

**July 27, 2015**  
**Board of Commissioners Meeting Minutes**

The Wendell Town Board of Commissioners held their regularly scheduled meeting on Monday, July 27, 2015, in the Board Meeting Room at 7:00 p.m. with Mayor Pro Tem James Parham presiding. Present were Commissioners Sam Laughery; Jon Lutz; John Boyette; Virginia Gray; Teresa Piner-Manager; Jonnie Driver-Clerk; Tamah Hughes-IT; Bill Carter-Police; Butch Kay-Finance; David Bergmark-Planning and Jeff Polaski-Parks and Recreation. Mayor Hinnant was unable to attend due to a work commitment.

The Pledge of Allegiance was led by Chief Bill Carter and the invocation was given by Mr. Mike Harrison of Wendell Christian Church.

**Adjustment and approval of the agenda**

With no request for adjustments to the agenda, Commissioner Lutz made a motion to approve the agenda as written. The motion passed unanimously.

**Item 1- Public Comment**

No one wished to be heard.

**Item 2 – Consent Agenda**

- a. Approval of the Minutes from Monday, July 13, 2015.
- b. Approval of the Wake County Tax Report for May 2015.

Commissioner Lutz made a motion to approve the items under the consent agenda. The motion passed unanimously.

**Item 3 – Presentation by Wake County Revenue Director, Marcus Kinrade, on the 2016 Revaluation.**

Mr. Kinrade stated revaluation was a process that matches the tax value with what a property's worth on the market at the time of the revaluation. He said it covered all residential and commercial land and structures, such as homes, apartments and condos, office buildings, stores and warehouses. He said it does not include "personal property," such as cars, boats and airplanes. He said the values of those items were adjusted annually.

Mr. Kinrade stated the last revaluation in Wake County became effective January 1, 2008 and that State law requires the revaluations be completed at least every eight years. Properties on the eastern side of Wake County have not returned to their pre-recession values, therefore the current tax rate; therefore the revaluation would not be revenue neutral.

Mr. Kinrade stated that new legislation, HB 168, if passed would not allow property to be taxed until it sells. He said he had been to the General Assembly and tried to speak about how this would affect towns and cities, but it had a great deal of support and he thought the Bill would pass. He said at this point we were trying to figure out how to administer such a bill. He said to put it in perspective there were roughly 600 acres at Wendell Falls that was still in large acreage tracts and the property was estimated at roughly \$22,000 per acre on that land. He said most of the lots were .25 acres so you could get 5 lots per acre and we value those at \$50,000 per lot. You would continue to provide services, but you will not get any tax value until they sell.

Commissioner Boyette asked why Wake County did revaluations every eight years. He said it seemed to him that if it were done sooner than eight years, the increase in the tax amount would not be as much

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as it would be waiting 8 years. Mr. Kinrade stated Wake County signed an agreement in the 1960's to do it every 8 years.

Commissioner Laughery asked if Wake County personnel would be doing the revaluation. Mr. Kinrade said we hired a contract appraisal company which we have done for the past 3 projects. The will backfill our staff picking and listing new construction, and current staff appraisers will do the revaluation.

There were no further questions, or comments, and Mayor Pro Tem Parham thanked Mr. Kinrade for coming and sharing the information with the board.

**Item 4 – Update on events and programs of the Wendell Chamber of Commerce.**

Tracie Hicks said she was there on behalf of Stacy Bradfield who was unable to attend and was going to give the board an update of upcoming chamber events. In August, the Chamber would begin to distribute the Welcome bags to people who close on a house in the Wendell address location. She said this was something new and they were trying to make sure businesses gravitated towards Wendell Falls to bring people into Wendell.

Tracie said the Chamber was also going to be doing a magazine and the businesses were very excited. She said the magazine would be distributed to the entire 27591 zip code, doctor offices, dental offices and anywhere there was a lobby location so that people who were not in the 27591 location could look through the magazine.

Tracie said the Harvest Festival would be October 2<sup>nd</sup> and 3<sup>rd</sup> and the Switch Band would be playing Friday night and the Band of Oz on Saturday night. She said we had a few new things and one was a kid's tractor pull. She said we anticipate an antique tractor show, but we had to go through some town stuff first. The Annual Chamber Banquet would be November 12<sup>th</sup> at the Wendell Lions Club.

Commissioner Laughery said he wanted to thank the Chamber for everything they had done. There had been some great events going on over the past 3 years.

Mayor Pro Tem Parham said he would like to echo what Commissioner Laughery said, the Chamber had done a great job and you continue to do creative things.

