

TOWN OF WENDELL
BOARD OF COMMISSIONER MEETING MINUTES
May 14, 2018

The Wendell Town Board of Commissioners held their regularly scheduled meeting on Monday, May 14, 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, Ben Carroll, and Jason Joyner.

ABSENT: Commissioner David Myrick

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:

Abby Barrow, fifth grade student at Lake Myra Elementary, led the Pledge of Allegiance.

INVOCATION:

Jim Bailey of Wendell United Methodist 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: 4-0.

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

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

-  Hugh Cashion invited citizens to the following Wendell Historical Society activities:
 - Program, "A History of the Wendell Rock Quarry: From Rocks to water to Recreation," on Thursday, May 17, 2018 at 7 PM at the Covenant Presbyterian Church Fellowship Hall, 125 S Selma Road
 - Jake May Fish Fry on Saturday, June 16, 2018 from 11 AM to 5 PM at Covenant Presbyterian Church Fellowship Hall. Tickets are available for purchase with any of the Wendell Historical Society members. Proceeds benefit the Wendell Historical Society.
-  Tiffany Graham of the Wendell Appearance Commission provided an update of the Children's Art Walk hosted during the Spring Into the Arts Walk on Saturday, May 12, 2018. She thanked the sponsors and the children who participated. This year a little over \$600 was raised and each of the elementary schools will receive a little over \$200 toward their art programs.

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. Schedule public hearing for the Fiscal Year 2019 budget for the **TUESDAY**, May 29, 2018, Town Board meeting.
- b. Approval of the minutes from the April 9, 2018, regular meeting.
- c. Approval of the minutes from the April 23, 2018, budget work session meeting.
- d. Approval of the minutes from the April 23, 2018, regular meeting.

ACTION:

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

Vote: 4-0.

4. RECOGNITION OF LAKE MYRA ELEMENTARY TEACHER: CHRIS BARROW.

SPEAKER: Mayor Virginia Gray

ACTION: Recognition

[Staff Report]

Item Summary

Chris Barrow is a first grade teacher at Lake Myra Elementary. He is also the father of Abby. He enjoys reading books in character to his students, acting silly with them during rug time, and watching them fist-pump with a big "YES!" when they have mastered something new. Outside of school, Chris teaches piano to area students, volunteers with his son's Boy Scout troop, and plays trombone in a church orchestra. He also enjoys spending time with family, running, off-road cycling, hiking, camping, and kayaking. AND he wears boots. All the time. Mr. Barrow became a teacher just a few years ago. We have watched him grow in to an engaging caring educator who is respected by his colleagues.

Mayor Gray recognized Lake Myra Elementary teacher Chris Barrow, staff report above in italics.

Mr. Barrow invited citizens to come to Lake Myra Elementary to assist with proctoring.

5. PRESENTATION OF PLAQUE HONORING JAKE MAY, CLASS OF 2018 INDUCTEE, INTO THE NORTH CAROLINA SPORTS HALL OF FAME.

SPEAKERS: Executive Director Don Fish and Associate Executive Director Bobby Guthrie

ACTION: Presentation

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[Staff Report]

Item Summary

On Friday, May 4, 2018, the North Carolina Sports Hall of Fame [NCSHOF] hosted a 55th Induction Banquet in which 15 athletes were inducted into the NCSHOF. Wendell's Jake May was one of the 15 inductees!

Executive Director Don Fish and Associate Director Bobby Guthrie will be on hand to present a plaque to the Town of Wendell for Jake May's sporting achievements in baseball.

Executive Director Don Fish and Associate Director Bobby Guthrie presented a plaque honoring Jake May to Mayor Gray.

