



**Wendell Town Board of Commissioners  
Board Room  
15 E. Fourth Street, Wendell, NC 27591  
Town Board Meeting Agenda  
Monday, January 28, 2019 @ 7:00 PM**

## **CALL TO ORDER**

- Welcome by Mayor Virginia R. Gray
- Pledge of Allegiance by Amanda Pulley student at Wendell Middle School
- Invocation by Wendell Council of Churches

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

## **2. PUBLIC COMMENT PERIOD *[one-hour time limit in total]***

*The Public Comment Period is your opportunity to share comments with the Town Board on any topic as long as it is not an item scheduled for public hearing. During Public Comment, the Town Board receives comments and refrains from speaking.*

*Thanks to everyone in the audience for respecting the business meeting by abstaining from speaking from the audience, applauding speakers, or other actions that distract from the meeting.*

*Anyone wanting to speak during Public Comment Period should do the following:*

- *Sign up prior to the beginning of the meeting. The sign-up period will begin 20 minutes prior to the start of the meeting and will end when the meeting begins.*
- *When the Public Comment Period is announced, come to the podium and state your name and address for the record.*
- *Be concise and limit your comments to three minutes or less. Designate a spokesperson for large groups. Direct comments to the full Town Board and not to an individual Town Board member.*

## **3. CONSENT AGENDA**

*The Board of Commissioners uses a Consent Agenda to act on non-controversial items unanimously recommended for approval or have been discussed at previous meetings. The Consent Agenda is acted upon by one motion and vote of the Board. Any individual board member may pull items from the Consent Agenda for further discussion. Items pulled will be handled with the "OTHER BUSINESS" agenda topic.*

- 3a. Approval of resolution directing the clerk to investigate a non-contiguous annexation petition for .4 acres of property located at 2412 Wendell Blvd and identified by PIN Number 1784-16-1389.

#### **4. RECOGNITIONS, REPORTS, AND PRESENTATIONS**

- 4a. Recognition of Wendell Middle School teacher: Nate Wills  
Speaker: Mayor Virginia Gray
- 4b. Presentation update about the North Carolina Department of Commerce [NCDOC] assistance to the Town of Wendell for Economic Development and Downtown Assessment.  
Speaker: Planning Director David Bergmark

#### **5. PUBLIC HEARINGS**

No public hearings scheduled.

#### **6. ADMINISTRATIVE ITEMS**

- 6a. Request for Town Hall property utility encroachment between the Town of Wendell and PSNC Energy [Dominion Energy].  
Speaker: Planning Director David Bergmark
- 6b. Presentation of draft 2019 Town of Wendell Strategic Plan.  
Speaker: Town Manager Marc Collins
- 6c. Request for authorization to establish and fill town clerk position.  
Speaker: Town Manager Marc Collins
- 6d. Request for text amendment to section 2-142 clarifying the clerk reports to the town manager for day-to-day activities.

#### **7. OTHER BUSINESS** (any item pulled from the CONSENT AGENDA [item 3 on this agenda] will be discussed during this portion of the agenda)

- 7a. Update on board committee(s) by Town board members:
  -  Capital Area Metropolitan Planning Organization [CAMPO] – Mayor Gray
  -  Eastern Wake Senior Center Auxiliary – Commissioner Myrick
  -  Triangle J Council of Governments [JCOG] – Mayor Pro Tem Lutz

#### **8. COMMISSIONERS' REPORTS / COMMENTS**

#### **9. MAYOR'S REPORTS / COMMENTS**

#### **10. CLOSED SESSION**

- 10a. Closed session will be called if necessary for the following:
  - Acquisition of real property [NC GS 143-318.12(a)(5)].

#### **11. ADJOURN**

**Item Title:**

Direct the Town Clerk to certify the sufficiency of a satellite annexation petition for 0.4 acres of property located at 2412 Wendell Blvd and identified by PIN Number 1784-16-1389.

**Report to the Board of Commissioners:**

January 28, 2019

**Specific Action Requested:**

- That the Board of Commissioners directs the Town Clerk to certify the sufficiency of annexation petition (A19-01) by approving the attached resolution.

**Item Summary:**

Coconut Boat LLC has submitted an annexation request 0.4 acres of property located at 2412 Wendell Blvd and identified by PIN Number 1784-16-1389. This property is located across the street from the Knott Square shopping center and is occupied by one single family dwelling. The home had been unoccupied for some time, and the new tenant discovered severe problems with the well and septic serving this lot. As a result, the owner has petitioned for annexation in order to access the existing water and sewer utility lines running along Wendell Blvd.

