structural stormwater treatment systems used to meet the requirements of the program shall be designed to have a minimum of 85 percent average annual removal for Total Suspended Solids (TSS).*
 - ~~c. *With the exception of Residential Infill Development, no Development or Redevelopment shall contribute a nitrogen export load exceeding 3.6 pounds per acre per year, unless it achieves classification as an LID Project in accordance with Section N.2.5. In calculating the nitrogen export, the applicant must use the know footprint method.*~~
 - d. *Structural and Non-Structural BMPs shall be used to ensure there is no net increase in peak flow leaving the site from the pre- and post-development conditions for the one-year, 24-hour storm. Runoff volume drawdown time shall be a minimum of 48 hours, but not more than 120 hours.*

Board Meeting Minutes
June 11, 2018

- e. General engineering design criteria for all projects shall be in accordance with 15A NCAC 2H .1008(c), as explained in the Design Manual.
- f. All development and redevelopment shall be located outside the Riparian Buffer and Flood Protection Zone. These zones shall be in accordance with the following provisions:
 - i. Except where other applicable buffer standards are more restrictive, the Riparian Buffer Zone shall extend a minimum of 50 feet landward of all Perennial and Intermittent Surface Waters. The most restrictive standards shall apply.
 - ii. The Riparian Buffer Zone shall remain undisturbed unless otherwise permitted by this section.
 - iii. The Flood Protection Zone shall extend throughout the FEMA 100-year floodplain as identified on the current Flood Insurance Rate Map (FIRM) published by FEMA. The Flood Protection Zone shall remain undisturbed unless otherwise permitted by this section.
 - iv. No Development or Redevelopment is permitted within the Riparian Buffer Zone or the Flood Protection Zone except for stream bank or shoreline restoration or stabilization, water dependent structures, and public or private projects such as road crossings and installations, utility crossings and installations, and greenways, where no practical alternatives exist.
 - v. Permitted activities within the Riparian Buffer Zone and the Flood Protection Zone shall minimize impervious coverage, direct runoff away from surface waters to achieve diffuse flow, and maximize the utilization of Non-Structural BMPs.
 - vi. Where the Riparian Buffer Zone and the Flood Protection Zone both are present adjacent to surface waters, the more restrictive shall apply.
- g. The approval of the stormwater permit shall require an enforceable restriction on property usage that runs with the land, such as recorded deed restrictions or protective covenants, to ensure that future Development and Redevelopment maintains the site consistent with the approved project plans. Buffer widths and locations shall be clearly delineated on all plans, final plat, and as-builts.

Amendment 3:

- To delete the definition within Section 6.5E for 'Residential Infill Development'

~~Residential infill development means residential development which is 1) located within the primary corporate limits or adjacent to the primary corporate limits, and 2) less than 20 acres in size, and 3) has no vacant or underdeveloped land of ten acres or more in size adjacent to the project which could be feasibly added to the development to create a larger subdivision.~~

Amendment 4:

- To delete Section 6.5N5 to remove language related to Low Impact Development (LID) Project Classification.

5. — Low Impact Development (LID) Project Classifications:

- a. — ~~All development or redevelopment to which this ordinance applies may be submitted for classification as a Low Impact Development (LID) Project.~~
- b. — ~~Classification as a Low Impact Development requires that the development mimic the pre-developed hydrologic conditions of the site, as defined as "woods in good condition" for the two-year, 24-hour storm, within ten percent. The pre-developed conditions shall include: its hydrologic balance; frequency distribution of high flows; magnitude, frequency, and duration of low flows; groundwater recharge (or infiltration), and flow length and pattern. The conditions shall be measured through the comparison between measures of the pre-developed and developed conditions including: total runoff volume, time of concentration, curve number, and peak discharge. Mimicry of the pre-developed hydrologic conditions may be achieved through such techniques as the minimization of disturbed areas and the use of on-lot distributed retention storage as described in more detail on Wake County's Stormwater Web Site under Low Impact Development.~~
- c. — ~~The following techniques must be used to achieve LID classification:~~