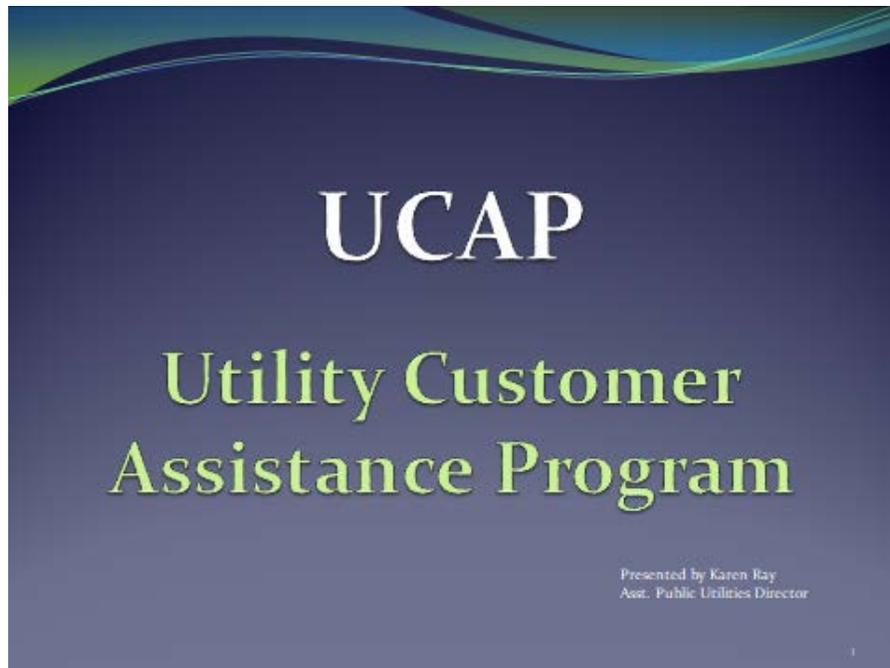
6. **PRESENTATION OF UTILITY CUSTOMER ASSISTANCE PROGRAM.**
SPEAKER: Karen Ray, Assistant Director for the City of Raleigh Public Utilities Department
ACTION: Presentation.

[Staff Report]

Item Summary

Assistant Director for City of Raleigh Public Utilities Department Karen Ray will provide an overview of the Utility Customer Assistance Program.

Assistant Director for City of Raleigh Public Utilities Department Karen Ray provided the following PowerPoint on the Utility Customer Assistance Program:



History of UCAP

- July 2016 – Raleigh Council approves \$200k funding for UCAP
- Jan 2017 – Wake County HHS approves 1st Raleigh customer
- March 2017 – Garner Council approves \$14,173 funding
Wake County HHS approves 1st Garner customer
- July 2017 – Raleigh Council approves 2nd year funding (\$200k)
- Oct 2017 – Garner Council approves 2nd year funding (\$3,600)

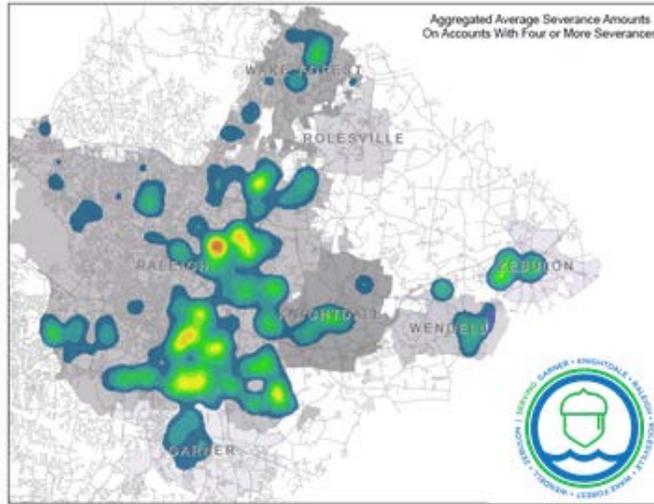
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Guiding Legal Framework

Based on N.C. General Statute §160A-314, public utilities cannot subsidize a customer's utility bill with utility revenue



Assessing Customer Need



Raleigh Program Usage

Date Range	Customers Assisted	Amount of Utilized Funds	Average Bill Before Assistance
Q3 FY17	388	\$93,120	\$411
Q4 FY17	302	\$72,480	\$403
Q1 FY18	616	\$147,840	\$408
Q2 FY18	360	\$86,400	\$400

Garner Program Usage

Date Range	Customers Assisted	Amount of Utilized Funds	Average Bill Before Assistance
Q3 FY17	6	\$1,440	\$312
Q4 FY17	22	\$5,280	\$375
Q1 FY18	15	\$3,600	\$336
Q2 FY18	31	\$7,440	\$445

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Comments

- First full year completed with success
- Minimal “repeat” customers
- Same day approval in most situations
- Request for program expansion
- Modifying payment amount
- “Up to” amount
- Inside City residents
- Quarterly reporting with heat map

7



Upcoming System Changes

- ❖ Project Share
 - Voluntary monthly donation
 - Fund availability – In Town

- ❖ Budget Billing
 - Reduces variable monthly expense

8

Commissioner Joyner questioned if Wendell customers in the ETJ were impacted by the billing errors. Ms. Ray stated several were and she offered to provide the specifics. She added there were no back charges to those impacted.

