

**TOWN OF WENDELL  
BOARD OF COMMISSIONER MEETING MINUTES  
February 13, 2017**

The Wendell Town Board of Commissioners held their regularly scheduled meeting on Monday, February 13, 2017, 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, Town Attorney James P Cauley, Finance Director Butch Kay, Planning Director David Bergmark, Parks & Recreation Director Jeff Polaski, 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:**

Montana Tellez, student at Lake Myra Elementary, led the Pledge of Allegiance.

**INVOCATION:**

Errol Briggerman of Wendell Baptist Church provided the invocation.

**1. ADJUSTMENT AND APPROVAL OF THE AGENDA:**

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| <p><b>ACTION</b></p> |
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| <p>Mover: Mayor Pro Tem Lutz moved to approve the agenda as presented.</p> |
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| <p>Vote: Unanimous.</p> |
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**2. PUBLIC COMMENT PERIOD (*one hour time limit in total*):**

No public comments were received by the Town Board.

**3. CONSENT AGENDA**

The Board of Commissioners uses a Consent Agenda to act on non-controversial and routine items quickly. 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 items:

- a. Approval of the Minutes from the January 23, 2017, regular meeting.
- b. Approval of Ordinance O-06-2017 enacting and adopting the 2017 S-3 supplement to the Code of Ordinances for the Town of Wendell.
- c. Approval of resolution stating the intent of the Town to annex property owned by the Town which is contiguous to the existing municipal boundaries; Parkview Property along Wendell Falls Parkway, 36 acres.

**ACTION**

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

Vote: Unanimous.

4. Recognition of Lake Myra Elementary School teacher: Tawanna Fonville

SPEAKER: Mayor Gray

ACTION: Recognition

*[Staff Report]*

**Item Summary**

*Tawanna Fonville is a third grade teacher at Lake Myra Elementary. Ms. Fonville is Lake Myra's Teacher of the Year. She has worked at Lake Myra for the last three years. Prior to that she worked at Walnut Creek Elementary for three years and for Durham Public Schools for four years. She holds a Master's Degree in Curriculum and Instruction and is an active member of the Teacher Leader Corps. She is a Mentor teacher and a true instructional leader at Lake Myra Elementary.*

Mayor Gray introduced and recognized Lake Myra Elementary School teacher Tawanna Fonville; staff report included above in italics.

5. **PRESENTATION BY WASTE INDUSTRIES**

**SPEAKER: Town Manager Piner**

**ACTION: Presentation**

*[Staff Report]*

**Item Summary**

*General Manager Travis Hitchcock will provide a brief presentation on Waste Industries.*

Town Manager Piner introduced and recognized General Manager Travis Hitchcock of Waste Industries; staff report included above in italics.

General Manager Travis Hitchcock provided the following PowerPoint presentation:



**Town of Wendell**

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Presented by:  
Travis Hitchcock  
General Manager - Waste Industries  
[Travis.Hitchcock@wasteindustries.com](mailto:Travis.Hitchcock@wasteindustries.com)



## Waste Industries

- Since our founding in 1970, Waste Industries has strived to achieve one all-encompassing goal: To provide a waste collection service that is so streamlined and stress-free that it falls almost entirely out of our customers' minds.
- Mission Statement - "To grow and prosper through the efficient and responsible utilization of our resources while providing our customers with cost-effective, responsive, and environmentally sound solutions to their solid waste management needs."
- We believe in being the best, not just for our customers today, but for each and every potential customer in the generations that follow. We are driven to protect, preserve, and inspire change that benefits the lives of the communities we impact and the environment that surrounds them.
- At Waste Industries, we believe in a sustainable future for waste. We believe in the promise of a greener world tomorrow, built upon the actions of today. We believe in more.

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Technology

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## Our Partners of Wake County



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## Communication

The EZ Waste Portal is an online, real-time web based request tracking tool that Waste Industries developed for county and town governmental customers. It was designed to aid in tracking requests, reporting problems, adding new services, changing services, removing services, and viewing the status of any open item. The portal automates work flow, allowing for effective communication between us and our customers. We feel strongly that this is a benefit that our competitors cannot offer.

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Town of Wendell

## Municipal Portal

Request ID: 10107  
Request Title: Can Station Request  
Current Status: In Progress

|                       |                       |
|-----------------------|-----------------------|
| Screen Number: 10107  | City: WENDELL         |
| Screen Profile: 10107 | Status: 10107         |
| Screen Name: 10107    | Site: 10107           |
| Screen Type: 10107    | Contact Name: 10107   |
| Screen Suffix: 10107  | Contact Phone: 10107  |
| Screen ID: 10107      | Contact Email: 10107  |
| Customer ID: 10107    | Site ID: 10107        |
| Status: 10107         | Effective Date: 10107 |
| Location: 10107       |                       |
| Container Type: 10107 | Container: 10107      |
| Quantity: 10107       | Quantity: 10107       |

A note is required when a request is escalated. It is required for all requests to be made by a user. It is required for all requests to be made by a user. It is required for all requests to be made by a user.

