

August 22, 2011

The Wendell Board of Commissioners held a Fall Retreat at the Wendell Community Center beginning at 12:00 pm with Mayor Broadwell, Mayor Pro Temp Hinnant, Commissioners Adams, Fuller and Gray in attendance. Commissioner Baynes was detained and joined the meeting within the hour. Several persons from the community and a representative of the media were also present.

Mayor Pro Temp Hinnant called the meeting to order and opened the Board Retreat with a welcome to all in attendance and instructed the Commissioners to participate fully and openly in the discussions of the various agenda topics.

### **Agenda Item 1 - Open Space – Parks and Recreation**

The following information items were provided to the Commissioners, “Zebulon – Wendell Open Space & Greenway Master Plan” on CD; copy of Chapter 7 – “Open Space” as contained in the Town of Wendell Unified Development Ordinance and the executive summary of the “2010 Comprehensive Parks, Recreation and Open Space Plan”.

Town manager Montgomery began by providing the thought that these studies and the UDO provide very different themes with: the UDO establishing the parameters of how development will provide for the open space needs of the persons moving into new developments in Wendell; the “Zebulon – Wendell Open Space” plan providing for a regional theme of greenway and open space connectivity and the “Comprehensive Parks, Recreation and Open Space Plan” determined current Parks and Recreation programming and facilities, identified deficits and provided suggestions as to how to improve our shortcomings as a function of community surveys. Discussion ensued as to how we integrate these ideas into a way forward to bring about the types of facilities and programming that our citizens are asking for and need. A review of the Mountain to Sea Trail, how can we get from Wendell to Lake Myra to Zebulon and Knightdale along greenway corridors, how to get across Buffalo Creek and provide for more cultural activities at our Community Center with the Zebulon – Wendell Open Space & Greenway Master Plan” were discussed and the Board informed that Parks and Recreation Staff had initiated dialog with Town of Zebulon on this topic.

Discussion that we should to work toward more cultural programming continued with comments from several Commissioners regarding additional coordination with the United Arts Council (note: program funds the Wake United Arts Council have been recently used at Harvest Festival), the Wendell Historic Society, the town assist financially with keeping their literature updated as a function of economic development and the Wendell Chamber of Commerce “Arts in the Alley” were some things reviewed under this topic.

The idea that we should amend the title of the current Parks and Recreation Department to read Parks, Recreation and Cultural Department and to think outside the ball was reviewed at length.

The importance of having diverse, multi faceted programming for the Citizens of Wendell emerged as an important theme during this discussion and while efforts have been successful to expand recreation programs beside traditional athletic programs we need to seek a broader variety and move Wendell to the next programming level.

In order for the Town of Wendell to submit an application to the NC Parks and Recreation Trust Fund, PARTF, we would need to develop a Master Site Plan for the area(s) for which we would consider making the application. A quote of \$15,000 per Site Plan has been received from an engineering/planning firm. To outsource a PARTF application is \$7,000. In short to make application for a PARTF application this funding cycle would cost us \$22,000. In addition to the costs associated with an application the Board would need to pass a Resolution committing the necessary funds to match the requested monies. Following discussion which included thoughts that Wendell needs more than additional athletic fields at this time, open spaces are important now and for our future, continue to diversify programs build additional partnerships with other governmental agencies and not for profit entities the manager was instructed by consensus not to pursue a PARTF application this year.

Consideration was given to the continued pursuant of the building of a new senior citizens center adjacent to the existing Community Building as a component of annual consideration for partial funding as Community Development Block Grant. Consensus was that town staff will look at other potentially more plausible projects for consideration in Wendell and if some are found then remove the proposed new senior center from consideration.

The Commissioners would like to see some mock ups done using our own resources as we look to provide the Parks and Recreation Advisory Board with information from which they could make recommendations to the Board of Commissioners with respect to how we can best use the space we have to increase diversity of programming, seek ways to make Wendell Parks and Recreation Department more inclusive of the needs of our residents through citizen involvement and shift the focus of our efforts to include more arts and cultural programming.

### **Action Items**

- 1) Continue to review options to expand the ideals of “Open Space” as defined in the UDO in other areas of town and consistent with the “2010 Comprehensive Parks, Recreation and Open Space Plan.”
- 2) The Board desires that the Parks and Recreation Advisory Committee begin to study the concept of a Parks, Recreation and Culture Department and develop programming possibilities to expand the presence of parks, recreation and culture activities for the Citizens of Wendell.
- 3) Pursue dialog with Town of Zebulon and mature the “Zebulon – Wendell Open Space Master Plan” to include improvements to the property we jointly own.

