



**Wendell Town Board of Commissioners
Board Room
15 E. Fourth Street, Wendell, NC 27591
Town Board Meeting Agenda
Monday, October 14, 2019 @ 7:00 PM**

CALL TO ORDER

- Welcome by Mayor Virginia R. Gray
- Pledge of Allegiance by Police Chief Bill Carter
- Invocation by Wendell Council of Churches: Covenant Presbyterian Church
Reverend Debbie Osterhoudt

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 not 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. Resolution R-18-2019 Authorizing the Trade or Sale of Police Department Surplus Property valued less than \$30,000.

- 3b. Ordinance O-21-2019 Enacting and Adopting the 2019 S-6 Supplement to the Code of Ordinances for the Town of Wendell.
- 3c. Amendment to policy 106: Use of the Board of Commissioners' Board Room
- 3d. Minutes from the September 9, 2019 regular Town Board Meeting
- 3e. Minutes from the September 23, 2019 regular Town Board Meeting

4. RECOGNITIONS, REPORTS, AND PRESENTATIONS

- 4a. Presentation of Women's Equality Day Certificate to Mayor Virginia Gray
Speaker: League of Women Voters Board - Cheryl Tung and Diana Wynn
- 4b. Recognition of National Community Planning Month
Speaker: Mayor Virginia Gray


5. PUBLIC HEARINGS

There are no public hearings scheduled.

6. ADMINISTRATIVE ITEMS

- 6a. Authorization to Execute Contract for Design Services for the Wendell Boulevard Pedestrian Project with Kimley Horn in the Amount of \$268,790.53
Speaker: Planning Director David Bergmark
- 6b. Authorization to Execute Contracts for On-Call Engineering Services with two Firms: (1) AMT and (2) Withers and Ravenel.
Speaker: Planning Director David Bergmark
- 6c. Request for the Addition of a Human Resources Administrator Position to the Fiscal Year 2020 Budget effective December 1, 2019
Speaker: Town Manager Marc Collins

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:
 Wendell Volunteer Fire Dept., Board of Directors [Commissioner Joyner]

8. COMMISSIONERS' REPORTS / COMMENTS

9. MAYOR'S REPORTS / COMMENTS

10. CLOSED SESSION

Closed session will be called if necessary.

11. ADJOURN

Item Title:

Resolution R-18-2019 Authorizing the Trade or Sale of Police Department Surplus Property valued less than \$30,000.

Report to the Board of Commissioners:

Item for Decision on October 14, 2019

Specific Action Requested:

Approve resolution to declare property as surplus and methods of disposal.

Item Summary:

Staff identified the following personal property owned by the Town of Wendell as no longer necessary for the conduct of public business. The items have a total fair market value less than \$30,000. All items are recommended to be declared as surplus.

- (13) Shotguns
- (3) Rifles
- (3) Training Pistols
- (18) Pistols
- (247) Boxes of Shotgun Shells
- (191) Boxes of Handgun Ammunition

North Carolina General Statute 160A-129.7 allows for the Wendell Town Board of Commissioners to authorize Town Staff to include in specifications for the purchase of equipment an opportunity for bidders to purchase as "trade-in" specified personal property owned by the Town. The above listed weapons and training pistols would be traded with an authorized, licensed dealer with the proceeds from the trade being used towards the cost of law enforcement weapons replacement and system enhancements.

Additionally, Staff has determined that the following personal property is no longer necessary for the conduct of public business and that the group of items has a fair market value less than \$30,000. All items are recommended to be declared as surplus.

- (247) Boxes of Shotgun Shells
- (191) Boxes of Handgun Ammunition

North Carolina General Statute 160A-274 allows for the Wendell Town Board of Commissioners to sell to any other governmental unit any interest in real or personal property. The above listed ammunition would be sold to qualified governmental unit(s). The proceeds from this sale would

also be used towards the cost of law enforcement weapons replacement and system enhancements.

Disposal of property under these two mechanisms does not require a public notice per guidance from the North Carolina School of Governments interpretation of applicable statutes.

Attachments:

- A. R-18-2019 Resolution authorizing trade/sale of surplus personal property



TOWN OF WENDELL

NORTH CAROLINA

**RESOLUTION AUTHORIZING
TRADE AND SALE OF SURPLUS PERSONAL PROPERTY
R-18-2019**

WHEREAS, North Carolina General Statute 160A-129.7 allows for the Wendell Town Board of Commissioners to authorize Town Staff to include in specifications for the purchase of apparatus, supplies, materials, or equipment an opportunity for bidders to purchase as "trade-in" specified personal property owned by the Town.

WHEREAS, the below listing of personal property owned by the Town of Wendell is no longer necessary for the conduct of public business, the item or group of items has a fair market value less than \$30,000 and are hereby declared as surplus and to be traded to the vendor selected to replace outdated long weapons and provide enhancements to long weapons remaining in the Town's inventory:

- (13) Shotguns
- (3) Rifles
- (3) Training Pistols
- (18) Handguns

NOW THEREFORE BE IT RESOLVED, by the Wendell Town Board of Commissioners that the Town Manager or designee is authorized to trade the surplus property described above as part of the procurement process for law enforcement weapons replacement and system enhancements.

FURTHER, WHEREAS, North Carolina General Statute 160A-274 allows for the Wendell Town Board of Commissioners to sell to any other governmental unit any interest in real or personal property.

WHEREAS, the below listing of personal property owned by the Town of Wendell is no longer necessary for the conduct of public business, the item or group of items has a fair market value less than \$30,000 and are hereby declared as surplus and to be sold to another governmental entity:

- (247) Boxes of Shotgun Shells
- (191) Boxes of Handgun Ammunition

NOW THEREFORE BE IT RESOLVED, by the Wendell Town Board of Commissioners that the Town Manager or designee is authorized to sell the ammunition described above to another governmental entity with the proceeds being used to fund portions of the procurement process for law enforcement weapons replacement and system enhancements.

Duly resolved this 14 day of October 2019, while in regular session.

Virginia R. Gray, Mayor

ATTEST:

Megan Howard, Town Clerk

Date: **October 14, 2019**

Item # 3b

Item Title:

Ordinance O-21-2019 Enacting and Adopting the 2019 S-6 Supplement to the Code of Ordinances for the Town of Wendell.

Specific Action Requested:

Approval of Ordinance O-21-2019 to adopt the Municode update for ordinances.

Item Summary:

Throughout the year, fiscal or calendar, the Wendell Board of Commissioners amends the Town's Code of Ordinances Book. Laws are dynamic and subject to change to align with how we interact with neighbors, to reflect new business preferences, or to come into compliance for when the State Legislators updated the State statutes.

As the Town population is over 5,000, the Town's Ordinances are codified into a book [NC GS 160A-77]. The upkeep of the ordinances is a labor-intensive project, delegated to the clerk. After the final version of a text amendment is received, the Mayor, Town Attorney, and Town Clerk sign it and the Town Clerk seals the ordinance, which is then sent to Municode to be codified. The Town of Wendell contracts with Municode, a publisher located in Tallahassee, FL to maintain a digital version of the Town Code.

Certain ordinances, such as annexations and zoning district maps, are not codified through Municode. Once ready to be codified, numerous Ordinances are proofed and reviewed as a Supplement.

The 2019 S-6 Supplement to the Code of Ordinances for the Town of Wendell includes the text amendments adopted by the Town Board of Commissioners through June 24, 2019. The cost of this Supplement is \$2,128 and is appropriated in the Fiscal Year 2020 Budget. For a list of the updated Ordinances, visit

https://library.municode.com/nc/wendell/codes/code_of_ordinances?nodeId=SUHITA&showChanges=true

Attachment:

Attachment A: Ordinance O-21-2019



TOWN OF WENDELL

NORTH CAROLINA

ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT

**TO THE CODE OF ORDINANCES FOR THE TOWN OF WENDELL
Ordinance # O-21-2019**

WHEREAS, Municode of Tallahassee, Florida, has completed the 2019 S-6 Supplement to the Code of Ordinances of the Town of Wendell, which supplement contains all ordinances of a general nature enacted since the prior supplement to the Code of Ordinances of this municipality through June 24, 2019; and

WHEREAS, Municode has recommended the revision or addition of certain sections of the Code of Ordinances which are based on or make reference to sections of the North Carolina Statutes; and

WHEREAS, it is the intent of the Town Board of Commissioners to accept these updated sections in accordance with the changes of the law of the State of North Carolina;

THEREFORE, BE IT ORDAINED by the Town Board of Commissioners of the Town of Wendell, State of North Carolina:

Section 1. That the 2019 S-6 Supplement to the Code of Ordinances of the Town of Wendell as submitted by Municode of Tallahassee, Florida, and as attached hereto is hereby adopted by reference in its entirety.

Section 2. That this ordinance shall take effect and be in force from and after its date of passage.

Duly adopted this 14th day of October 2019, while in regular session.

Virginia R. Gray
Mayor

ATTEST:

APPROVED AS TO FORM:

Megan Howard
Town Clerk

James P. Cauley, III
Town Attorney

Date: October 14, 2019

Item # 3c

Item Title:

Amendment to Policy 106: Use of the Board of Commissioners' Board Room.

Report to the Board of Commissioners:

Item for Decision on October 14, 2019

Specific Action Requested:

Approval of the amended Policy 106: Use of the Board of Commissioners' Board Room

Item Summary:

The existing policy for the Town of Wendell Use of the Board of Commissioners' Board Room is being updated to reflect current staff. The changes are as follows:

Room Booking Requests by Local Community Groups:

4. Any government agency or local community group wanting to book the Board of Commissioners' room must submit a Town Board of Commissioners Room Reservation Request Form to the ~~Special Assistant to the Town Manager~~ **Town Clerk** for approval at least one month prior to the booking date.

7. The applicant must notify the ~~Special Assistant to the Manager~~ **Town Clerk** of any cancellation, as soon as known.

Attachment:

Attachment A – Amended Policy 106: Use of the Board of Commissioners' Board Room

Adopted: 10/14/2019
 Supersedes: 01/09/2017
 Policy Number: 106



TOWN OF WENDELL

USE OF THE BOARD OF COMMISSIONERS' BOARD ROOM POLICY

Purpose:

The purpose of this Policy is to establish guidelines for use of the Board of Commissioners' room. The Board of Commissioners' room is a special part of Town Hall, primarily reserved for the conduct of Town Board meetings, formal civic functions of the Board of Commissioners and Town staff meetings. However, this Policy recognizes, and when available, accommodation of special requests by governmental organizations and local community groups.

Priority of Use:

1. The Board of Commissioners' room shall be made available based on the following priority scale:
 - First Priority:** Town Council and official Town Council events
 - Second Priority:** Meetings of the Town Boards, Committees, and Commissions
 - Third Priority:** Meetings called by Town Departments
 - Fourth Priority:** Public meetings by other governmental organizations
 - Fifth Priority:** Local community groups
2. The Town of Wendell reserves the right to cancel any booked meeting, up to six hours prior to the scheduled booking time, if there is an urgent need by the Board of Commissioners such as a special-called or emergency meeting [NC GS 160A-71(b)(2) and NC GS 143-318.12]. Further, the Town of Wendell reserves the right to cancel any booked meeting prior to the scheduled booking time in the event of inclement weather necessitating the closure of Town facilities.
3. The Town assumes no liability for displacing such groups or forcing cancellation and will not provide alternative accommodations at other Town facilities.

Room Booking Requests by Local Community Groups:

4. Any government agency or local community group wanting to book the Board of Commissioners' room must submit a Town Board of Commissioners Room Reservation Request Form to the ~~Special Assistant to the Town Manager~~ **Town Clerk** for approval at least one month prior to the booking date.
5. Meetings must be held between 8:00 a.m. and 5:00 p.m. (regular Town Hall office hours), unless a Town employee is in attendance. That municipal designate is responsible for opening and closing (locking) of the Board of Commissioners' room and the Town Hall outside of regular office hours. See #14 for cost of staff and/or use of equipment after 5:00 pm.

6. Equipment in the Board Room is to be operated by Town of Wendell staff unless authorized by the IT Administrator. See #14 for cost of staff and/or equipment after 5:00 pm.
7. The applicant must notify the ~~Special Assistant to the Manager~~ **Town Clerk** of any cancellation, as soon as known.
8. Permission to use the Board of Commissioners' room does not constitute an endorsement by the Town of the group's policies, statement or positions, or what is discussed while in the Board of Commissioners' room.

Room Condition:

9. Set-up of the Board of Commissioners' room is the responsibility of the requestor. At the conclusion of the meeting, the requestor is to put the room back to the configuration prior to set-up. No electronic equipment may be altered or moved.
10. Board of Commissioners' room and washroom facilities must be returned to the original condition following use. The users will be responsible for any/all damages to the facilities.
11. Use of the Board of Commissioners' room is at no charge. However, groups that damage or fail to properly restore the Board of Commissioners' room and washroom facilities shall be charged for the actual cost of the repair of the damage and/or for the janitorial service required to restore the Board of Commissioners' room and washroom facilities to original condition.

Room Capacity:

12. Under the North Carolina State Building and Fire Codes, the Board of Commissioners' room may accommodate:
 - a. 131 persons when using row chairs; or
 - b. 67 persons when using tables and chairs.

Previous Policies:

13. Any previous policies relating to the use of the Board of Commissioners' room are hereby repealed.

Fees:

14. Staff and/or equipment after 5 p.m. - \$35.00 per hour to be paid prior to day of event.

**TOWN OF WENDELL
BOARD OF COMMISSIONER MEETING MINUTES
SEPTEMBER 9, 2019**

The Wendell Town Board of Commissioners held their regularly scheduled meeting on Monday, September 9, 2019, in the Town Board Room, Wendell Town Hall, 15 East Fourth Street.

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

ABSENT: Commissioners: David Myrick and Ben Carroll

STAFF PRESENT: Town Manager Marc Collins, Town Clerk Megan Howard, Town Attorney Jim Cauley, Finance Director Butch Kay, Planning Director David Bergmark, Public Works Director Brian Bray, Police Chief Bill Carter, Assistant Planning Director Bryan Coates, and Assistant to the Manager Stephanie Smith.

CALL TO ORDER

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

Police Chief Bill Carter led the Pledge of Allegiance.

Reverend James Lee of the Wendell Council of Churches provided the invocation.

1. ADJUSTMENT AND APPROVAL OF THE AGENDA

ACTION

Mover: Mayor Pro Tem Lutz moved to adjust the Agenda by removing Item 4a and approve the amended agenda.

Vote: 3-0

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

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.

**TOWN OF WENDELL
BOARD OF COMMISSIONER MEETING MINUTES
SEPTEMBER 9, 2019**

ACTION

Mover: Mayor Pro Tem Lutz moved to approve the Consent Agenda as presented.

Vote: 3-0

3a. Wake County Tax Report

3b. Approval of the minutes from the August 12, 2019 regular Town Board meeting

4. RECOGNITIONS, REPORTS, AND PRESENTATIONS

~~4a. Introduction of new Town Employee: Field Maintenance Technician Connor Earp~~

~~Speaker: Parks and Recreation Director Jeff Polaski~~

Item 4a was removed, because new Town Employee Connor Earp was unable to attend the meeting.

5. PUBLIC HEARINGS

Public Hearing Guidelines:

- *Case is announced*
 - *Staff presentation*
 - *Public hearing is opened*
 - *Applicant presentation*
 - *Citizens will follow the same rules as Public Comment Period and will have five minutes to speak*
 - *Close public hearing*
 - *Board members ask questions*
 - *Board may take action*
-

5a. PUBLIC HEARING: Zoning Text Amendment to Sections 2.3 and 19.3 of the UDO to create a new Commissary Kitchen use.

Speaker: Planning Director David Bergmark

Planning Director David Bergmark presented the following staff report, below in italics:

[Staff Report]

Item Summary:

At this time, the term “commissary kitchen” does not exist as a use in the UDO. Since the applicant desires to open a commissary kitchen at 450 Old Wilson Rd, the use needs to be added to the UDO’s use table in order to be permitted.

Per the proposed definition, a ‘commissary kitchen’ is a licensed commercial kitchen where food trucks and other food services may prepare and store food. This type of use can serve as home base for food trucks or caterers to produce and pick up food. It can also be used by entrepreneurs looking to start a business or running a side business, who do not have the capital or time to run a retail establishment or restaurant (such as someone that sells cakes/cupcakes). This type of establishment allows these types of

**TOWN OF WENDELL
BOARD OF COMMISSIONER MEETING MINUTES
SEPTEMBER 9, 2019**

users to operate their business model within a permitted commercial kitchen setting in adherence with health code requirements.

It is important to note that these establishments are NOT restaurants or retail establishments serving the public directly from the commissary kitchen location.

Proposed Amendments (by Applicant):

1. To amend Section 2.3 (Use Categories and Tables of Permitted Uses) to modify the Use Matrix titled Manufacturing/Wholesale/Storage to include Commissary Kitchen which will be permitted in the CH, CMX, and M&I districts. (New text is underlined)

2.3 - Use Categories and Tables of Permitted Uses

C. Use Matrices.

BASE DISTRICT	OS C	PU D	R A	R R	R 2	R 3	R 4	R 7	N C	CM X	CC	DM X	M H	C H	M &I	TN D
Manufacturing/Wholesale/Storage																
Agriculture	P	P*	P	P	-	-	-	-	-	-	-	-	-	-	P	-
<u>Commissary Kitchen</u>	-	-	-	-	-	-	-	-	-	<u>P</u>	-	-	-	<u>P</u>	<u>P</u>	-
Laundry, dry cleaning plant	-	P*	-	-	-	-	-	-	-	-	-	-	-	P	P	-
Manufacturing , Light	-	P*	-	-	-	-	-	-	-	PS	-	SUP	-	PS	P	-
Manufacturing , Neighborhood	-	P*	-	-	-	-	-	-	PS	PS	PS	SUP	-	PS	P	PS
Manufacturing , Heavy	-	P*	-	-	-	-	-	-	-	-	-	-	-	-	P	-
Media production	-	P*	-	-	-	-	-	-	-	P	P	P	-	P	P	-
Metal products fabrication, machine or welding shop	-	P*	-	-	-	-	-	-	-	P	-	SUP	-	P	P	-
Micro- Distillery/Micro- Brewery/Micro- Winery	-	P*	-	-	-	-	-	-	PS	PS	PS	PS	-	PS	PS	PS
Mini- Warehouses	-	P*	-	-	-	-	-	-	-	PS	-	-	-	PS	PS	-

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Research and Development	-	P*	-	-	-	-	-	-	-	SU P	SU P	SU P	-	P S	P	P
Storage— Outdoor as a primary use	-	P*	P	-	-	-	-	-	-	-	-	-	-	P	P	-
Storage— Warehouse, indoor storage	-	P*	-	-	-	-	-	-	-	PS	-	PS	-	-	P	-
Wholesale Distribution	-	P*	-	-	-	-	-	-	-	-	-	-	-	P	P	-

2. To amend Section 19.3 (Definitions) to include the definition for Commissary Kitchen. (New text is underlined)

19.3 - Definitions

Commissary Kitchen means a licensed commercial kitchen where food trucks and other food services may prepare and store food.

