

October 26, 2015
Board of Commissioners Meeting Minutes

The Wendell Town Board of Commissioners held their regularly scheduled meeting on Monday, October 26, 2015, in the Board Meeting Room at 7:00 p.m. with Mayor Timothy A. Hinnant presiding. Present were Commissioners James Parham; John Boyette; and Virginia Gray; Teresa Piner-Manager; Butch Kay-Finance; Bill Carter-Police; David Bergmark-Planning; Tamah Hughes-IT. Commissioners Sam Laughery; Jon Lutz; and Town Clerk Jonnie Driver were not in attendance.

Mayor Hinnant called the meeting to order at 7:00.

The Pledge of Allegiance was led by Police Chief Bill Carter and invocation was given by Wendell Covenant Presbyterian Church.

Adjustment and approval of the agenda

No adjustments were made to the agenda. Commissioner Parham made a motion to approve the agenda as written. The vote was unanimous.

Item 1 – Public Comment Period

Mr. Mallard -246 W. Third Street, Wendell stated on Sunday October 25, 2015, there was a recent traffic accident at the intersection of W. Third Street and Wendell Falls Parkway with a car ending up in a neighbor's yard. He said he knew there had been quite a few accidents at that intersection, and he wanted to know if the board could petition NCDOT to install a 4-Way Stop Sign up at the intersection to make it safer.

Item 2 – Consent Agenda

- a. Approval of the Minutes from the Monday, October 12, 2015 Board meeting.
- b. Approval of the Wake County Tax report for August 2015.

Commissioner Parham made a motion to approve the consent agenda as written. The vote was unanimous.

Item 3 – Update of activities by the Wendell Chamber of Commerce

No one from the Chamber was present to give an update.

Item 4 – Discussion and action on a presentation by H. Geoff Kokiko with KS Bank to provide ICS (Insures Cash Sweep) services to the Town of Wendell.

Finance Director Butch Kay said Mr. Kokiko with KS Bank were in attendance to present information about an insurance program the bank was offering, Insures Cash Sweep. He said at the end of the presentation staff would ask the board to vote to accept the Insures Cash Sweep program being offered.

Mr. Kokiko with KS Bank said it was a pleasure to do business with the Town of Wendell. He stated that FDIC only insures up to \$250,000 of what the town currently has in the bank. The Town of Wendell currently had \$2,750,000 in KS Bank. He said KS Bank recently entered into an agreement with Promontory Inter-financial Network which partners with over 3,000 banks in the country. He said KS bank would take the \$2,750,000 and parcel it out to 11 other banks in the amount of \$245,000 and the Town would be insured by FDIC for the entire amount. He said it did not cost the Town anything, but it

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helped KS Bank from an equity perspective to assist other borrowers, townships and municipalities in Wayne, Wilson Wake and Johnston counties which were the four counties KS Bank served.

Mr. Kokiko said the Town would continue to deal directly with KS Bank and the Finance Director would be able to pull up figures on the website 24 hours a day for the Board and Manager when needed. He said the Board would not see a difference, but you would have the satisfaction of knowing that all of the Town's money was insured through the FDIC.

Commissioner Boyette said he understood the concept of having the money insured, but how often does anyone file a claim with the FDIC. Mr. Kokiko said it was a long time ago. Commissioner Boyette said it seemed to him that splitting the money 11 different ways was complicating the process. Mr. Kokiko said basically the Bank was substituting insurance. The Town would always deal with KS Bank, none of that would change. Mr. Kokiko said he preferred not to pledge the bank's securities from a liability standpoint, and this was a program that allowed every penny of the Town to be secured by the FDIC instead of KS Bank having to pledge their securities. He said it helped the bank from an equity perspective. He said KS Bank had no problem with equity, but when pledging securities, it negatively impacts our equity position.

Mayor Hinnant said if he understood it correctly, it benefits the Town. If we chose not to participate, that was fine but we know that only \$250,000 was secured through FDIC. He said if we go with this program we had the same amount of money, get the same interest, and borrowing power, but we had less likelihood of a loss.

Commissioner Parham asked what initiated this concept. Mr. Kokiko said back in the late 1990s when banks were closing across the country the FDIC temporarily raised the insurance limits from \$100,000 to \$500,000, then went back to \$100,000 and then changed it to \$250,000. He said there was no urgency for the FDIC to raise it again so it should remain at \$250,000 for some time. He said the industry was seeing more municipalities come to community banks asking for banking services. He said this program would allow us to broaden our scope across the four county areas we serve.

