

**TOWN OF WENDELL
BOARD OF COMMISSIONER WORK SESSION MEETING MINUTES
FEBRUARY 13, 2017**

The Wendell Town Board of Commissioners held a work session meeting on Monday, February 13, 2017, in the Conference 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, and Police Chief Bill Carter.

GUESTS PRESENT: Aaron Moody of the Eastern Wake News and Paul White of Universal Chevrolet

1. MEETING CALLED TO ORDER

Mayor Gray called the meeting to order at 5:32 p.m.

2. Discussion of U-5323 Project. [25 minutes]

[Staff Report]

U5323 Proposal Summary

- **History:**
 - *In 2011 the Town received LAPP design funds from CAMPO for the U-5323 project. Ramey Kemp was hired as a consultant, and the town was provided construction plans designed to 25 percent. The Town received approximately \$140,600 and the Town paid approximately \$36,000 as its contribution to the project. The Town has been informed by CAMPO that portions of the project should be completed (by the town or private entity) prior to April 2021, or the Town will be asked to repay the State's portion of \$140,600. The Town has created an updated phasing plan to show different ways the project could be implemented over time. In 2016, the Town met with District Engineer to discuss the phasing plan, see attachment. DOT was supportive of the plan, and seemed open to lowering the speed limit from 45 to 35 within the northern tract to allow for flexibility in design. In 2016, staff met NAI Carolantic to discuss the U-5323 Project as it relates to the property on the northern side of Wendell Boulevard. Staff was informed that the owners would be willing to dedicate the full ROW (over \$1 million in value) to accommodate the U-5323 project if the Town or party paid for design and construction. This discussion led to staff investigating the potential for the entire project as a LAPP project. Commissioner Joyner indicated he would investigate whether additional funding sources could be obtained. Manager Piner contacted DOT and Board members no longer have direct funding sources.*

- **Potential U5323 LAPP Project Completion:**
 - **Preferred Timeline:** *Town acquires funding outside of LAPP to complete NEPA/Design by August 2017 (~\$300,000), and submits a LAPP request in October 2017 for ROW & Construction funds, to begin acquisition/construction in October 2018.*
 - *CAMPO indicated the Town would need to submit for ROW and Construction, even if ROW was voluntarily dedicated (unless ROW was already dedicated prior to submittal).*
 - **Project Cost:** *The total LAPP cost would be approximately \$6 million (ROW and Construction). The actual cost may be closer to \$5 million if owners and partners donated 2100 linear feet of ROW as indicated.*
 - **Town Share:** *the LAPP program is a reimbursement program. The Town would be responsible for all up-front costs, and would be reimbursed for a maximum of 80% of the LAPP project cost (Local Contribution after reimbursement : 1.2 million for LAPP, plus \$300k = ~1.5 million). The greater % of local match the Town provides, the better the project scores for LAPP.*
- **Other Considerations:**
 - Wendell Transportation Plan – *If this area is developed, the plan would call for a developer to build two travel lanes, and dedicate ROW to accommodate 4 travel lanes.*
 - Dept. of Transportation – *If this project was not completed using LAPP, DOT would still have their own transportation improvement requirements which would go beyond what a private developer likely proposes.*

Breakdown

2011 Town Receive LAPP Design Funds

Town's match paid \$36,000

If not built by 2021, Town to reimburse \$140,600 to State

Next Phase

- *2017-2018 - Town fund \$300,000 for completed design – no reimbursement*
- *October 2017 – Town request LAPP in amount of 6 million (ROW and Construction)*
- *Town pay upfront cost, Fed Funding reimburse 80 % max*
- *Property Owners to dedicate ROW (1 million of costs)*
- *Town payout after reimbursement 1.5 million*

Other Considerations

Town does not pursue LAPP, road not built, Town reimburses \$140,600

Town removes road from Transportation plan, Town reimburse \$140,600

Town Manager Teresa Piner and Planning Director David Bergmark provided an overview of the U-5323 Project; staff report included above in italics.

Commissioner Boyette questioned how the Town became involved with roads to make parcels of land more attractive for development. Town Manager Piner stated many years ago the Town

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worked with property owners in the area. Parcels to the south were under contract, prior to the downturn of the economy, and could not make the project work financially because they did not know what would be required for the road network. The Town hired Rose and Associates, marketing consultant out of Charlotte, to try to pull the property owners together to see if everyone could get on the same page. The Town wanted to assist to make it work. Six years ago there was another push. The Town sat down with the property owners desiring to see something happen and could not come together as a group. The next step for the Town was assisting with where the roads would go. The goal was to assist the developer(s) with where the road is placed. The goal of the Town was helping from an economic development measure.

Commissioner Boyette stated his understanding is the developers showed interest in the property with questions about access. The Town assisted with the bill on the back end to help out. When the economy turned, the developers left and now the Town is in a position that it is out money and now the Board must decide how much money.

Town Manager Piner clarified the Town may not have to pay the \$140,000; however, it is a possibility. She questioned if the Town wishes to take on the role to assist with the roads or has the Town gone as far as it can with NCDOT and property owners and wishes to back out.