Staff Proposed Amendment

Staff recommends excluding the Corridor Mixed Use (CMX) zoning district from the list of permitted zoning districts for the Commissary Kitchen use. Since the CMX district is intended to be a mixed-use, pedestrian oriented zone, the frequent deliveries generated by this use and the fact that it does not provide a direct service to the public (i.e. It's more manufacturing than retail), makes it a better fit for the Highway Commercial (CH) and Manufacturing and Industrial (M&I) zoning districts. The attached ordinance reflects staff's recommendation.

If there was a strong desire to include this use within the CMX zoning district, staff would recommend that it be Permitted with additional Standards (PS) in the CMX district, with the following standard to apply:

Food truck and carts shall be parked to the side or rear of the building and shall not be visible from a public right-of-way.

The applicant is aware of staff's recommendation and has also submitted a map amendment request to rezone his property to Highway Commercial (CH). Staff supports the rezoning request.

Planning Board Recommendation:

At their August 19, 2019 meeting, the Planning Board voted unanimously to amend sections 2.3 and 19.3 of the UDO to create a new Commissary Kitchen use, according to Staff's recommendation (which excludes this use from the CMX zoning district).

Voting in Favor: Victoria Curtis, Joe DeLoach, Ryan Zakany, Jimmena Huffman-Hall, Michael Firstbrook, Allen Swaim, Jonathan Olson, Levin Jones and Brett Hennington

Voting against: None

Absent: None

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Statement of Plan Consistency and Reasonableness

Any recommended change to the zoning text should be accompanied by a statement explaining how the change is consistent with the comprehensive plan and is reasonable in nature.

At their August meeting, the Planning Board found the requested zoning text amendment is consistent with Principle # 4 of the Wendell comprehensive plan and is reasonable to diversify and increase the per capita tax base by providing more opportunities for business.

Principle # 4: Diversify and increase the per capita tax base. Provide for a diverse workforce with a broad range of skills, making Wendell a more self-sustaining community.

Staff Recommendation:

The Planning Board unanimously recommended staff's proposal, which permitted this use in the CH and M&I zoning districts (excluding the CMX district).

Staff recommends approval of the text amendment request with language recommended by staff and the Planning Board (ordinance attached).

Mr. Bergmark opened the floor to questions. No questions were asked from the Board.

Mayor Gray opened the public hearing at 7:07 p.m.

Carnessa Ottelin, 450 Old Wilson Road representing the applicant, thanked the Town Board for their time and said she was happy to answer any questions that the Board might have.

No questions were asked by the Board.

Mayor Gray asked if there were any citizens present that would like to speak for or against this project.

No citizens spoke for or against the project.

Mayor Gray closed the public hearing at 7:07 p.m.

ACTION

Mover: Mayor Pro Tem Lutz moved to approve the zoning text amendment to sections 2.3 and 19.3 of the UDO to create a new Commissary Kitchen use in the CH and M&I zoning districts.

Vote: 3-0

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- 5b. PUBLIC HEARING:** Zoning Map Amendment request to rezone 3 acres (PIN #1784-90-8357) located at 450 Old Wilson Rd from Corridor Mixed-Use (CMX) to Highway Commercial (CH).
Speaker: Planning Director David Bergmark

Planning Director David Bergmark presented the following staff report, below in italics:

[Staff Report]

Item Summary:

The property is located within the city limits of the Town of Wendell and is zoned CMX (Corridor Mixed-Use). There is currently a large warehouse on the site where the owner wishes to start a Commissary Kitchen.

The Corridor Mixed Use (CMX) zoning district is intended to be pedestrian oriented. Given the existing building layout, as well as the intended use of this site, staff felt that the Highway Commercial (CH) zoning district would be an appropriate zoning category. Furthermore, the proposed CH zoning district would serve as a transition between the CMX zoning district and the adjacent Manufacturing and Industrial (M&I) zoning district.

Justification:

The applicant lists the following reasons for rezoning the property from CMX to CH:

“In working with the Planning Department at the city of Wendell we feel the commissary kitchen would work under the existing CMX but might be a better fit if it was CH zoned.”

Project Profile:

PROPERTY LOCATION:	450 Old Wilson Road
WAKE COUNTY PIN:	1784 90 8357
ZONING DISTRICT:	Proposed CH/ Current CMX
CROSS REFERENCES:	N/A
PROPERTY OWNER:	Cool Hand Holdings LLC 2221 Watkins Street Raleigh, NC 27604
APPLICANT:	Mark Vasbinder 6634 Winding Trl Raleigh, NC 27612
PROPERTY SIZE:	3 acres
CURRENT LAND USE:	Industrial
PROPOSED LAND USE:	Commercial

Project Setting – Surrounding Districts and Land uses:

<u>DIRECTION</u>	<u>LANDUSE</u>	<u>ZONING</u>
North	Commercial/Institutional	CMX
South	Residential	R3
East	Industrial	M&I
West	Commercial/Residential	CMX/NC-CU

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Zoning District:

This property is located within the town's city limits and is zoned CMX. The surrounding properties are currently zoned CMX, M&I, R3 and NC. While the section of Old Wilson Rd to the west of this site is predominantly zoned CMX, the uses present are not pedestrian oriented. Further to the east along Old Wilson Road, the current land use is fully industrial. Even if the commercial sites closer to Wendell Blvd were to become more pedestrian oriented in the future with connections to adjacent neighborhoods, the proximity to the M&I district will obstruct this area from fully becoming a pedestrian-scaled corridor.

Current Zoning Map (Requested Property outlined in red):



Comprehensive Plan:

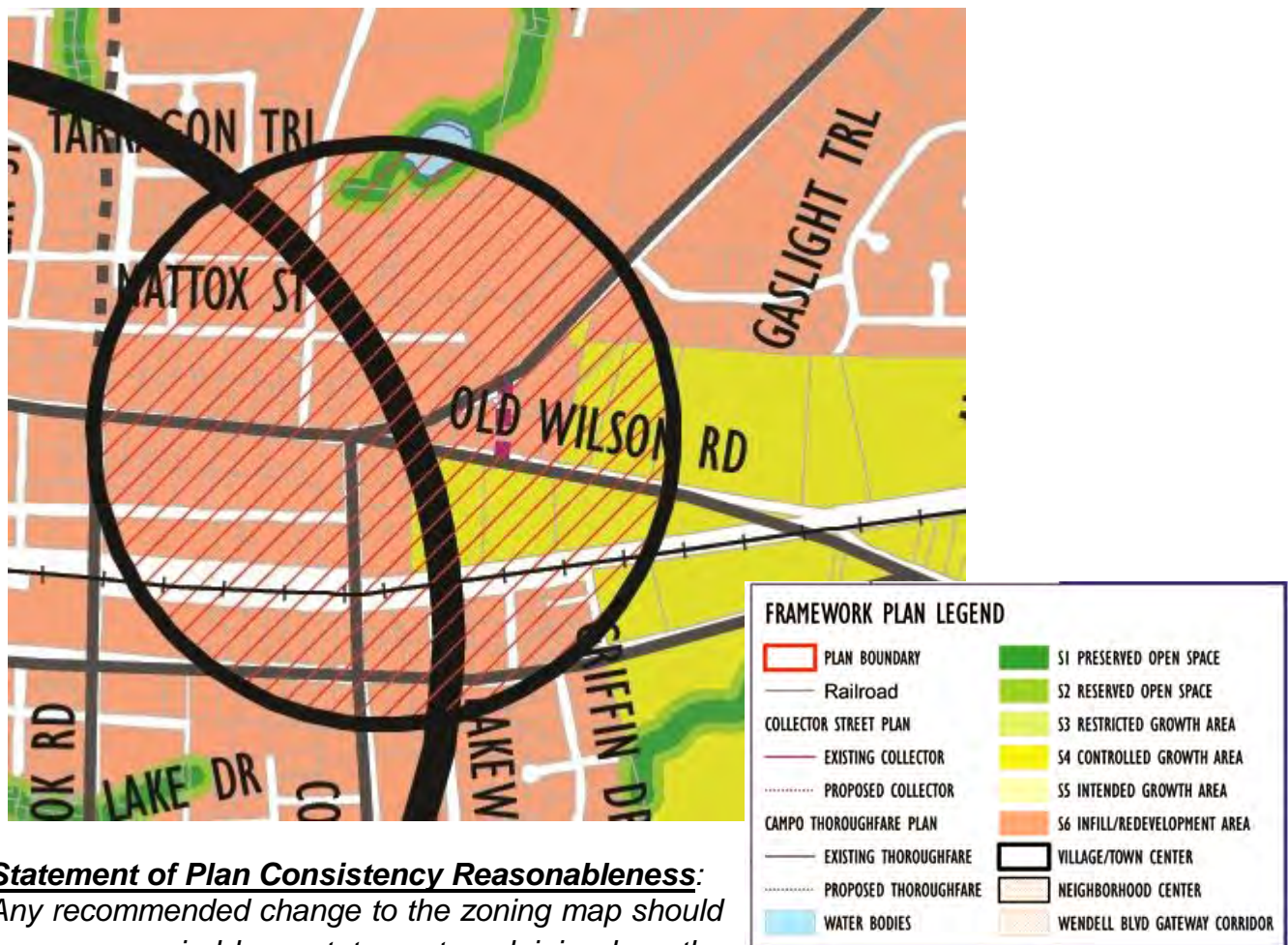
The Wendell Comprehensive Plan defines this section as S-4 "Controlled Growth Sector" in a Neighborhood Center.

The Comprehensive Plan states the S-4 sector typically consists of "lands that are typically close to thoroughfares and at key cross-road locations. This sector is where moderate intensity new development is appropriate and where the majority of the community's new growth should occur. The typically envisioned community type for S-4

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is a traditional neighborhood development (TND), which includes neighborhood serving commercial and civic uses surrounded by a mix of housing types that decrease in density as they get farther away from the commercial area.” Neighborhood Centers are intended to be mixed-use, serving surrounding neighborhoods with retail services, civic uses and higher density housing.

The following community types and uses are appropriate in the S-4 sector: traditional neighborhood developments, neighborhood centers, single-family and multifamily residential, neighborhood-serving commercial uses (retail and office), civic uses and industrial uses.



Statement of Plan Consistency Reasonableness:

Any recommended change to the zoning map should be accompanied by a statement explaining how the change is consistent with the comprehensive plan, and is reasonable in nature.

In staff's opinion, the requested zoning map amendment is consistent with the recommended uses outlined in the Wendell Comprehensive Land Use Plan for the S-4 Sector and is reasonable in order to provide a transition between the industrial uses to the east and the proposed neighborhood center to the west.

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Planning Board Recommendation:

At their August 19, 2019 meeting, the Planning Board voted 9-0 in favor of the requested zoning map amendment.

Voting in Favor: Victoria Curtis, Joe DeLoach, Ryan Zakany, Jimmena Huffman-Hall, Michael Firstbrook, Allen Swaim, Jonathan Olson, Levin Jones and Brett Hennington

Voting Against: None

Absent: None

Staff Recommendation:

Staff recommends approval of this rezoning request.

Mr. Bergmark opened the floor to any questions that the Board might have.

No questions were asked by the Board.

Mayor Gray opened up the public hearing at 7:11 p.m. and asked if the applicant had anything they wanted to say.

Carnessa Ottelin, 450 Old Wilson Road and representing the applicant, said that she had nothing further to add.

Mayor Gray asked if any citizens would like to speak for or against this project.

No citizens spoke for or against.

Mayor Gray closed the public hearing at 7:11 p.m.

ACTION

Mover: Mayor Pro Tem Lutz moved to approve the zoning map amendment request to rezone 3 acres (PIN #1784-90-8357) locates at 450 Old Wilson Rd from Corridor Mixed-Use (CMX) to Highway Commercial (CH).

Vote: 3-0

Town Attorney Jim Cauley said that for the benefit of the public and the applicant, items 5a and 5b will have to come back to the Town Board for a second reading because an Ordinance requires four votes to pass on a first reading. The Ordinances will have to be read for a second time.

Mayor Gray said that the Town would place it on the September 23rd Town Board Meeting Agenda.

Mayor Pro Tem Lutz asked if items 5a and 5b could be placed on the Consent Agenda for the second reading.

Attorney Jim Cauley said that it is okay, but a Commissioner can always ask to have it be taken off.

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Mrs. Ottelin asked if she needed to be present for the second reading at the next Town Board meeting.

Mayor Gray said that she could attend, if she'd like, but it isn't required.

6. ITEMS FOR DECISION

- 6a. Discussion of the Special Use Permit (SUP) Procedural Requirements Pertaining to the Technical Review Committee (TRC)
Speaker: Planning Director David Bergmark

Planning Director David Bergmark presented the following staff report, below in italics:

[Staff Report]

Item Summary:

Staff evaluated Wendell's current UDO regulations which require multi-family development proposals to have Technical Review Committee (TRC) approval before granting of the Special Use Permit by the Board of Commissioners (BOC).

For uses other than multi-family, the UDO does not prescribe the order of the review process (i.e. should the SUP approval or the TRC approval occur first). Staff's practice has been to require TRC review to begin prior to the SUP public hearing for new development proposals, but not necessarily require that the TRC review be fully completed prior to the public hearing.

Based on staff's preliminary research, local municipalities address the combination of TRC reviews and Special Use Permits in various ways. Staff researched eight local municipalities and compiled a chart (see attachment) that highlights how each addresses the review and approval process. The results of the peer review were mixed, with no clear prevailing practice.

Four options were derived from reviewing local municipalities;

- 1) Full TRC review and approval before BOC considers Special Use Permit. (current process for multi-family in the Town of Wendell)*
- 2) Begin TRC review with full plans before Special Use Permit considered by BOC*
- 3) Reduced Site Plan for Special Use Permit by BOC; if approved, full plans submitted to TRC*
- 4) Full Plans required for Special Use Permit by BOC; if approved full plans submitted to TRC*

Option One (1) *applicant needs TRC approval before submitting for Special Use Permit approval. This option is the current Town of Wendell review process for multi-family development, and is used by Towns of Cary, Knightdale and Wake Forest.*

- **Pros:**

- *Plans have been fully vetted by the TRC prior to Town Board review, providing a greater amount of detail and information for the Public Hearing.*

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- Cons:
 - Requires a greater up-front time and capital investment from the applicant for a project which may not have political or community support.
 - The SUP approval may include conditions which require amendments to the plans reviewed by the TRC.

Option Two (2) would provide first round of TRC comments to the applicant before the item is presented to BOC for Special Use Permit. Currently no other community is utilizing this process.

- Pros:
 - Plans have received some technical review prior to SUP hearing in order to identify any glaring issues.
 - Applicant could incorporate BOC approval and conditions into design before resubmittal for TRC approval.
- Cons:
 - Still requires a greater up-front time and capital investment from the applicant for a project (may save a little time and money for the developer compared to Option #1, but full plans are still required)
 - There may be unresolved issues identified by the TRC

Option Three (3) would allow an applicant to submit a site plan with reduced requirements for the Special Use Permit specifically. If approved, the applicant would need to submit full plans for TRC review. The Towns of Apex, Morrisville and Rolesville follow this process.

- Pros:
 - Saves time and resources for the applicant, if the SUP is not approved
- Cons:
 - Less information available at the Public Hearing comparatively (reduced site plan would still include project elements most pertinent to the SUP decision).
 - Greater chance of changes occurring to the site plan during the TRC review, which could require a second SUP hearing if there are substantial changes (minor changes can be administratively approved).

Option Four (4) applicant applies for Special Use Permit with full development plans before TRC review. Towns of Clayton and Zebulon follow this process.

- Pros:
 - The Board receives a full development plan (i.e. not reduced)
 - Saves some time and resources for the applicant, if the SUP is not approved (though not as much as Option #3).
- Cons:
 - Though plans are not reduced, they have not been vetted by the TRC.

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- *Greater chance of changes occurring to the site plan during the TRC review, which could require a second SUP hearing if there are substantial changes (minor changes can be administratively approved).*

Staff Comments:

All options provided have benefits and costs to the Town and the SUP applicant. The technical concerns can be addressed regardless of the order of the approval by fact (or lack thereof) based conditions on the SUP and the requirement of the plans submitted to the TRC to be consistent with the SUP. As such, the decision of whether or not to amend the SUP process is more of a policy decision of the community rather than a technical recommendation. The additional cost of a complete plan preparation for TRC in advance of an uncertain SUP zoning decision can deter multi-family and other SUP applications from being submitted. If the community desires to limit multi-family and other SUP applications, the current policy achieves this goal. If the community wants to encourage multi-family development or other SUP uses in appropriate locations, then staff should be directed to draft an ordinance amendment that changes the process.

Staff is seeking direction from the Town Board to determine:

- 1. Are changes to the Town's current SUP review procedures desired?*
- 2. If so, does the Town Board have a preference for one or more of the options that it would want the Planning Board to focus on?*

Mr. Bergmark opened the floor to any questions from the Board.

Commissioner Joyner said that option #3 seemed to be pretty close to what the Town has historically done, albeit with adjustments to achieve judgment calls. He asked if that was correct.

Mr. Bergmark agreed and said that it was the process the Town has attempted to get enough information to make a decision without holding up the review process.