A public hearing will be set by the Town Board for this item following the Town Clerk's certification of the petition's sufficiency.

**Zoning District:**

The property is located within the Residential Agricultural (RA) zoning district.



**Attachments:**

- A. Resolution Directing the Clerk to Satisfy the Sufficiency of the Petition



**TOWN OF WENDELL**

**NORTH CAROLINA**

**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE  
A PETITION RECEIVED UNDER NC G.S. 160A-58.1**

**RESOLUTION NO.: R-04-2019**

**WHEREAS**, a petition requesting annexation of an area described in said petition was received on January 6, 2019, by the Wendell Town Board of Commissioners; and

**WHEREAS**, NC G.S. 160A-58.2 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

**WHEREAS**, the Town Board of Commissioners of the Town of Wendell deems it advisable to proceed in response to this request for annexation.

**NOW THEREFORE, BE IT RESOLVED** by the Town Board of Commissioners of the Town of Wendell that:

The Town Clerk is hereby directed to investigate the sufficiency of the below described petition and to certify as soon as possible to the Town of Wendell the result of her investigation.

Duly resolved this 28th day of January 2019, while in regular session.

ATTEST:

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Virginia R. Gray  
Mayor

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Sherry L. Scoggins, MMC  
Sp. Asst. to Town Manager-Town Clerk

**A-19-01:**  
2412 Wendell Blvd; .4 acres; non-contiguous  
Parcel: 1784-16-1389

**Item Title:**

Recognition of Wendell Middle School teacher: Nate Wills.

**Specific Action Requested:**

Recognition.

**Item Summary**

Mr. Wills earned a bachelor's degree in special education and elementary education from Liberty University in Virginia. He taught for one year in Virginia before moving to North Carolina. Mr. Wills joined the teaching staff at Wendell Middle School in August 2017. He is a special education teacher at our school. Mr. Wills is an outstanding team player. He goes above and beyond to help everyone at our school. Mr. Wills checks in on other staff members to make sure that are doing okay, especially after they have been out sick. Not only has he built strong relationships with the WMS staff, he also builds meaningful relationships with our students and their parents. This is displayed each day during afternoon carpool. You can see Mr. Wills shaking the hands of parents in their cars and asking how their day was. He even says goodbye to each student and almost all by their first names. Mr. Wills models the very character traits we hope to instill in our students. He is kind, respectful, and responsible. Although some staff on his fantasy football league might think a little bit differently as he is very strategic and competitive. Mr. Wills approaches each day at Wendell Middle as an opportunity to make a difference with his students. We are very fortunate to have Mr. Wills as a teacher at Wendell Middle School.

**Attachments:**

None

**Item Title:**

Presentation update about the North Carolina Department of Commerce [NCDOC] assistance to the Town of Wendell for Economic Development and Downtown Assessment.

**Report to the Board of Commissioners:**

Monday, January 28, 2019  
Tuesday, November 13, 2018

**Specific Action Requested:**

Receive an update from staff and assign a Town Board member to serve on the Local Work Group as part of the Community Assessment.

**Item Summary:**

On November 13, 2018, the Wendell Board of Commissioners authorized the Town Manager to sign a Memorandum of Understanding with the Department of Commerce NC Main Street and Rural Planning Center to complete the Wendell, NC Economic Development and Downtown Assessment.

The objective of the proposal is to achieve the following outcomes:

- Provide community input into desired economic growth and develop stakeholders.
- Update the Economic Development Strategic Plan to reflect current strategic initiatives.
- Conduct trade area and business gap analysis to identify needed businesses with locations.
- Prepare a retail market analysis to identify retail leakage.
- Engage two areas (potentially downtown and one other area) with the findings to seek input and opportunities for implementation.

This objective will be achieved through multiple meetings targeting different audiences, the first of which will be a **one-day Community Assessment** to be held on **February 5, 2019 at the Community Center**.

The February 5<sup>th</sup> meeting will involve a select group of stakeholders (referred to as the Local Work Group) meeting with NC Commerce and Town Staff to provide their unique perspective and feedback on the Town's strengths, challenges, opportunities, and threats as it relates to Economic Development. As part of this analysis, participants will receive a summarized report of a Retail Market Analysis of the Town to show retail leakage. Through this process, Local

Work Group participants will serve as a sounding board for the citizens and business persons of the town.

