

**TOWN OF WENDELL
BOARD OF COMMISSIONER MEETING MINUTES
September 26, 2016**

The Wendell Town Board of Commissioners held their regularly scheduled meeting on Monday, September 26, 2016, in the Town Board Room, Wendell Town Hall, 15 East Fourth Street.

PRESENT: Mayor Virginia Gray; Mayor Pro Tem Jon Lutz; Commissioners: John Boyette, David Myrick, Ben Carroll and Jason Joyner.

STAFF PRESENT: Town Manger Teresa Piner, Special Assistant to the Manger-Town Clerk Sherry Scoggins, Finance Director Butch Kay, Planning Director David Bergmark, IT Administrator Tamah Hughes, and Police Chief Bill Carter.

CALL TO ORDER:

Mayor Gray called the meeting to order at 7:00 p.m. and welcomed attendees.

PLEDGE OF ALLEGIANCE:

Erin Matthews, senior at East Wake High School, led the Pledge of Allegiance.

INVOCATION:

Mr. Bennie Collins of Wendell Baptist Church provided the invocation.

1. ADJUSTMENT AND APPROVAL OF THE AGENDA:

Mayor Pro Tem Lutz requested to add as Item 7a: Request by the Wendell Chamber of Commerce to use the Town of Wendell registered service trademark for items sold by the Chamber at the 2016 Harvest Festival.

Commissioner Boyette requested to add as Item 9a: Closed session.

ACTION

Mover: Mayor Pro Tem Lutz moved to approve the agenda as amended.

Vote: Unanimous.

2. PUBLIC COMMENT PERIOD (*one hour time limit in total*):

No public comments were received by the Town Board.

3. CONSENT AGENDA:

The Consent Agenda is acted upon by one motion and vote of the Board. Items may be removed from the Consent Agenda and placed on the Regular Agenda at the request of the Mayor or a Commissioner. The Consent Agenda contains the following item(s):

- a. Approval of the Minutes from the September 12, 2016, regular meeting.
- b. Wake County – September 2016 Tax Report.
- c. Interlocal Agreement for Little River Reservoir Water Supply Watershed Protection, first amendment.

ACTION

Mover: Mayor Pro Tem Lutz moved to approve the consent agenda as presented.

Vote: Unanimous.

4. RECOGNITION OF EAST WAKE HIGH SCHOOL TEACHER: ANTHONY PIERCY

SPEAKER: Mayor Gray

ACTION: Recognition

[Staff Report]

Item Summary

Anthony Piercy joined East Wake High School last school year. Mr. Piercy serves as the Alternative Learning Coordinator at the school. He works with students that may be experiencing a challenging time in their regular classroom setting or may be behind in their classes and need additional support to be successful. Mr. Piercy is also the head baseball coach at East Wake High School. Mr. Piercy did an outstanding job during his first year leading the Warriors by taking over the program after the baseball team finished 3-17 prior to his arrival. He led the East Wake baseball team to a second place finish in the Greater Neuse River Conference. He took the Warriors to the playoffs for the first time since 2011 where they lost in the second round 1-0 to Green Hope. This was the second time the Warriors have won a playoff game since the early 1990's. Mr. Piercy was named the 2016 Greater Neuse River Conference Coach of the Year. Mr. Piercy also has spent many countless hours volunteering for the Wendell Parks and Recreation as a volunteer coach.

Mayor Gray introduced East Wake High School teacher and coach Anthony Piercy; staff report included above in italics.

Mr. Piercy expressed his appreciation for the recognition.

5. CITIZEN BOARD UPDATE BY THE PLANNING BOARD.

ACTION: Presentation

[Staff Report]

Item Summary:

The Planning Board, as established by N.C. General Statute, has two primary responsibilities:

- 1. To review and make a recommendation on Text Amendments and Rezoning (including Conditional Districts)*
- 2. To render opinions and make recommendations on all issues and petitions related to the Ordinance and other land use plans which may be adopted from time to time which require approval by the Board of Commissioners.*

The Planning Board is comprised of nine voting members, with three members representing Wendell's Extra Territorial Jurisdiction. All members vote on all items brought before the Planning Board, regardless of whether the member lives in the ETJ or corporate limits. The Planning Board has regularly scheduled meetings on the third Monday of each month.