Mr. Joyner said that if the Planning Board was to look at option 3, and a developer was coming before the Board—he said that he liked that option because it allowed people that are market testing, people who are interested in a specific property but only under the conditions that they could do what they want to do could get started without an extensive full site plan. Mr. Joyner said nothing prohibits developers from submitting a full site plan. Mr. Joyner asked if the developer could still bring as much information as they wanted before the Board.

Mr. Bergmark said that was correct. An additional benefit is that the process allows applicants to obtain zoning authority prior to potential larger expenses in the special use permit process that does not allow for prior conversation with the community and Board, unlike a straight rezoning that is legislative and allows communication. communication, which the applicants often don't know until they arrive at the hearing.

Town Manager Marc Collins said that it not only saves the developer time and money,

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but also the time of staff and other agencies that participate in the TRC. If zoning entitlement is first, the full TRC process is only used after zoning is approved.

Mayor Pro Tem Lutz asked if the amendment just applied to multi-family residential uses.

Mr. Bergmark said no. The Code is less clear what the required order is in the process. For multifamily, it's very clear in the Town's code that it's supposed to go to TRC approval first, then SUP approval. With other items, the Code does not specify. The Town brought items before the Board for SUP approval prior to that TRC approval in the past. The proposed amendment would impact all uses that require Special Use Permits, not just Multifamily.

Mayor Pro Tem Lutz asked if this was something that had been brought to the Town's attention due to issues with projects in the past.

Mr. Bergmark said that it can put the Town at a competitive disadvantage compared to jurisdictions that do receive zoning entitlements before the full plans are reviewed by the TRC. Wendell is not alone in how it's being treated right now—there are other municipalities using the process Wendell uses.

Commissioner Joyner said that he's a fan of option 3 because it allows the person looking to invest in the town a range of options from bringing the full plan on day 1 to testing what he calls contentious political waters before making the full investment of the full site plan, as well as the TRC's time and staff's time. He said that he'd love the Board's feedback on option 3.

Mayor Gray asked if there were any other questions or comments.

Commissioner Boyette asked who and how will it be decided what constitutes the major change, versus one that could be handled administratively.

Mr. Bergmark said that the Planning Director determines based on an evaluation to determine what changes are proposed compared to what was originally submitted. After the Planning Director makes the determination, the applicant could challenge the interpretation to the Board of Adjustment.

Mayor Pro Tem Lutz asked which option staff preferred.

Mr. Bergmark said he didn't have an issue with choosing option 3, although there's discussion of what is still included within that reduced site plan. He said that it doesn't negatively impact the Town in any way. It just creates that chance that something could potentially have to come back to the Board after TRC review.

Mayor Gray said that because of the variability by other Towns, she thinks the Town

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should do what's best for Wendell. She said that she liked the idea of there being information upfront. She asked if Mr. Bergmark had what he needed from the Board.

Mr. Bergmark said that he was hoping to confirm that 1) there was some type of desire to change wanted and 2) get a sense of if there was an option that the Board preferred. Based on what he heard, staff would draft language to reflect option 3 and would include the other options in the report to the Planning Board for their recommendation.

Mayor Pro Tem Lutz asked if the Board wanted to wait for an upcoming meeting when all Commissioners were present to discuss this matter.

Commissioner Joyner said that the Board isn't currently looking at the drafted language, so staff should draft the language before the Board discusses the matter.

Mr. Bergmark said that he would prepare the text amendment for the Planning Board to review next month and it will return to the Commissioners afterwards.

Commissioner Boyette asked if this matter covers both multi-family and non-multifamily land uses.

Mr. Bergmark confirmed that it would cover both.

- 6b. Fee Waiver Community Center Request of the Wendell Historical Society for the Annual Reverse Raffle Fundraiser
Speaker: Parks and Recreation Director Jeff Polaski

Parks and Recreation Director Jeff Polaski presented the following staff report, below in italics:

[Staff Report]

Item Summary:

The Wendell Historical Society, applicant, has requested a fee waiver to host a reverse raffle and dinner fundraiser at the Wendell Community Center on Thursday, September 19, 2019 for 7 hours for the following schedule:

- *Setup beginning at 3:30pm*
- *Dinner and reverse raffle from 6:00pm-9:00pm*
- *Cleanup completed by 10:30pm*

The anticipated attendance is 350 for the event. The applicant requests the fee waiver to increase funds retained to benefit historic society efforts in establishing a museum.

The total community center rental fee is \$860 with an amount of \$295 of facility fees eligible to be waived. Payment for the total remaining charges for staffing and cleaning in the amount of \$565 was received from the applicant. This amount is not eligible to be waived by policy. Staffing charges provide for two (2) Parks and Recreation staff and one (1) Police staff.

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The Recreation Commission met on Monday September 2, 2019 and voted unanimously in favor of approving the community center fee waiver request.

Mayor Gray asked if anyone had questions or comments for Mr. Polaski.

No questions or comments were had by the Board.

ACTION

Mover: Mayor Pro Tem Lutz moved to approve the Fee Waiver for the Wendell Historical Society for the Annual Reverse Raffle Fundraiser.

Vote: 3-0

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:



Wendell Volunteer Fire Dept., Board of Directors [Commissioner Joyner]

Commissioner Joyner said that the Fire Board met Thursday, September 5th and discussed Hurricane Dorian. He said that they will receive the audit for the Fire Department's budget in October. The department is preparing to assign fire apparatus as the new station comes on-line and the 9 new Wendell firefighters are hired.

8. COMMISSIONERS' REPORTS / COMMENTS

Commissioner Joyner said that this past Saturday was a busy day for Wendell. He said that the next 3-4 weeks will also be busy with events in Wendell. The Presbyterian Church had a great spaghetti dinner and Wendell United Methodist hosted Community day. Mr. Joyner said that there's always something going on downtown for people to do. He also thanked staff for what the upcoming season is going to look like and he encouraged people to come out and enjoy the events.

Commissioner Boyette had no comment.

Mayor Pro Tem Lutz said that it's a good time of the year to live in Wendell. He said that Friday, September 20th is the Wendell's first Meet on Main Event from 5-9 p.m.

9. MAYOR'S REPORTS / COMMENTS

Mayor Gray said that the Wendell Historical Society is hosting its reverse raffle at 7 p.m. on September 19th. She said that Mr. Ray Hinnant was available at the meeting if anyone wanted to purchase tickets.

Mayor Gray said that Meet on Main is Friday, September 20th from 5-9 p.m. downtown. Stone Age Romeos will be performing and there will be food trucks, beer, a kids' area

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with a bounce house and most of the businesses are staying open late for food and shopping.

Mayor Gray said that Wendell Christian Church is having a fundraiser Saturday, September 14, 2019 at six o'clock and citizens can go look at the items at 4 p.m. because they're having an auction and food at the church.

10. CLOSED SESSION

Closed session will be called if necessary.

11. ADJOURN

ACTION:

Mover: Mayor Pro Tem Lutz moved to adjourn at 7:37 p.m.

Vote: 3-0

Duly adopted this 14 day of October 2019, while in regular session.

ATTEST:

Virginia R. Gray,
Mayor

Megan Howard,
Town Clerk

**TOWN OF WENDELL
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The Wendell Town Board of Commissioners held their regularly scheduled meeting on Monday, September 23, 2019, in the Town Board Room, Wendell Town Hall, 15 East Fourth Street.

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

ABSENT:

STAFF PRESENT: Town Manager Marc Collins, Town Clerk Megan Howard, Town Attorney Jim Cauley, Finance Director Butch Kay, Planning Director David Bergmark, Public Works Director Brian Bray, Police Chief Bill Carter, Assistant Planning Director Bryan Coates, and Assistant to the Manager Stephanie Smith.

CALL TO ORDER

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

Allyson Smith, student at East Wake High School, led the Pledge of Allegiance.

Errol Briggerman of the Wendell Council of Churches provided the invocation. Mr. Briggerman mentioned that the Wendell Baptist Church would be having its Fall Food Drive, with bags being put out on October 12th.

1. ADJUSTMENT AND APPROVAL OF THE AGENDA

ACTION

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

Vote: 5-0

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

Ann Stewart, Hollybrook Road in Wendell, spoke about Wendell Middle School and affordable housing.

Lewis Piner of Olde Wendell Subdivision requested the speed limit on Business Highway 64 from Old Selma Road to the Town Limits be increased to 45 mph.

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

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individual board member may pull items from the Consent Agenda for further discussion. Items pulled will be handled with the "OTHER BUSINESS" agenda topic.

ACTION

Mover: Mayor Pro Tem Jon Lutz moved to approve the Consent Agenda as presented.

Vote: 5-0

- 3a. Wake County Tax Report
- 3b. Approval of the Minutes from the August 26 regular Town Board Meeting
- 3c. Zoning Text Amendment to Sections 2.3 and 19.3 of the Unified Development Ordinance (UDO) to establish a Commissary Kitchen use (second reading).
- 3d. Zoning Map Amendment request to Rezone 3 Acres (PIN #1784-90-8357) located at 450 Old Wilson Rd. from Corridor Mixed-Use (CMX) to Highway Commercial (CH)

4. RECOGNITIONS, REPORTS, AND PRESENTATIONS

- 4a. Snap Shot Monthly Reports
Speaker: Town Manager Marc Collins

Town Manager Marc Collins presented the following report, below:

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Item 4a

2019 Town of Wendell Strategic Plan					
September 23, 2019 Update					
GOAL 1: Downtown Vibrancy, Economic Growth, and Community Character					
Initiative	Update	Status	Date	Assigned	
Management in Progress					
1. Downtown Engagement Session by NCDOC	Session conducted by NCDOC in Spring 2019	Complete	7/1/2019	Planning	
2. Administer NCDOC Grant for Downtown	Meet on Main group established. Façade grant awarded for 1 N Main project. First update provided to NCDOC on 7/15/2019.	In-Progress	7/22/2019	Planning	
3. Downtown parking evaluation/acquisition	Lease agreement approved for Perry site downtown parking. CORPUD completed easement survey and being prepared for recording. Funding requested for FY 20 construction in conjunction with adjoining development.	In-Progress	9/17/2019	Management / Planning	
4. Wendell Water/Sewer Main CORPUD Project	CORPUD completing Third Street area and moving to other areas of project. Parish Court work to begin by 10/2 and repaved following.	In-Progress	9/13/2019	Public Works	
5. NCDOT Third Street milling and resurfacing	NCDOT contractor started project 9/16.	In-Progress	9/16/2019	Public Works	
6. TAP Sidewalk Accessibility Projects	NCDOT contractor to start in FY 2020 on identified intersections.	On-Hold	7/1/2019	Planning / Public Works / Mgt.	
7. Downtown Streetlight Evaluation and Options	Staff evaluating condition and options for future CIP project.	In-Progress	7/1/2019	Public Works	
8. NCDOC Facilitated Economic Development Assessment	NCDOC completed the Economic Development Assessment and presented to the BOC in June 2019.	Complete	7/1/2019	Planning	
9. Review Economic Development Plans, Strategies, and Programs	Economic Development Consultant initiating review with start of contract. Present to ED Commission and Board late Fall.	In-Progress	9/13/2019	Management / Planning	
10. TICOG Brownfield Coalition Grant Submission	No brownfield grants were awarded in NC in 2019. Staff is meeting with TICOG Wendell hosted TICOG task force meeting 9/18 to review data and program.	In-Progress	9/18/2019	Management / Planning	
Strategic Initiatives					
1. Implementation Plan for NCDOC Downtown Engagement Session	Economic Development Assessment completed with action plan. Economic Development consultant and Planning reviewing for incorporation into plans and projects. Implementation update will be provided to BOC in fall 2019.	In-Progress	7/22/2019	Management / Planning	
2. Evaluate Downtown Grants and Update	Façade grant program update approved by BOC 8/12/2019.	Complete	8/12/2019	Planning	
3. Revise Downtown zoning use table	Facilitated work session with BOC to be scheduled for early winter. Results will be incorporated into Comprehensive Plan update and UDO amendment.	In-Progress	7/22/2019	Planning	
4. Review Special Events Practices and Schedule	Meet with partner organizations with staff in advance of events and update for sustainable practices and locations.	In-Progress	7/22/2019	Management	
5. Develop a Special Events Policy and Process	Current policies and forms collected from departments. Staff reviewing current and comparative practices.	In-Progress	9/9/2019	Management	
6. Evaluate Wendell Elementary Property	Project to be included into the Comprehensive Land Use Plan update process to start in spring 2020.	On-Hold	9/9/2019	Planning	
7. Downtown Infill Opportunities Identification	Project to be included into the Comprehensive Land Use Plan update process to start in spring 2020.	On-Hold	9/9/2019	Planning	
8. Update Economic Development Strategic Plan	Economic Development consultant evaluating current practices and properties. Plan update started for presentation and adoption by BOC in winter.	In-Progress	9/13/2019	Management / Planning	
9. Establish an Economic Development Program	Economic Development consultant acquired part-time. The consultant will work with the Manager on further program development in FY 2020.	Complete	7/1/2019	Management	

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Item 4a

10. Develop Marketing Material for Economic Development	Project will formally start after economic development program and practices are further developed. Initial steps of updating demographic data completed in spring 2019. Program updates for websites initiated and in-progress.	In Progress	9/13/2019	Planning
11. Wendell Falls Corridor Action Plan Development	NCDOT held stakeholder meeting for corridor in spring 2019. Staff assessed development impediments with CAMPO, NCDOT, CORPUD, development community, and property owners. Transportation plan amended 8/12/2019 by BOC. On hold - Land Use will be updated in the Comprehensive Land Use Plan process starting Spring 2020.	On-Hold	9/9/2019	Planning
12. Broadband Policy and Action Plan	Not started or scheduled at this time. Waiting on IT consultant selection. Likely to schedule evaluation in spring 2020 for future consideration.	On-Hold	9/9/2019	Management / IT / Planning
13. Facilitate Health Industry Development	Economic development consultant met with Newland, WEDP, and staff in August. Site specific is market driven in Wendell Falls and general process to be included in the land use discussions in updating the Comprehensive Plan.	On-Hold	9/9/2019	Management / Planning
14. Comparative Growth Analysis	Project design with Assistant to Manager in process.	In-Progress	9/9/2019	Management
15. Growth Boundaries with Archer Lodge and Roiesville	Project to be included into the Comprehensive Land Use Plan update process to start in spring 2020.	On-Hold	9/9/2019	Planning
16. Small Area Plan for Downtown Connections to Interstate	Project to be included into the Comprehensive Land Use Plan update process to start in spring 2020.	On-Hold	9/9/2019	Planning
17. Comprehensive Land Use Plan Update	Funded to start in spring FY 2020 and be completed in FY 2021.	On Hold	7/22/2019	Planning
Goal 2: Public Safety and Neighborhood Improvement				
Initiative	Update	Status	Date	Assigned
Management in Progress				
1. Increase Police involvement in Community Events	Maintained existing effort. Activity will be reported in monthly Police Report started in August 2019. Initiative is ongoing service level.	Complete	8/26/2018	Police
2. Comparative analysis of neighborhood improvement programs	Assistant to Manager conducting comparative analysis and project scoping.	In Progress	9/9/2019	Management
3. Temporary Sign Provision Review	Manager reviewing policy for winter report to Commission.	In Progress	9/9/2019	Management
4. Use of Force Policy Review and Update	Department committee doing comparative analysis from CALEA accredited agencies. Project scheduled for completion in spring 2020.	In Progress	7/22/2019	Police
Strategic Initiatives				
1. CALEA Accreditation Action Plan	Action plan established and reported to the BOC in spring 2019. Accreditation is a 3 year process. Funding provided in FY 2020 budget to initiate the process. First step is hiring a Records & Training Administrator to manage the process with a department team. Implementation will be reported in monthly police report. Final goal is achieving accreditation.	Complete	7/1/2019	Police
2. Community Engaged Policing Methods and Training	Project start anticipated Fall 2019. Assistant to Manager will work with Police Department on comparative analysis and program development in 2020.	On Hold	9/9/2019	Police / Management
3. Officer Health and Safety Initiative	Management met with Police staff in spring 2019. FY 2020 budget funded EAP and wellness program reimbursement for officers. In addition funding was increased for equipment, training, uniforms, and supplies to improve officer conditions. Effort will be evaluated annually during the budget process to continue improvement as resources allow.	Complete	7/1/2019	Police
4. Pedestrian Safety Near School Sites	Wendell Boulevard Sidewalk Project design approved in FY 2020 budget. LAPP grant will be prepared by design consultant in fall 2019. Design complete prior to construction start in fall / winter 2020.	In-Process	7/22/2019	Planning