Commissioner Gray she said she would like to hear what Butch Kay, Finance Director thought about the program. Butch replied he thought it was a good program.

Commissioner Parham made a motion to approve the ICS Services offered by KS Bank. Commissioners Parham and Gray voted in the affirmative. Commissioner Boyette voted in opposition of the motion. The motion passed with a 2-1 vote. Attorney Cauley informed the Board that this item would require a second reading. He said it required a simple majority, but a simple majority of the full board. Mayor Hinnant said this would be placed on the November 9, 2015 Agenda for a second reading.

Item 5 – Discussion and action on a Zoning Text Amendment to amend Chapters 2, 15, and 19 of the Unified Development Ordinance (UDO) in order to establish standards for Planned Unit Developments (PUDs).

David Bergmark, Planning Director stated this item was a carryover from the Public Hearing at the October 12, 2015 meeting. The applicant was Nash Wendell Falls LLC. He said the actual standards for

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the PUD would fall within Chapter 2 of the UDO. David said just to make it clear this text amendment was not specific to Wendell Falls development, it was for anyone that wanted to develop a PUD with all the standards that were described in the changes.

David said a PUD district was accompanied by a PUD plan, which described the specific development standards which applied to a given PUD district. He said any standards which were included in the PUD plan would override any conflicting UDO standard. He said the UDO served as the applicable standard for any items that were not addressed by the PUD plan.

David said the proposed text amendment included amendments to the UDO's use table to add additional uses that could be permitted within a PUD. The inclusion of these uses in the table did not mean they were permitted by right in any PUD submittal. The specific uses included in any given PUD must be specified in the corresponding PUD plan, upon agreement between the applicant and the Town Board.

David said there would also be changes to Chapter 15 to remove any conflicts with the Town's Special Use Permit approval standards, to Chapter 19 to add new definitions for uses being added for Animal Services, Continuing Care Retirement Community, Farmers Market, Outdoor, and Sports Training/Fitness Complex.

David said the Planning Board voted 8-0 in favor of recommending approval of the text amendments at their August meeting and staff recommends approval of the proposed text amendments.

Commissioner Parham made a motion to approve the Zoning Text Amendments to Chapters 2, 15, and 19 of the UDO. The motion passed with a 3-0 vote.

Attorney Cauley stated this item would require a second reading. Text amendments were required to pass by four, a super majority. Mayor Hinnant said this matter would be placed on the November 9, 2015 Agenda for a second reading and vote.

Item 6 – Request by Wendell Falls to schedule the following items for public hearing and action on November 9, 2015:

- a. Zoning Map Amendment request to rezone approximately 1,050 acres of property (excluding ROW) within the Wendell Falls development to a proposed Planned Unit Development (PUD) Zoning district.
- b. Special Use Permit Request to establish standards for a Planned Unit Development (PUD) governing the Wendell Falls subdivision.
- c. Amendment to the Wendell Falls Development Agreement to apply standards from a newly created Planned Unit Development (PUD) document.

David Bergmark said in order to allow for additional public notice and participation, NASH Wendell Falls, LLC had requested that their zoning map amendment, special use permit, and development agreement amendment requests be scheduled for a public hearing and action at the November 9, 2015 Board meeting rather than tonight's meeting.

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The Board was in agreement to schedule a public hearing and action for November 9, 2015 on the zoning map amendment, special use permit, and development agreement amendment.

Item 7 – Update of the Wendell Transportation Plan process.

David said this item had been taken back to the Planning Board per the Town Board’s directive for further review and public input.

David said at the October 19, 2015 meeting, the Planning Board chairman appointed 3 members of the planning board to form a sub-committee charged with gathering more public input and making necessary revisions to the Wendell Transportation Plan. He said Ruth van der Grinten, Judy Silver and Gilda Wall were the three planning board members appointed to the committee. He said the planning board also voted to include one member from the Economic Development Committee (EDC), Appearance Committee, and Board of Adjustment with at least one representative from the ETJ. David said he had already reached out to the Board of Adjustment and Appearance Committee and had gotten members to agree to serve in this capacity, one of which was Mr. Mike Harrison who lived in the ETJ. The Planning Board had also asked Commissioner Gray to serve as a liaison to the subcommittee.