**Item 5 – Recommendation of events for Fiscal Year 2015-2016 by the Wendell Parks and Recreation Commission.**

Jeff Polaski stated that with the approval of the FY 2015-2016 budget \$14,000 was allocated for events during the upcoming fiscal year. Although a list was presented and funding in the amount of \$14,000 was approved, the board requested that a specific list of events be reviewed and approved by the board at a later date.

Jeff said the Parks and Recreation Commission met on July 13, 2015, and the following list of events, totaling \$13,100 was recommended to the Town Board. Once the list of anchor events is approved, additional smaller could be scheduled at little or no additional.

**Events Calendar:**

- August – Meet the All-Stars Event at the town square (if needed)
- September – Movie at the Wendell Park \$500

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- October – Halloween Trail at the Wendell Park \$1,000
- December – Ice Carving at the Tree Lighting Ceremony \$500
- December – Parents Night Out at the Community Center \$500
- February – Inside Movie Night at the Community Center \$500
- March – Pro-Town BMX Stunt Show \$4,000
- April – Opening Day At the Park \$1,100 is budgeted just in case it is not sponsored
- May – Blue Grass Picnic and a movie at Town Square \$2,000
- June – Big Truck Day at Wendell Park \$500
- Spring and Summer – Community Garden \$2,500
- Miscellaneous Unexpected expenses \$900 for last minutes things that might arise.

Jeff said it is the recommendation of the Parks and Recreation Commission and staff to approve the event calendar for 2015-2016.

Commissioner Parham asked Jeff how he assessed the success of the activities. Jeff said he did it by physically being in attendance and looking at people having a good time. Jeff said the success was not solely dependent on the number of people in attendance, but that the people at the even were enjoying themselves. He said he also talked with the people to get their feedback.

Commissioner Lutz stated most of the events looked good, but for the Halloween trail he would like more details about what was planned.

Commissioner Gray said last year when you came to Wendell we threw a lot of things at you real fast, but now that you have been here a year, she asked how Jeff would advertise and get the word out to the public about all these events. Jeff said some of the items listed include funds for advertising and we would use the amount in miscellaneous expenses if needed for additional advertisement. He said we do mass emailing's about the event through the park and we use the Community Board, Facebook and he posts on the Knightdale, Wendell Zebulon page which seems to be very popular. Commissioner Gray asked if he had considered putting up banners for some of the events. Jeff said we put banners up for the BMX event. Commissioner Gray asked where he was planning on putting the community garden. Jeff said at the park located near the dog park close to the woods. Commissioner Gray asked was there running water over there. Jeff said no, but we would use the water hose like we do now for the dog park.

Commissioner Gray said she had some concerns about the BMX Event. It was a great event but it was really expensive and it had gone up \$500 from last year. Jeff said the increase was for advertising. Commissioner Gray said she was concerned about that event; it was a lot of money compared to the other events that are \$500 and \$1,000. She said it was a very unique thing, but for a small part of our population. She said she would like to know how everyone else feels about it. Commissioner Parham said that was why he had asked how he measures the success of the events, it was high but if it was getting the results we want, he thought it is worth it, but if not he agreed with Commissioner Gray that we need to take a closer look. Jeff said when he first got here he was told that we wanted to do things that no one else was doing and no other community was providing this type of entertainment, and that was why we had people from Garner, Apex, and Fuquay coming into Wendell. Commissioner Lutz said he agreed with Jeff. He said the cost was high but we only had it one year and he was in favor of doing it one more time and he would like to see more concrete information on the success rather than just atmosphere. We need to know if the businesses see a spike in their business and may even after the

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fact surveys. Jeff said he knew the businesses saw a spike; Regina Harmon sold more ice cream at the BMX event than she did at any other year.

Regina Harmon said she was not going to say that the BMX event did not contribute toward my store, but other things in town provided more business towards my store than the BMX event. She said she appreciated anything that was done to bring traffic into our community.

Commissioner Laughery said a lot of the events we did last year were not scheduled, just because we had this on the events list tonight does not mean it had to happen. He was sure Jeff had a deadline on the event as to when you have to tell them were going to go forward.

Commissioner Boyette said with the purchase of the projector and screen by the ABC Board really lowers the barriers of entry to showing more movies. He said he thought if we could get the movies on a regular schedule like the food trucks they would be more successful. He would like to see more movies at the Square because that was where the foot traffic starts for the Downtown businesses. He said he liked the uniqueness of the BMX show. It was a little more expensive but sometimes there was no other way to get people from out of town to come into town unless you have something that no one else had.