Commissioner Joyner stated as a merger community, Wendell does not have a vote on financial oversight. Ms. Ray stated she can take this back and offer to talk through the process.

7a. PRESENTATION AND REVIEW OF THE PROPOSED FY 2018-2019 TOWN OF WENDELL BUDGET AND SET A PUBLIC HEARING FOR *TUESDAY*, MAY 29, 2018.

SPEAKER: Finance Director Butch Kay and Town Manager Teresa Piner

ACTION: Presentation; public hearing scheduled for *TUESDAY*, May 29, 2018.

[Staff Report]

Item Summary:

The proposed FY 2018-2019 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, though the updating of the Town's Financial Goals and Policies, and Equipment Replacement Policy. Priorities were influenced by the positive economic changes in the area resulting in increased workloads; desire to maintain the current tax rate, 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 2018 have seen an increase of approximately \$302,000. An increase in revenues will allow for the lease of equipment and the addition of two

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police officer positions mid-year by leveraging fund balance, lease options, and the operating budget. No loans are planned for the upcoming budget.

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, which is a carryover from last fiscal year.

The proposed balanced budget is being presented this evening with the public hearing scheduled for TUESDAY, May 29, 2018.

Town Manager Teresa Piner provided an overview of the proposed FY 2018-2019 Town of Wendell Budget; staff report above in italics.

Mayor Pro Tem Lutz questioned the capital needs funding for the capital requests. Town Manager Piner stated the capital requests are from fund balance. She added the amount requested from last year's fund balance was approximately \$171,000. Capital requests for FY 19 total \$360,500 and include: IT [equipment and software], shade structures at the park, facilities plan update for the park, police vehicles, stage at the Town Square, phase 2 storm water mapping and leasing of vehicles for public works.

Commissioner Joyner questioned with the spending of the general fund balance what would the balance percentage would be. Finance Director Kay stated 45%.

Commissioner Joyner questioned the amount for IT. Finance Director Kay stated it is a lump sum of \$59,000. Staff is seeking Board direction on types of service.

Commissioner Joyner questioned the art structure program. Town Manager Piner stated it is a project with the Appearance Commission for tobacco worm statues within the Town of Wendell.

Mayor Pro Tem Lutz questioned who cuts the grass at the park. Town Manager Piner stated one full-time employee and one part-time employee.

Mayor Pro Tem Lutz questioned the maintenance for the new multi-purpose field. Town Manager Piner stated the FY 19 budget includes funds for a special reel mower.

ACTION:

Schedule a public hearing to receive citizen input on the FY 19 Budget at the TUESDAY, May 29, 2018, Board meeting.

7b. PRESENTATION OF FY 19 COMPREHENSIVE LIST OF FEES AND CHARGES SCHEDULE.

SPEAKER: Finance Director Butch Kay and Town Manager Teresa Piner

ACTION: Presentation. Board may take action at its TUESDAY May 29, 2018 meeting.

[Staff Report]

Item Summary:

On an annual basis, staff reviews its current fee schedule to determine if revisions are needed or to add additional information for clarity. For water and sewer fees, the utility merger agreement

requires utility fees to be equal to or more than those charged by the City of Raleigh.

Town Manager Teresa Piner provided an overview of the FY 19 Comprehensive List of Fees and Charges Schedule; staff report above in italics.

Commissioner Joyner questioned if the numbers were run for the increases in the land use fees and he would like to see the cost difference.

ACTION:

Schedule a budget work session on TUESDAY, May 29, 2018, at 5:30 p.m. to discuss the proposed FY 19 fee schedule.

8. DISCUSSION 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].

SPEAKER: Planner Patrick Reidy

ACTION: Board may take action.