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Item 4a

5. Parking Enforcement Review	Staff evaluated HOA parking requirements at Wendell Falls and Town ordinances related to parking in Spring 2019. Staff is drafting parking ordinance revisions for review with the BOC, the HOA, and residents.	In-Process	7/22/2019	Police
6. Crisis Intervention Training Expansion	Goal to train 2 officers per year pending Wake Tech course availability.	On-Hold	7/22/2019	Police
7. Opioid Issue Awareness and Partnerships	Department is researching new community resources for inclusion on website. Project is ongoing in nature.	In-Process	7/22/2019	Police
8. Neighborhood Clean-Up Day Pilot	Assistant to Manager conducting comparative analysis, seeking resources, and developing project scope. Pilot project goal set for spring 2020.	In-Process	9/9/2019	Management
9. Housing Diversity and Neighborhood Improvements	CDBG project submitted for sidewalk in Senior Center area. Appearance Commission work plan presented on 9/23. Assistant Planning Director assigned project and is initiating housing data collection.	In-Process	9/9/2019	Planning
Goal 3: Infrastructure, Transportation, and the Environment				
Initiative	Update	Status	Date	Assigned
Management In-Progress				
1. CORPUD Merger Evaluation	Completed FY19 evaluation for Merger. CORPUD presented to BOC in spring 2019. Policy direction to maintain capacity allocation at this time. Staff will re-evaluate potential for early merger in preparation for FY21.	Complete	9/9/2019	Management / Planning / Finance
2. Infrastructure Rate Comparison	Comparative rates were researched and included in the FY20 Budget.	Complete	7/1/2019	Management / Finance
3. Stormwater Program Compliance	Staff met with Town Engineer and developed project cost to complete the multi-year stormwater mapping project in FY20.	In-Process	7/1/2019	Public Works
4. Street Repaving Program Implementation	Program funding and description included in CIP. Staff evaluating project opportunity coordinated with CORPUD in FY20. Engineer to evaluate streets for resurfacing priority and needs for capital budgeting.	In-Process	7/1/2019	Management / Public Works
5. NCDOT Old Battle Bridge Replacement	Waiting on NCDOT to initiate project. Public Works inspects area to ensure barriers remain intact and notifies NCDOT if issues. Current schedule is completion in 2021 with indications it could be advanced to 2020.	On-Hold	7/1/2019	Public Works
6. Martin Crossing Improvements (U-5323)	Planning met with CAMPO and NCDOT regarding next steps. Engineering evaluation of options needed. Report will be provided in fall 2019 to BOC.	In-Process	7/22/2019	Planning
7. Sidewalk Maintenance and Extension Program	Funding added in FY 2020 Budget and CIP for Pedestrian Plan implementation efforts. Recurring funding program established.	Complete	7/1/2019	Management / Planning / Public Works
8. Wendell Boulevard Sidewalk Project Design	Funding added in FY 2020 Budget for design. Design firm process started in June 2019 and selection in July 2019. Kimley-Horn prepared project for initial LAPP grant submission to CAMPO. Final submission due in October.	In-Process	9/9/2019	Planning
Strategic Initiatives				
1. Infrastructure Plan for CIP	Requires analysis by Economic Development and Engineer. On hold for engineering services contract. Project scheduled to be started with FY 21 CIP process in spring 2020.	On-Hold	9/9/2019	Management / Planning
2. Evaluate the Water Allocation Policy	Evaluation being conducted by Planning. Management reviewing current policy. Presentation to BOC in winter 2019 to 2020.	In-Process	9/9/2019	Management / Planning
3. Stormwater Program Analysis	Public Works works with Wake County, TJCOC, and DENR for permit compliance. Staff will work with an engineering consultant to present the program needs in winter 2019-2020. DEP audit scheduled for 2022.	In-Process	9/6/2019	Public Works
4. Transportation Plan Review	Planning staff completed a review of the Transportation Plan. UDO amendments to Planning Board in June 2019 and BOC adopted 8/12/2019.	Complete	8/12/2019	Planning
5. Prioritize Intersection Improvements	Waiting for engineering services selection to be completed. Project will be added to FY 2021 Budget process for consideration.	On-Hold	9/6/2019	Public Works and Planning

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Item 4a

6. CAMPO Eligible Projects List for Future Funding	Planning to evaluate Transportation Plan and Pedestrian Plan with engineer, CAMPO, and DOT and provide report in December-January period.	In-Process	9/9/2019	Planning
7. Facility and Lands Prioritization	Staff working with Cumming on Town Hall project for presentation to BOC in July 2019. Recreation needs will be in completed master plan in fall 2019. Additional facility and land needs will be evaluated in the CIP process.	In-Process	7/22/2019	Management / Public Works / Planning
8. Wendell Boulevard Sidewalk Project to CAMPO	Engineer firm selection in July 2019 to prepare CAMPO grant submission for LAPP funds for project.	In-Process	7/22/2019	Planning
9. Evaluate Additional Transit Stops	Project assigned to Assistant Planning Director to develop project schedule and scope. Some portions will be in the Comprehensive Plan.	In-Process	9/9/2019	Planning
10. Solid Waste Service Level and Contract Review	Solid waste contract expires in June 2020. Staff will initiate contract discussions and review service options in winter 2019-2020.	On Hold	7/22/2019	Public Works / Finance
Goal 4: Parks, Recreation, Special Events, and Culture				
Initiative	Update	Status	Date	Assigned
Management in Progress				
1. Initiate Parks and Recreation Master Plan	BOC awarded bid to McGill to complete plan. Plan is in process and is scheduled for completion in early fall 2019.	Complete	7/1/2019	Parks & Recreation
2. Shade Structure Installation at Park	Shade structures installed late spring 2019.	Complete	7/1/2019	Parks & Recreation
3. Parks Maintenance Plan	Parks Maintenance position added in FY 2020 budget.	Complete	7/1/2019	Management and Parks & Recreation
4. Meet on Main Special Event Planning	Initial event planned and held on 9/20.	Complete	9/20/2019	Mgt/PO/PW/P&R
5. WHS Lease of 122 Second Street for Museum	Lease completed in spring 2019.	Complete	7/1/2019	Management
6. Update Athletic Program Offerings	FY 2020 fee schedule includes new programs for kickball, soccer, and wiffleball.	Complete	7/1/2019	Parks & Recreation
Strategic Initiatives				
1. Plan for Implementation of Master Plan	Once adopted, the master plan initiatives will be included in the CIP process.	On-Hold	7/22/2019	Management and Parks & Recreation
2. Evaluate UDO Fee in Lieu for Parks	Planning Director to begin comparative analysis after P&R Master Plan complete this Fall.	On-Hold	9/9/2019	Planning
3. Plan for Acquisition of New Park	Waiting for completion of master plan in fall 2019.	On-Hold	7/22/2019	Parks & Recreation and Finance
4. Update the Wendell Park Plan	Waiting for completion of master plan in fall 2019.	On-Hold	7/22/2019	Parks & Recreation
5. Greenway Plan to Connect Downtown to Wendell Falls	Project assigned to Assistant Planning Director for project scope and schedule.	In-Process	9/9/2019	Planning
6. Main Street Extension as Greenway Connector to Downtown rather than a Street for Vehicles	Concept plan for Lake Glad property to incorporate the change when developed. Planning Director working with development inquiries.	In-Process	9/9/2019	Planning
7. Evaluate Special Events to Increase Impact	Staff meets with event organizers to evaluate opportunities to improve events and ensure that locations provide opportunity for growth.	In-Process	7/22/2019	Management and Parks & Recreation
8. Wendell Branch or Regional Library Site	Staff met with Library leadership in spring 2019. Staff will monitor and participate in the library master plan update and prepare for a potential future bond offering. Project assigned to Assistant Planning Director.	In-Process	9/9/2019	Planning
9. Incorporate Sports Tourism and Marketing into Events and Recreation Program Offerings	Staff met with Visit Raleigh staff regarding implementation of the tourism plan. Staff attended a hotel development meeting and partnered with Newland to develop a marketing piece in the visitors' guide.	In-Process	7/22/2019	Management and Parks & Recreation

**TOWN OF WENDELL
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Item 4a

Goal 5: Organization Culture and Communication				
Initiative	Update	Status	Date	Assigned
Management In Process				
1. Fiscally conservative budget approach for tax and utility rates in developing FY 2020 Budget.	No rate increases were proposed for the FY 2020 Budget for property tax or utility rates.	Complete	7/1/2019	Management and Finance
2. Establish a Capital Improvement Plan	Capital Improvement Plan established and adopted in FY 2020 Budget.	Complete	7/1/2019	Management and Finance
3. Enhance the FY 2020 Budget document for transparency and detail connecting department expenses to policy	Significant enhancements provided to the budget document for FY 2020. Adopted Strategic Plan with BOC priorities incorporated with section linking budget expenses to strategic plan.	Complete	7/1/2019	Management and Finance
4. Staffing Needs Analysis	A 10 year staffing needs analysis was included in the FY 2020 Budget.	Complete	7/1/2019	Management and Finance
5. Establish performance goals in budget	Performance management goals included for each department in FY 2020	Complete	7/1/2019	Management and Finance
6. IT Program Analysis	Joint RFP for IT services issued in partnership with Rolesville. Selection to be made by fall 2019. Vendor selection at 9/23 Board meeting. Consultant will conduct 2 month evaluation of system and needs for FY 2021 Budget and CIP.	In Process	9/13/2019	Management and Finance
7. Update regular communications to reflect performance and strategic goals	Finance developing draft reports. Content reported at 7/22/19 BOC meeting. First updated reports to be provided at 8/26/19 BOC meeting.	Complete	8/26/2019	Management and Finance
Strategic Initiatives:				
1. GFOA recognition for Audit and Budget	GFOA recognition for audit received in spring 2019. Budget submitted for first time on 8/23/2019 to GFOA. Response expected in several months.	Complete	8/23/2019	Management and Finance
2. Strategic Plan Quarterly Updates	Updates incorporated into monthly reports starting July 2019	Complete	8/26/2019	Management
3. Customer Service Policy Review with Departments	Project not started yet. Project design to start fall 2019.	On Hold	7/22/2019	Management
4. Online Agenda Packets with Background Materials	Waiting on IT consultant selection to work with Clerk on software.	On Hold	7/22/2019	Management
5. Communication Plan	EWTN communication contract staff started July 2019. Project will be coordinated with Rolesville. Comparative analysis and initial draft plan complete. Staff working on draft revisions.	In-Process	9/17/2019	Management
6. Biannual Retreats and Biennial Strategic Planning Process	Retreats in process and strategic plan adopted in 2019. Staff will work with BOC at Winter retreat to establish the Strategic Planning process. Process developed will be implemented in FY 2020 to cover the next 2 year period.	In-Process	7/22/2019	Management
7. ADA Compliance	Management is evaluating current requirements and will name an ADA Coordinator in 2019. The organization will work to develop a transition plan over the next 3-years.	In Process	7/22/2019	Management
8. Charter and Procedural Review with Commission	Staff is preparing for the review at a work session in the winter.	In-Process	9/9/2019	Management
9. Human Resources Policy and Program Review	Employee Committee role updated, employee recognition program updated, bereavement policy updated, insurance selection completed with budget, CAP program included in insurance with Budget, training funding increased, and compensation and classification study started 9/3.	In-Process	9/3/2019	Management

**TOWN OF WENDELL
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Administration

Item 4a

Performance Measures	Aug-19	Year-to-Date
Percentage of agendas/packets distributed Wednesday prior to meeting	100%	80%
Percentage of minutes adopted without correction	100%	100%
Percentage of minutes completed within four days following meeting	100%	100%
Average work hours per set of minutes	4	4.0
Percentage of Board documents indexed and distributed within two days following Board	100%	100%
Percentage of nomination lists presented to the Board four weeks prior to expiration	N/A	N/A
Continue professional education and development to achieve clerk certification	Not Started	Not Started
Develop a communication plan to market Wendell to external interests and increase communication for internal interests	In Progress	In Progress
Develop and/or share new social media content for each department at least every other two weeks at least 95% of the time	75%	71%
Provide a weekly correspondence from management to the Commission at least 92% of	100%	100%
Maintain a turnover rate of employees leaving the organization under 12%	0%	1%
Review and Update, as appropriate, at least 33% of the Town personnel policies	In Progress	In Progress
Complete a compensation and classification study and update all job descriptions	In Progress	In Progress
Certificates and courses taken by staff	3	7

Work Units	Aug-19	Year-to-Date
Meetings attended	2	5
Minutes drafted	2	4
Agendas developed	2	5
Number of citizen advisory boards	6	6
Number of members serving on all citizen advisory boards	38	38
Number of members with terms expiring	0	0
Number of letters to members with expiring terms	0	0
Number of weekly correspondences	5	9
Number of social media posts developed and shared	62	148
Website numbers	4700	10300
Social media numbers	106	224
Total Social Media Posts - Administration	21	52
Total Social Media Posts - Finance	0	0
Total Social Media Posts - Planning	2	2
Total Social Media Posts - Police	18	36
Total Social Media Posts - Public Works	11	23
Total Social Media Posts - Parks and Recreation	1	6
Topic memos and correspondence to the Commission	6	18
Speaking engagements and civic organization participation	2	5
Number of employees	50	50
Leave days taken	65.8	183.2

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Finance

Item 4a

Performance Measures	Aug-19	Year-to-Date
FY 2019 Audit	In Progress	In Progress
FY 2019 Budget Award	Submitted	Submitted
FY 2019 CAFR	In Progress	In Progress
Accounts Payable accuracy of 90%	91%	91%
Payroll accuracy of 95%	100%	99%
Legal compliance of \$30,000+ acquisitions of 100%	N/A	N/A
Certificates and courses taken by staff	1	1

Work Units	Aug-19	Year-to-Date
Accounts Payable volume	122	230
Payrolls prepared and processed	126	252
Number of \$30,000+ acquisitions made	0	0

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Planning

Item 4a

Performance Measures	Aug-19	Year-to-Date
Update Comprehensive Plan - Establish core elements to be included	In Progress	In Progress
Update Comprehensive Plan - Identify and select preferred consultant to assist with update	Not Started	Not Started
Update Comprehensive Plan - Engage community in series of visioning workshops	Not Started	Not Started
Update Comprehensive Plan - Adopt updated plan within 2 years	Not Started	Not Started
Adoption of Town-Initiated Text Amendments - Establish annual schedule for Town-initiated text amendments	Not Started	Not Started
Adoption of Town-Initiated Text Amendments - Adopt a minimum of 5 identified amendments	1	1
Adopt UDO amendments related to uses in the Downtown as identified through the NC Dept. of Commerce engagement meetings by the end of FY 2020 Q1	In Progress	In Progress
Schedule building plan review and complete zoning review within 7 calendar days of submittal	67%	63%
Residential trade permits ready to issue within 48 hours of submittal	45%	52%
Commercial trade permits ready to issue within 7 calendar days of submittal	N/A	60%
Have a Planning Department representative in attendance for at least 75 percent of all Technical Coordinating Committee, Wake County Economic Development Partner, and Community Development Block Grant meetings	100%	100%
Have a Planning Department representative present at all Complete Count Committee meetings	100%	100%
Provide financial support for marketing efforts for Complete Count Committee	Yes	Yes
Have a Planning Department representative present at all quarterly update meetings hosted by Newland Communities	100%	100%
Establish a downtown vacant property index for inclusion on the Town website by the end of FY 2020 Q1	Not Started	Not Started
Adopt an updated economic development strategic plan by the end of FY 2020 Q2	In Progress	In Progress
Submit a RFP for an environmental and design study to be conducted for a proposed sidewalk project along Wendell Boulevard between Wendell Elementary and the Food Lion shopping center	Completed	Completed
Select a project consultant and complete the design study by the end of FY 2020	Consultant Selected	Consultant Selected
Bring a summarized report of Neighborhood Meeting requirements employed by comparable communities by the end of FY 2020 Q3	Not Started	Not Started
Develop a list of procedural improvements for consideration and potential incorporation into Wendell's procedures by the end of FY 2020 Q3	In Progress	In Progress
Finalize a Wendell Development FAQ document for distribution by the end of FY 2020 Q2	Not Started	Not Started
Planning Director to attend the NC APA conference in Wilmington, NC (October 8-11)	N/A	N/A
Planner I to complete the 'Foundations in Planning and Development Regulations' course offered by the UNC School of Government (September 2019)	N/A	N/A
Planner I to complete the 'Zoning Practice' course offered by the UNC School of Government (October 2019)	N/A	N/A
Attendance by 1 staff member at the 2020 Main Street Conference (March 10-12)	N/A	N/A
Certificates and courses taken by staff	0	0

Work Units	Aug-19	Year-to-Date
New home permits issued	24	56
Residential trade permits issued	11	23
Commercial trade permits issued	0	5

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Police

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Performance Measures	Aug-19	Year-to-Date
Maintain a 90th percentile response time from time dispatched until on scene of 7 minutes	No	50%
Establish a core team tasked to investigate CALEA accreditation	In Progress	In Progress
Guide the organization to meet CALEA standards within 3 years of signing CALEA contract	Not Started	Not Started
Post at least one public awareness informational notice per week onto the approved social media/websites (Average posts per week)	3.5	3.1
Participate in a minimum of 12 community events per year which are focused on education, understanding, and partnering across the diverse greater Wendell Community	4	6
Submit a completed review of the Career Development Program to include any proposed changes for consideration by March 2020	Not Started	Not Started
Establish a Community Engaged Policing training program guiding document that includes needs assessments, recommended training by position, and methods to adjust as needed to be published by January 2020	Not Started	Not Started
Implement Community Engaged Policing training program by July 2020	Not Started	Not Started
Attend a minimum of one criminal justice leadership/supervisory-based training by each manager/supervisor annually	71%	85.7%
Establish a recruitment team tasked with development and implementation of a published recruitment plan, benchmarks, and a reporting process to determine effectiveness by November 2019	Not Started	Not Started
Assign at least two officers per year to attend formal Crisis Intervention Training	0	0
Identify and provide public access to a Wake County relevant published resource referral guide to ensure persons in crisis can be directed to appropriate agencies that can best address their needs by December 2019	Not Started	Not Started
Increase agency-initiated drug investigations by 25%	12%	12%
Work Units	Aug-19	Year-to-Date
Call volume	370	841
90th Percentile Response Time (in Minutes)	7.60	7.20

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Public Works

Item 4a

Performance Measures	Aug-19	Year-to-Date
Provided weekly leaf/limb removal	Yes	100%
Completed leaf/limb route	100%	100%
Provide monthly street clearing for all Town-maintained roads	Yes	50%
Provide downtown street clearing 2x month	100%	100%
Code Enforcement requests answered within 2 business days	100%	100%
Inspect all Town sidewalks for maintenance needs 2x per year	#1 In Progress	#1 In Progress
Establish a sidewalk maintenance and replacement plan by the end of FY 2020 Q2	In Progress	In Progress
Complete a monthly street condition inspection 92% of the time	Yes	100%
Fill potholes within 1 week 92% of the time	100%	100%
Acquire engineering services to prepare a street resurfacing priority list by the end of FY 2020 Q1	Not Started	Not Started
Clean all stormwater catch basins annually 100% of the time	In Progress	In Progress
Complete monthly street light inspections 92% of the time	Yes	50%
Correct normal street light deficiencies within 3 weeks 92% of the time	100%	100%
Complete monthly needs and safety inspections for all buildings and grounds	Yes	100%
Complete all Town construction projects on time	100%	100%
Complete all Town construction projects within budget	100%	100%
Conduct mowing, landscaping, and weekly maintenance 85% of the time (In Season)	100%	100%
Conduct maintenance inspection for Town Square and streetscape 2x per year	#1 In Progress	#1 In Progress
Make needed Town Square/Streetscape repairs within 30 days 92% of the time	100%	100%
Complete all vehicle and equipment service inspections weekly 98% of the time	Yes	100%
Conduct a maintenance inspection within 1 week following use for heavy equipment 100% of the time	Yes	100%
Maintain safety certifications for all employees, as applicable, 100% of the time	Yes	100%
Provide training opportunities for all employees related to safety, equipment uses, and customer service at least 92% of the time	Yes	100%
Certificates and courses taken by staff	1	1