Commissioner Gray said if we decided to go with the BMX Event she would like to see a lot more advertising. She said she knew it was a good event, but she looked at the BMX website and Wendell did not have the size crowd that they were accustomed to. She said she felt torn about giving it another try and building on something that was so expensive. She said if everyone else was in agreement to try it one more time, she would agree, but she would want to see a lot more advertising.

Commissioner Parham said it would be his recommendation that the board hold off on approval of the BMX Event since there was a concern and look at it at a later time closer to the deadline that Jeff had to meet.

Commissioner Laughery made a motion to approve the list of events as submitted with the exception of the BMX Event and that the decision for the BMX Event was made closer to the deadline that Jeff would set. Commissioner Lutz seconded the motion. The motion passed unanimously.

**Item 6 –Discussion regarding the condition of downtown properties.**

David Bergmark said the board asked to have a discussion about the condition of downtown properties and in your packet you had information on the current properties, what our current regulations allow, and what other regulations we could look to adopt. He broke it up into properties with structural issues and properties with aesthetic concerns.

David said the Town Code Enforcement Officer reported one downtown property with known structural issues: 15 E. Third Street. The building inspector and town staff have met with the owner of the property in order to stabilize the building. He said the roof had been temporarily fixed, but a more complete repair would be required prior to the building being occupied. The code enforcement officer had also heard unverified reports that there may be issues with the roof at 33 N. Main Street.

David said aesthetic issues such as buildings in need of painting or awnings that were faded or rusty, were more difficult to objectively define and quantify. The code enforcement officer did a survey of buildings on July 20<sup>th</sup> along Main Street and Third Street and reported 16 properties that would benefit

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from a new paint job or a new awning in his opinion. He said staff had that list and a copy could be supplied to the board.

David said currently, the Town's regulations related to the condition to buildings are contained within one of two areas: 1) Minimum housing regulations or 2) State building or fire code. He said Minimum housing regulations only apply to occupied dwelling units, but do not apply to non-residential property.

David said the state building code addresses several areas, but it is really targeting safety for both residential and non-residential. However, these regulations have limited applicability to vacant structures. State building code requires the exterior of the vacant structure (walls, roof) to be structurally sound to ensure there is not a risk of the walls falling and causing injury or damage. The interior of the building, even unoccupied, is supposed to meet certain wind loads and snow loads. The interior of the building is generally not regulated unless the conditions constitute a fire hazard. State building code does not address more aesthetic issues, such as the condition of paint, awnings, etc.

Currently the Town does not have regulations in its Code of Ordinances that require vacant structures to be maintained in a certain manner. He said General Statute (160A-439 and 160A-426) does include some provisions for a municipality to adopt ordinances to address neglected non-residential properties. He said there were parameters on the actions which may be taken, and specific procedures to follow. For example depending on the general statute used, the Town may be required to define and create a "redevelopment area" by ordinance following a public hearing, or wait two years from the original order citing violations to consider a property "abandoned". If the Town wishes to investigate these options, staff would need to conduct further research with the assistance of the town attorney.

David said the Town does have an incentive program in the form of the façade grant designed to financially encourage building owners to improve the appearance of their buildings. There have been a number of downtown recipients who have taken advantage of this program to update paint, awnings, windows, doors, and trim on their buildings.

The Economic Development Committee has discussed the possibility of more robust programs to strategically incentivize the redevelopment of downtown properties. One such program entitled the "Downtown Wendell Redevelopment Incentive Grant" would allow property owners in the DMX district to request (Upon Board approval and contingent on available funding) larger grants in the amounts of \$10,000-\$20,000 depending on the increase in assessed property value (min. \$50,000 increase in assessed value).

Commissioner Laughery said stated that Wendell had a serious problem with some of the downtown commercial property owners. He said the majority of the owners take pride in their properties and the Town and pride in them, but we had a few that had been called out as slum lords. He said they were extremely negative toward the Town and efforts to make our Town better. He said one owner told a business that he was better off leaving the building vacant. I assume for tax purposes and if that was true, they should sell the property to someone who cared about the property and Wendell. He said one owner was so negative toward the Town that they complained about the mural that my wife Peggy painted and did it in front of me and Peggy and some of my friends. Commissioner Laughery stated that he had been told that there had been two offers to remove the plaster and aluminum from one building downtown and the offers were to do it for free and that was turned down. He said some of the property owners had become wealthy doing business or at least made a good living, but now they were

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not willing to give back a little and take care of their property. He said he would like to see a copy of the Downtown Buildings and the names of the owners. He thought that staff, the Chamber of Commerce, Economic Development Committee and Appearance Commission, along with the Town Board, should take a position on this and see what we could get done.