Cancel    View Request

| Request ID | Request Title       | Current Status | Request Date         | Requester | Requester Email           | Requester Phone | Requester Address |
|------------|---------------------|----------------|----------------------|-----------|---------------------------|-----------------|-------------------|
| 10107      | Can Station Request | In Progress    | 2/13/2017 1:00:00 PM | Wendell   | wendell@townofwendell.com |                 |                   |

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Town of Zebulon

## Clean Emissions

- Waste Industries runs the largest Compressed Natural Gas waste and recycling fleet in the area
- Town of Wendell is collected by CNG Trucks = Cleaner Air for your citizens
- Reduction in hydrocarbon, carbon monoxide, oxides of nitrogen, and greenhouse gas emissions

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## Landfill Gas to Energy Sampson County, NC



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## Overview - Gas to Energy Facility

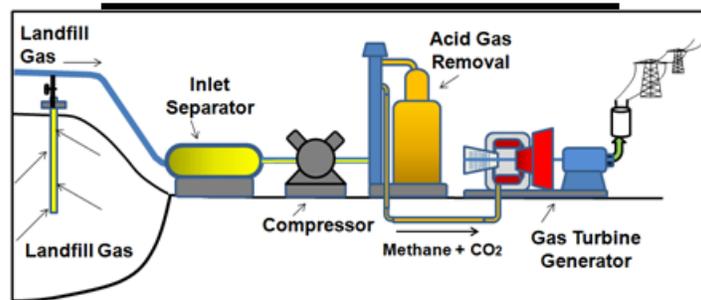
In total, the process for permitting and designing the system took more than two years of focused planning and engineering and represents more than a \$13.5 million investment on behalf of WI. The facility will initially use four CAT® G3520C LFG engines, supplied by GPEC, to convert the methane gas that is produced by the 3,500 tons of waste collected from twenty-four counties across eastern N.C. per day into more than 6,400 Kilowatts of power. Combined, the generators will produce 153,600 Kilowatt-hours of energy per day, with a project life expectancy of 70-plus years. As gas emissions from the landfill increase, WI plans to grow the facility as necessary.

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## Landfill Gas to Energy Process



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## Safety Program

- Caring for the communities we service
- Training Program (WISDOM)
- Drivecam Coaching Tool



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Thank you for your time this evening.

Any Questions?

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Mr. Hitchcock extended an invitation to tour the Waste Industries facility.

Town Manager Piner stated Board members may have received concerns about the recycling schedule. Working on options to assist citizens with when recycling is picked up in the Town.

**6. PRESENTATION OF REQUEST FOR FEE WAIVER FOR USE OF THE WENDELL COMMUNITY CENTER.**

**SPEAKER: Parks and Recreation Director Jeff Polaski**

**ACTION: Board may take action.**

*[Staff Report]*

**Item Summary:**

*The Appearance Commission's mission is to initiate, promote and assist in the implementation of programs of general community beautification within the town's planning jurisdiction. In addition, it helps oversee implementation of the Downtown Façade Grant Program, help with implementation of Wayfinding Signage Program and conduct its own short and long range projects to help beautify the town.*

*On March 4, 2017 local businesses will host a Party with a Purpose, Masquerade Gala fundraiser at the*

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*Wendell Community Center. Set-up for the event would begin at 1 p.m. The Masquerade Gala is from 7 p.m. to 11 p.m. Ticket sales are open to the public for this fundraising event supporting the Appearance Commission.*

*The Appearance Commission requests a fee waiver to use the Wendell Community Center to host Party with a Purpose.*

**Recommendation:**

*The Parks & Recreation Commission recommendation is to waive the rental fee but not the cleaning fee.*

Parks and Recreation Director Polaski provided an overview of the request for fee waiver for use of the Wendell Community Center; staff report included above in italics.

Ms. Sandy Foutch of the Appearance Commission stated last year was the inaugural Party with a Purpose. The Community Center will enable a larger venue and more people to attend.

Mayor Pro Tem Lutz questioned what the monies of the fund raiser would be used for this year. Ms. Foutch stated more murals and planters. One of the projects is the bumpers around the trees in downtown.

**ACTION**

Mover: Mayor Pro Tem Lutz moved to approve the fee waiver for the Community Center.

Vote: Unanimous.