Work Units	Aug-19	Year-to-Date
Total yards of debris collected from leaf, limb, and street clearing	1150	2295
Number of code violations	120	195
Number of inspections for driveways, foundations, and final certificates of occupancy	154	298
Total miles of Town sidewalk maintained	30	30
Total miles of Town streets maintained	28.38	28.38
Total linear feet of known stormwater pipes (public and private)		
Total number of public streetlights	863	863
Number of facilities maintained	5	5
Square feet of facilities maintained	45151	45151
Work hours needed to complete the landscaping route	290	289
Total facility work orders	8	8
Total grounds work orders	1	1
Number of vehicles and equipment maintained	34	34
Total cost of vehicle maintenance	\$ 3,636.55	\$ 3,636.55
Total cost of equipment maintenance	\$ 3,094.66	\$ 3,733.31
Number of wrecks and incidents	0	0

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Parks and Recreation

Item 4a

Performance Measures	Aug-19	Year-to-Date
Increase participation by 2%	12%	20%
Demonstrate that program offerings are inclusive and diverse	4	4
Complete checklists for facilities and equipment with appropriate actions taken at least 95% of the time	100%	100%
Complete an evaluation of all special events to establish baseline town resource requirements	Completed	Completed
Increase rough attendance estimates for special events by 3%	67%	233%
Complete the Comprehensive Parks and Recreation Master Plan	Completed	Completed
Identify initial implementation steps for inclusion in future budgets	No	No
Certificates and courses taken by staff	0	0

Work Units	Aug-19	Year-to-Date
Total program registrations	375	1423
Total number of programs	17	30
Total facility and equipment inspections performed	62	112
Number of events managed	1	2
Attendance estimates for events	100	200
Number of community/social media posts	17	45

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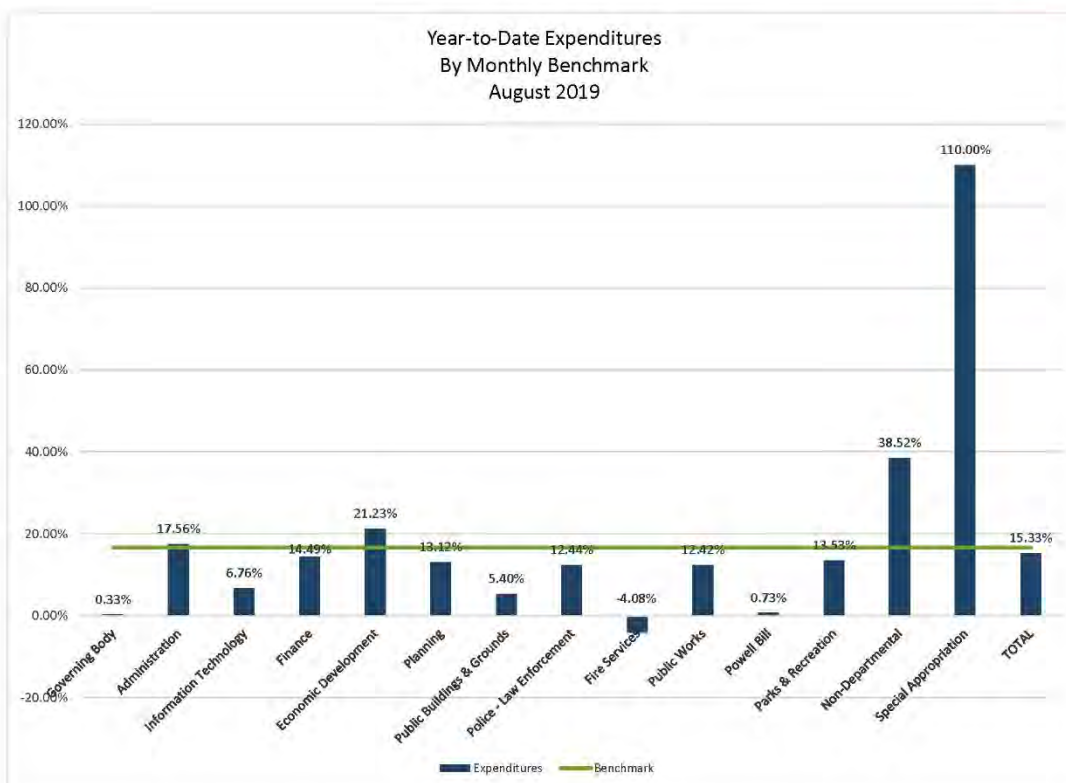
Town Of Wendell
Finance Report
Fiscal Year 2019-2020

Item 4a

<i>DEPARTMENT</i>	<i>ACCOUNT</i>	<i>ADOPTED BUDGET</i>	<i>Y-T-D EXPENSES</i>	<i>PERCENTAGE</i>
Governing Body	10-410	\$100,200	\$334	0.33%
Administration	10-420	\$380,900	\$66,898	17.56%
Information Technology	10-430	\$160,760	\$10,865	6.76%
Finance	10-440	\$333,100	\$48,280	14.49%
Economic Development	10-450	\$48,600	\$10,317	21.23%
Planning	10-490	\$422,200	\$55,392	13.12%
Public Buildings & Grounds	10-500	\$350,840	\$18,945	5.40%
Police - Law Enforcement	10-510	\$1,923,014	\$239,225	12.44%
Fire Services	10-530	\$4,900	-\$200	-4.08%
Public Works	10-560	\$1,906,710	\$236,758	12.42%
Powell Bill	10-570	\$175,000	\$1,278	0.73%
Parks & Recreation	10-620	\$795,377	\$107,633	13.53%
Non-Departmental	10-660	\$923,665	\$355,791	38.52%
Special Appropriation	10-690	\$2,500	\$2,750	110.00%
TOTAL		\$7,527,766	\$1,154,265	15.33%

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Town Of Wendell
Finance Report
Fiscal Year 2019-2020

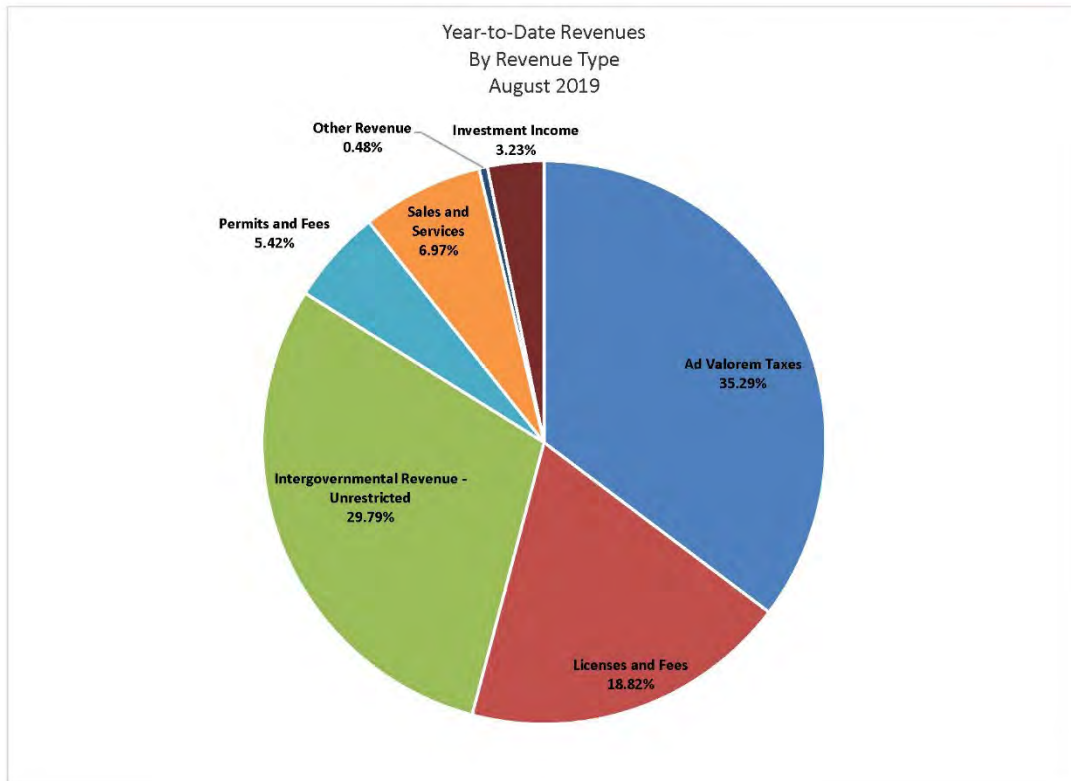
Item 4a

<i>CATEGORY</i>	<i>ADOPTED BUDGET</i>	<i>Y-T-D REVENUES</i>	<i>PERCENTAGE</i>
Ad Valorem Taxes	\$3,252,300	\$175,098	5.38%
Licenses and Fees	\$426,200	\$93,389	21.91%
Intergovernmental Revenue - Unrestricted	\$1,840,570	\$147,802	8.03%
Intergovernmental Revenue - Restricted	\$184,611	\$0	0.00%
Permits and Fees	\$164,950	\$26,891	16.30%
Sales and Services	\$864,015	\$34,586	4.00%
Other Revenue	\$3,000	\$2,406	80.20%
Investment Income	\$95,620	\$16,016	16.75%
Transfers - Fund Balance - Loan Proceeds	\$696,500	\$0	0.00%
TOTAL	\$7,527,766	\$496,188	6.59%

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Item 3e

Item 4a



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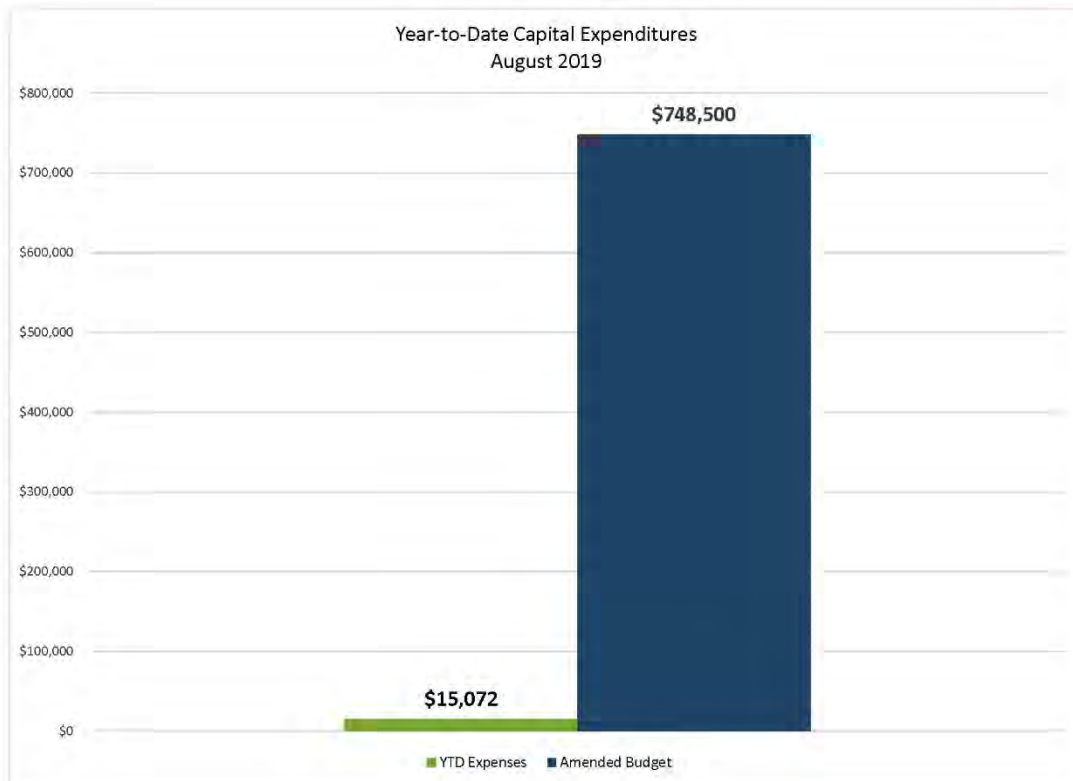
Town Of Wendell
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<i>DEPARTMENT</i>	<i>ADOPTED BUDGET</i>	<i>AMENDED BUDGET</i>	<i>Y-T-D EXPENSES</i>	<i>PERCENTAGE</i>
Wendell Boulevard Sidewalk Project	\$185,000	\$185,000	\$0	0.00%
ADA Local Road Compliance	\$20,000	\$20,000	\$0	0.00%
Leaf Collector Truck	\$195,000	\$195,000	\$0	0.00%
Pickup Truck Replacement (Public Works)	\$28,000	\$0	\$0	0.00%
Dump Truck (Public Works) [Amended]	\$0	\$60,000	\$0	0.00%
Mowers (Public Works)	\$17,000	\$17,000	\$15,072	88.66%
Police Vehicle Replacement Program	\$171,000	\$171,000	\$0	0.00%
Technology Replacement Program	\$15,000	\$15,000	\$0	0.00%
Wendell Park Improvements	\$25,500	\$25,500	\$0	0.00%
Comprehensive Land Use Plan Update	\$60,000	\$60,000	\$0	0.00%
TOTAL	\$716,500	\$748,500	\$15,072	2.01%

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Item 4a



Mr. Collins said staff is available to answer any questions that the Board might have.

5. PUBLIC HEARINGS

No Public Hearings Scheduled

6. ITEMS FOR DECISION

- 6a. Appearance Commission FY 2020 Workplan
Speaker: Planning Director David Bergmark

Planning Director David Bergmark presented the following report, below in italics:

Item Summary:

During the Budget hearing in May 2019, the Commission requested staff to work with the Appearance Commission to establish a work plan and budget for the fiscal year and return when established for presentation and consideration. Staff worked with the Appearance Commission to review purpose and goals for the group, evaluate comparative programs,

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and establish the attached workplan for consideration.

In past years, the Appearance Commission has engaged in fundraising efforts (primarily through their 'Party With a Purpose') to provide funds for desired art and beautification projects. However, due to procedural concerns related to fundraising efforts and to better utilize Appearance Commission members' time toward implementing projects, the work plan will be developed as part of the annual budget process to support specific projects. This will transition the Commission to the work they were established to do and away from inefficient practices. Staff will continue to work with the Commission to seek grants and donations for projects.

The attached work plan highlights six program categories to pursue this fiscal year that were selected by prioritizing a master list of programs and activities which the Appearance Commission saw as central to their mission statement. The six programs chosen were:

- 1. Murals*
- 2. Façade Grant (already included in the FY 2020 Budget)*
- 3. Public Participation/Partnerships in Art*
- 4. Art Walk Event*
- 5. Transform Mundane Objects through Art (examples provided in Attachment B)*
- 6. Temporary Art (enhancing vacant storefronts)*

The Finance maintains the balance of the past fund-raising efforts of the Appearance Commission. The current balance is \$11,485.05 and is part of the General Fund Balance. The proposal is to retain the balance and any donation and revenues earned for use for future public art for the Town. The current workplan would be funded by any accrued savings or earnings in the FY 2020 Budget and be accounted for during the end of year Budget Amendment Ordinance. If the Budget does not have sufficient funds at the end of the fiscal year, the General Fund Balance will be used.

As such, the work plan budget would adjust the existing budget lines as follows:

<u>Economic Development</u>	<u>Existing</u>	<u>Proposed</u>
10-450-4500 Façade Grants	\$10,000	\$10,000
10-450-9000 Appearance Committee	\$300	\$10,100

The total work plan budget is \$25,100 that includes the existing \$10,000 facade grant and a \$5,000 grant request from the Arts Council. Additionally, the plan estimates \$1,000 in donations for future art through the sale of art at the Spring into the Arts event. The impact of the proposed workplan to the adopted FY 2020 Budget is \$9,800.

Mr. Bergmark offered to answer any questions that the Board might have.

Mayor Pro Tem Lutz asked if there was still \$11,000 in the General Fund from past fundraisers.

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Mr. Bergmark confirmed.

Mr. Lutz asked what that money was being earmarked for or used for.

Mr. Bergmark said that there is not a specific budget item that specifies Appearance Commission Projects. Technically, it could be used for other projects.

Town Manager Marc Collins clarified the funds are part of the general fund reserve and not appropriated in the operating general fund budget. At the Budget hearing last spring, the Commission asked staff to work with the Appearance Commission to develop the work plan being presented now. He said if there's an interest in funding the work plan, then staff will add the budget amendment at the end of the year. While the \$11,000 in the reserve fund is available, the recommendation is to include the expense in the end of year budget amendment not using reserves. This would enable the funds to be used to continue the Appearance Commission Work Plan in a future year.

ACTION

Mover: Mayor Pro Tem Lutz moved to approve the Appearance Commission FY 2020 Workplan.

Vote: 5-0

6b. Harvest Festival Road Closure and Alcohol Waiver Request

Speaker: Wendell Chamber of Commerce Director, President-Elect, Peedie Edwards

Peedie Edwards presented the following report, below in italics:

Item Summary:

The Wendell Chamber of Commerce (Chamber) plans to host the 2019 Harvest Festival event on Saturday, October 5, 2019. This is the 92nd time the special event will be held. The event will run from 10:00 a.m. (with the parade) until 10:00 p.m. The set-up will begin at 6:00 a.m. with vendor set-up and clean-up ends at 12:00 a.m.

The Chamber requests the Town to approve the temporary road closures:

<i>Main Street:</i>	<i>Wendell Boulevard to Second Street</i>
<i>Cypress Street:</i>	<i>Fourth to Second Street</i>
<i>Pine Street:</i>	<i>Fourth to Second Street</i>
<i>Fourth Street:</i>	<i>Cypress to Old Selma</i>
<i>Depot Street:</i>	<i>Cypress to Pine</i>
<i>Campen Street:</i>	<i>Cypress to Pine</i>
<i>Third Street:</i>	<i>Cypress to Pine</i>
<i>Second Street:</i>	<i>Cypress to Pine</i>

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Please note that the impacted streets and parade route differ than past years (see attached parade and event maps). Streets impacted by the parade will be re-opened following the parade. Also, note that Main Street will be used for vendors and the farmers market will be open during the day on Campen. Not all of the sections of streets will need to be closed the entire event and the Police Department and Public Works Department will re-open areas as they become available.

