

September 12, 2011

### **Board of Commissioners Meeting**

The Wendell Town Board of Commissioners held its Regular Scheduled meeting on Monday, August 22, 2011 at 7:00 p.m. in the Wendell Town Hall Courtroom with Mayor J. Harold Broadwell, II presiding. Also present were Commissioners Carol Hinnant, Sid Baynes, Christie Adams, Ira Fuller and Virginia Gray, Town Manager Hugh Montgomery, Police Chief Vance Johnson, Lieutenant Bobby Langston, Attorney Jim Cauley and Town Clerk Jonnie Driver.

Mayor Broadwell called the meeting to order and welcomed guests.

The Pledge of Allegiance was led by Chief Vance Johnson and the invocation was given by Reverend Tom Hill of Wendell Christian Church.

#### **Adjustment and approval of the agenda.**

Mayor Broadwell stated he had two proclamations that he would like to read before the first agenda item. Commissioner Hinnant stated that she would like to add a Closed Session to the agenda as Item 5 to discuss a personnel issue pursuant to GS 143-318.11(6).

Commissioner Hinnant made a motion to add a Closed Session to the agenda as Item 5 and to allow for the reading of the proclamations before the first agenda item. The motion passed with a unanimous vote.

Mayor Broadwell read and presented a Proclamation of Appreciation to the Wendell Fire Department for their effectiveness and actions taken on behalf of the citizens of Wendell during and after Hurricane Irene and proclaimed September 12, 2011 as a day of appreciation. Mayor Broadwell also read a Proclamation establishing the month of September 2011, as Lyme Disease Awareness Month.

#### **Item 1 – Public Comment Period**

Mr. Kevin Armstrong -510 W. Academy Street, Wendell – stated he received a letter from the town concerning his grass, and four days after Hurricane Irene the town sent a contractor out to cut his grass. He stated his complaint was not about the letter, or the fact that the contractor was sent out to cut his grass, but rather that there was other grass in town that was higher than his grass. He said if the town was going to enforce an ordinance, they should enforce it upon everyone and not just certain ones.

#### **Item 2 – Consent Agenda**

- a. Approval of the minutes from the August 22, 2011 Fall Retreat and the Board of Commissioner's regular meeting.
- b. Consideration of requests for Tax Relief as recommended by Wake County Tax Committee. Commissioner Gray stated a change needed to be made in the minutes of the Regular Board Meeting of August 22, under Public Comment Period. She said it stated Lee Batson attended a meeting at Commissioner Gray's house and that there had not been a meeting at her house. She

suggested the wording be changed to “attended a meeting last year for the town along with Commissioner Gray”.

Commissioner Fuller made a motion to approve the consent agenda with the changes requested by Commissioner Gray to the minutes of August 22, 2011. The vote was unanimous.

**Item 3 – Introduction to the Community Design Initiative in the College of Design at North Carolina State University by Professor Jay Tomlinson, Director. The Community Design Initiative assists small communities with developing visualization of future conditions and improvements to community infrastructure and the impacts these activities will have on economic development, the environment and community identity. In addition to the initiative will provide services to develop way finding signage, parks and greenways, pedestrian and bicycle systems.**

Professor Tomlinson shared a PowerPoint presentation from other towns that had participated in the signage program. He said he would be able to help the town this semester without any charge for his services because he had students this semester that could come into Wendell and give some suggestions and offer help in the signage program.

Commissioner Hinnant asked where would you suggest a town our size start. Mr. Tomlinson said the first step would be to get in a signage program. He said then we can look at the Town’s logo and see if that is really what you want to represent the town and move forward with the sign program. Mr. Tomlinson said there would need to be two community meetings to gather information on what the town would like and his students would come out and work with the town and offer suggestions.

Mayor Broadwell asked Mr. Tomlinson what the cost of a wayfare signage program would be? Mr. Tomlinson said if you had \$20,000 that would be a good amount to begin with. He said we can create the program so that you do not have to pay for all the signs at one time.

Commissioner Baynes made a motion for the town to engage in the N.C. State signage program. The vote was unanimous.

Commissioner Hinnant said she would like to recognize two people that were in the audience tonight. She said as a result of an article that was in last Sunday’s paper that she received a phone call from John and Anne Todd who have a lifetime connection with Wendell volunteering to help us with their talents of videographer and marketing to help with Economic Development. She publicly thanked them for stepping forward and offering their help.

**Item 4 – Consideration of Zoning Text Amendment for Section 1.5 and 19.3 of the Unified Development Ordinance as they relate to farmland operations.**

Manager Montgomery stated that historically zoning administration and the regulations of land use have been designed to protect property values from negative impact from adjoining properties in the context of an urban environment. He said Wendell is still very rural, so when we look at what it means to have a bona fide farm, we initially attempted to address some of those issues in the UDO. He said Wendell could not create a situation that would not potentially impact some agricultural usage of the property, especially in the context of accessory buildings.

Mr. Montgomery said when Knightdale amended their UDO to allow for farmland, they had blanket exemptions for farm land uses. He said all our efforts since that time have been to amend our UDO to accommodate bona fide farms. He said in this session of the legislature we had House Bill 168 which was adopted and established criteria for what a bona fide farm is.

Commissioner Hinnant asked was a public hearing required on this issue. Manager Montgomery said the public hearing was held July 11, 2011. Commissioner Hinnant said, but did we complete the public hearing? Attorney Cauley said the public hearing was not closed; it was to stay open until tonight, so it might be good to formally close it tonight. Mayor Broadwell asked if anyone would like to speak involving the farmland issue. No one wished to be heard therefore, Mayor Broadwell closed the public hearing.

Commissioner Fuller made a motion to adopt the proposed zoning text amendment regarding the farmland designation. The motion passed unanimously.

**Item 5 – Closed Session**

Commissioner Hinnant made a motion to go into Closed Session to discuss a personnel issue pursuant to General Statute 143-318.11(a)(6). Commissioner Baynes stated he would like to amend Commissioner Hinnant’s motion to include legal advice, attorney client privileges pursuant to General Statute 143-318.11(a)(3). Commissioner Hinnant accepted the amended motion. The vote was unanimous.

Commissioner Hinnant made a motion to resume the open session. The vote was unanimous.

Commissioner Fuller made a motion to terminate Town Manager Hugh Montgomery from his employment with the Town of Wendell in accordance with the terms and conditions of his employment agreement effective immediately. The vote was unanimous.

Commissioner Fuller made a motion to appoint Teresa Piner as Acting Town Manager until further notice. The vote was unanimous.

Commissioner Fuller made a motion to adjourn. The vote was unanimous. The meeting was adjourned at 9:20 p.m.

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J. Harold Broadwell, II, Mayor

Attest:

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Jonnie S. Driver, Town Clerk