

June 22, 2015
Board of Commissioners Meeting Minutes

The Wendell Town Board of Commissioners held their regularly scheduled meeting on Monday, June 22, 2015, in the Board Meeting Room at 7:00 p.m. with Mayor Timothy A. Hinnant presiding. Present were Commissioners Virginia Gray; Sam Laughery; John Boyette; James Parham; Teresa Piner-Manager; Jonnie Driver-Clerk; Butch Kay-Finance, David Bergmark-Planning; Patrick Reidy-Planner, Jeff Polaski-Parks, Tamah Hughes-IT; and Bill Carter-Police. Commissioner Jon Lutz was unable to attend.

The Pledge of Allegiance was led by Chief Bill Carter and invocation was given by Reverend Sarah Smith of New Hope Missionary Baptist Church.

Adjustment and approval of the agenda

With no adjustments made to the agenda Commissioner Parham made a motion to approve the agenda as written. The motion passed with a unanimous vote.

Item 1 – Public Comments

No public comments were received.

Item 2 – Consent Agenda

- a. Approval of the Minutes from Monday, June 8, 2015 Board meeting
- b. Approval of the Wake County Tax report for April 2015

With no discussion on the items presented under the Consent Agenda, Commissioner Parham made a motion to approve the Consent Agenda as written. All voted in favor of the motion

Item 3 – Recognition of Peggy Lee and East Wake High School for painting the mural located at 100 West Third Street

Mayor Hinnant stated Peggy Lee was a very talented and the Town was fortunate to have her in the community to help make such a positive impact. He said she, along with students from East Wake High School had done an outstanding job on the mural on Third Street.

Commissioner Laughery said he and Peggy had been married two years, and he had seen a lot of the murals she had painted, but of all the paintings the one she did on Third Street was absolutely the most amazing. He said he personally wanted to thank her and the students from East Wake High School for their extraordinary efforts with the mural. He said it was truly amazing what had been done.

Mayor Hinnant asked Peggy and the students of East Wake High School to stand and the audience applauded them.

Patrick Reidy said on behalf of the Town and Appearance Committee we would like to present a token of appreciation. Patrick presented each with a signed copy of the mural.

Item 4 – Update on the Wake County Transit Strategy.

Mr. Tim Maloney, Director of Wake County Planning, Development and Inspections stated there were a lot of partners involved in the Wake County Transit Strategy effort. He said representatives were present about a year ago to talk with the board about previous transit efforts. With this effort, we are

June 22, 2015
Board of Commissioners Meeting Minutes

engaging the public in ways we have not in the past by educating the public on trade-off decisions that need to be made when implementing transit. He said the partners involved were helping to fund this current effort and assured the board that all municipalities, including the Town of Wendell were at the table taking part in these decisions that were critical to transit as we move forward.

Mr. Maloney said that participants were being asked to keep the entire county in mind, not just one's personal situation, but to also consider those where transit was their only choice of transportation and its impact on creating jobs and economic development in the county.

Mr. Maloney stated there was a committee of 75 people and the Wendell Board of Commissioners appointed several members to serve on this committee and they were looking at the County's transit needs.

Mr. Maloney said we held a public kick off in May for four alternatives that had been released. He said the public feedback we receive from these alternatives will help develop a final plan including technical and financial analysis.

Mr. Maloney said the first spectrum was ridership versus coverage. Ridership places transit where you engage as many customers as possible on whatever transportation mode available. He said coverage spreads out service to as large an area possible, however this method would sacrifice the number of riders.

Mr. Maloney said the second spectrum is infrastructure versus service. He said infrastructure was investing to make transit look, feel and operate differently. He said it could include designated bus lanes, a rail solution, or focus could be on service, do we want to save money on infrastructure and place more on service.

He said we did an online survey of infrastructure versus service, and ridership versus coverage. Ridership was favored a little higher over coverage. With infrastructure versus service, it was right down the middle.

Mr. Maloney said all the information we talked about this evening could be reviewed on the transportation website.