The Wendell Planning Board consists of the following members:

- *Harold Broadwell (Chairman)*
- *Ashley Anderson (Vice-Chairman)(ETJ)*

Board Meeting Minutes
September 26, 2016

- Errol Briggerman
- Gilda Wall
- Kathe Schaecher
- Ruth van der Grinten
- Lloyd Lancaster
- Victoria Curtis (ETJ)
- Terry Allen Swaim (ETJ)

The majority of the Planning Board's activities are spent reviewing and making recommendations on text and map amendments. The Planning Board reviews each proposal to evaluate its reasonableness and ensure its consistency with the Town's Comprehensive Plan. For rezoning requests, this consists of evaluating a proposed map amendment in relation to adjoining zoning districts in place today, as well as long range land use plans. Review by the Planning Board also provides an additional opportunity for a proposed amendment to be further developed and improved prior to the public hearing.

Proposed amendments may be town initiated, or submitted by an outside party (typically a developer). In 2016, the Planning Board has reviewed 6 map amendment requests and 3 text amendment requests. In 2014/2015, over 20 text amendments were reviewed by the Planning Board as part of a comprehensive review of the UDO. If the Planning Board recommends denial of a zoning map amendment or text amendment, a supermajority vote of the Town Board is required to approve the amendment.

The largest project recently completed by the Planning Board was the review and recommendation of the Wendell transportation plan update. Any land use plan, whether it is a Transportation Plan, Unified Development Ordinance, Comprehensive Plan, or a Small Area Plan must be reviewed by the Planning Board prior to the Town Board holding its public hearing.

Planning Board Vice-Chairman Ashley Anderson provided an overview of the Wendell Planning Board; staff report included above in italics.

- 6. CONTRACT WITH WAKE COUNTY FOR FUNDING THROUGH WAKE COUNTY'S OPEN SPACE AND PARKS ADVISORY COMMITTEE FOR 36 ACRES ALONG THE EAST SIDE BUFFALO CREEK.
ACTION: Board may take action.**

[Staff Report]

Item Summary:

Due to the condition of Buffalo Creek and its label as a 303(d) stream, Wake County and the Town of Wendell have recognized the importance of protecting the waters as a part of the Upper Neuse Watershed. Because the State of NC and the EPA recognize Buffalo Creek as a 303(d) stream, it is on a pollution watch which allocates the necessary reductions to one or more pollutant sources. Under section 303(d) of the Clean Water Act, states are required to submit lists of impaired waters. These are waters that are too polluted or otherwise degraded to meet water quality standards. In North Carolina, the General Assembly established the Clean Water Management Trust Fund (CWMTF) in 1996 to assist in improving water bodies within the State. In January of 2013, the Wendell Town Board passed a resolution in support of North Carolina continuing to fund the Clean Water Management Trust Fund.

A map which identifies the condition of Buffalo Creek may be found below.

<http://ncdenr.maps.arcgis.com/apps/webappviewer/index.html?id=87870e4480c54b8abf6bd7ee9>

[7ebc26b](#)

Because of the importance of protecting this waterbody, the Town has worked with Mr. David Proper, Urban Program Director with The Conservation Fund in identifying property available for purchase along the Buffalo Creek corridor. As a result, a parcel which abuts the south side of Wendell Park and is located to the north of Wendell Falls Parkway, REID 0170666 has been identified. Those local to the area know the property as the Nowell, Baptist, or Parkview property. In total, the property contains approximately 53 acres. For purposes of receiving grant funding, attention was paid to 36 acres that abut the east side of Buffalo Creek.