Commissioner Boyette said in our information it says State building code requires the exterior of the vacant structure, wall and roof to be structurally sound to assure there was no risk of the walls falling and causing injury or damage. He said how do we assess that a roof can hold a snow load if we cannot go in the building? David said the Fire Marshall would probably have to be brought in for that. Commissioner Boyette said the Fire Marshall only checks on vacant buildings occasionally based on an inspection schedule. David said the other ordinances he mentioned were methods, if adopted, that would allow us to get administrative warrants and inspect the buildings ourselves, but right now the building inspector cannot go up to the door and demand to inspect the building. Commissioner Boyette said what about the Fire Marshall, how often does he inspect vacant structures or does he at all. David said if the building was previously occupied for a use, he would continue to inspect it and make sure it was still vacant, but that was an annual event. He said he could inquire about initiating more frequent inspections, but that would be something he would have to talk to Wake County about. Commissioner Boyette said he could walk up to a building front and pretty much tell if it was vacant, but from the outside there was no way to tell if a building was about to fall down or if the roof was rotted. He said if the State building code required the walls and roof to be structurally sound, what they were doing to make sure the property owner was keeping the building in good sound structural condition. David said he was not sure, but would follow up on that and get the information back to you.

Commissioner Laughery asked if the occupant complains to the building inspector does that give the building inspector permission to go in. David said the building inspector, if requested by the occupant, can go in but if at any time he was asked to leave, he had to leave or potentially face trespassing charges. Commissioner Laughery said some of the building occupants had done such good job of putting up new store fronts and they look great, but other buildings were in such disrepair that it was disturbing and it was hurting the Town and we need to take a stand.

Commissioner Gray said there was a building that shared a wall with another business and which was in disrepair. She asked of that changed anything; because of their carelessness it affects the building beside them. David said if the inspector could go in and actually inspect it, if the damage could be seen from the outside, then he could hold them accountable. David said the building inspector's hands were tied until permit brings him in to the problem.

Mayor Pro Tem said this board was really focused on downtown and it was a real legitimate concern about the occupied and unoccupied buildings. He agreed with Commissioner Laughery, we need to give direction so staff could explore other options to bring back to us.

Commissioner Gray asked to receive a copy of the information that Commissioner Laughery had requested and also the list that code enforcement had prepared. David said he would send the information to the entire board.

**Item 7 – Discussion and update regarding annexation boundary discussions.**

David said this item was something the Mayor brought up and tasked us with approaching Rolesville and Archer Lodge about the possibility of an annexation agreement boundary.

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David said we have had a number of communications with Archer's Lodge without getting any feedback or response that they were interested. He said Rolesville had shown some interest. He met with Rolesville's Manager and Planning Director in June and they supplied some feedback that they would like to see to the draft agreement. He stated that he had made those changes and sent it back to them on July 16<sup>th</sup> and was notified that their attorney would review the document when he returned from his mission trip in Peru.

There were no questions or comment from the board on the annexation boundary discussions.

**Item 8 – Commissioner Comments**

Commissioner Laughery said shop local. He said a couple of meetings ago the EDC sent us a potential Overlay District and it was given very little discussion by the board. He said he would like to have that brought back to the board in the near future and spend a little more time with it.

Commissioner Gray said the Town of Wendell had seven teams that are eligible to attend state baseball tournaments this year girls and boys and she wanted to congratulate the girls, they had already played and did well this year, they did not win, but played hard and represented Wendell well and she thanked them for that. She said the boys would be playing in Washington, NC starting Thursday, July 30<sup>th</sup> and ending on Sunday, August 2, 2015. She wished them the best of luck.

Commissioner Gray said if you had not been to the farmers market, please go by. She said they were open on Saturdays from 8:00-12:00 and have meat, produce, pottery, plants, homemade popsicles and everything there was locally grown and raised.

Commissioner Gray said she would like to thank Lucas Hughes for the Dog Agility Course at the Dog Park.

Commissioner Gray said Wendell was featured in Wake Forest Metro Magazine Summer Edition and she had some copies of the magazine and urged citizens to take a look at it.

Commissioner Lutz and Boyette did not have any comments.

**Item 9 – Mayor Comments**

Mayor Pro Tem Parham said he did not have any comments.

**Item 10 – Adjourn**

Without any further discussions the meeting was adjourned by Mayor Pro Tem Parham at 8:15 p.m.

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James Parham, Mayor Pro Tem

Attest:

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Jonnie S. Driver, Town Clerk