Town of Wendell Code of Ordinances Section 14-21 prohibits the consumption of alcoholic beverages “on or within the rights-of-way of any municipal street, public vehicular area, alley, or any public property owned or occupied by the town..... or as otherwise approved by the Wendell Board of Commissioners. The applicant seeks approval for the sale and consumption of beer within the previously defined event area of the “beer garden” on the Town Square property during the event (see Attachment A). The serving of alcohol requires security to ensure compliance. The Chamber will hire necessary staffing from off-duty law enforcement officers or a licensed and insured security firm to assist compliance with alcohol regulations. The request to allow alcohol is limited to a designated area that will be permitted and compliant with legal requirements and regulations.

As an informational item, Town staff expenses required to manage the normal components of a downtown event are donated to the event consistent with past practice. The Town Manager has authorized overtime pay or compensatory leave for Police and Public Works personnel consistent with the Personnel Policy at the request of the departments.

ACTION

Mover: Mayor Pro Tem Lutz moved to approve the Harvest Festival Road Closure and Alcohol Waiver Request as presented.

Vote: 5-0

- 6c. Ordinance to Amend the Fiscal Year 2020 Budget to revise Capital Project Schedules for Town Hall Design and Downtown Parking and Event Space
Speaker: Town Manager Marc Collins

Town Manager Marc Collins presented the following staff report, below in italics:

Item Summary:

The proposed budget amendment is to appropriate Fund Balance for two (2) capital projects planned in the Capital Improvement Plan (CIP) to be started earlier than scheduled due to facility need, cost efficiencies and to coordinate with private investment.

Town Hall Capital Project

The amendment requests to appropriate the \$500,000 originally planned for FY 2021

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(next budget year) for project design into the current budget year. The project timeline is changing to capture savings in construction costs of 5% to 10% annually based on current trends as reported by the consultant from Cummings at the July 31, 2019 Commission Work Session. The cost of construction will be considered in the development of the FY 2021 Budget.

Further, starting the project to replace the existing Town Hall constructed in 1963 is necessary due to the continued maintenance costs, regulatory compliance concerns, and no remaining space for staff offices or work areas.

The amendment will provide for starting the construction management and design of the new Town Hall at the end of Third Street to the left of the pecan grove at the Wendell Park entrance. See Attachment B for project description from FY 2020 Budget.

Downtown Parking and Event Space Project

The amendment requests to appropriate \$300,000 originally planned for FY 2022 for project design and construction in FY 2020. The original project description in the current budget indicates that “the timing of the project is variable depending on the timing and design needs of adjoining buildings and uses”. With the approval of the special use permit for the micro-brewery at 23-A Main Street (Old Campen Stable), the need for the improvement of the public space is necessary to coordinate public area improvements with private investment.

The Commission approved the lease of the Perry property adjoining Town leased and owned rights-of-way on Campen Street to obtain the property rights to improve the project. The City of Raleigh has installed new water and sewer lines in the area and will resurface the area above the lines. An easement is prepared to be recorded with the lease in the coming month. The current schedule of the micro-brewery is to have an opening in May 2020. This schedule necessitates the advancement of the project into the current year. See Attachment C for project description from FY 2020 Budget. The Ordinance provides for the following amendment to existing budget lines:

Revenues (Transfers):

<u>Code</u>	<u>General Fund</u>	<u>Existing</u>	<u>Proposed</u>	<u>Change</u>
10-398-0000	Fund Balance Appropriation	\$695,000	\$1,495,000	\$800,000

Expenses (Building and Grounds):

<u>Code</u>	<u>General Fund</u>	<u>Existing</u>	<u>Proposed</u>	<u>Change</u>
10-500-7600	Capital Outlay – Facilities	\$185,000	\$985,000	\$800,000

The Fund Balance (unassigned) in the adopted budget was \$6,030,012. This represented 88.5% of the operating budget. This exceeded the 40% policy of the Town. If the amendment is approved, the unassigned fund balance for the budget would be 76.8% and remain well above policy. Further, the expenses were planned in the 5-year Capital Improvement Plan. As such, the 5-year plan remains consistent with policy. No borrowing is planned at this time for FY 2020. The planned borrowing to construct

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the Town Hall project and other capital needs remains in a future fiscal year (FY 2022 in the adopted Budget). Prior to expending any of the funds from the proposed amendment for the Town Hall project, the Town will consider a resolution to reimburse project expenses once the borrowing occurs. As such, no additional debt service will be incurred in the FY 2020 Budget.

Mr. Collins offered to answer any questions that the Board might have.

Commissioner Jason Joyner asked that with the amendment being approved, did Mr. Collins anticipate a reshuffling of projects in the next year.

Mr. Collins said no. In the following budget item, Mr. Collins said that the Commission would consider authorizing the owner's project manager item. The use of an OPM will reduce Town staff commitment for a larger complex time-consuming project like the construction of a Town Hall. Mr. Collins said the projects are accounted for in the 5-Year Capital Improvement Plan, so the balances will remain consistent with the Fund Balance Policy.

Mr. Joyner said that the Commission recalls sitting in the gymnasium and they were considering at that point whether they had to change a 40% policy in order to spend \$50,000 in that first year's budget because it would have initially dropped the Town below, at one point. He said he's happy to see that the Commission is seeing growth all over Town that makes projects possible now. Mr. Joyner thanked staff for trying to capture both an opportunity with utilities that were going to be costly to Wendell with the City of Raleigh in the event space parking as well as trying to go ahead and capture interest rates and avoiding inflation costs, versus waiting until they go back up.

ACTION

Mover: Mayor Pro Tem Lutz moved to approve the Ordinance to Amend the Fiscal Year 2020 Budget to revise Capital Project Schedules for Town Hall Design and Downtown Parking and Event Space

Vote: 5-0

6d. Downtown Parking and Event Space Capital Improvement Project
Speaker: Assistant Planning Director Bryan Coates

Assistant Planning Director Bryan Coates presented the following staff report, below in italics:

Item Summary:

Staff requests to release a request for proposals (RFP) for design-build services to design and construct the Downtown Parking and Event Space project in the publicly leased areas of East Campen Street and the adjoining Perry property. The appropriated project budget is \$300,000.

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The RFP would be developed and released by early October and staff anticipates receiving responses by the end of October or early November. Staff would return to the Commission for award of bid and contract approval following this process.

Once a design-build firm is selected the project schedule would be to complete design and public input by the end of December to early January and complete construction by June 2020. This timeline is coordinated with the proposed microbrewery construction schedule on the adjoining property.

Project components could include; parking (vehicle, golf cart, and bike), landscaping, lighting, stormwater, pedestrian improvements, food truck parking, and public art. The final design components will be subject to public input, fiscal constraints, and timing. It is anticipated that the Appearance Commission will assist with murals as part of the project.

Mr. Coates offered to answer any questions that the Board might have.

Commissioner John Boyette asked that if the Town is requesting proposals, why is it advertising how much is in the Town's budget.

Town Manager Marc Collins said that it is an "up to" amount that was reflected in the adopted Capital Budget. He said that staff will truth the cost versus market expenses and make sure people aren't just putting in money to the budget.

Mayor Gray said that she was very excited about this project.

ACTION

Mover: Mayor Pro Tem Lutz moved to request permission to release the RFP for Downtown parking and event space Capital Improvements Project.

Vote: 5-0

- 6e. Request for Qualifications (RFQ) for Owner's Project Manager (OPM) for the Town Hall and related Capital Improvement Projects
Speaker: Public Works Director Brian Bray

Public Works Director Brian Bray presented the following staff report, below in italics:

Item Summary:

Staff requests to release a request for qualifications (RFQ) to select a consultant to provide Owner's Project Management (OPM) services for the Town Hall capital project and related capital improvements that may occur in coordination with the project.

The OPM provides overall project management services in concert and coordination

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with other project professionals (including but not limited to architects, engineers, contractors, and Town staff assigned to the project). The OPM oversees and guides the interests of the Town in the construction of and provides budget control related to new facilities construction projects. The principal capital project anticipated is the Town Hall project. Related projects could include road and infrastructure projects needed to access the site. Additionally, the OPM could provide oversight to additional capital needs occurring in coordination with the project (for example: a parking area paving or new amenity at the Town Park).

An OPM is necessary for large scale projects like the Town Hall project due to the complexity, scale, and time commitment of the project. As such, the OPM serves as the manager, facilitator, and communicator working closely with the Town's consultant on the project. The OPM will coordinate project design meetings.

A scope of services for the OPM is attached to list services typically provided.

The cost of the OPM services is included in the \$500,000 for design services considered for appropriation in the Budget Amendment earlier on the agenda. If approved, staff will release the RFQ by early October for review of submissions by November. The selection of the OPM and contract approval will be returned to the Commission in November 2019.

Mr. Bray offered to answer any questions that the Commissioners might have.

Commissioner David Myrick asked if Mr. Bray knew how much of that \$500,000 would be dedicated to the OPM.

Mr. Bray said he did not know.

Mr. Myrick said that for a Town Wendell's size it would be a great idea to have somebody making sure the Town is getting what it's paying for.

Town Manager Marc Collins said that in his experience in using them is that you get your value either in value cost reduction, alternatives, or avoiding project delays. He said that the Town has to put the total design cost out there, but the Town doesn't necessarily have to break it all down.

Mayor Pro Tem Lutz asked if the OPM is tied in any way to these particular building construction companies or if this was a separate entity.

Mr. Bray confirmed that they would be a separate entity.

Mr. Collins confirmed that OPM companies only represent local governments and do not represent any of the design professionals or contractors.

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ACTION

Mover: Mayor Pro Tem Lutz moved grant permission to release the Request for Qualifications (RFQ) for Owner's Project Manager (OPM) for the Town Hall and related Capital Improvement Projects.

Vote: 5-0

- 6f. Information Technology (IT) Recommendation for Award of Bid and Request to Negotiate a Contract and Master Service Agreement.
Speaker: Police Chief Bill Carter

Chief Carter presented the following report, below in italics:

Item Summary:

On Monday, May 13, 2019, The Town of Wendell Board of Commissioners authorized the Finance Department to issue a joint request for proposal (RFP) for information technology support services with the Town of Rolesville. The goal of the RFP was to identify a vendor that could provide services which would:

- Achieve efficiencies in service and cost through the economy of scale offered by a joint solicitation;*
- Improve IT effectiveness in all areas for the growing towns;*
- Enhance the quality of service to departments and employees, and through the citizens;*
- Minimize downtime and technical support costs while providing an option for full-time on-site IT staff;*
- Provide IT consultation for the towns in negotiation with outside agencies and vendors;*
- Ensure the security of data and build resilient systems compliant with NC Records Retention requirements; and*
- Maximize the return on investment in IT hardware and software.*

The RFP, issued on Thursday May 16, 2019, required interested vendors to attend a mandatory walk-thru of both Towns' facilities which was held on Thursday, June 6, 2019. A total of nine vendors attended in order to gain a better understanding of existing systems and facilities. Subsequent to that vendors could submit written questions which were assembled, responded to and communicated to all vendors to provide them the best information from which to develop proposals. A total of seven vendors submitted proposals by the deadline which was 3 pm on Wednesday, July 17, 2019.

Copies of the submitted proposals were distributed to staff from Rolesville and Wendell for independent review and evaluation utilizing the selection criteria included in the RFP and necessary to satisfy the goal of the RFP. Town of Wendell Staff reviewing the proposals included Finance Director Butch Kay and Police Chief Bill Carter. Upon

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completion of the independent review, a meeting was held with Town of Rolesville Finance Director Amy Stevens and the group established a consensus ranking of the proposals to ultimately recommend the top three vendors to the Town Manager pursuant to the requirements of the RFP. The vendors recommended to the Town Managers for future consideration and presentations were:

- Carolinas IT
- Internetwork Engineering
- VC3

Presentations were conducted by the three finalists on Monday, August 5, 2019. The following staff were present from both communities: Town Managers, Finance Directors and Police Chiefs.

Upon review of all supplied materials, information received in the presentations, reference check results and other due diligence efforts, it is the consensus recommendation of the participants that Carolina's IT be selected to provide the services to the Town of Wendell as its proposal ranked most suitable to the needs of the towns in terms of the criteria established in the RFP:

1. Technical Expertise and Qualifications
2. Service Approach and Methodology
3. Project Staffing and Experience
4. Satisfaction of Clients and End Users

The proposal provides for 12-month pricing and falls within authorized funds in the FY20 budget. The solicitation for proposal for information technology goods and services was conducted in a manner consistent with North Carolina General Statute 143-129.8.

Staff is requesting authorization to enter final negotiations to establish a master services agreement or contract with Carolina IT to provide managed services. If authorized to proceed, staff will continue to negotiate with the vendor to secure the best value while meeting the goals of the RFP and needs of the town.

Chief Carter offered to answer any questions that the Board might have.

ACTION

Mover: Mayor Pro Tem Lutz moved to authorize staff to negotiate a master service agreement with Carolina IT to provide IT services.

Vote: 5-0

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:



CAMPO [Mayor Gray]

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Mayor Gray provided an update of the items on the CAMPO agenda covered at the last meeting.

8. COMMISSIONERS' REPORTS / COMMENTS

Commissioner Joyner said that Meet on Main was a great success and thanked staff. He said that he's happy about getting a new IT consultant and that he agreed with Mr. Piner's request to raise the speed limit to 45 mph. He said after a visit to Washington D.C., he saw a toxic style of politics and asked the community to avoid the toxicity and pray for the country.

Commissioner Boyette said that the Meet on Main event was a great success and he looks forward to seeing more being done. He said that the speed limit being raised to 45 mph wouldn't be safe due to the lack of sidewalks and bike lanes, as he has biked on that road before. He said a resident from the rest home had been hit by a car before and he said that it wasn't important enough to put people at risk, especially when there was not proper pedestrian infrastructure in place.

Commissioner Lutz said that he thought the committee that organized Meet on Main did a great job and he thanked staff for those that worked the event.

Commissioners Myrick and Carroll didn't have comments.

9. MAYOR'S REPORTS / COMMENTS

Mayor Gray said that St. Eugene's International Food and Music Festival was on Saturday, September 21st.

The Harvest Festival is on Saturday, October 5th with a parade and vendors.

Mayor Gray said that Meet on Main was a tremendous success and thanked Joe and Sherry Pino, Lisa McKenzie, Gene Brady, Paul White and Bruce Gray for being on the committee and putting in months of work to organize the event. She said that Kevin Bedingfield donated the band and the sponsors and volunteers were an integral part of the event and she encouraged others to volunteer and that there was a wrap-up meeting coming up. The event would start back up in the Spring on the third Friday of the month.

10. CLOSED SESSION

Closed session will be called if necessary.

11. ADJOURN

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ACTION:

Mover: Mayor Pro Tem Lutz moved to adjourn at 8:00 p.m.

Vote: 5-0

Duly adopted this 14 day of October 2019, while in regular session.

ATTEST:

Virginia R. Gray,
Mayor

Megan Howard,
Town Clerk

Item Title:

Presentation of Women's Equality Day Certificate to Mayor Virginia Gray

Report to the Board of Commissioners:

Presentation to Board on October 14, 2019

Specific Action Requested:

No action requested.

Item Summary:

Mayor Gray will receive a certificate for her service to Wake County on behalf of the League of Women Voters of Wake County.

Item Title:

Recognition of National Community Planning Month

Report to the Board of Commissioners:

Proclamation to Board on October 14, 2019

Specific Action Requested:

Present proclamation to the Wendell Planning Department recognizing October 2019 as National Community Planning Month.

Item Summary:

The American Planners Association (APA) recognizes October as National Community Planning Month. The 2019 theme for the month is “Planning for Infrastructure That Benefits All” to highlight how well-planned infrastructure projects strengthen community, boost the economy, expand opportunity, and promote equitable development.

The proclamation recognizes the efforts of the Board, citizen planners, and professional staff, for advancing community planning efforts past and present. Efforts include the 2019 Strategic Plan, Budget with a 5-Year Capital Improvement Plan, Town Hall design funding, Downtown Parking and Event Space design-build funding, Parks and Recreation Master Plan, Wendell Boulevard Sidewalk Project funding, and Comprehensive Plan Update funding. Such efforts, among others, represent an ongoing commitment to realize the goal of planning to maximize the health, safety, and economic well-being of all people living in Wendell.



TOWN OF WENDELL

NORTH CAROLINA

**TOWN OF WENDELL
PROCLAMATION
NATIONAL COMMUNITY PLANNING MONTH**

WHEREAS, Planners work to improve the well-being of all the people by working for safer, resilient, more equitable, and more prosperous communities;

WHEREAS, the American Planning Association encourages communities across the country to recognize October as National Community Planning Month;

WHEREAS, the 2019 planning month theme is *Planning for Infrastructure That Benefits All*; and

WHEREAS, the Town of Wendell actively supports well-planned infrastructure projects, strong communities, expanded economic opportunity, and equitable development for a positive quality of life.

NOW, THEREFORE, LET IT BE PROCLAIMED by the Honorable Mayor and Town Board of the Town of Wendell that the month of October 2019 be recognized as:

NATIONAL COMMUNITY PLANNING MONTH

Let it also be proclaimed that all citizens, businesses, and visitors in the Wendell community are urged to support and encourage quality planning to improve the well-being and quality of life for all.

Duly proclaimed this 14th day of October 2019.

Virginia R. Gray,
Mayor

Item Title:

Authorization to Execute Contract for Design Services for the Wendell Boulevard Pedestrian Project with Kimley Horn in the Amount of \$268,790.53.

Board of Commissioners Meetings:

Monday, October 14, 2019 – Execute Contract for Design Services

Monday, July 22, 2019 – Authorization to Negotiate Contract for Design Services

Specific Action Requested:

Authorize the Town Manager to execute the contract for design services for the Wendell Boulevard Pedestrian Project with Kimley Horn in the amount of \$268,790.53.