Mayor Hinnant said he realized that Wake County needed some type of transit, but he was afraid that if Eastern Wake County supported transit with the ½ cent sales tax, we would be paying for somebody else's light rail and economic development driver. We may have given away the only bargaining tool we had, which was our vote of support. He said from an equity standpoint the dollars that were going into Eastern Wake County would be far smaller than the dollars going into Western Wake County, but yet we would be paying for it on our backs, the same as the citizens in the rest of the County who receive the service. He said that was why he did not support the transit program right now.

Commissioner Parham said he would like for Mr. Maloney to try and convince Eastern Wake why it should support this effort. Mr. Maloney said we need to look at our County as a whole. He said he could not argue that the dollars, when it comes to infrastructure, would be more heavily slanted in central to Western Wake. He said extending service out into Rolesville, Knightdale, Wendell, Zebulon and Fuquay - Varina was always a challenge because of the ridership numbers. Was it worth that cost per rider? He

June 22, 2015
Board of Commissioners Meeting Minutes

said look at it from the perspective that the entire county is an economic engine. He said demographics show that millennials continue to grow and they look for transit choices. He said businesses come to Raleigh because of what the County had to offer and transit could be one of them. He said when those businesses come to Wake County; they generate jobs and economic gain for all our communities.

Commissioner Gray said she noticed in your slides that you had the partners listed, but she did not see the half cent referendum listed and there were more people paying than those listed. She said she was good to think about all of Wake County, but she was elected to think about Wendell, and did not really care about the rest of Wake County and its bus needs. She said we had unpaid streets, and places where there were no sidewalks for our citizens. She said it would be difficult for her to be in support of the half cent sales tax referendum, when she walked out the door and saw people walking to the grocery store in the street. She said she realized we had to plan ahead for the future, but she had to think about Wendell's future and our citizens. If people in Western Wake want more, then let them pay for more without us.

Commissioner Boyette said he was an optimist. When mass transit comes to the greater metro area, it can become quite the king maker. He said if you put a stop somewhere, whether it was a train or some other type of rapid transit, almost instantly property values go up. He said he thought Wendell should be our central focus, but if we ignore the places that were around us and their needs, then they would not respond to Wendell's needs. If we could get mass transit county wide and further towards Johnston County, which was on our side of the County, it would certainly help Wendell. He said if we could get some of that infrastructure pushed out this way, it would certainly help Wendell. He said maybe we could think in a broader regional sense. He said if you lean more towards ridership then you would be concentrating on areas that have a higher population density, but if you concentrate more on coverage, then you would drive ridership to those places. He said while he supported the plan technically, He thought the plan leaned more toward infrastructure because that was the only way it would work.

Commissioner Laughery said he attended the first two transit meetings and there were three different scenarios that were being discussed. He said there was coverage, then ridership, and then it was how it could be designed to get the most votes for the half cent sales tax. He said he heard a number of people from other towns talking about that, so if you look at it from that standpoint, Wendell was not very important.

Mayor Hinnant said that if you don't have a vision for putting light rail or any kind of economic driver in this part of the County, and don't share it with us, we should not be expected to pay for it. He said he would suggest that the first phase be Raleigh and Western Wake and the second phase in 2016 to move light rail out to Eastern Wake County. He said if our citizens' see Wendell mentioned in the plan, it might be easier to understand. He said he thought the citizens would understand because of the density in Western Wake, but we were not mentioned at all in the 10 year plan.

Mr. Maloney said this was the kind of feedback they were looking for and it was very valuable.

Item 5 – Update on activities and programs by the Wendell Chamber of Commerce.

Stacy Bradfield, President of the Chamber of Commerce updated the board on the events that were planned for the year by the Chamber of Commerce. Stacy said the Chamber had decided to start the Welcome Wagon again and they were encouraging merchants to put things into the bags to give to the

June 22, 2015
Board of Commissioners Meeting Minutes

newcomers. She said they were also participating in a magazine that would go out to everyone that had a 27591 zip code.

Stacy said even though it was June and the Harvest Festival was not until October, they were working and planning for the Harvest Festival, there was a lot to be done. She said if anyone was interested in being a vendor, please get your signup sheet filled out and turned in now.