The Local Work Group will meet from **8:30 a.m. - 1:00 p.m.** during the community assessment on February 5th. Additional stakeholders (outside the Local Work Group) will be scheduled for 15-minute interviews beginning at 2:00 p.m. that same day. Town staff has begun reaching out to prospective economic development stakeholders to serve both functions. Staff encourages all Town Board members to participate in the 15-minute Stakeholder Interviews if their schedule permits. Staff has a log to schedule the interviews between 2:00 and 4:15 p.m. (up to 2 interviewees may be scheduled for each 15-minute time slot).

Following the February 5<sup>th</sup> Community Assessment, an **Economic Development Vision Forum** open to the entire public will be held. This meeting has been scheduled for **February 12<sup>th</sup> from 6:00 – 8:30 PM at Town Hall**. The purpose of the Vision Forum is to gather broader feedback from the entire community to create a community-shared vision for Wendell’s economic future. Participants will be asked to provide similar responses to what was described in the Community Assessment, with some new material based on feedback received from the Local Work Group.

Finally, staff will schedule two additional meeting in February (date TBD) to drill-down into economic development issues particular to the Downtown Area, as well as the Wendell Falls Parkway corridor.

The Downtown meeting will focus on short and long-term economic development initiatives to support improvements within the Town’s business core. This could include discussions on such items as infrastructure projects, incentives, partnerships, development standards, land uses, and town policies. The Wendell Falls Parkway corridor meeting will focus on desired land uses, pedestrian connectivity, infrastructure improvements, and design considerations between Wendell Falls and downtown. The date, location, and specific format of these two meetings are still under development and may be further amended following the Community Assessment.

**Attachments:**

- A. None

**Item Title:**

Request for Town Hall property utility encroachment between the Town of Wendell and PSNC Energy [Dominion Energy].

**Report to the Board of Commissioners:**

- Monday, January 28, 2019

**Specific Action Requested:**

- The Board of Commissioners is asked to consider authorizing the Town Manager to execute the attached encroachment agreement.

**Item Summary:**

Universal Chevrolet is currently in the process of constructing an addition on the rear of their property addressed as 102 N Main Street to build a service garage for commercial vehicles. Though the parcel is addressed off Main Street, the portion of the lot where the construction is occurring is along E. Fourth Street, directly adjacent to Town Hall.

As part of this construction project, the owner (White Brothers G&W LLC) has requested the Town to allow a PSNC service line to run along the alley which separates the Town Hall lot from Universal's lot. This service line would run just behind the curb of the alley connecting to Fourth Street, but is still within the right-of-way of that public alley. As such, permission is required from the Town to locate the service line within the edge of the public alley.

Towards this end, an encroachment agreement between the Town and PSNC has been drafted to permit the service line to encroach up to 3 feet into the alley. This agreement would not establish a permanent easement for the line. Rather, it acknowledges and permits the encroachment, while allowing the Town to demand removal of the line in the future if needed.

The Town attorney drafted the agreement included as Attachment A. It includes a map as an exhibit showing the exact location of the encroachment.

**Attachments:**

- A. Encroachment Agreement

Prepared by: James P. Cauley, III  
CAULEY PRIDGEN, P.A.  
333 Fayetteville Street  
Suite 1508  
Raleigh, NC 27601

**NORTH CAROLINA  
WAKE COUNTY**

**ENCROACHMENT AGREEMENT**

THIS AGREEMENT, made and entered into this the \_\_\_\_\_ day of \_\_\_\_\_, 2019, by and between the TOWN OF WENDELL, hereinafter referred to as the “TOWN” and PUBLIC SERVICE NORTH CAROLINA ENERGY, (PSNC ENERGY), hereinafter referred to as “OWNER”;

**WITNESSETH**

THAT WHEREAS, OWNER desires to encroach on the lands of TOWN, said property commonly known as Town Hall and located at 15 E Fourth Street, PIN 1784701560, by placement of a natural gas line to serve OWNER’S customer, on the property now or formerly owned by G & W PARTNERS, LLC, being located westerly across an alleyway from the land of the TOWN, and further described as 102 N. Main Street, PIN 1784700426; and

WHEREAS, it is to the material advantage of OWNER to effect this encroachment, and the TOWN is willing to permit the encroachment within limits of the right of way as indicated on attachment “A”, subject to the conditions of this Agreement.