Background:

The Wendell Boulevard Pedestrian Project advances several strategic initiatives of the 2019 Strategic Plan and implements sidewalk recommendations of the 2016 Pedestrian Plan by providing continuous sidewalk from Wendell Elementary School (Downtown) to the Food Lion shopping center on Wendell Boulevard. The project also addresses unsafe pedestrian crossings at Wendell Falls Parkway, Wall Street, and Marshburn Road along Wendell Boulevard and provides a traffic signal at the intersection with Wendell Falls Parkway.

A basic concept plan for the proposed Wendell Boulevard Improvements is included as Attachment B. The proposed improvements to Wendell Boulevard would include:

- The construction of approximately 2000 LF of new sidewalk to fill existing gaps.
- Closing off Wall Street at its intersection with Wendell Blvd.
- Signalization/improvements to the Wendell Blvd/Wendell Falls Parkway intersection.
- Pedestrian Improvements and modifications to the Marshburn Road/Wendell Blvd. intersection.

On July 22, 2019, the Town Board authorized the Town Manager to enter into negotiations with Kimley Horn to provide design and engineering services for this project, in adherence with all state and federal guidelines necessary for the Town to subsequently pursue funding through CAMPO's Locally Administered Planning Program (LAPP) for Right-of-Way (ROW) and Construction phases of the project.

Kimley Horn was contracted to assist the Town in preparing material for the LAPP submittal. The majority of this work has been completed, with the remaining items to be finished prior to October 30, 2019 (LAPP submittal deadline). The project will be divided into two (2) LAPP

grant submittals following discussions with CAMPO and NCDOT to meet procedural requirements for State and Federal funding.

- Submittal 1 will address the sidewalk extension along Wendell Boulevard and the intersection improvements to Marshburn Road. This submittal will compete against other bike/ped projects.
- Submittal 2 will address operational improvements to the Wendell Blvd/Wendell Falls Parkway intersection, including signalizing the intersection and the closing of Wall Street. This submittal will compete against other roadway projects.

Item Summary:

Preliminary cost estimates (incorporated into the Town's CIP) included \$185,000 for design/engineering work for this project, with an additional \$1,300,000 for ROW acquisition and construction. The design work was appropriated in this year's budget, with the Town's portion of ROW and Construction costs planned for the fiscal year 2021 budget.

The revised cost estimates provided by Kimley Horn and negotiated by staff are as follows:

- Design/NEPA Contract Cost- \$268,790.53
- ROW/Construction Estimate– \$1,803,185
 - \$1,034,094 for Submittal 1
 - \$769,091 for Submittal 2

This represents an increase of \$83,790.53 than the initial estimates developed in fall 2018. The projected cost increase is due to higher ROW and utility relocation estimates than were developed during Kimley Horn's preliminary investigation. Additionally, the preparation of two submittals to meet procedural requirements of obtaining state and federal funding for later phases also increases the cost.

Staff recommends the Board to authorize the Town Manager to execute the contract for design services for the Wendell Boulevard Pedestrian Project with Kimley Horn in the amount of \$268,790.53. The budget amendment will be officially reconciled at fiscal year-end by fund balance appropriate, if needed. The cost adjustment for the ROW and construction phases will be made in the fiscal year 2021 budget process by increasing grant funding and local match. The local match is requires a minimum 20% for a LAPP application.

A copy of the scope of services for the Design/NEPA agreement is included as Attachment B. The current project schedule completes design, ROW, and construction in July 2022.

Attachments:

- A. Wendell Blvd Improvements - Conceptual Project Map
- B. Scope of Work – Design/NEPA agreement

Appendix A

Wendell Boulevard Corridor Improvements Concept Design





October 1, 2019

Mr. David Bergmark – Planning Director
Town of Wendell – Planning Department
15 E. Fourth Street
Wendell, NC 27591

Re: Wendell Boulevard Corridor Improvements Professional Services Agreement

Dear Mr. Bergmark:

Kimley-Horn and Associates, Inc. (“Kimley-Horn” or “Consultant”) is pleased to submit this letter agreement (the “Agreement”) to the Town of Wendell (“Client”) for providing engineering and construction administration services. Our project understanding, scope of services, schedule, and fee are below.

Project Understanding

The Consultant understands the Town of Wendell would like to secure professional engineering services for the preparation of final construction plans for the Wendell Boulevard Corridor Improvements project. Improvements will include approximately 1,840 LF of sidewalk along the eastern side of Wendell Boulevard from Hanor Lane to W Academy Street and intersection improvements at the Marshburn Road and Wendell Boulevard intersection. The proposed sidewalk will connect the existing segments of sidewalk along the corridor, and the intersection improvements at the Marshburn Road and Wendell Boulevard intersection will include pedestrian accommodations and central median channelization. This project will also include the design and construction of intersection improvements at the Wendell Falls Parkway and Wendell Boulevard intersection (including pedestrian accommodations, signalization, and the closure of Wall Street). Appendix A shows an exhibit of the anticipated designs included in this project.

It is the Consultant's understanding that the Town may submit for CAMPO LAPP funding for right-of-way and construction of these projects. Therefore, plans will be designed to NCDOT standards.

The following services are further defined in this scope of services document:

1. Project Coordination and Administration
2. Data Collection and Surveys
3. NEPA Environmental Document and Public Involvement
4. Environmental Coordination (No Permit Required)
5. Traffic Capacity Analysis
6. Roadway Design and Contract Specifications
7. Hydraulic Design
8. Traffic Signal Design
9. Traffic Management Plans
10. Erosion and Sediment Control Design
11. Signing and Pavement marking
12. Utility Coordination

**Scope of Services**

Kimley-Horn will provide the services specifically set forth below.

Task 1 - Project Coordination and Administration**Project Kick-Off**

Upon receiving notice to proceed, a project kick-off meeting with the Town will be held to discuss the project's objectives and critical issues, particularly regarding coordination and scheduling between the different parties involved. During this meeting the Consultant and these parties will finalize the project schedule, determine the extent of existing data available, define additional data to be collected, and establish an approval process.

The Consultant will provide the Town with a written summary of the kick-off meeting and a final project work plan based on the results of this meeting.

Coordination with NCDOT

The Consultant will coordinate services rendered with NCDOT with respect to present and known future highway improvements which may interface with the Project and impact the plan approval process. The Consultant will also follow the requirements as set forth in the NCDOT Municipal/Developer Submittals Guidelines dated January 2000.

Project Administration

The Consultants' project administration will include monthly invoicing (11 months), monthly progress reports, transmittals, phone contacts, and other general project management.

Task 2 – Data Collection and Surveys**Ground Surveys / SUE Level B****See Sub-Consultant Scope and Fee (Appendix B)****Engineers Investigation of Field Survey**

The Consultant will conduct a field investigation to verify survey data completeness and accuracy and identify any physical features, conflicts, or constraints within the corridor that must be addressed during design. These physical features include existing right-of-way boundaries, streams, wetlands, structures within or immediately adjacent to the existing or proposed right-of-way, and other elements presenting constraints to design.



Task 3 – NEPA Environmental Document and Public Involvement

The Consultant anticipates that this project will be classified as a Categorical Exclusion (CE) Type I(B) document. Coordination with NCDOT and the Federal Highway Administration (FHWA) will be conducted to confirm this is the appropriate NEPA documentation before beginning environmental or planning work and throughout the project development process to ensure all NEPA requirements are met and the CE is approved.

Data Collection

The Consultant will collect relevant available online data such as state and local GIS shapefiles, known historic resources from the N.C. Department of Transportation, NCOneMap files, and other sources to document and estimate impacts to known environmental and community features surrounding the portion of the proposed project. An EDR Radius Map Report will be requested by the Consultant to identify environmental records of properties with potential hazardous material contamination.

Agency Scoping Letter

The Consultant will prepare a Scoping/Start of Study Letter and accompanying figures. The letter will include the project description, the TIP number, anticipated project schedule, and the type of documentation proposed for the project. The Consultant will distribute the letter to appropriate federal, state, and local agencies and summarize comments received from agencies. Additional archaeological and historic architecture investigations are not anticipated but may be necessary if scoping letter responses received from the respective agencies warrant further investigation and coordination. If further agency coordination and archaeological or historic architecture investigation is required, it will be considered additional services.

Historic Architecture Coordination

A portion of the project is anticipated to be located within the Wendell Boulevard Historic District. The Consultant will coordinate with the NC State Historic Preservation Office (HPO) by providing information about the proposed design within and adjacent to the historic district and will meet with HPO to request an effects assessment determination in compliance with Section 4(f) and Section 106 regulations.

Direct and Indirect Screening Tool (DIST)

The Consultant will prepare a Direct and Indirect Screening Tool Memo using NCDOT's 2018 guidelines and template. This technical report is required to be submitted with the CE. This task will include coordination with local planning staff and investigation of available data. A draft DIST will be submitted electronically, and the Consultant will revise the DIST following Client and NCDOT's review.

Environmental Document

The Consultant will prepare environmental documentation consistent with the National Environmental Policy Act (NEPA) of 1969, as amended, as federal funds will be used for construction. It is anticipated that a Type I(B) Categorical Exclusion (CE) will be the appropriate documentation for this project. The Consultant will prepare a Type I(B) CE in accordance with current NCDOT and FHWA procedures. If further NEPA documentation is required by NCDOT or FHWA, it will be considered additional services.

Upon completion of the draft CE, the Consultant will submit an electronic version to the Client and NCDOT for initial review and comment. The Consultant will incorporate the preliminary comments and submit an electronic version of the revised CE to NCDOT for a second review. If needed, the Consultant will incorporate additional revisions and submit a PDF to FHWA for review. The Consultant will



incorporate FHWA's comments. The Consultant will provide Client with two (2) printed copies and an electronic (PDF) version of the approved CE.

Public Involvement Tasks

The following public involvement activities are included in this scope:

Project Newsletter

The Consultant will prepare a direct mail newsletter (double sided 8.5x11") to provide information on the proposed design after the 25% designs are submitted and approved by the Client. A Spanish translation of the text and graphics will be included in the newsletter due to the anticipated presence of Spanish Limited English Proficiency (LEP) populations within the study area based on recent census demographic data. The Consultant will develop a mailing list of property owners and physical addresses potentially affected by the project. An electronic PDF version of the above materials will be provided to the client for review prior to distribution.

The newsletters will be mailed to the addresses included on the mailing list. A single hard copy or PDF of the newsletter will be provided to multi-tenant property owners such as apartment complexes within the mailing list boundary, for distribution to their communities. A PDF of the newsletter will be provided to the Wendell Elementary School officials and emergency responders. The Consultant will coordinate via phone with these groups via phone if necessary. A PDF of the newsletter will also be provided to the Client for electronic distribution via the Town's website.

The Consultant will prepare a summary of comments following the newsletter distribution and draft responses to these comments. A draft of this document will be provided to the Client electronically for review. The Consultant will make one round of revisions to the document and distribute via email to individuals who provided a comment as directed by the Town.

If notable public controversy is identified during review of the comments received in response to the newsletter, a public meeting should be held to meet NEPA requirements. All public meeting related tasks would be considered additional services.

Town Council Meetings

The Consultant will attend up to two (2) Town Council meetings (1 staff for each), assumed to occur following the completion of the public comment summary, and after right-of-way plans are complete, to answer questions as needed. It is assumed staff from the Client will prepare and present project materials to Town Council.

The Consultant can attend additional meetings as directed by Client, as additional services.

Task 4 – Environmental Coordination (No Permit Required)

Stream/Wetland Investigation

Kimley-Horn will conduct a field investigation of the Site to determine the absence or presence of streams, wetlands, and/or open waters within the study area utilizing the three-parameter approach for wetland delineation as described in the Federal Manual for Identifying and Delineating Jurisdictional Wetlands. The jurisdictional limits will be flagged following the guidelines presenting in the 1987 U.S. Army Corps of Engineers Wetland Delineation Manual and the 2012 Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and



Piedmont (Version 2.0). Data forms required for certification by the USACE and NCDWR will be completed with the data necessary obtained during field reviews. Any jurisdictional streams will be classified as either perennial or intermittent. The delineated wetland or stream boundaries will be flagged and GPS located.

Regulated Riparian Buffers

Based on the Site's location in the Neuse River Basin, streamside riparian buffer zones within the Site may also be regulated by NCDWR. Kimley-Horn will review the most recent NRCS Soil Survey for Wake County and the USGS 1:24,000 topographic maps for the area and determine the applicability of NCDWR riparian buffer rules within the tract. Data forms will be completed in the field sufficient to request formal NCDWR concurrence as to the applicability of riparian buffers rules within the Site. A buffer applicability determination request package will be prepared and submitted to NCDWR as part of this task. Kimley-Horn will conduct one (1) field review on site with NCDWR staff to confirm the applicability of riparian buffers within the Site.

Jurisdictional Determination Package

Kimley-Horn anticipates that an Approved Jurisdictional Determination (AJD) will be required to meet the Town's schedule and objectives due to lack of jurisdictional features in the corridor. Kimley-Horn will prepare an AJD request package for submittal to the USACE. Kimley-Horn will seek to obtain concurrence from the USACE and/or NCDWR on the wetland and stream delineation within the corridor. An application will be made to the USACE consisting of a letter, the required figures, a maximum of 2 Rapanos forms, and supporting data forms. It is anticipated that one site inspection will be required with the USACE and/or NCDWR where Kimley-Horn will review the final delineation in the field with applicable representatives. Kimley-Horn will perform any minor modifications to the jurisdictional lines that may be deemed necessary by the USACE and/or NCDWR in order to obtain their concurrence.

No Permit Required Application Package

Based on a preliminary review of available imagery of the corridor, Kimley-Horn anticipates that the project will not require authorization under Section 404/401 of the Clean Water Act from the USACE or NCDWR. Kimley-Horn will prepare a No Permit Required concurrence request package for submittal to the USACE and NCDWR consisting of a letter, the required figures and data forms, site photographs, and preliminary plans. Kimley-Horn will submit this application package to the USACE and track the application with the USACE and the NCDWR. Kimley-Horn will respond to up to one (1) round of comments from the USACE and the NCDWR.

Environmental Screening Memo

Based on field data collected during the stream and wetland investigation, Kimley-Horn will prepare an Environmental Screening Memo to document findings and relevant project data from various federal and state agencies and to identify important environmental resources and issues in the corridor. The screening memo will include physical resources, soils, geology, and water resources found in the corridor such as jurisdictional streams, wetlands, and open waters; riparian buffers; anticipated required state and federal permits and certifications; and floodplain, floodway, and water



quality concerns. A draft memo will be prepared and sent to the Town for review and comment. Kimley-Horn will make revisions based on Town comments before finalizing memo.

The Endangered Species Act of 1973 mandates that federal agencies ensure that any actions authorized, funded, or carried out by that agency do not jeopardize the “continued existence” of listed species or result in the destruction or adverse modification of critical habitat. As part of the Environmental Screening document preparation, Kimley-Horn will conduct a review for species listed as threatened or endangered by the U.S. Fish & Wildlife Service (USFWS) and known to occur in Wake County. Kimley-Horn will review North Carolina Natural Heritage Program data inventorying known occurrences of federally-protected species in the project vicinity. Based on a review of available imagery for the corridor, Kimley-Horn anticipates suitable habitat will be present for Michaux’s sumac, red-cockaded woodpecker (RCW), and bald eagle. Kimley-Horn will conduct pedestrian surveys for these three species within the appropriate survey window within areas of potentially suitable habitat. Any aquatic species requiring surveys will be considered additional services. Following pedestrian surveys, Kimley-Horn will render biological conclusions for each federally threatened or endangered species known to occur in Wake County as part of the screening document preparation.

Task 5 – Traffic Capacity Analysis

Data Collection and Volume Development

The Consultant will perform 14-hour (6am-8pm) turning movement counts at the intersection of Wendell Boulevard at Buffalo Street/Wendell Falls Parkway to evaluate existing intersection operations and volumes. Per NCDOT requirements, these counts will be collected when Wake County Public Schools are in session. It is anticipated that full traffic forecasts will not be required for this project. Therefore, preparation of traffic forecasts was not included in this scope of work. Instead, the Consultant will review available data from historic AADT volumes and the Triangle Regional Model to determine an appropriate annual growth rate to project future volumes in the design year. We will coordinate with the Town and NCDOT to confirm the growth rate assumptions for use in the intersection capacity analyses.

As volumes on Wall Street are anticipated to be minor, turning movement counts will not be collected at that intersection, and volume diversions will not be performed for the intersection capacity analyses discussed below.

Intersection Capacity Analysis

The Consultant will create a base Synchro network for the study intersection based on existing roadway laneage. The Consultant will perform traffic capacity analysis for the AM (7-9am), school PM (2-4pm), and adjacent street PM (4-6pm) peak hours for the existing and design year conditions. As NCDOT has previously performed signal warrant analyses for the intersection and determined that a traffic signal is warranted and recommended for construction, design year analyses will be performed assuming a traffic signal is in place. Laneage recommendations will be based on design year traffic conditions. The Consultant will discuss our findings and recommendations with the Client prior to



finalization of the study. The Consultant will summarize the findings and recommendations of the analysis in technical memorandum for submittal to NCDOT and the Town as a draft. The Consultant will revise and resubmit the final memorandum based on one (1) round of NCDOT comments.

Meetings and Coordination

The Consultant will also attend one (1) meeting with the Town and NCDOT to discuss the results of the traffic capacity analyses.

Task 6 – Roadway Design and Contract Specifications

The Consultant understands that the plans will be designed to show all improvements from the project understanding included in one plan set deliverable. Separate plan sets for each location will be considered additional services.

No geotechnical services are included in this scope of services. The Consultant will coordinate with the NCDOT Division 5, District 1 office to develop all pavement designs for the proposed construction. Pavement designs will be based on NCDOT recommendations. These pavement recommendations will be incorporated into the roadway plan set.