[Staff Report]

Item Summary:

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 D), 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. This resolution must be published in the paper for four successive weeks, and notices must be 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.

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

Resolution of Intent to Close Road Right-of-Way.

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 [NCGS 160A-299]; staff report above in italics.

ACTION:

Mover: Mayor Pro Tem Lutz moved to approve the resolution as presented to schedule a public hearing for the Monday, June 11, 2018 Board meeting.

Vote: 4-0.

9. REQUEST FOR FEE-IN-LIEU OF SIDEWALK.

SPEAKER: Planner Patrick Reidy

ACTION: Board may take action.

[Staff Report]

Item Summary:

David Perry has requested to install off-site sidewalk in lieu of sidewalk construction for a portion of the north side of Charthouse Drive, along the Wendell Builders Supply development (Attachment A).

Section 9.3 of the UDO states that:

“New development or redevelopment with frontages on existing publicly-maintained streets shall be required to upgrade all street frontages to meet the standards of this Ordinance including sidewalks, street trees, curb and gutter, and right-of-way dedication. Payment in lieu of physical improvements may be permitted by the Board of Commissioners”.

On January 9, 2017, the Wendell Board of Commissioners adopted the Town's Fee in Lieu of Sidewalk Construction Policy. The purpose of the policy is to establish rules and procedures to accommodate circumstances when current site conditions or other considerations justify the acceptance of a fee in lieu of sidewalk construction. Per the adopted policy, all fee-in-lieu of sidewalk construction requests shall be reviewed and decided upon by the Wendell Board of Commissioners.

The policy lists the following criteria as potential justification for approving a fee in lieu of sidewalk construction request:

- The applicable property will be developed for residential purposes with a density of less than 1 dwelling unit per acre.*
- There are no sidewalks in the vicinity of the project, and it is unlikely that there will be development nearby that would require the installation of sidewalks in the future.*
- A stormwater drainage ditch or similar public utility facility prevents the installation of the sidewalk, and neither the sidewalk nor the facility can be reasonably relocated to accommodate both the sidewalk and the facility.*
- The topography would require the construction of a retaining wall more than 6 feet in height to accommodate the sidewalk.*
- There is a planned roadway or infrastructure improvement scheduled to be implemented within the next 5 years which would require the removal or relocation of the required sidewalk.*

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- *Other unusual circumstances make the sidewalk installation requirement unreasonable or inappropriate.*

The applicant has pointed to the following as justification for not installing the required sidewalk:

- *Safety of pedestrians in a high-traffic commercial area*
- *Sidewalk is already provided on the other side of Charthouse Drive (the sidewalk for Charthouse Industrial Park is not currently in place at the time of staff report, but is expected to be installed in the near future)*
- *Preservation of existing vegetation that meets screening and landscaping requirements (which would be removed to accommodate the sidewalk)*
- *Minimization of land disturbance*
- *Sidewalk is needed in other locations more than it is needed on both sides of Charthouse Drive*

As stated in the Town's policy, the fee calculation for approved payments in lieu of sidewalk shall be based on the adopted Town of Wendell Fee Schedule. The adopted fee schedule lists a price of \$25 per linear foot of sidewalk. Based on this figure and the frontage along Charthouse Drive (780 ft.), the fee in lieu of sidewalk construction for this stretch would be approximately \$19,500.

If the board decides to accept off-site sidewalk construction, the policy states the following in regards to identifying an alternative location for installation:

A fee in lieu of sidewalk construction may be credited by an equivalent amount of sidewalk construction in another location, subject to review and approval of the Town of Wendell Planning Department. The selected location for off-site sidewalk construction must be approved by the Zoning Administrator, as well as inspected by the Public Works department prior to pouring. Additionally, the developer must obtain all necessary encroachments and/or easements and provide copies of said agreements to the Town of Wendell prior to commencement of work. Unless otherwise approved by the Zoning Administrator, off-site sidewalk construction permitted by this policy shall be due prior to:

- *Final plat approval for applicable residential projects*
- *Building permit issuance for applicable commercial projects*
- *Issuance of a Zoning Compliance letter for any other projects requiring sidewalk in which final plat approval or building permit issuance would not apply or has been previously granted*

Staff Comments:

Existing site conditions do not strictly meet the Town's policy for justifying acceptance of a fee in lieu of sidewalk request. However, the imminent installation of sidewalk on the opposite side of Charthouse Drive creates a compelling argument for considering alternative sites for installation, whether it is through town use of fee-in-lieu funds, or by having the applicant directly install sidewalk elsewhere.