Stacy said a few weeks ago she became aware that there was a question about a dinner the chamber had for our Harvest Festival volunteers and she would like to clarify. She said that during the Harvest Festival, the volunteers earned \$371.00 in tips in the beer garden tent and one of the Chamber members matched the tips. She said there were about 10 of them and went to the Angus Barn and the bill was \$740.00. She thought the question was where the money came from, so she wanted to clear that up. She stated that she and Traci Hicks were at the Harvest Festival from 7:00 am until 11:30 pm, and most volunteers put in similar hours. She said the \$4,000 that the town gave did go for the Band which cost \$4,500. She said any time anyone had any questions about the finances of the Chamber, she invited them to look at our books, and we are an open book.

Item 6 - Update on the Town of Wendell Transportation Plan.

David said the Planning Board did their first review of the Preliminary Plan that AMT had provided. He said we were able to get funds this year to update our transportation plan which included our collector street plan and the thoroughfare plan. He said the Collector Street Plan and the UDO failed to identify what the ultimate right-of-way should be for those roads identified.

David said we would be holding a public information session on Monday, June 29th at the Community Center from 6:00 – 8:00 pm and it would be a drop-in-format. He said on July 20th the Planning Board would resume reviewing the plan and potentially make a recommendation on the ACS Plan with a public hearing to follow the Planning Board review.

Commissioner Gray said on the map that you gave us; she would like an additional map with the property lines, with the updated roads over the top, bodies of water as well as identify the City Limits, ETJ, Urban Service Area, and bridges. She said some of the roads on this map go beyond our ETJ. She said she felt like we need to have a good understanding of what was being proposed. David said that was an excellent point and we had already asked AMT to do some of that, but he was not sure if it included bodies of water, so he would let them know.

Commissioner Laughery asked David for the LAPP fund application deadline. David said the deadline was sometime in October, but the process starts a lot earlier and he did not think we would have anything as far as this project to submit by the deadline. David said the pedestrian plan would be starting in the fall and that was possibly a project that we could submit. Commissioner Laughery said we seem to miss opportunities for LAPP money that everyone receives but Wendell.

Item 7 – Presentation of a donation to the Town of Wendell by Total Connection and Businesses of Wendell.

Manager Piner said Total Connection had worked with local businesses and Wendell Parks and Recreation Department to produce a coupon book that advertises our local businesses. The book had been distributed during softball tournaments. The coupon book provides savings opportunities and information to those that were not familiar with the area. She said Total Connection had asked to make

June 22, 2015
Board of Commissioners Meeting Minutes

a donation to Parks and Recreation Department on behalf of the area businesses that resulted from the proceeds of the coupon book.

Regina Harmon owner of the Total Connection Newspaper said the book was started about 3 years ago in conjunction with the Wendell Chamber of Commerce. She said the chamber wanted to pass the project to Parks and Recreations for an opportunity to earn some money to fund items Jeff had worked on to enrich the town. She wanted to thank Jeff for all the things he had brought to the Town in such a short period of time, and the things he was going to continue to do. She said the businesses were seeing good results from the book and were very energetic about its success. Regina presented the Mayor and Commissioners with a copy of the coupon book. Regina donated \$2,500.00 to the Parks and Recreation Department.

Item 8 – Review and approval of the Budget Amendment for FY 2014-2015.

Manager Piner said municipalities were required to adopt a balanced budget amendment each year indicating that the municipality had not spent more than its income. She said Wendell had been fortunate this year in that we received additional revenue which covered some of the unexpected events that came up. Mrs. Piner said that the unaudited Fund Balance fell within the limit of 40 percent of expenditures, as set by the board.

Manager Piner said Butch and the Finance Department always do a great job of monitoring our expenditures and feel they did a great job. We thank the board for allowing us to do the extra things that we have done this year.

Commissioner Laughery said he wanted to thank Teresa for a great job of managing the budget, and he thanked this board deserves a little credit also. He said we cut quite a bit out of the budget last year and because of that we had done a lot of things that were not budgeted and we were still at our 40 percent of Fund Balance and he thought it was good management on the part of the Board and Staff.

Commissioner Parham made a motion to approve the Budget Ordinance Amendment for FY 2014-2015. The motion passed unanimously.

Item 9 – Discussion and action to study the municipal planning jurisdiction along the 64 Business Corridor.