## **Agenda item #2 – Economic Development**

Information provided included background information on what makes up a “Certified Site”. Various maps of land areas, “properties of interest”, that meet characteristics necessary to increase the potential to develop a Certified Site including soil types, w & ww availability, hwy access as examples.

Mayor Pro Temp Hinnant reviewed economic development status and discussed the position of Economic Development Coordinator and determined that the Wendell Chamber of Commerce has done a good job of providing for the micro side of the economic development but what Wendell now needs is the macro piece of the puzzle. She posed the question, “what is the answer, we do not know and that is why we are here.”

Discussion took place amongst the Commissioners with the following topics reviewed: How do we sell Wendell and what are we selling. What is it that would compel a new business to take the risk and invest in our Town? Where is Wendell niche in the County of Wake and the region? From past summits we have been told that Wendell could expect Class A office space. Wendell’s downtown is one of the nicest in the region and along with our Parks and Recreation opportunities are some of the things that make us unique, separates Wendell from other communities.

How then to market Wendell, what is the wisest way to use tax payers monies to leverage exposures that will return taxpayers dollars as a function of new investments and increased tax base. Suggestion was made to contact the Greater Raleigh Chamber of Commerce and obtain feedback as to the what is the current thinking about economic activity in eastern Wake County and if any information is available about Wendell specifically. Wendell should develop information packets and make them available to the Wake County Economic Development arm of the Raleigh Chamber.

We should review the plan offered by Ms. O’Neill, former Economic Development Coordinator, and continue to use the items of substance contained therein with respect to recruitment and retention as we need additional feedback, guidance and expertise from persons who look objectively at Wendell. The Commissioners agreed that downtown Wendell deserves to continue to be nurtured, that the inventory of businesses and owners be kept current and that we work to “brand” Wendell to provide for sense of identity for Wendell.

Further discussion regarding the lack of certified sites in our area ensued and consideration was given to the fact that Wendell Falls is going to be placed on the market by Wells Fargo Bank and that this will give positive exposures to development potentials in Wendell.

## **Action Items**

1. Market Wendell, what are the types of strategizes we have used in the past? What are the types of structures we need to market or renew interest in Wendell/
2. How do we mature Wendell's image?
3. Contact Wake County Economic Development and review current relationships?
4. What is the "last green frontier" as it relates to Wendell?

## **Agenda Item 3 – Failed/stalled developments in Wendell**

Board of Commissioners was provided with a compilation of subdivisions which have received final plat approval or preliminary plats that have received vested rights and related legislative extensions.

Mayor Pro Temp Hinnant presented her concern that we have any number of subdivisions which have dramatically stalled, many vacant lots on paved public streets, where street lights have been installed and are operating with the taxpayers of Wendell paying for the costs. Commissioner Fuller explained to the Board that the North Carolina Department of Transportation determines street light locations on the streets and roads that they maintain. Further discussion ensued as to what purpose street lights serve, what should the town's standards be and the relative costs of operation. The Board expressed unanimous concern that the Citizens of Wendell are exposed to costs associated with street maintenance, street lighting and right of way mowing in the subdivisions that have stalled in the slow house building market. Questions were asked to the town manager as what can we do to minimize these exposures, cause final plats when approved for recordation are in fact recorded and cause the developers and not the taxpayers to be responsible for improvements that will one day be turned over to the town for ownership and operations.

Commissioner Baynes pointed out that we now require developers to pay for access to water and wastewater capacity, in the form of an "Availability Fee" within thirty days of preliminary plat or site plan approval. With respect to the decorative lights the town manager told the Board that the town had entered into leases with Progress Energy to pay for the street lights over a ten year period. Residential Subdivisions such as Brighton, Groves, and Woods at Timberlake for example will have approximately six years remaining on the lease. The town pays Progress for the poles which they will continue to own and maintain with the town paying for energy costs here on out. The town manager referred to UDO Section 11.10 "Lighting – Street Lighting", to inform the Board that standards are provided for therein and with a general theme of pedestrian safety and also to light intersections and curves.

Regarding acceptance of streets for town ownership upon approval of a project where the extension of public roads are included the town manager suggested a more formal process to require developers to provide the town with financial surety, such as we have with Woods of Blair Hills, in order to protect against total exposure to street system maintenance prior to subdivision build out. Woods of Blair Hills is the only performance bond we now have for streets. The town manager referred to the proposed “Standard Specifications and Details Manual” and indicated that it only establishes technical requirements and does not consider financial responsibilities. He went on to say that subdivision ordinances traditionally allow for bonds to be provided to municipalities when infrastructure is not completed in order for the developer to receive final plat approval and insure the town that the project will be completed as per system approval. This is the only reason Wendell has a bond for Woods of Blair Hills and it relates to the installation of the final layer, referred to as the road course, of asphalt.