Planner Patrick Reidy provided an overview of the fee-in-lieu sidewalk request; staff report included above in italics.

Commissioner Carroll questioned the cost for sidewalk connection on Wendell Boulevard. Planner Reidy stated \$200,000.

ACTION:

Mover: Commissioner Joyner moved to approve the sidewalk fee-in-lieu as presented.

Vote: 3 to 1 with Commissioner Boyette dissenting.

10. STANDARD AND SPECIFICATIONS MANUAL.

SPEAKER: Planner Patrick Reidy

ACTION: Board may take action.

[Staff Report]

Update since April 23rd meeting:

At the April 23rd Board of Commissioners, Sam MacDonald from AMT Engineering presented an overview why it is important for a town to adopt a standards and specifications manual. Staff requested that the Town Board send any questions they may have regarding the manual so that Mr. MacDonald could be solicited for answers. At the time of this report, the following questions represent the only inquiries submitted to staff.

- *What standards in the manual are greater than the existing DOT standards?*
- *What is the justification/thought behind why those standards are higher?*

Mr. MacDonald provided the following information in response to the submitted questions:

1. *Seeding specifications are different from NCDOT but conform to Wake County seeding specifications which seem appropriate as Wake County reviews erosion control and Wendell is within Wake County. NCDOT seeding specifications is for the entire state area.*
2. *The Dig-Once Conduit is not something that is covered by NCDOT, but is included to provide for future utility installation in an effort to reduce excavation and disturbance of finished grading, pavement, and sidewalk within the ROW.*
3. *NCDOT Subdivision Manual gives several options for paving sections for local roads and streets*

NCDOT - Good to Excellent Subgrade Soil Types:

- a. *8" ABC and a pavement surface to be determined by the District Engineer,*
- b. *6" ABC and 1 ½" SF9.5A or S9.5B,*
- c. *3" B25.0B and 1 ½" SF9.5A or S9.5B*

NCDOT - Poor to Fair Subgrade Soil Types:

- d. *8" ABC and 1 ½" SF9.5A or S9.5B in poor soils,*
- e. *10" ABC and a pavement surface to be determined by the District Engineer,*
- f. *4" B25.0B and 1 ½" SF9.5A or S9.5B*

Wendell Specifications calls for the following pavement section:

- a. *6" ABC, 3" I19.0B, and 2" S9.5B*

Wendell's proposed pavement standards are being recommended to provide for a structurally sound pavement section once the construction is complete. Though different from DOT's standards, Wendell's proposed pavement standards are in line with other Wake County jurisdictions. Furthermore, a "local" NCDOT road will likely receive less wear and tear from traffic. A rural subdivision (outside of a municipality) typically has a lower number of units, which means fewer residents and cars. Rural subdivisions also less likely to have connectivity standards, which would mean there is less through-traffic.

The final course of pavement can be delayed until the majority of the development and construction is complete to avoid damage to the surface course. However, by adding the intermediate pavement, there is a paved surface for traffic to travel on during the period before

the final surface course is installed. The interim pavement provides sufficient strength to support traffic and not be damaged. This is especially important since the traffic the road will see during the construction process is likely the heaviest vehicles – loaded concrete trucks, construction deliveries, etc. – which cause the greatest wear and tear on the road. Without this intermediate pavement, the Town would be at a much greater risk of accepting a structurally impaired road, with a shorter life-span, requiring higher maintenance costs to the town

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 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 in no way relieves 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, reinforcement, 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 plan review time is minimized.

Staff Recommendation:

Staff recommends that the Town Board approve the Standards and Specifications Manual.

Planner Patrick Reidy provided an overview of the Standards and Specifications Manual; staff report included above in italics.

ACTION:

Consensus of the Board of Commissioners to place this item on the Monday, July 23, 2018, agenda for further discussion.

11. APPOINTMENTS TO THE TOWN OF WENDELL CITIZEN ADVISORY BOARDS.

SPEAKER: Special Assistant to the Manager Sherry Scoggins

ACTION: Board may take action.