NOW THEREFORE, in consideration of the execution of this Agreement by the TOWN, the benefits flowing to OWNER, and the covenants and agreements herein contained with respect to the obligations of OWNER hereunder, the TOWN does hereby give and grant unto OWNER, the right and privilege to make the encroachment, within the area as shown on attachment “A”, subject to the conditions contained in this Agreement.

TO HAVE AND TO HOLD said encroachment rights under this Agreement unto OWNER, provided, however, OWNER performs and abides by the covenants and agreements herein contained.

The covenants and agreements to be performed by OWNER as a part of the consideration for this encroachment agreement are as follows:

1. All costs of construction and maintenance of the Encroaching Facilities will be at the sole cost and expense of OWNER.
2. All damages to the TOWN's property as a result of the construction or maintenance of the Encroaching Facilities, shall be borne by OWNER.
3. OWNER shall install and maintain the Encroaching Facilities in such safe and proper condition that they will not unreasonably obstruct or interfere with the proper maintenance of the TOWN's property.
4. OWNER hereby agrees that the TOWN, upon its request at any time during the course of this Agreement, shall be permitted to tap into the Encroaching Facilities, including without limitation, to tap into any gas line located within the right of way allowed herein for the purposes of serving TOWN facilities and that such tap and connection to the TOWN's facilities shall be provided to the TOWN by OWNER at OWNER's sole cost and expense.
5. OWNER hereby agrees to indemnify and save the TOWN harmless from all damages including attorneys' fees that arise by reason of any claims related to the installation, maintenance, operation and existence of the Encroaching Facilities.
6. OWNER agrees to exercise every reasonable precaution during construction and maintenance of the Encroaching Facilities to prevent damage to the TOWN'S property and the users thereof. OWNER shall comply with all applicable rules, regulations, ordinances and state and federal regulatory agencies.
7. OWNER shall not acquire any right, title or interest in or to the right of way or the portion thereof affected by this encroachment, except the right and obligation to maintain the Encroaching Facilities in accordance with the terms and conditions of this Agreement. The parties agree that the continued use of the TOWN's property by the TOWN and the public is not restricted by this Agreement.
8. This Agreement shall inure to the benefit of, and be binding upon the parties hereto, and their respective heirs, executors, successors and permitted assigns. The rights granted by this Agreement are not assignable by OWNER without the written consent of the TOWN.
9. Upon demand by TOWN upon ninety (90) days written notice to OWNER, the OWNER will cause the Encroaching Facilities to be removed and the TOWN's property to be restored to its present condition.
10. This is the entire agreement between the parties. Any changes must be made in writing and signed by both parties. Any disputes shall be governed by the laws of the State of North Carolina.

IN WITNESS WHEREOF, the parties hereto have cause this Agreement to be executed in duplicate originals as of the day and year first above written.

**TOWN OF WENDELL**

By: \_\_\_\_\_  
Its \_\_\_\_\_

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

I, \_\_\_\_\_, a Notary Public in and for said County and State, do hereby certify that \_\_\_\_\_, who is personally known by me, came personally before me this day and acknowledged that (s)he is the \_\_\_\_\_ of the TOWN OF WENDELL, a North Carolina Municipal Corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its \_\_\_\_\_, on behalf of the Town.

Witness my hand and official seal, this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
\_\_\_\_\_, Notary Public

My Commission Expires: \_\_\_\_\_  
(SEAL)

**PUBLIC SERVICE NORTH CAROLINA ENERGY**

By: \_\_\_\_\_  
Its \_\_\_\_\_

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

I, \_\_\_\_\_, a Notary Public for said County and State, do hereby certify that \_\_\_\_\_ (name), \_\_\_\_\_ (title), of PUBLIC SERVICE NORTH CAROLINA ENERGY, a North Carolina \_\_\_\_\_, who is either [ ] personally known by me or [ ] provided satisfactory evidence of his/her identity in the form of \_\_\_\_\_, personally appeared before me this day and acknowledged the due execution of the foregoing instrument on behalf of the company.