**7. DISCUSSION ON PROPOSED TEXT AMENDMENTS TO CHAPTER 12 OF THE UDO AS IT RELATES TO TEMPORARY SIGNS.**

**SPEAKER: Planning Director David Bergmark**

**ACTION: Discussion.**

*[Staff Report]*

**Item Summary:**

*In January of 2015, the Town Board approved amendments to Chapter 12 of the UDO related to temporary signage. Significant features of the approved text amendment (see Attachment A) were that small ground signs erected by a non-profit operating within the Town's jurisdiction or a business located within the Town's jurisdiction could post up to 12 signs (no more than 2 per property) with no time limit. The text of the ordinance was based on language provided at the board meeting. Prior to these new rules and following a period of no enforcement at the Town Board's direction, only 6 small ground signs could be erected at once and the permit was valid for 10 calendar days.*

*The intent of the 2015 amendment was to provide more flexibility to businesses wishing to erect temporary signs and to provide staff time to gauge the impact of the amendments passed. However, the current regulation which provides no expiration date for these temporary signs has created enforcement issues for staff and has caused complaints from citizens. Some citizen complaints have been related to signs being erected on their property without their permission. Other complaints were regarding temporary signs creating an overall unkempt and messy appearance along the town's entrance roadways. Even if properly placed and permitted, the omission of a duration period for smaller temporary sign permits increases the total number of temporary signs erected around town at any given time.*

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*As a result, it is staff's recommendation that an expiration date for temporary signs be re-established. Towards this purpose, staff suggests that small temporary sign permits be valid for 14 days. The proposed amendments also include modifications to other sections of Chapter 12 in order to make the Town's regulations more in line with the 'Reed vs. Town of Gilbert' court case. This case found sign regulations should be as content-neutral as possible.*

*One question for the Board's consideration is whether or not any special standard should be created for 'feather signs/feather banners'. Under both the current and proposed regulations, their height would only permit one feather sign to be erected at a time on a property for a 10-14 day period using the 'all other temporary signs' provision. Some jurisdictions, such as Wake Forest, do not permit feather signs/banner at all. Other jurisdictions, such as Raleigh will permit them for a 30 day period. Garner does not directly address them, but their general temporary signs regulations would allow a single feather sign/banner to be erected for 30 days with a permit. In staff's opinion, including language which would allow for more than 1 feather sign to be erected at a time would be warranted.*



***Summary of Proposed Changes Presented to the Planning Board for Consideration (for red-lined changes to Chapter 12, see Attachment B)***

- *Make temporary 'ground signs- small' valid for 14 days, with 6 signs permitted per business (rather than 12).*
- *Remove content related language from the 'Banners' section and reword so that it is clearer that banners placed on buildings are valid for 30 days, while banners mounted on poles in the ground are valid for 14 days (like other temporary signs).*
- *Amend 'sandwich board signs' so that the sign does not have to be located within 8 feet of the business's door. Instead, the sign simply has to be placed on or directly behind the sidewalk in front of the business, with at least 4 feet of clearance if placed on a sidewalk.*
- *Remove the 'Mobile Sign' category from temporary signs. This provision is rarely used, and can be lumped into the 'All other temporary signs' category.*
- *Remove language related to 'special event signs of recognized non-profit or charitable organizations' from the 'Realtor and Non-Realtor Open House Signs, and Yard Sales Sign' section of 'Signs Not Requiring a Permit'. Special event signs should be addressed by the 'temporary sign permit' section.*
- *Add language under the 'Applicability' section of Chapter 12 to reference the general statute (160A-381j) which creates a 24 month exemption from sign regulations for fence wrapping. Currently Chapter 12 does not address fence wrapping. The added language is meant to provide clarification of a recent change to the general statutes.*

**Planning Board Recommendation:**

*At their January 17, 2017 meeting, the Planning Board made two motions. In the first motion, the Planning Board voted 4-2 against proposed changes to section 12.7D (Temporary Signs Requiring a*

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*Permit). There was some discussion of modifying staff's proposal to allow more temporary sign permits or to increase the permit duration, but ultimately they recommended suspending all temporary sign regulations for a period of 1 year. Planning Board members in favor of this suspension of enforcement stated that they did not believe temporary signage was a problem in Wendell at this time. In the second motion, the Planning Board voted 6-0 in favor all other proposed changes outside of section 12.7D.*

**Motion 1: Voting in favor of suspension (against changes to Section 12.7D):** Lloyd Lancaster, Gilda Wall, Errol Briggerman, and Kathe Schaecher.

**Voting against suspension:** Harold Broadwell and Ruth Van der Grinten

**Absent:** Allen Swaim, Ashley Anderson, and Victoria Curtis

**Motion 2: Voting in favor of changes outside Section 12.7D:** Lloyd Lancaster, Ashley Anderson, Errol Briggerman, Kathe Schaecher, Allen Swaim, and Gilda Wall.