Commissioner Myrick questioned if the property owners are OK with the line drawn. Town Manager Piner stated to her knowledge they are not. There are concerns with the amount of area and right-of-way that it will take. There was a desire for an internal road to those properties, but not as a major through way.

Planning Director Bergmark added there could be different access limitations. An internal road could have a lot of driveways.

Town Manager Piner stated there are concerns for the property owners even if this is something the Town was to take on as a project.

Commissioner Myrick questioned what those properties are zoned. Town Manager Piner stated properties to the north are in the county and zoned as highway commercial.

Mayor Pro Tem Lutz questioned if NCDOT is dictating the size of the road. Town Manager Piner stated yes.

Town Manager Piner stated no design work has been performed for the road to the north. The design was for the piece to the south. She added no engineering has been done.

Commissioner Myrick questioned the \$140,000 was for the line to the south. Town Manager Piner stated yes.

Planning Director Bergmark stated the area shown on the north side of Wendell Boulevard is the edge of the right-of-way and a curve with a width that would match up with the south. On the south side there was preliminary design plans.

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Mayor Pro Tem Lutz questioned if the property owners to the south are in favor. Planning Director Bergmark stated the owners have gone back and forth.

Town Manager Piner stated the owners understand there is a cost for putting the road in.

Commissioner Myrick questioned is the \$5 million for the two-lane or four-lane road. Town Manager Piner stated for the four-lane.

Commissioner Myrick questioned if the Town did nothing and the property was purchased, would they be responsible for the two-lane or four-lane. Planning Director Bergmark stated the plans as they are now would require construction of the two-lane with dedication for the four-lane, assuming the development does not require additional lanes based on the number of trips generated by the proposed use.

Commissioner Joyner stated he spoke with the [NC Department of] Commerce about this pre-election. At that time, Commerce had an interest. The funds are presently on hold due to the transition. He is not worried about the \$140,000. He stated the Board figuring out what to do with the road is the right thing to do. He stated he believes there are alternative sources of funding outside of LAPP [Locally Administered Projects Program] that the Town may pursue. He is apprehensive to put more money in for a potential project. He would like more time.

Town Manager Piner stated the project is the size of the Town's budget. She stated when this was started, the intent was to assist with ingress and egress from those properties.

Commissioner Joyner stated there will be a four-lane, regardless. He stated on paper, this is aesthetically displeasing. This is a hard sale. He would much rather risk \$140,000. NCDOT caused the problem when developers asked how to access the land and no answer was provided. The Town used funds to get an answer -- a curve. He hears a bad solution and the excising of money from the Town.

Commissioner Myrick does not wish to lose the \$140,000.

Commissioner Joyner says that in that the Town needs to be smart in how we proceed because the NCDOT realizes the situation and will work with the Town to figure this out.

Mayor Gray questioned the Town could take the position the Town is not committed to this option and it does not fit with the transportation plan.

Town Manager Piner stated the transportation plan could be amended.

Commissioner Joyner requested 60 days.

Commission Myrick questioned who drew the line to the north if the \$140,000 only paid for the design to the south.

Planning Director Bergmark stated Ramey Kemp created the line to display the width of the

right-of-way, but it was not engineered or any construction plans drawn.

Mayor Gray recalled there was an effort undertaken because of the intersection at Rolesville Road and Wendell Boulevard was unsafe and the lights were re-calibrated.

Town Manager Piner stated there was a safety aspect and was a part of this request. There was a meeting at the school about safety and accessibility by the property owners.

Planning Director Bergmark stated the plan provided to the Board today is not from Ramey Kemp. This is a design to show what the impact of the road could be over time.

Town Manager Piner questioned is there information needed from staff.

Commissioner Boyette stated he would like to see the NCDOT rules for the distance between major intersections, concerns for this interchange, a scaled map with distances and other places with unique solutions.

ACTION: Table this item for 60 days.

3. Discussion of joint Wake County Public Safety facility for fire, EMS and police. [25 minutes]

[Staff Report]

Wendell Falls Public Safety Facility

History: *As a part of Wake County's long range Capital plan, a public safety facility was identified as a need in eastern Wake County. With the downturn in the economy, the purchase of land and construction of a joint use facility was placed on hold. Plans were to construct a facility with Fire, EMS and a Wendell Police substation. With the 16/17 Budget County staff has been authorized to move forward plans for a future facility.*

Schedule

- *Programming and Schematic Design – 2016*
- *Purchase of land 2016/2017*
- *Design 17/18, and*
- *Construction in 18/19.*

Floor Plan

- *Four Areas – See attached design*
 - *Fire/2,778 Square Feet*
 - *Police/2,786 Square Feet*
 - *EMS/1,395 Square feet*
 - *Shared Space/11,926 Square Feet*

Cost Estimates

- *Town - fully furnished 1.2-1.5 million*

Town Manager Piner stated the Town will be asked to commit to funding in the near future for the combined facility. Wake County will purchase the land in FY 17, design in FY 17-18, and construct in FY 18-19. The estimate for the Town is \$1.2 to \$1.5 million and would be totally

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dressed out. To date, Wake County has not requested funding upfront. The facility would include meeting and conference room space.