Witness my hand and official seal, this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
\_\_\_\_\_, Notary Public

My Commission Expires: \_\_\_\_\_  
(SEAL)



**PIN # 1784701660  
TOWN OF WENDELL  
15 E FOURTH ST**

**PIN 1784700528  
WHITE BROTHERS  
OF WENDELL LLC  
PO BOX 980**

**12' PUBLIC ALLEY**

**PIN # 1784701560  
TOWN OF WENDELL  
15 E FOURTH ST**

**N PINE STREET 66' PUBLIC R/W**

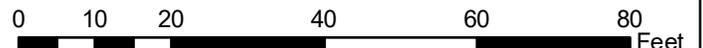
**PIN 1784700426  
WHITE BROTHERS  
G&W LLC  
PO BOX 980**

3'

57'

Hatched Area is 3'  
Encroachment of Alley  
for PSNC Utility Service

**FOURTH STREET 66' PUBLIC R/W**



**Legend**



Encroachment



Existing Building Footprint



Parcel Boundaries

This map was created on 12-27-18  
by the Wendell Planning Dept. for  
informational purposes, as is NOT a  
survey. Wendell assumes no responsibility  
for errors or misuse of this map.

**Item Title:**

Presentation of Draft 2019 Town of Wendell Strategic Plan

**Report to the Board of Commissioners:**

Monday, January 28, 2019

**Specific Action Requested:**

Receive a presentation on the Draft 2019 Town of Wendell Strategic Plan.

**Item Summary:**

Staff will present the draft 2019 Town of Wendell Strategic Plan to the Commission. The plan was drafted using a combination of Commissioner Retreat materials and minutes from 2016 through 2018, adopted Town plans, and individual discussions with Commissioners. The adoption of the Strategic Plan will be considered at the February 11, 2019 Commission meeting. Once adopted, staff will facilitate a prioritization exercise and draft an implementation schedule to include in the FY 2020 budget document for adoption.

According to the Government Finance Officers Association (GFOA) best practices, strategic plans are comprehensive and systematic management tools designed to help the organization assess the current environment, anticipate and respond to change, envision the future, increase effectiveness, enhance commitment to the Town vision, and achieve consensus on strategies and objectives for achieving that vision.

The vision statement for the Town of Wendell is as follows:

*“The Town of Wendell is clean, safe, vibrant, and full service with a diverse population. Our citizen friendly reputation is assured by the quality of our facilities and professional staff who work efficiently to provide great customer service. We have a knowledgeable Town Board who works efficiently to incorporate input from Citizen Advisory Boards and staff to be responsible stewards of our tax dollars, through leveraging, by watching return on investments and maintaining our fund balance.”*

From that vision, five broad policy goals were developed to identify the current environment and aspiration efforts for the future. The policy goals are as follows:

**GOAL 1: Downtown Vibrancy, Economic Growth, and Community Character**

Promote economic vitality through the development of a vibrant Downtown, economic growth, and unique community character.

**GOAL 2: Public Safety and Neighborhood Improvement**

Provide for a safe and secure community that nurtures livable and well-maintained neighborhoods that are family friendly.

**GOAL 3: Infrastructure, Transportation, and the Environment**

Develop and maintain infrastructure and policies to support new growth, improve the quality of life for residents, and provide for a clean and green environment.

**GOAL 4: Parks, Recreation, Special Events, and Culture**

Establish facilities, events, and programs that connect the community, promote healthy lifestyle opportunities, and culturally engage citizens and visitors.

**GOAL 5: Organization Culture and Communication**

Build a professional and inclusive Town organization that is fiscally responsible, seeks innovation practices, and values the development of staff.

The presentation will provide the specific action initiatives that are prioritized annually to assist in the allocation of resources and staff time to ensure efficiency and effectiveness. After the initiatives are adopted and prioritized, management and the departments will establish measurable goals for each of the initiatives. The progress towards goal attainment will be measured and reported monthly as part of the revised Snapshot communication for FY 2020.

Moving forward, the strategic planning process will be biennial. As such, the Commission Retreat in August or September will be used for either starting a new strategic planning process or, as will be used in 2019, a mid-year progress report to review goal attainment and refocus efforts to match the current environment.

The draft plan will be provided at the meeting in coordination with the presentation.

**Attachments:**

None

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**Item Title:**

Authorization to Establish a Town Clerk in the Town Manager's Office

**Report to the Board of Commissioners:**

Monday, January 28, 2019

**Specific Action Requested:**

Request authorization to add a Town Clerk position to the Town Manager's Office effective March 1, 2019 and designate a Commissioner to participate in the hiring process.