[Staff Report]

Specific Action Requested:

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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 Sherry Scoggins provided an overview of the appointments to the Town of Wendell citizen advisory boards; staff report above in italics. Across the six boards are 20 seats with terms expiring June 30, 2018. For those in attendance, each elected official has been given a ballot sheet for all citizen advisory boards and it includes the names of applicants wishing consideration. The ballot sheet notes the number of vacant seats and if there is a residency requirement for that board. In reviewing the Town Board's Rules of Procedures, a person can serve on one town advisory board at a time. Several of the applicants requested consideration on more than one board. When an applicant is selected for a board, the applicant's name will be stricken from the other requested board(s).

Appearance Commission:

Two members have terms expiring June 30, 2018 and one member is resigning effective June 30, 2018.

For July 1, 2018, the membership of the Appearance Commission will change from six regular members to five regular members and two alternates. Commissioners were requested to select two regular members and two alternate members.

ACTION:

The following persons were selected to serve on the Appearance Commission:

Allison Yeargin – regular member
Leigh Ann Thompson – regular member
Megan Hinkle – alternate member
Brianna Sizemore – alternate member

Board of Adjustment:

Three members have terms expiring 2018; two are for In-Town and one is for ETJ. The ETJ is a recommendation and will be forwarded to the Wake County Board of County Commissioners for appointment.

ACTION:

The following persons were selected to serve on the Board of Adjustment:

Kenkesha Staten – In-Town
Amy Swaim – ETJ*
*letter of recommendation will be sent to the Wake County Board of Commissioners

Economic Development Committee:
Five members have terms expiring 2018.

ACTION:

The following persons were selected to serve on the Economic Development Committee:
Paul White
Stacey Piesche
Ashley Anderson

Parks & Recreation Commission:

Three members have terms expiring 2018; one is for In-Town and two are for ETJ.

ACTION:

The following persons were selected to serve on the Parks & Recreation Commission:
Michael L. Gardner – ETJ
Emma Gardner - ETJ

Planning Board:

Four members have terms expiring 2018; two are for In-Town positions and two are for ETJ positions. The ETJ is a recommendation and will be forwarded to the Wake County Board of County Commissioners for appointment.

ACTION:

The following persons were selected to serve on the Planning Board:
Ryan Zakany – In-Town
Joe DeLoach – In-Town
Grace Walter – ETJ*
Victoria Curtis – ETJ*
*letter of recommendation will be sent to the Wake County Board of Commissioners

Tree Board:

One member has a term expiring 2018.

No applicants were available to present to the Board of Commissioners.

ACTION:

Consensus of the Board to re-open the citizen advisory board recruitment process to fill the vacant positions.

12. TOWN'S STORMWATER REGULATIONS FOR REVIEW AND DISCUSSION.

SPEAKER: Planning Director David Bergmark

ACTION: Discussion and review.

[Staff Report]

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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

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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.

Planning Director David Bergmark provided an overview of the Town's Stormwater Regulations; staff report included above in italics.

Commissioner Joyner would like to see this changed because Wendell is voluntarily doing this.

Mayor Pro Tem Lutz questioned when the new policy will come out. Town Manager Piner stated 12 to 18 months.

Commissioner Joyner stated he is not against storm water management. He questioned why Wendell cannot participate in the nitrogen buy down. He would like to hear from someone at Wake County.

Commissioner Joyner questioned if the amendment would require a public hearing. Planning Director Bergmark stated yes and added this will go back to the Planning Board.

ACTION:

Consensus of the Board to schedule a public hearing to consider a text amendment to the Town's stormwater regulations.

13. DISCUSSION AND REVIEW OF WAKE COUNTY INTERLOCAL AGREEMENT TO CONTINUE ADMINISTERING THE TOWN OF WENDELL'S STORMWATER AND EROSION AND SEDIMENTATION CONTROL ORDINANCES.

SPEAKER: Town Manager Teresa Piner

ACTION: Discussion and review.

[Staff Report]
Item Summary

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At the Monday, April, 2018 meeting Commissioner Joyner stated he has issues with moving forward with a 10 year agreement that is essentially the same as Wake County's. He would like to see what the adjacent municipalities are doing and what Wake County is presently doing before approving the ILA or the county to administer the Town of Wendell's Stormwater and Sedimentation and Erosion Control Ordinances.