David Bergmark said staff was asking the Board to authorize staff to conduct an ETJ boundary review. He said the most recent ETJ expansion occurred in 2009. The need to extend the ETJ was based upon the availability of water and sewer infrastructure in those areas outside the Town's current corporate limits and ETJ, as well as the desire to provide for consistent planning practices between the primary corporate limits and the satellite annexation area contained in Wendell Falls. He said the area that was originally submitted for annexation was approximately 3,958 acres and 2,179 acres was what the Wake County Board of Commissioners approved which was 1,779 acres less than requested.

David said staff had been asked to consider and study those areas not approved in 2008. He said property in the proposed study area was expected to reach urban densities in the next 10 years based upon a number of factors including:

1. Wendell's commitment to growth as indicated in the town's adopted land use plan:
2. Availability of utility services with the ETJ study area

June 22, 2015
Board of Commissioners Meeting Minutes

David said as Wendell continues its rapid growth, the pressure to provide for orderly development at Wendell's boundaries increases.

David said Wake County Economic Development had indicated their support of the study in order to determine what properties were suitable for development. He said the Towns' ability to bring the properties into the planning jurisdiction without annexation would allow for the preparation of sites for development while not paying municipal taxes.

The Board of Commissioners' were all in favor of the study of the area for annexation.

Item 10 – Review and action on a request by Regina Harmon to close South Cypress Street for an area school event.

Manager Piner said Ms. Regina Harmon had requested to close South Cypress Street for a Wendell area school event called Wendell's Got Talent on September 11, 2015 between the Town Square and the Woman's Club from 5:30-9:30 pm.

Mrs. Piner said The Total Connection would rent the facilities through the Parks and Recreation Department. She said the Total Connection would supply trash dumpsters, port-a-John(s), and contract with the Town to hire off duty police officers to work the event. The town would provide trash receptacles.

Mrs. Piner said staff recommends the use of a light tower to illuminate the area across from the Woman's Club since the event would run after sunset.

Mrs. Piner said the Town had the authority to close Town maintained streets, but because this was a state maintained road, we had to start the procedure earlier to get approval.

Mayor Hinnant asked if this request was from the Parks and Recreation Commission. Mrs. Piner said it did not because this was a private event, they would be renting the space, and it was not a Town sponsored event.

Commissioner Parham asked was there any liability with the Chicken nugget contest that one of the kids might get choked. Mrs. Piner said the adults would be eating the chicken nuggets, not the kids, but we would require the Total Connection to list the Town as other insured on their policy because of the number of people anticipated for the event.

Commissioner Parham made a motion to approve the request to close South Cypress Street as requested by Ms. Harmon. The motion passed unanimously.

Item 11 - Economic Development Committee Update

David Bergmark said at the May meeting the Economic Development Committee reviewed a draft policy created by staff and offered their suggestions on the Electronic Message Board Use Policy. Their comments included the following changes:

1. Change the Community-Wide Events sponsored by a local non-profit item to say "with no admission charge, required donation, or fund-raising related message" rather than "with no fundraising component or charge"
2. Allow sporting events in town to be advertised (such as Wendell Rams games/camps)

June 22, 2015
Board of Commissioners Meeting Minutes

3. Commissioner Gray expressed the desire to allow churches to advertise anything except Vacation Bible Schools.

Commissioner Gray said she loved Bible School, but when we had the Kiosk downtown we had so many Bible Schools that we could not keep up with all of them and we stopped putting them up. She would like to include some church events and also to include Wendell Rams events.

Commissioner Boyette said to say that churches were allowed to advertise anything but Vacation Bible School, could quickly be overrun by church services, so he was not sure he agreed with the wording.

Commissioner Parham said Commissioner Boyette addressed my concern. He said if it were left up to him, he would have Vacation Bible Schools up there also.

Commissioner Laughery said he thought we needed to allow churches to advertise on the sign, but we do need to limit it somehow and he was not sure how to do that.