**Item Summary:**

Staff requests authorization to reestablish the Town Clerk position in the Town Manager's Office to separate duties currently assigned to the Special Assistant to the Town Manager. The position is currently assigned the duties as the clerk, public information officer, administrative duties, and manager projects. The Town Clerk position will be responsible for the clerk and share administrative duties. After the new clerk is trained, the Special Assistant position will be responsible for manager projects, public information, and assume the roles of deputy clerk and human resources director (see attached flow chart of responsibilities).

The Town Clerk position has a salary range of \$47,875 to \$71,798. Benefits costs are approximately \$7,920 dependent on salary. The actual cost of the position will depend on the hiring rate and length of time the position is filled in FY2019. An effective start date of March 1, 2019 will cost approximately \$21,065. Staff is requesting the position to be funded from fund balance reserves during the end of year budget amendment if sufficient revenues are not received above budget to cover the expense. The position would be budgeted and paid for with recurring revenue funds in the FY2020 Budget. Ancillary expenses for technology, office supplies, and operating expenses will be provided from existing budget lines. The position will be located in the Town Hall offices in an existing vacant office.

The hiring process proposed will use a hiring panel consisting of a Commission representative, the Town Manager, and the current appointed Clerk. If approved, the position will be posted immediately.

**Attachments:**

- A. Updated Town Clerk Job Description

## TOWN CLERK

### General Statement of Duties

Statutorily mandated position who is appointed by the Town Board of Commissioners and is responsible for legislative and administrative work in the recording and maintenance of the official actions and records of the Town.

### Distinguishing Features of the Class

An employee in this class is responsible for recording the actions taken by the Town's governing board and the maintenance and safekeeping of official public records and the Town's seal. Work involves the responsibility for keeping the minutes of the Board meetings and for the publication, indexing, filing and safekeeping of all Board proceedings in accordance with general statutes and local ordinances. Work also includes serving as administrative support to the Town Manager, Mayor, and Board of Commissioners. Considerable tact, courtesy, and firmness are required in the dealing with the public. Work is performed in accordance with North Carolina General Statutes, Town ordinances, codes, and policies, personnel laws and regulations, and standard office procedures governing the responsibilities of municipal clerks. The employee works under the general supervision of the Town Manager and Town Board. Work is reviewed through observation, review of records and files maintained as to their completeness and accuracy, responsiveness to citizens and Board members, and by conferences. Employee must take oath of office.

### Duties and Responsibilities

#### Essential Duties and Tasks

- \* Serves as official custodian of all public records including ordinances, resolutions, contracts, agreements, and minute books; maintains Town seal; performs statutory responsibilities; executes legal documents by affixing the proper signatures of Town officials and attesting to their compliance with general statutes and local ordinances.
- \* Attends Board of Commissioners meetings and necessary committee meetings of the Board; writes minutes of these meetings; processes all ordinances, resolutions, and other actions of the Board; coordinates agenda preparation, publication, and distribution with Town Manager; arranges for legal notices and press packets.
- \* Types resolutions, proclamations, ordinances and correspondence for the Mayor, Board members and Town Manager.
- \* Posts all public meetings and makes sure the appropriate time schedule is followed.
- \* Performs administrative duties for the Town Manager, Mayor, and Board members by handling correspondence, public inquiries, travel and mail for these officials.
- \* Assists customers visiting or telephoning Town offices; provides information; creates work orders for service delivery.
- \* Arranges appointments, schedules, meetings, travel, and conferences for the Town Manager or Board; coordinates arrangements for receptions, retreats, and other functions.
- \* Performs a variety of office support tasks to help the administrative offices function smoothly and keeps all related Town departments informed of actions, which have an impact on them.
- \* Advertises and accepts applications for boards and committee vacancies.
- \* Researches and prepares certificate of sufficiency for annexation petition request(s).
- \* Performs oath of office.

- \* Update and post notices on the Town's website and social media.
- \* Performs related duties as required.

### Recruitment and Selection Guidelines

#### Knowledge, Skills, and Abilities

Considerable knowledge of North Carolina General Statutes and of local ordinances governing the responsibilities of town clerks.

Considerable knowledge of the organization and functions of Town government and the council-manager form of government.

Considerable knowledge of standard and approved practices and procedures employed in the processing, safekeeping and utilization of official Town records and documents.

Considerable knowledge of standard modern office administrative practices and procedures.

Considerable knowledge of personal computers and associated office software.

Ability to exercise sound judgment in making decisions in conformance with laws, regulations, and policies.

Ability to take notes of the proceedings of official meetings and to prepare accurate minutes reflecting the actions taken.

Ability to communicate effectively in oral and written forms.