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 Teresa Piner provided an overview of the Wake County Interlocal Agreement to continue administering the Town of Wendell's Stormwater and Erosion and Sedimentation Control ordinances; staff report above in italics.

ACTION:

Mover: Commissioner Joyner moved to approve the Wake County Interlocal Agreement to continue administering the Town of Wendell's Stormwater and Erosion and Sedimentation ordinances.

Vote: 4-0.

14. SNAP SHOT

ACTION: Information. Board may take action.

The following revisions were requested:

- Remove the sidewalk fee-in-lieu [Grove of Deerfield] installation on Academy Street as the installation is completed
- Remove the tracking sheet for the FY 18 vehicle and equipment loan as it is complete

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

-  Triangle J Council of Government Board of Delegates [Mayor Pro Tem Lutz]
-  Triangle J Council of Government Mayors and Chairs [Mayor Gray]
-  Wendell Fire Advisory Board [Commissioner Joyner]
-  Technical Review Committee (TRC) [Commissioner Carroll]

Mayor Pro Tem Lutz provided the following on the Triangle J Council of Government Board of Delegates meeting:

-  Budget presentation
-  Scheduling of regional summit

Mayor Gray provided the following on the Triangle J Council of Government Mayors and Chairs meeting:

-  Received a presentation from Tony Copeland, NC Department of Commerce

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

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-  Preparing the FY 19 budget
-  Completed hiring process

Commissioner Carroll provided the following on the Technical Review Committee (TRC) meeting:

-  Wendell Crossing subdivision approved with 49 lots

16. COMMISSIONERS' REPORTS.

Commissioner Carroll stated his thanks to all for supporting Jake May being inducted into the North Carolina Sports Hall of Fame. He added the Spring Into the Arts Walk was great.

Mayor Pro Tem Lutz stated the Spring Into the Arts Walk gets better each year and Public Safety Day was fun.

Commissioner Boyette stated Public Safety Day participation was up!

Commissioner Joyner stated Public Safety Day was awesome!

17. MAYOR'S REPORT.

Mayor Gray provided the following report:

-  Attended the North Carolina Sports Hall of Fame banquet in which Jake May was inducted this year. She thanked the Wendell Historical Society and Parks and Recreation Department for helping to make this possible.
-  Public Safety Day was great. Thanked the first responders and Wake County Animal Control for attending.
-  Thanked the participants and attendees at this year's Spring Into the Arts Walk. She also thanked the Wendell Appearance Commission and Planner Patrick Reidy.
-  Thanked all who applied to be on a Town of Wendell citizen advisory board.
-  The Town Square is looking good with the new concrete and sod.
-  **Spring Into the Arts Walk:**
 - o Artist Reception and Silent Auction is Friday, May 18, 2018; 6:30 p.m. to 8 p.m. at Wine and Beer 101 on Main Street. Join us to see the beautiful works created by area artists and support a great cause.
-  On Sunday, May 27, 2018, at 5 p.m. the American Legion is hosting a Memorial Day Service at the American Legion Post, 5100 Wendell Boulevard. This event is open to the public. Hot dogs, chips, and drinks are provided to everyone at the conclusion of the observance.
-  MEMORIAL DAY is Monday, May 28th. Town Hall and Waste Industries will be closed. Roll your trash and recycling carts to the curb Monday evening for Tuesday pick-up.

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The Town Board of Commissioners will have a special called meeting on Wednesday, May 30, 2018 at 5:30 PM. The purpose of the special called meeting is to discuss the Town Manager recruitment. The Town Board will begin in open session and immediately move to go into closed session in accordance with NC GS 143-318.11 (a) (6) to discuss personnel.

18. CLOSED SESSION.
ACTION: Will be called if necessary.

No closed session was called.

19. ADJOURN.

<p>ACTION: Mover: Mayor Pro Tem Lutz moved to adjourn at 9:22 p.m. Vote: 4-0.</p>
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Duly adopted this 25th day of June 2018, while in regular session.

ATTEST:

Virginia R. Gray,
Mayor

Sherry L. Scoggins, MMC;
Town Clerk