Police Chief Carter stated they sat with the architects to discuss how the space be used. The goal was to create space that would allow for work in that area of Town. The 72 seat open space in the front works for police, fire and EMS. This space allows police to stay local for training and to bring others into Wendell for training. Other space includes: one soft-interview room, flex space for six cubicles, work out facility that is shared and secure, and storage area for vehicles.

Town Manager Piner stated Town of Clayton has a population of about 20,000. That is where Wendell will be in the next 10 to 12 years. Clayton has 42 officers. The facility at 9 S Pine would not be able to handle that number. The Wake County space is not intended as the main facility.

Commissioner Joyner questioned if the Town is paying a lot of overtime.

Mayor Gray stated she thought the vehicles were the offices.

Chief Carter stated he was looking toward the future and the anticipated growth. He estimated a six to twelve year target to maximize both facilities.

Commissioner Joyner stated he would look at the space and its current design and it would need to be reconfigured with what he is thinking. He would like to contact the current lease agent and share that the Town wishes to buy or will be gone. He does not see a time with a police department outside of downtown or no presence in downtown. He sees more EMS and fire personnel at the proposed site than Wendell has police officers on the road. He understands Wake County owns the building. He stated this could be a satellite site for a Wake County Sheriff's Office.

Commissioner Boyette stated this will come down to how many people will be in the facility at a time. He would like a better drawing of the facility.

Town Manager Piner stated if we buy what we have downtown, in the next ten to twelve years it may be outgrown. If the Board wishes a presence in a smaller space at Wendell Falls, we can do that too.

Commissioner Myrick stated it's important to have a presence at Wendell Falls. It's a little bigger than he had in mind. It's two-thirds of the square footage the police department presently has.

Mayor Pro Tem Lutz questioned how many officers the Town presently has. Chief Carter stated 17 sworn; and that includes the newly funded position.

Mayor Pro Tem Lutz questioned how many officers work at one time. Chief Carter stated one sergeant and two patrol officers and that does not include command staff or investigators.

Commissioner Joyner stated he is happy with a presence in Wendell Falls. No one has ever called him to say that they are pleased to see the police at the police station and it made them feel safe. People want to see police on the road. He does not know this as a presence, whereas a car on the road is a presence.

Town Manager Piner stated it may be that items 3 and 4 are tied together.

4. Discussion of Wendell Police Station. [25 minutes]

[Staff Report]

9 South Pine Street

The Town of Wendell leases the facility at 9 South Pine Street from Helping Hand Mission. The lease was entered into in 2012 with a 5 year term (See Attached). The Town of Wendell invested approximately \$125,000 to up fit the 4,500 square foot building and the monthly rent is \$1,700. The property has a tax value of 466,263. Staff had contacted the owner asking if they would be interested in an option to owner finance the facility. The owner was not interested in owner financing but is interested in continuing the lease for another 5 years or selling the property outright to the Town.

Term #2 of the agreement allows for the renewal of the lease for a 5 year term

Term # 19 provides the Town with Right of First Refusal

Staff is seeking direction from the board to:

- *Renew the lease for a 5 year term, or*
- *Extend an offer to purchase.*

Town Manager Piner stated staff is in conversation with the property owner. She questioned is it best for the Town to continue the lease for an additional five years or secure a loan to purchase the property. The lease is up on July 1, 2017, with the option to continue for another five years.

Mayor Gray would like to know all options before making a decision.

Commissioner Myrick would like to know the costs.

Commissioner Joyner stated there are other places the police department could relocate.

Commissioner Myrick stated if pursuing the substation at Wendell Falls, then purchase of the police department may be off the table.

Mayor Gray stated if we could buy and make payments for what the Town is leasing, and then do it. The entire department would not fit at Wendell Falls.

Mayor Pro Tem Lutz questioned if paying upfront [for Wendell Falls]. Town Manager Piner stated conversation has not progressed that far. Perhaps a lease agreement with Wendell Falls would be more advantageous for the Town. Say in the next ten years there is a new complex or campus like setting then the Town has an option. There are a lot of options.

Commissioner Myrick questioned why buy the Pine Street property if it will not meet Town

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needs in ten years.

Mayor Gray stated the Town needs a presence in downtown.

Town Manager Piner stated staff will go back and have a conversation with the property owner for the Pine Street property and bring back information for a Board decision.

Commissioner Joyner stated this deals with negotiating with other entities like acquisition of land. That can be discussed in closed session if the Board choses to do so.

5. ADJOURN.

ACTION: Adjourned at 6:28 p.m.

Duly adopted this 27 day of February 2017, while in regular session.

ATTEST:

Virginia R. Gray, Mayor

Sherry L. Scoggins, MMC; Town Clerk