**Voting against:**

**Absent:** Allen Swaim, Ashley Anderson, and Victoria Curtis

Planning Director David Bergmark provided an overview of the proposed text amendments to Chapter 12 of the UDO as it relates to temporary signs; staff report included above in italics.

Mayor Pro Tem Lutz questioned the status of the feather signs. Planning Director Bergmark stated the Planning Board left it as one allowed.

Mayor Pro Tem Lutz questioned the issues staff has with enforcement and complaints. Planning Director Bergmark stated the temporary signs are a challenge. He would like something that is fair and enforceable.

Commissioner Joyner is trying to figure out the problem that needs solving. Planning Director Bergmark stated with temporary signs they are distracting and aesthetically looks messy.

Mayor Gray stated she understands the businesses want to use the small signs. She would like to enforce the signs in the right-of-way and where they are not supposed to be; would like the feather signs to allow at least two; would like to prohibit small signs for businesses not located within Wendell; likes the idea of the content part of the language to make it more neutral; location of the sandwich boards to not to be within 8 feet of the door; removing the mobile sign category.

Mayor Pro Tem Lutz stated he is in the same place with the recommendations.

Mayor Gray does not want to make enforcement difficult and would like to see the signs that are in the right-of-way, falling over, underneath street signs removed.

Planning Director Bergmark stated will come back with amended language for a public hearing.

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| <b>ACTION:</b> Schedule a public hearing with the proposed text amendments. |
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**8. UPDATE ON BOARD COMMITTEE(S) BY TOWN BOARD MEMBERS:**



Triangle J COG Board of Delegates [Mayor Pro Tem Lutz]

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Mayor Pro Tem Lutz stated he attended the January meeting and received presentation of last year's audit report and financial statement and open discussion on transportation issues.

 Wendell Fire Board [Commissioner Joyner]

Commissioner Joyner stated the Board met earlier this month and discussed the upcoming budget and new Wendell Falls facility.

 Technical Review Committee [TRC] [Commissioner Carroll]

Commissioner Carroll at the last TRC meeting discussed the expansion of Kioti Tractor building with two phases.

## 9. COMMISSIONERS' REPORTS.

Commissioner Joyner stated he attended the opening of the 41 North this weekend. 1903 did a Saturday evening event in conjunction with the Wine 101 and Lobster Food Truck. He added that Commissioner Carroll was named by *Pro Remodeler Magazine* in the 40 under 40 for 2017. This is an honor in a national magazine.

Commissioner Boyette stated it has been 127 days since Hurricane Matthew. To his knowledge there are two roads still closed in Wake County – Grasshopper Road and Edgemont Road – both located within eastern Wake County. The closure of Edgemont Road is making passage difficult. He has heard there will be a temporary fix so the road will be opened; however, it will be closed at a later date for the permanent fix. He would like the Board to take a stronger stance to move on this project. He stating cutting through the neighborhood is unacceptable and he want to dialogue with persons on the state level for a permanent fix, sooner rather than later.

Commissioner Myrick attended the 41 North open house. He wished everyone a Happy Valentine's Day.

Mayor Pro Tem Lutz attended the 41 North open house. He hopes everyone will support them.

Commissioner Carroll did not have a report.

## 10. MAYOR'S REPORT.

Mayor Gray provided the following updates:

-  Attended and participated in the Wendell Elementary School spelling bee.
-  Attended the North Carolina Mayor's Association developmental meeting. She is already a member of the Wake County Mayor's Association.
-  Attended the East Wake High School mid-year graduation. EWHS graduation rate is 95.7 percent, third highest in Wake County.
-  Conducted an interview/podcast last Monday about the Town of Wendell.
-  Attended the open house of 41 North.

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 Reminder – Saturday, February 25, 2017, at 4:15 p.m. is Princesses in the Park.

**11. CLOSED SESSION**

**ACTION: Closed session will be called if necessary.**

**ACTION:**

Mover: Commissioner Joyner moved to go into closed session to discuss a personnel matter NC GS 143-318.11 (A) 6 at 7:41 p.m.

Vote: Unanimous.

**ACTION:**

Mover: Commissioner Boyette moved to return to open session at 9:31p.m.

Vote: Unanimous.

**12. ADJOURN.**

**ACTION:** Town Board meeting was adjourned at 9:31 p.m.

Duly adopted this \_\_\_\_\_ day of February 2017, while in regular session.

**ATTEST:**

\_\_\_\_\_  
Virginia R. Gray, Mayor

\_\_\_\_\_  
Sherry L. Scoggins, MMC; Town Clerk