### **Action Items**

- 1) Consider the Street Lighting section of the UDO in the context of potential costs associated with the town owning street lighting to the pedestrian scale;
- 2) Review the potential to require performance bonds on all new subdivisions until they are 75% built out prior to requiring the developer to install the final layer of asphalt as a component of the Town Code of Ordinances.

### **Agenda Item 4 – Rental Housing – Registration of units**

Information that accompanied this agenda item included the draft ordinance, “Rental Housing Occupancy Permit Ordinance” requiring registration of rental properties in Wendell as approved by the Planning Board, a copy of the legislation that was approved this year, SB 683 and the town manager’s analysis.

Mayor Pro Temp Hinnant introduced the agenda item and discussion ensued on this item as well as code enforcement in general. Concerns about the ability of the town to adequately enforce minimum housing codes to ensure that each rental unit in Wendell is habitable with the ability to more clearly identify where rental homes are located, who the owners are and what condition the home are in so as to protect the safety and welfare of the residents. Rental housing is a business and should be required as is other business to obtain privilege licenses and register their properties.

The town manager reviewed the rewrite of NCGS 160-424 which emanated from the 2011 legislative session. The amendment to NCGS 160-424 precludes the town from enforcing many of the requirements of the proposed “Rental Housing Occupancy Permit Ordinance” as recommended by the Town of Wendell Planning Board. There are several instances where a

town can require a property owner to obtain a permit from the town to rent properties, both residential and commercial, they do relate to multiple violations of municipal codes.

The town manager was encouraged to pursue minimum housing code as well as other violations of the Town Code in a consistent fashion.

### **Action Items**

- 1) Continue to pursue minimum housing code violations as provided for in the Town of Wendell Code of Ordinances in a fair and consistent manner.
- 2) Monitor houses with multiple violations or issuance of the NOV to see if a particular property would qualify under the new General Statutes.

### **Agenda Item 5 - Communication**

Mayor Pro Temp Hinnant introduced the agenda item and provided that communication is one of the most critical components of a successful organization. Ms. Hinnant indicated that the Commissioners had been receiving a weekly report of municipal activities, acknowledged that the Board had allowed the town manager to use email in an effort to keep the Board as up to date as possible but believes that getting all the information at one time is helpful. Discussion about the merits of a weekly update versus the current method of communication ensued. At issue is that information can get to the Board members quickly and to date using email. While no consensus emerged the town manager asked that the weekly summary be delayed until the return of the Town Clerk, Ms. Jonnie Driver, from medical leave. Ms. Driver has not been at town hall since May and hopes to return in September. The town manager suggested and there was general agreement that upon Ms. Driver's return that the weekly updates, a compilation of the weeks communications and statistical information regarding privilege licenses and zoning permits, be provided to the Board.

The next topic reviewed was the next hard copy of the quarterly town news letter. This responsibility had been in the preview of the Economic Development Coordinator, a position vacate since the second week of July. Several Board members stated that the Wendell Chamber of Commerce has a well done news letter and wondered if the town could participate with the Chamber. It was mentioned that the Chamber newsletter was provided on line but mailed only to Chamber members. The town manager suggested that a current staff member be assigned the task of public information officer in addition to other duties. Several topics were discussed including the Merger Agreement, limb and leaf pickup and town sponsored events. There was general agreement that when the new limb collection equipment arrives that this would be a good time to put another newsletter together as much will change from the current method of collection and to include information about the Merger Agreement at that time. The town

manager indicated that the new limb collection truck is not slated for delivery until sometime in September.

### **Action Items**

- 1) Upon return from medical leave Town Clerk will assimilate pertinent emails and provide weekly updates related to zoning permits, privilege licensees, reports from Police, Public Works, Planning and Parks and Rec. for weekly distribution.
- 2) Be prepared to create a newsletter to be disseminated through the monthly water billing process once the boom truck arrives to include updates on the Merger Agreement.

### **Agenda Item 6 – Space Needs**

Mayor Pro Temp Hinnant introduced the topic. Town manager asked the Board to consider the age of the town hall and how the demands on the building have changed since 1960's. The major HVAC are the original units with the exception of the Planning and part of the Police Department. Insulation above the dropped ceiling is marginal. The town manager was reminded that it was the town staff that has brought up this matter at prior retreats before his tenure and he acknowledged this as fact from his review from prior documents. The town manager suggested that current economic times are of a such a concern that building an new facility in context of the funds needed to replace aged equipment, to correct deferred maintenance on streets and stormwater management and proceed with implementation of the "Comprehensive Park, Recreation and Open Space Plan" should take precedent over a new town hall at this time. The town manager indicated that he did believe that renovations to the town hall would be a prudent use of funds to upgrade, windows, doors, lighting systems, HVAC and insulation.