- ~~i.— Natural site design in consultation with the Town;~~
- ~~ii.— Site buildings, roads, and other disturbance in the least environmentally sensitive areas, pursuing steep slopes, naturally well draining soils, and other hydrologically valuable features undisturbed.~~
- ~~d.— In addition, one of the following two techniques must be used to achieve LID classifications:
 - ~~i.— Bio-retention systems;~~
 - ~~ii.— On-site infiltration;~~~~
- ~~e.— In additions, at least one of the following techniques must be used to achieve LID:
 - ~~i.— Retention of 50 percent of vegetated area, including open space, landscaping, or forests;~~
 - ~~ii.— Installation of tree box filters for all residential street trees;~~
 - ~~iii.— Installation of driveway runners (in lieu of fully paved driveways) for all residential driveways;~~
 - ~~iv.— Installation of a Disconnected Impervious Surface (DIS) system on all residential lots (in accordance with the NCDENR Stormwater BMP manual), with all yards fully sodded:
 - ~~a.— Installation shall be confirmed prior to CO, but no easement shall be required.~~~~
 - ~~v.— Use of Permeable pavement for private driveways, private roads, or parking areas in accordance with the North Carolina Stormwater Best Management Practices Design Manual;~~
 - ~~vi.— Installation of one underground rain cistern per lot;~~
 - ~~vii.— Installation of vegetated roofs;~~
 - ~~viii.— Increasing all buffers in the Riparian Buffer Zone of the Flood Protection Zone, whichever is greater, by 50 feet, in accordance with Section M.1 for Low-Density Development and Ultra Low-Density projects and Section M.4 for High-Density Projects;~~
 - ~~ix.— Use of reclaimed water for all buildings in accordance with State and local laws;~~
 - ~~x.— Use of innovative LID techniques subject to the approval of the Town. For residential projects, this could include such things as additional stormwater measures in common areas (such as impervious surface pavers in a clubhouse parking lot, or rain gardens incorporated into passive open space).~~~~
- ~~f.— For Development and Redevelopment projects achieving classification as LID Projects, the Stormwater Administrator shall waive the stormwater permit fee if stipulated in the fee schedule duly adopted by the applicable governing board.~~
- ~~g.— Wake County will expedite the permitting process for Development and Redevelopment projects achieving classification as an LID Project.~~

Planning Board Recommendation:

At their May meeting, the Planning Board voted 5-0 in favor of approving the proposed text amendments to remove nitrogen requirements from Chapter 6 of the UDO.

Voting in Favor: Errol Briggerman, Ashley Anderson, Lloyd Lancaster, Jonathan Olson, and Allen Swaim.

Voting Against: none

Absent: Victoria Curtis, Gilda Wall, Kathe Schaecher, and Michael Clark

Staff Recommendation:

The proposed amendments will place the Town in-line with other Wake County communities which are not required by the State to regulate nitrogen export loads. The Department of Environmental Quality (DEQ) is considering amendments which could make all Wake County jurisdictions (with the exception of Zebulon) subject to nitrogen limits within the next 12-18 months. If this should occur, this item would be brought back up to the Board for action at that time.

The ordinance for adoption includes the Planning Board's recommendation to also remove

language related to LID project classification (amendment 4). Staff's preference would be to retain this language (i.e. NOT include amendment 4) since its presence does not create any additional standards for developers, while it creates an opportunity to incentivize LID classification.

Statement of Plan Consistency and Reasonableness

At their May meeting, the Planning Board found the proposed text amendments (Amendments 1-4) to Chapter 6 to be reasonable in order to be competitive with other communities not subject to nitrogen rules by the State. Furthermore, the proposed amendments were found to be consistent with the following principle of the Comprehensive Plan:

- *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."*

Planning Director David Bergmark provided an overview of the zoning text amendment to Chapter 6 of the UDO as it relates to nitrogen export standards; staff report above in italics.

Commissioner Joyner requested a disclaimer that this is optional and not required.

Mayor Gray opened the public hearing at 7:18 p.m. No one spoke on this item. Mayor Gray closed the public hearing at 7:19 p.m.

ACTION:

Mover: Commissioner Joyner moved to approve the text amendment to include the language of disclaimer for item 4.

Vote: 4-0.

7. ADOPTION OF A RESOLUTION AUTHORIZING THE TOWN OF WENDELL TO ENGAGE IN ELECTRONIC PAYMENTS AS DEFINED BY NC GS 159-28.

SPEAKER: Finance Director Butch Kay

ACTION: Board may take action.

[Staff Report]

Item Summary:

The 2015 legislature modified GS 159-28 (d2) (local governments) and 115C-441(d2) (local school administrative units) to allow the Local Government Commission (LGC) to adopt rules to address the execution of the pre-audit and disbursement process related to electronic transactions for local government and local school administrative units. The new pre-audit and disbursement rules were effective as of November 1, 2017, and exist as part of the North Carolina Administrative Code (20 NCAC 03.0409 and 20 NCAC 03.0410).

With the town using credit cards and gas cards, the town is required to comply with this requirement by adopting a resolution and policy (see attached).

The board is asked to adopt a resolution authorizing the town to engage in electronic payments as defined by NC GS 159-28.

Finance Director Butch Kay provided an overview of the resolution authorizing the Town of Wendell to engage in electronic payments as defined by NC GS 159-28; staff report above in italics.