Commissioner Gray said she would like to suggest that we do something where we allow them to advertise if it was an event they were inviting the public to come to beyond their congregation. Commissioner Parham said would we have to put their regular services on there because they were inviting other people to attend their service. Mayor Hinnant said he was not against churches, but thought we should limit advertising to events that the Town had like road closings, citizen board applications, Wendell Library events, and Chamber events. Mayor Hinnant said the reason he thought we should limit the advertising was if we opened it to everyone, it would take a full time person to keep the message board updated and taking things off that had expired. He said the second reason was right now our Town Manager was doing the approval of the messages and we had our highest paid, chief and administrative officer spending time on this and that made no sense. He said he thought we should task Parks and Recreation with events. Parks and Recreation would be the best place to house this chore of what was posted and what was not. He said if the board made it too time consuming, we would have a problem because all of it had a time frame. Mayor Hinnant said he would suggest Items 1-5 under permitted comments.

Mayor Parham said that was one way to do it, why not get creative and come up with a message board committee and that would relieve the Manager.

Mrs. Piner said a committee would provide great input, but it typical that we can a call for an event that was coming up next weekend and it would be almost impossible to get a committee together for approval on that short notice. She said another thing to be aware of was the time of the year it is the time it takes to make changes. It can take longer than the sign at the Fire Department because you were dealing with graphics, it is time consuming. Mayor Hinnant asked if it was her recommendation to try and narrow the scope as much as the Town Board was willing. Teresa said she thought that would benefit staff as much as the community in making sure we get businesses, government and information services out to the public first. Mayor Hinnant said do you have a recommendation of who you think should be in charge of assigning these messages. Mrs. Piner said she did not have a problem with Parks and Recreation or Planning taking that role. She said she had done it in the past because there was not a policy.

June 22, 2015
Board of Commissioners Meeting Minutes

Commissioner Laughery asked Teresa if she felt that Items 1-5 were clear as to what could go up on the message board. Mrs. Piner said she thought it was a little open ended. Commissioner Gray asked could she bring something back to the next meeting as to what you thought should or should not be advertised on the message board.

Commissioner Laughery made a motion to table Item 11 until the June 13, 2015 Board meeting. The motion passed unanimously.

David said at a prior EDC meeting, Allison Rice suggested that the Town consider using Window Displays in empty storefronts to improve the appearance of the downtown. He said other small towns have hung large laminated high-resolution photos showing historic images of their downtowns in vacant storefronts for this purpose.

David said staff would need permission of the property owners to post the photos (which would be placed inside of the glass). He said staff wanted to update the Town Board before moving forward on this item.

Mayor Hinnant said the only thing he thought about was that everyone's taste was different. He said we need to make sure that we had something that was tasteful and not offensive to anyone and that everyone would enjoy looking at the storefronts as they rode by, because some of the photos might be there for a while.

Commissioner Gray asked David if he was talking about the historical photographs of the Town. David said yes. Commissioner Gray said no offense to the Mayor, but she thought we might be complicating things. She said it was my understanding at the meeting that 8-10 pictures from the Historical Society were going to be enlarged and rotated when there were empty storefronts. David said that was the intent. Commissioner Gray said she did not think we needed to meet and talk about this. She said she thought we were getting way to committee happy tonight. She said she thought that when a storefront became empty and a picture was available, it would be hung if the owner was willing. She did not think the pictures would be offensive to anyone.

Commissioner Laughery said he agreed, and if a picture that goes up was something we don't like, we can deal with it then.

David said the third item discussed was the Downtown Retail Overlay District. He said we used to have this in the zoning code and when we adopted the UOD the Overlay District disappeared. He said what this overlay district provided was preservation of the Downtown Mixed Use core for primarily retail, restaurant, personal service, and entertainment business uses while promoting an efficient use of space and enhancing the business community. He said this objective was accomplished by restricting certain uses on the ground floor and upper floors of eligible properties which do not represent the highest and best use of land.

David said we did not know if the board was interested in this or not, but we wanted to bring this to the board and see if you would be interested in the Planning Board looking at it. Mayor Hinnant said he was concerned that it would be another layer of restrictions on the Town that was already overburdened with regulations. He said in some overlay districts the municipalities tax the businesses in the overlay district to try and enhance those properties. He was concerned with those two things.

June 22, 2015
Board of Commissioners Meeting Minutes

Commissioner Gray said along Campen Street there were already businesses that would be prohibited and she did not remember us including Campen when we talked about this at the meeting. She said based on what Mayor Hinnant just said, would it be possible that we do just a small area if we felt it was important enough under the current UDO with the DMX zoning. David said if you increase that boundary out further, you would have even more businesses that might be listed as non-conforming. David stated that the alleys were excluded.