Ability to multi-task.

Ability to establish and maintain effective working relationships with elected and appointed officials, department heads, employees, and the general public.

Ability to handle confidential information appropriately.

#### Physical Requirements

Must be able to physically perform the basic life operational support functions of reaching, walking, fingering, talking, hearing, and repetitive motions.

Must be able to perform sedentary work exerting up to 10 pounds of force occasionally and/or a negligible amount of force frequently or constantly to lift, carry, push, pull, or otherwise move objects.

Must possess the visual acuity to compile and compute data and statistics, perform transcription tasks, operate a computer terminal, and do extensive reading.

#### Desirable Education and Experience

Graduation from two-year college with a major in business, political science, or related field and considerable experience in office management work preferably including some experience in the safekeeping and care of public records and/or high level executive assistant duties; or an equivalent combination of education and experience.

#### Special Requirements

Ability to obtain Notary Public certification.

Certification as a Municipal Clerk within three years of hire.

**Item Title:**

Request for text amendment to section 2-142 clarifying the clerk reports to the town manager for day-to-day activities.

**Report to the Board of Commissioners:**

Monday, January 28, 2019

**Specific Action Requested:**

Request approval of the attached text amendment.

**Item Summary:**

The text amendment clarifies that the town clerk is appointed by the elected officials and reports to the town manager for daily operations.

**Attachments:**

- A. Ordinance Amendment



TOWN OF WENDELL

NORTH CAROLINA

**O-01-2019**

An Ordinance of the Town of Wendell Amending Code Section 2-142

WHEREAS, the Town of Wendell is a Council-Manager form of government;

WHEREAS, on December 11, 2017, the Wendell Town Board of Commissioners amended Code Section 2-142 to reflect appointment of the municipal clerk by the elected officials;

WHEREAS, the daily responsibilities of the clerk will be performed at Town Hall;

WHEREAS, the Wendell Town Board of Commissioner desire that the clerk report to the town manager for day-to-day activities and that the town manager serve as the lead for the clerk’s evaluation.

NOW THEREFORE, the Board of Commissioners does hereby ordain as follows:

I. Code Section 2-142 shall read as follows:

The town clerk shall be appointed by the Board of Commissioners and shall have all powers conferred upon town clerk’s as provided by law. ***The town clerk will report to and serve at the pleasure of the town manager.***

II. All ordinances in conflict with this ordinance are hereby superseded and this ordinance shall control.

III. At if any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

IV. That this ordinance shall become effective immediately upon adoption.

DULY ADOPTED, this 28th day of January 2019.

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

**ATTEST:**

**APPROVED AS TO FORM:**

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

\_\_\_\_\_  
James P. Cauley, III; Town Attorney

**Date: January 28, 2019**

**Item # 7a**

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**Item Title:**

Update on board committee(s) by Town Board members.

**Specific Action Requested:**

None

**Attachments:**

None

Date: January 28, 2019

Item # 8

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**Item Title:**

Commissioners' Reports.

**Specific Action Requested:**

None

**Attachments:**

None

Date: January 28, 2019

Item # 9

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**Item Title:**

Mayor's Report.

**Specific Action Requested:**

None

**Attachments:**

None

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**Item Title:**

Closed Session [NC GS 143-318.11].

**Specific Action Requested:**

Will be called if necessary for one or more of the following within NC GS 143-318.11(a):

- (1) 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.
- (2) To prevent the premature disclosure of an honorary degree, scholarship, prize, or similar award.
- (3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded.
- (4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, or to discuss matters relating to military installation closure or realignment. Any action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session.
- (5) To establish, or to instruct the public 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; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.
- (6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or

grievance by or against an individual public officer or employee. General personnel policy issues may not be considered in a closed session. A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting. Final action making an appointment or discharge or removal by a public body having final authority for the appointment or discharge or removal shall be taken in an open meeting.

(7) To plan, conduct, or hear reports concerning investigations of alleged criminal misconduct.

(8) To formulate plans by a local board of education relating to emergency response to incidents of school violence or to formulate and adopt the school safety components of school improvement plans by a local board of education or a school improvement team.

(9) To discuss and take action regarding plans to protect public safety as it relates to existing or potential terrorist activity and to receive briefings by staff members, legal counsel, or law enforcement or emergency service officials concerning actions taken or to be taken to respond to such activity.

(10) To view a recording released pursuant to G.S. 132-1.4A.

**Attachments:**

None