ACTION:

Mover: Commissioner Joyner moved to approve the resolution authorizing the Town of Wendell to engage in electronic payments.

Vote: 4-0.

8. WENDELL AMENDED COMMUNITY DEVELOPMENT BLOCK GRANT [CDBG] COOPERATION AGREEMENT.

SPEAKER: Planning Director David Bergmark

ACTION: Board may take action.

[Staff Report]

Item Summary:

As a condition to grant funding eligibility from the U.S. Department of Housing and Urban Development (HUD), Wake County is required to enter into cooperation agreements (“Cooperation Agreement”) with each participating local government for the administration of HUD grant funds within the Wake County Urban Entitlement Community.

The Cooperation Agreements allow Wake County to administer Federal grant funds within the municipalities that make up the Wake County Entitlement Community. The Cooperation Agreements are renewed in three-year cycles that align with federal fiscal years (FFY). The current renewal period is for FFY 2019-2021, beginning October 1, 2019 through September 30, 2021. The nine towns currently participating in the 2006 Cooperation Agreement are: Apex, Knightdale, Rolesville, Wake Forest, Wendell, Zebulon, Garner, Morrisville and Fuquay Varina. Amended Cooperation Agreements are required for these nine Towns for FFY 2019-2021 to incorporate new federal requirements that did not exist as of the 2006 Cooperation Agreement and to identify additional grant funding resources from the ESG and HOPWA programs.

Attached is an amended Community Development Block Grant Cooperation Agreement for the Town’s Boards consideration and adoption. This draft agreement has been forwarded to the Town Attorney for comment.

Planning Director David Bergmark provided an overview of the Town of Wendell amended Community Development Block Grant [CDBG] Cooperation Agreement; staff report above in italics.

Town Attorney Cauley stated this contract requires the Town to have a policy in place addressing excessive force and non-violent civil right demonstrations, and a policy regarding access to facilities for non-violent demonstrations. He is unsure if the Town has these policies.

Police Chief Carter stated there is an internal policy to address the first policy governing complaints about use of force.

ACTION:

Consensus of the Town Board of Commissioners to place on the June 25, 2018, agenda in order to receive clarification about two policies referenced within the contract.

9. DISCUSSION AND REVIEW OF SERVICE LEVEL AGREEMENT [SLA] BETWEEN CITY OF RALEIGH AND THE TOWN OF WENDELL TO PROVIDE EMERGENCY 911 CALL TAKING AND RADIO DISPATCH SERVICES.

SPEAKER: Police Chief Bill Carter

ACTION: Board may take action.

[Staff Report]

Item Summary

Emergency 911 Call Taking and Dispatch Services are provided to the Town of Wendell by the Raleigh-Wake Emergency Communications Center (RWECC). The RWECC operates as a department of the City of Raleigh and its staff are City of Raleigh employees. Funding for the RWECC and the back-up center is provide through cost sharing amount participating entities and receipt of state telecommunications funding . Operating costs are calculated using a formula measuring calendar year billable dispatches or transfers, depending on the agency for which services are provided. Funding for the operation of the RWECC is split among the participating agencies with participating agencies having involvement in the operation of the RWECC via the. Participating agencies who utilize the RWECC are members of the Wake Emergency Communications Organization

WECO was formed in January 1972 to provide services to elements of government and associated agencies by affecting the rapid and efficient transfer of communications between citizens requesting assistance and public safety units. The membership of WECO consists of voluntary representatives from all agencies in Wake County that the Emergency Communications Center provides services for, including nine law enforcement agencies, four EMS agencies, 19 fire agencies and various municipal public works departments. WECO members are represented by a voting board and three dispatch steering committees for law enforcement, fire, and EMS services. Chief Carter serves as the chair of the Law Enforcement Dispatch Steering Committee.

A comprehensive review of the existing agreements was undertaken and resulted in the development of a new interlocal agreement between the City of Raleigh and Wake County, new service level agreements between the City of Raleigh and municipalities that utilize the services of RWECC and a revised WECO Agreement. Changes were made to address the current business models of participating agencies and to improve overall efficiency of WECO. Chief Carter served on the WECO subcommittee that worked with the City of Raleigh to develop these new documents.

Police Chief Bill Carter provided an overview of the Service Level Agreement [SLA] between the City of Raleigh and the Town of Wendell to provide Emergency 911 Call Taking and Radio Dispatch Services; staff report included above in italics.

ACTION:

Mover: Commissioner Carroll moved to approve the Service Level Agreement [SLA] between City of Raleigh and the Town of Wendell to provide Emergency 911 Call Taking and Radio Dispatch Services.