The town manager asked the Board to consider reconfiguring the courtroom to allow for additional uses which was not well received. The Board was amiable to receiving further information on energy saving potentials.

### **Action Items**

- 1) Continue to pursue cost effective, energy saving for public building.

### **Agenda Item # 7 Zoning Compliance**

Mayor Pro Temp Hinnant introduced this topic with some specific examples of potential violations of the Wendell Code of Ordinances and requested that the town manager look into these specifics. Several Commissioners stated that there is no need for the town to have ordinances unless we enforce them consistently and treat everyone the same. The Board reviewed the fact that at present not all adopted have been codified, example the UDO, into the Town Code and acknowledged that while this needs to be done the costs of doing so at this point in time might be prohibitive.

## **Action Item**

- 1) All code enforcement must be consistent and applicable in all cases.

## **Agenda Item # 8 Thoroughfare Planning**

Mayor Pro Temp Hinnant introduced this topic and with the question, where are we with planning for roads and streets building in particular a northern connector which has been studied and corridors determined. The town manager reviewed the multitude of steps planning now involved in getting a road building project before the North Carolina Department of Transportation for consideration with the ultimate recommendation coming from the Capital Area Metropolitan Planning Organization, CAMPO. He went on to inform the Board that given the review process, road building projects are evaluated on a regional basis and that the demands for scarce dollars go to projects where the proven needs are the greatest. Unfortunately a catch 22 as other areas in the region experience more congestion, due to more accelerated development and East Wake County growth curve continues to lag, the objective review of potential projects in the CAMPO region places other projects ahead of our priorities for funding.

The town manager explained that our Planning Department and Mayor Broadwell faithfully attend and provide input in CAMPO planning meetings. Without their participation Wendell would have no voice in the process. Wendell has received funds for improvements to the Wendell Blvd. intersection with Hwy 97/Battle Bridge Road, funds to conduct a Traffic Impact Analysis at the intersection of Wendell Blvd and Rolesville/Eagle Rock Road and to evaluate, recommend and potentially fund dependent upon town financial participation improvements to the intersection with Wendell Blvd and Hwy 231.

The Board discussed the importance of having an approved Thoroughfare Development Plan in place so that when future development takes place road system corridors remain in place and not encumbered by buildings that will add to the overall expense of the project. In short we need to protect future corridors from encroachment by developments that do not benefit the long term transportation needs of Wendell. All agreed that continued participation in the CAMPO planning process is a top priority and that we should continue to be assertive in keeping Wendell's needs at the forefront of planning process.

## **Action Items**

- 1) Continue to participate fully in CAMPO planning processes and be as assertive as situations allow Wendell projects in the fore front of decision makers on the regional level.
- 2) Locate and distribute the 2001 Board approved Thoroughfare Development Program.

### **Agenda Item #9 – Grass cutting**

Mayor Pro Temp Hinnant presented this topic and expressed her continued desire to insure that public employees are not used to maintain property that the private sector should be held responsible. Discussion followed as this issue continues to be defined and operating procedures adapted to the directions from the Board. When asked the town manager indicated that he had been on the grass cutting route with Public Works Staff and prior efforts by the Board to review this situation had resulted in reductions in the areas we maintain. He further explained that the right of way areas we mow are in front of undeveloped areas that are located around Wendell, areas adjacent to sidewalks and dedicated stormwater rights of way.

The town manager described to the Board how we now manage to keep private property, which has received Notice of Violation from Code Enforcement, in compliance with the Town Codes by employing approved private sector contractors to mow properties instead of requiring town forces to work on private property. Several Members of the Board expressed the opinion that the Town is still maintaining too much area in rights of way or easements that should be the responsibility of the adjacent private property owner. At issue is why should anyone maintain a public right of way or easement that adjoins their property and that we must be consistent in all cases as that is the right and fair thing to do by treating every instance the same.

#### **Action Item**

Continue to reduce the public exposure for routine maintenance whenever possible and provide the Board with an updated list of property owners adjacent to areas where public forces are used to mow rights of ways and drainage easements.

### **Agenda Item #10 – Priorities update**

Mayor Pro Temp Hinnant asked the Board if there were other topics. However given the hour 5:30 pm we did not start an additional discussion topic. The Fall Retreat was adjourned.