The Town applied for funding through Wake County's Open Space and Parks Advisory Committee as well as Clean Water. The Town was awarded \$285,300 to be reimbursed by Clean Water for the purchase of 36 acres to be used as passive open space. The Town Board approved the contract on Monday, September 12, 2016. A conservation easement is required by Clean Water as well as Wake County and the property cannot be used for active open space such as ball fields. The \$271,700 will be used as matching funds to the grant from the CWMTF. Wake County Open Space and Parks Advisory Committee has approved to fund the project in the amount up to \$271,700. This request will go before the Wake County Board of Commissioners for final approval on October 3, 2016. Plans are to close on the property mid to late October.

Town Manager Teresa Piner provided an overview of the contract with Wake County for funding through Wake County's Open Space and Parks Advisory Committee for 36 acres along the east side of Buffalo Creek; staff report included above in italics.

Town Manager Piner stated the contract is under review by the Wake County Attorney and will be included on the October 10, 2016, Board agenda.

ACTION: This item will be on the October 10, 2016, Board agenda for possible action.

7. UPDATE ON BOARD COMMITTEE(S) BY TOWN BOARD MEMBERS:



Capital Area Metropolitan Planning Organization (CAMPO) [Mayor Gray]

Mayor Gray stated the CAMPO highlights are:

- Completion of 540
- NC 54
- Spot division needs
- Point assessments made for various projects
- FY 2016 through 2025 improvement programs amendment
- 2018 available funding Locally Administered Projects Program (LAPP) report
- Review of Wake County Transit Plan
- Advisory committee by-laws
- Selection of on-call transit planning services

7a. REQUEST BY THE WENDELL CHAMBER OF COMMERCE TO USE THE TOWN OF WENDELL REGISTERED SERVICE TRADEMARK FOR ITEMS SOLD BY THE CHAMBER AT THE 2016 HARVEST FESTIVAL.

Town Manager Teresa Piner stated the Town of Wendell recently registered the Town's W

swoosh with the North Carolina Secretary of State in July 2016. The Wendell Chamber of Commerce is preparing for the 2016 Harvest Festival and requests to use the Town's service mark on mugs. No one with the Chamber is present. When the service mark is registered, the request to use is made by the Board or some format for its use.

Mayor Pro Tem Lutz stated he does not have any issues with the Chamber of Commerce using the service mark for this specific time. The Harvest Festival is a great undertaking for the town and community. Would allow this and would like something in place for the future that is detailed and specific as to what is being allowed, if allowed at all.

ACTION

Mover: Mayor Pro Tem Lutz moved to allow the Wendell Chamber of Commerce to use the trademark T-22315 logo to put mugs sold at the 2016 Harvest Festival.

Vote: Unanimous.

8. COMMISSIONERS' REPORTS.

Commissioners Joyner, Boyette, Carroll and Mayor Pro Tem Lutz stated no report.

Commissioner Myrick apologized for missing the last meeting due to illness. He read an article in the East Wake News about our Town Manager hiring her daughter for a very temporary position, and he expressed support for the manager's decision as it was a short term task performed by a qualified person at a fair price.

9. MAYOR'S REPORT.

Mayor Gary stated the Town has had wonderful participation from citizen groups:

- Wendell Historical Society Reverse Raffle
- International Food and Music Festival
- Economic Development Committee "Business After Hours"

She is heartened to see citizens invested in the Town of Wendell.

The next big community event is the Harvest Festival sponsored by the Wendell Chamber of Commerce on October 7 and 8, 2016.

The Board held its Mid-Year Retreat on September 20, 2016. This was the Board's opportunity to check in since the 2016 Board Retreat. The Mid-Year Retreat will continue next week (October 5, 2016).

9a. CLOSED SESSION.

ACTION

Mover: Commissioner Boyette moved pursuant to G.S. 143-318.11 (A) (1) and (5i), that we hold a closed session: To prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes and To establish, or to instruct the public

Board Meeting Minutes
September 26, 2016

body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease. [375 E Third Street]

Vote: Unanimous

10. ADJOURN.

ACTION

Mover: Commissioner Boyette moved to adjourn at 7:34 p.m.

Vote: Unanimous.

Duly adopted this 10th day of October 2016, while in regular session.

ATTEST:

Virginia R. Gray,
Mayor

Sherry L. Scoggins, MMC
Town Clerk