Commissioner Laughery said there were other things that come with a business being non-conforming and that was if they try to get a loan to make improvements and they were non-conforming that was a significant issue.

Commissioner Gray said she understood where the Economic Development Committee was coming from and trying to make downtown a retail environment, but at this time with us having so many empty places, and having one more layer of restrictions, she was torn about it. She said she thought we need to wait and look at this later. Everyone was in agreement.

Item 12 – Commissioner Comments

Commissioner Laughery said for the past 3 1/2 years he had talked about shopping local when possible. He said the bottom line was that a strong commercial core was very important to the future of our Town. He said tonight he would like to address it a little differently. He said in addition to shopping locally something that would boost our business sales was obviously more foot traffic. He said the Town had done a lot of things to have events downtown. He said he wanted to address the condition of some of the properties that were in and around downtown. He said the vast majority of the owners take care of their property downtown, but unfortunately we had a few that do not. He said when renters leave because of needed repairs that were not completed, and not due to a lack of sales, we have a problem. He said allegedly one renter was told by the owner that he was better off to leave this building vacant. He said we had a building downtown that he had discussed and he has been told it had some of the prettiest brick work in all of Wendell and it was covered up with some aluminum and it was peeling off and you could write on it. We had some owners that had become wealthy while doing business in the Town, but now they were not willing to give back. He said he was talking about making a significant change to your own asset to make them look better and make our downtown beautiful again. He said he was asking that we put this on the agenda for our next work session for discussion as to what we could do about some of these commercial properties downtown to make them look better.

Commissioner Laughery said Teresa was going to give an update on Wi-Fi and the cell tower. Teresa said Tamah had been working on a regular basis with the electrician and we were still on schedule to have the Wi-Fi up and running by the end of June. She said we had installed some new poles downtown and were moving forward. Teresa said the permit had been issued for the cell tower at Fourth and Hollybrook but she was not sure when the construction would actually start. She said T-Mobile had their tower up at Cook Street and were testing and should be going live anytime. Teresa said that there is also a tower going up off of Eagle Rock Road that would benefit our community even though it is outside of the corporate limits.

Commissioner Parham said congratulations to Peggy Lee and crew for doing such a magnificent job on the mural, she does beautiful work. He said he would also like to thank Regina for her generous donation to Parks and Recreation. He said Pastor Sims of the Eastern Regional Center and his crew had

June 22, 2015
Board of Commissioners Meeting Minutes

one of the bathrooms at the Senior Center completely painted and his work was completed with volunteers. He said it was good to see people working together and getting things done for our community.

Commissioner Boyette said Mr. Polaski, please do not buy anything Carolina Blue with the donation received.

Commissioner Gray said she agreed with that statement. She said bravo to Commissioner Laughery, she loved everything he said about the buildings downtown. She said that was a tremendous problem and a tremendous hurdle for us. She said we were talking about the downtown overlay district and none of those things even matter when the ceilings were falling in and the businesses had to leave because the landowner would not fix it. She said she wanted to thank Peggy Lee, East Wake High School Art Department students, and the Appearance Committee. She really appreciated everything. She also wanted to thank Regina Harmon and the area businesses that participated in the softball tournament book. She said she wanted to remind everyone about the street dance on Main Street Friday, June 26th from 7:00 to 9:30. She said it was sponsored by the Wendell General Store and Edward Jones Investments.

Item 13 – Mayor Comments

Mayor Hinnant said he would like to thank Peggy and the students for the magnificent job they did. He said he would like to ask everyone to remember the people in Charleston South Carolina as they deal with the great tragedy they were faced with. He said he appreciated all the hard work of our staff as always.

Item 14 – Closed Session

Mayor Hinnant said at this time we need to go into closed session to discuss a property matter pursuant to §143-318.11(a)(5). Commissioner Gray made a motion to go into closed session. The vote was unanimous.

Commissioner Gray made a motion to return to regular session. The vote was unanimous.

Item 15 – Adjourn

Commissioner Gray made a motion to adjourn at 9:10 p.m. The motion passed unanimously.

Timothy A. Hinnant, Mayor

Attest:

Jonnie S. Driver, Town Clerk