David said the notification methods recommended by the Planning Board would cost approximately \$1400. He said this cost went beyond what was budgeted for in the Transportation Plan Update. Staff asked the Town Board to review this request and provide direction to staff on the method of notification and spending level it deemed necessary.

1. Inserts in water bills (**\$250-\$300**)
 - a. The police department recently did this. These would only go to properties with public water, which would limit it to the town limits. For rental properties, it would go to the renters rather than the homeowners, since the utility bill should be in the renter’s name.
2. Third-Class Letters sent to all property owners in the ETJ and Urban Service Areas (USA) (**~\$1100 to mail to 2500 addresses**) (this list does not include those inside the town limits).
3. Third-Class Letters sent to all property owners within 100 feet of any collector or thoroughfare road (new or existing) – (**~\$1100**) (this includes town limits, ETJ, and USA).
4. Third-Class Letters sent to all property owners within 100 feet of any new road (**~\$350 to mail to 650 addresses**) (town limits, ETJ, and USA)

David said the Planning Board voted on a combination of Option 1 and 2. He said to cut down on cost staff suggested that one blanket notification letter be sent notifying each owner of the update and ask if they would like to continue receiving information to let staff provide their contact information to the Town.

Mayor Hinnant said he thought the Town Board should select the liaison from the Town Board. He said he did not have a problem with Commissioner Gray serving, but rather than the Planning Board making that decision, this board should decide upon their representative. Commissioner Boyette said he agreed with the Mayor. Mayor Hinnant asked David if it would hold up things too much if we waited until the full board was in attendance to make an appointment the correct way. David said he thought that would be fine.

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Mayor Hinnant asked David to inform the Planning Board that the Town Board would be appointing a liaison to serve on the sub-committee.

David said staff recommended having multiple stations that focused on different plan elements at each workshop.

Commissioner Parham asked David to explain what he meant by multiple workshops. David said that was still to be determined, but there would be 3 or 4 and one would be held at a location other than town hall. Commissioner Parham said he was concerned about the citizens not having enough input, so he wondered if this process would be long enough to provide for input from the citizens. David said he thought it would. He did not expect to bring anything to the Planning Board or this board before the spring of 2016.

Commissioner Boyette said there were a lot of options on the mailings, and he thought that the lines on the map could be moved so if initial notifications were only sent to people that were within 100 feet of a line, and the line was moved, we would have to send another mailing. He said he thought it would be best if everyone got a letter. David said that was the thought process of the Planning Board and that was why they also recommended option 2 which would be a blanket notification.

Item 8 – Commissioner Comments

Commissioner Boyette said he would speak to Mr. Mallard's concerns about the intersection at Third Street and Wendell Falls Boulevard. He had been to several wrecks at that intersection and in his opinion there were a lot of reasons accidents happened at that intersection, from overgrown bushes to not being familiar with the area, even talking on the phone. He said because Third Street was a straight stretch, people did not realize there was a stop sign there until it was too late. He said there were a lot of intersections that needed attention and he was not sure if a four way stop sign was the answer, but he did not mind taking a look at it.

Commissioner Parham said he agreed with Commissioner Boyette and thought we also needed to take a look at that intersection to make it better or safer. He said he met with Sonja Reed, with Wake County Health, and she had developed a 2016 schedule for Healthy Hearts. He said there would be one each month and maybe we could get the word out so people could participate if they would like to.

Commissioner Gray said she attended the Ribbon Cutting for the Robertson Pond Preserve on behalf of the Town Saturday, October 24th and that she would like to encourage everyone to go out and take a look at the preserve. She said you could kayak and canoe. It is the only wide water swamp in the Piedmont area and had beautiful scenery. She said they were only open on the weekends right now, but hoped to extend their hours as the weather warmed.

Item 9 – Mayor Comments

Mayor Hinnant said our Parks and Recreation Director would attend a PARTF meeting Friday, October 30, 2015.

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Item 10 – Adjourn

Mayor Hinnant said with no further business or comments the meeting is adjourned. The meeting was adjourned at 7:35 p.m.

Timothy A. Hinnant, Mayor

Attest:

Jonnie S. Driver, Town Clerk