Vote: 4-0.

10. ADOPTION OF THE FISCAL YEAR 2019 BUDGET.

SPEAKER: Town Manager Teresa Pine and Finance Director Butch Kay

ACTION: Board may take action.

[Staff Report]

Item Summary:

The proposed FY 2018-2019 [July 1, 2018 – June 30, 2019] Budget for the Town of Wendell has been prepared in accordance with the Local Government Budget and Fiscal Control Act. The budget presents financial information summarized by major categories of expense for each department and outlines the operations of the Town. As mandated by State law, the budget is balanced and identifies methods of raising and spending funds for specific programs during the coming fiscal year.

The budget development process focused on providing high quality services while moving toward meeting the goals of the Town Board and community in a fiscally responsible manner. The development of the budget was guided by the priorities established at the 2018 retreat through the use of the Town's Financial Goals and Policies and the Equipment Replacement Policy. Priorities were influenced by the positive economic changes in the area resulting in increased workloads; desire to improve customer service, and efficiency and effectiveness through technology.

The proposed budget maintains a tax rate of .49 per \$100 of valuation. Projected property tax revenues make up approximately 32 percent of the Town's budget. Property tax revenue is based upon the values of existing homes, non-residential buildings, as well as new construction. Tax revenues for 2019 have seen an increase of approximately \$300,000.

Grants proposed for this year include a Wake County ABC Grant for \$9,000 to support Camp Choices and Track-out Camp and a Governor's Crime Commission Grant in the amount of \$24,206 for firearm replacement.

The proposed balanced budget was presented at the May 14, 2018, Board meeting. The Town Board held the public hearing at its Tuesday, May 29, 2018, Board meeting

Following the Special Called Work Session on Tuesday, June 5, 2018, fund balance expenditures have been amended from \$360,500 as presented at the Public Hearing to \$245,800. Reductions in Fund Balance expenditures include removal of the following: Façade Grant (\$4K), Art Statue (\$10,700), Stage Repair and (\$35K), Car (\$45K), and Park Masterplan (\$20k). Reduction in Operating Expenditures includes one police officer, mid-year (\$21k).

Town Manager Piner provided an overview of the Fiscal Year 2019 budget; staff report above in italics.

Commissioner Carroll requested clarification that funds would not be placed into the Façade Grant and the line item name would remain. Town Manager Piner stated that is correct.

Commissioner Carroll questioned if the Town receives applications, monies could be pulled from the General Fund. Town Manager Piner stated if the Town Board decides to do so.

Commissioner Joyner questioned what the \$43,800 would be used for by Parks and Recreation. Town Manager Piner stated that is for the windows at the Community Center and shade

structure. She stated the Town applied for a grant with the assistance of Laing Dermatology of Knightdale. Regrettably, the Town was not awarded any funds.

Commissioner Joyner stated this is the third year the Board has kept the tax rate the same. He stated this budget funds a position for the police and there will be upgrades to the Town's IT. Will seek funding for needs based children to participate in programs. Will seek outside funding from two grant sources. The Town is absorbing the seven percent health increase for the Town employees. He appreciates staff working to come up with this budget.

ACTION:

Mover: Commissioner Myrick moved to approve the Fiscal Year 2019 Budget as presented.

Vote: 4-0.


11. SNAP SHOT

ACTION: Information. Board may take action.


It was the consensus of the Board to update the Snap Shot with the following:

- Removal of the Town Square signage as the new signage is installed
- Removal of the Hollybrook Road crossing improvements as those were completed
- Removal of the storm water regulations as those were addressed

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

 Wendell Fire Advisory Board [Commissioner Joyner]

Commissioner Joyner provided the following on the Wendell Fire Advisory Board meeting:

 Review of service contract with Wake County for the year

13. COMMISSIONERS' REPORTS.


Commissioner Carroll thanked Town staff and Board members for its commitment to the budget. Special called worked session on June 19, 2018 at 5:30 p.m. to discuss the water allocation policy.

Commissioner Joyner appreciated Town staff for this budget process.

14. MAYOR'S REPORT.

Mayor Gray provided the following report:

 Thanked Town staff for work on the budget

 On Friday, attended the fifth grade graduation at Wendell Elementary School. Pleased to see the excitement of the administration and teachers for its students.

15. CLOSED SESSION.

ACTION: Will be called if necessary.

No closed session was called.

16. ADJOURN.

ACTION:

Mover: Commissioner Carroll moved to adjourn at 7:49 p.m.

Vote: 4-0.

Duly adopted this 13th day of August 2018, while in regular session.

ATTEST:

Virginia R. Gray,
Mayor

Sherry L. Scoggins, MMC;
Town Clerk