25% Design Plan

Based on scoping discussions, the roadway plans will be developed to a stage where they are approximately 25% complete. The 25% plans will include a title sheet, typical sections, plan and profile design, and cross sections. The Consultant will produce the roadway design plans with a horizontal scale of 1" = 40' and a vertical scale of 1" = 10'. All existing roadways, structures, utilities and other items affected by the project, as provided by surveys, will be shown in addition to the proposed construction.

25% Opinion of Probable Construction Cost (OPCC)

25% Quantities and opinion of probable construction cost will be prepared and submitted to the Town based on the 25% design plans. The Consultant understands that one OPCC will be developed for all improvements from the project understanding; if separate quantities or OPCC's for each location are desired they will be considered additional services. The Consultant does not guarantee that the actual quantities and construction cost will not vary from the OPCC provided.

25% Design Deliverables

The Consultant will submit three (3) 22" x 34" sets of the 25% plans to the Town for review. The Consultant will also provide electronic copies of the plans and the 25% OPCC.

25% Review Meeting with the Town

At the completion of the 25% plan design, the Consultant shall make available responsible staff members to participate in one plan review meeting with the Town.

The Consultant will incorporate one (1) round of comments and revisions into the final plans and will not resubmit revised 25% plans.

**90% Roadway Construction Plans**

The Consultant shall complete the construction plans, incorporating the comments from the 25% Plans Review. Final design plans shall include roadway design and details, pavement marking and signing plans, roadway material quantities, and shall identify surveyed existing right-of-way, proposed right-of-way, and permanent and construction easements sufficient to encompass all improvements. Final plans shall also include traffic control plans and erosion control plans. The Consultant shall develop final design plans and project special provisions in sufficient form and detail for the Town to let a construction contract. All final designs for the Project shall conform to the appropriate current AASHTO Specifications, the current practices of the North Carolina Department of Transportation (NCDOT), and the requirements of the Town.

90% Opinion of Probable Construction Costs (OPCC)

Based upon the final plans, quantity computations will be performed for each item of work designated as unit price pay items. Based upon the final quantities, a final opinion of probable construction cost will be prepared. The Consultant understands that one OPCC will be developed for all improvements from the project understanding; if separate quantities or OPCC's for each location are desired they will be considered additional services. The Consultant does not guarantee that the actual quantities and construction cost will not vary from the OPCC provided. The North Carolina Department of Transportation's master pay item list will be used to the fullest extent practical.

Because the Consultant does not control the cost of labor, materials, equipment or services furnished by others, methods of determining prices, or competitive bidding or market conditions, any opinions rendered as to costs, including but not limited to opinions as to the costs of construction and materials, shall be made on the basis of its experience and represent its judgment as an experienced and qualified professional, familiar with the industry. The Consultant cannot and does not guarantee that proposals, bids or actual costs will not vary from its opinions of cost. If the Town wishes greater assurance as to the amount of any cost, it shall employ an independent cost estimator. Consultant's services required to bring costs within any limitation established by the Client will be considered as an Additional Services.

Contract Specifications

The Consultant shall develop final design plans and project special provisions in sufficient form and detail for the Town to let a construction contract. Final designs for the Project shall conform to the appropriate current AASHTO Specifications, the current practices of the North Carolina Department of Transportation (NCDOT), and the requirements of the Town.

Review of 90% Plans

The Consultant will submit electronic copies of the final plans and three (3) 22" x 34" sets of the final plans to the Town for review. The Consultant will also provide electronic copies of the final OPCC and contract specifications to the Town. The Town will provide electronic copies of the plans, contract specifications, and OPCC to NCDOT for their review and Plans, Specifications, and Engineer's Estimate (PS&E) approval. This approval will be necessary for the Town to request construction authorization.



Comments from other agencies are not anticipated. If necessary, revisions to the plans from comments from other agencies will be considered additional services.

100% Signed and Sealed Roadway Plans

The Consultant will incorporate one (1) round of comments from the Town and NCDOT. The Consultant will revise, sign, and seal the plans, revise the quantities and OPCC, and revise the contract specifications.

100% Signed and Sealed Roadway Plans Deliverables

The Consultant will submit three (3) 22" x 34" sets of the 100% signed and sealed plans to the Town. The Consultant will also provide electronic copies of the 100% plans, OPCC, and contract specifications to the Town.

Work Standards

The design and plans will be based upon the appropriate AASHTO guidelines, MUTCD guidelines, the standard practices of the NCDOT, and the design criteria developed and approved during the Preliminary Plans phase.

The Consultant will prepare all plan sheets through a computer aided drafting and design system (CAD). At the time of delivery of project plans for bidding, the Consultant will provide a copy of the electronic Microstation files to the Town.

Task 7 – Hydraulic Design

The Consultant will perform hydraulic analysis within the project corridor for major drainage crossings along the proposed alignment (none anticipated), all storm drain systems, and roadside ditches. All hydrologic and hydraulic designs will be completed in accordance with the North Carolina Department of Transportation's requirements for Hydraulic Design. The anticipated tasks associated with drainage design include:

- Conduct field reconnaissance of existing and proposed drainage features and patterns associated with major crossings and surface drainage within the project corridor.
- Develop hydraulic designs for storm drainage systems, roadside ditches, and outfall analyses. Existing and proposed pipe systems will be evaluated in Geopak Drainage to determine if the existing outfall system is appropriately sized.
- Draft the anticipated roadside ditch profiles into the profile. These ditch profiles will also be processed in Geopak to generate the roadside ditches in cross section.
- Draft the proposed drainage features (storm drain systems, ditches, etc.) and all associated labeling in a drainage Microstation file.
- Complete the drainage summary sheet.
- Complete Pre versus Post outfall analysis.



- Evaluate applicable best management practices (BMP's) to accommodate NCDENR-DWQ requirements. Based on the urban nature of this project, no proposed BMP's are anticipated. If BMP's are needed and requested by the Department, they will be considered additional services.
- Contact the applicable governmental agencies and submit, in a timely manner, appropriate permit applications necessary for construction of the Project. Based on the urban nature of this project, no jurisdictional features have been identified within the project corridor and therefore no permit drawings are anticipated.
- Complete a Stormwater Management Plan.
- Attend one joint coordination meeting with the Town of Wendell and NCDOT
- Perform limited Utility Conflict Analysis
- Drainage features will be indicated on the Plan View of the Sheets for the purposes of identifying right of way and easement requirements. All drainage comments received from review of the Final Plans will be addressed in writing and incorporated into the 100% Signed and Sealed Plans.

Additional hydraulic design elements related to a new outfall or an outfall improvement is not included in our scope of work and will be considered additional services.

Task 8 – Traffic Signal Design

A new traffic signal is proposed at the intersection of Wendell Boulevard and Wendell Falls Parkway. Once the traffic capacity analysis from Task 5 has been completed, the Consultant will coordinate with NCDOT to discuss the parameters of the traffic signal for this intersection.

The Consultant will coordinate with the NCDOT Division 5 Office in the preparation of a written Traffic Signal Agreement between NCDOT and the Town of Wendell. This agreement will be based on conversations with the Town and NCDOT Division 5 Office and will be prepared by NCDOT. Once prepared, copies of the Agreement will be forwarded to the Town for execution.

The Consultant will prepare and submit to NCDOT the 90% signal plans and electrical details. Upon receipt of 90% review comments, the Consultant will revise the plans if needed and submit 100% signal plans and electrical details. Upon receipt of 100% review comments, the Consultant will make any additional revisions to the plans that are required and will sign, seal, and submit the final signal plans and electrical details to NCDOT. The Town will be copied on all plan submittals.

There are not currently any NCDOT closed loop systems in Wendell so it is assumed that this new traffic signal will operate in isolation. If the signal needs to be connected to a traffic signal system, fiber optic cable routing and splice detail plans can be provided as an additional service.



Task 9 – Traffic Management Plans

Work Zone Construction Phasing Concept Notes

The Consultant will develop preliminary construction phasing concept notes including an overall description of sequential steps to be followed in construction phasing. This document is intended for general concept discussion only and will not constitute final or detailed construction traffic control phasing.

Final Work Zone Traffic Control Design Phasing

The work zone traffic control plans will consist of general typical sections and notes to address the constructability of the design. It is assumed that detailed phasing plans will not be required for this project. If required by the reviewing agencies, Consultant can provide as additional services.

Task 10 – Erosion and Sedimentation Control Plans

Erosion Control Plans

The Consultant will complete erosion control plans by specifying erosion control measures, which minimize erosion and limit off-site sedimentation during construction of the Project. The design will be in accordance with the requirements of Wake County, which manages the erosion control for the Town. The Consultant will show erosion control measures and special details not shown in the Erosion Control Manuals as part of the construction plan set. It is anticipated that only final erosion control plans will be needed; clearing and grubbing erosion control plans are not anticipated. Since the total land disturbance is likely to be less than one (1) acre, the Consultant does not anticipate submitting for a land disturbance permit.

For-Information-Only Submittal to Wake County

Following final plan review by the Town and any associated revisions, The Consultant will submit erosion control plans and supporting documentation to Wake County for information only. Since a permit is not anticipated, comments on the erosion control plans and specifications are not anticipated from Wake County or other agencies. If any agency comments are to be incorporated, this will be considered additional services.

Task 11 – Signing and Pavement Marking Plans

Pavement Marking Plans

The Consultant shall develop pavement marking plans at a scale of 1"=40', unless otherwise agreed upon and in conformance with the following:

- Work shall be performed as outlined in the current NCDOT Traffic Engineering Branch "Guidelines for the Preparation of Construction Staging, Traffic Control and Pavement Marking Plans."
- Pavement marking plans will be developed concurrently with the final design plans so as not to delay submission of all final construction documents.



Signing Plans

The Consultant will prepare final signing plans at a scale of 1"=40', unless otherwise agreed upon, showing locations and type of sign, and other appropriate information. The plans will:

- Identify all existing signs and note their disposition (remove, reset, dispose, etc.).
- Identify all proposed warning, regulatory, route marker and guide signing. It is assumed that there will be only Type D, E and F signing for the project.
- Prepare four (4) Type D sign layouts using GuideSIGN.
- Determine all signing quantities.

All designs and details will be in accordance with MUTCD, NCDOT, and applicable local standards as appropriate.

Task 12 – Utility Coordination

The Consultant will locate and identify ownership of private utilities located within the Project and coordinate with the utility owners on what will need to be relocated, adjusted, or abandoned. Water and Sewer adjustments will be made by the contractor but all other adjustments will be made by the utility owner.

The Consultant will contact the private owners and request the utility owners to provide private utility relocation plans. The Consultant will conduct a utility walk with the utility owners to determine restrictions to relocations and to identify cost-prohibitive adjustments.

Utility relocation plans provided by utility owners can be included for-information-only in the 100% Signed and Sealed plans if they are available prior to bidding. No utility designs or utilities by others (UBO) plans will be included in this scope of work.

Services Not Included

Any services not specifically provided for in the above scope, as well as any changes in the scope the Client requests, will be considered additional services. Any other services, including but not limited to the following, are not included in this Agreement:

- Additional signal designs
- Signal Warrant Analysis
- Signal timing plans
- Signal communication plans
- Geotechnical services
- SUE Level A
- Landscape design
- Property Exhibit Maps
- R/W revisions
- R/W acquisition and negotiations
- R/W and easement staking
- R/W plat preparation



- All permit application fees
- Structural design
- Utility design and permitting
- Construction phase services
- LAPP Submittal Coordination
- Bid Phase Services
- Public Meetings

Information Provided by Client

We shall be entitled to rely on the completeness and accuracy of all information provided by the Client or the Client's consultants or representatives. The Client shall provide all information requested by Kimley-Horn during the project, including but not limited to the following:

- Existing TIA information from projects in the vicinity of the proposed project
- Existing public utility as-built information in the vicinity of the proposed project

Schedule

While the exact schedule will be dependent on many factors including agency review timelines, we will provide our services as expeditiously as possible to meet client deadlines. A preliminary schedule is shown below:

Wendell Boulevard Corridor Improvements		
<i>revised 9-30-19</i>		
Project Milestone	Scheduled	Actual
Receive Design NTP from Town	10/25/19	
Release Surveyor for Survey and SUE Level B	10/25/19	
Receive Survey from Surveyor and Begin 25% Roadway Designs	11/25/19	
Submit 25% Roadway Plans/OPCC to Town	12/17/19	
Receive 25% Comments from Town	01/15/20	
Finalize Drainage Design	02/19/20	
Begin CE Document	02/19/20	
Begin Signal Designs	02/19/20	
Submit CE Document to NCDOT for Review	03/18/20	
Receive CE Document Comments from NCDOT	04/01/20	
Revise and Resubmit CE Document for Approval	04/15/20	



<i>schedule cont.</i>		
Submit 90% Signals Plans to NCDOT	05/06/20	
Submit 90% Plans, OPCC, and Contract Documents to Town/NCDOT	05/06/20	
Town to Submit PCE	05/06/20	
Receive 90% Signals Comments	06/03/20	
Receive 90% Plans Comments from Town/NCDOT	06/03/20	
PCE Approval	06/03/20	
ROW Authorization Submittal	06/17/20	
Municipal Agreement Approval	06/17/20	
ROW Authorization Approval and Start of Acquisition	10/01/20	
Appraisal Completion by NCDOT	11/15/20	
Submit 100% Signal Plans to NCDOT	03/29/21	
Submit 100% Signed Plans, OPCC to Town/NCDOT	03/29/21	
Receive Town and NCDOT Approval of Final Plans	04/26/21	
ROW Acquisition Complete	07/01/21	
ROW Certification Complete	07/29/21	
Contract Documents Complete	07/31/21	
PS&E Submittal	08/07/21	
PS&E Approval	08/21/21	
Construction Authorization Request to FHWA	08/28/21	
DOT Notice to Proceed	09/25/21	
Bid Advertisement	10/09/21	
Bid Opening	11/08/21	
Town Council Award	11/29/21	
DOT Concurrence	12/13/21	
Construction Start	02/11/22	
Construction Completion	07/11/22	
Project Closeout	10/09/22	
<i>Grey highlighted milestones are tasks included in the project scope</i>		

We will coordinate with you throughout the design process to keep you informed of progress and any impacts to the schedule.



Fee and Billing

Kimley-Horn will perform the services in Tasks 1-12 for the total lump sum fee below. Individual task amounts are informational only. All permitting, application, and similar project fees will be paid directly by the Client.

<i>Task 1 – Project Coordination and Administration</i>	<i>\$14,742.59</i>
<i>Task 2 – Data Collection and Surveys</i>	<i>\$5,212.58</i>
<i>Design Surveys – (McKim & Creed – Appendix A)</i>	<i>\$56,000.00</i>
<i>Task 3 – NEPA Environmental Document and Public Involvement</i>	<i>\$29,124.07</i>
<i>Task 4 – Environmental Coordination (No Permit Required)</i>	<i>\$14,382.89</i>
<i>Task 5 – Traffic Capacity Analysis</i>	<i>\$6,192.60</i>
<i>Task 6 – Roadway Design and Contract Specifications</i>	<i>\$51,311.60</i>
<i>Task 7 – Hydraulic Design</i>	<i>\$18,942.91</i>
<i>Task 8 – Traffic Signal Design</i>	<i>\$11,585.59</i>
<i>Task 9 – Traffic Management Plans</i>	<i>\$16,748.40</i>
<i>Task 10 – Erosion and Sediment Control Design</i>	<i>\$9,867.52</i>
<i>Task 11 – Signing and Pavement Marking</i>	<i>\$15,399.65</i>
<i>Task 12 – Utility Coordination</i>	<i>\$16,497.74</i>
<i>Direct Costs</i>	<i>\$2,782.39</i>
Total Lump Sum Fee	\$268,790.53

Lump sum fees will be invoiced monthly based upon the overall percentage of services performed. Payment will be due within 25 days of your receipt of the invoice and should include the invoice number and Kimley-Horn project number.

Item Title:

Authorization to Execute Contracts for On-Call Engineering Contracts with two Firms: (1) A. Morton Thomas and Associates, Inc. (AMT) and (2) Withers and Ravenel.

Report to the Board of Commissioners:

Monday, October 14, 2019

Specific Action Requested:

Authorization for staff to execute a Master Services Agreement/Contract for On-Call Engineering Services with two recommended firms.

Item Summary:

On June 26, 2019, the Town issued a request for qualifications (RFQ) for on-call engineering services. Currently A. Morton Thomas and Associates, Inc. (AMT) provides this service for the Town, but the term of their contract elapsed in 2015. The growing engineering and capital project needs of the Town necessitated a reevaluation of contract options for these services. The goal of the RFQ was to identify one or more firms that could serve as the Town Engineer and represent the Town in various aspects related to Engineering Services. The scope of work for the selected firm(s) could include:

- Development Plan Review, as a member of the Town's Technical Review Committee
- In-house or sub Professional services related to surveying; structural; civil engineering/landscape architecture and/or other specialty services that may be required for transportation related projects (including but not limited to review of Transportation Impact Assessments (TIA);
- Site visits;
- Schematic/Conceptual Design and Cost Estimation;
- Other related design services that may arise for site visits;
- Complete Design Services for small capital projects;
- Construction Administration; and
- Storm water project consulting to include maintenance of GIS mapping system and Phase II audit concerns/regulations.

The RFQ required interested firms to submit their letter of interest and qualifications by August 1, 2019. A total of six vendors submitted proposals by the deadline. Copies of the submitted qualifications were distributed to key Wendell staff members for independent review and

evaluation utilizing the selection criteria included in the RFQ and necessary to satisfy the goals of the RFQ. Staff reviewing the proposals included the Finance Director, Public Works Director, and Planning Director. Upon completion of the independent review, a meeting was held with the selection team to establish a consensus ranking of the submittals to ultimately recommend the top two firms to the Town Manager pursuant to the requirements of the RFQ.

The firms recommended to the Town Managers for additional consideration and presentations were:

- A. Morton Thomas and Associates, Inc. (AMT)
- Withers and Ravenel

Presentations were conducted by the finalists on Friday, September 6, 2019. Upon review of all supplied materials, information received in the presentations, reference check results and other due diligence efforts, it is the consensus recommendation of the participants that both firms be contracted with the Town of Wendell to perform different on-call engineering services, tailored to their individual strengths and capabilities. The negotiated contracts would be for an initial 3-year term, with the ability for 1-year extensions.

As proposed, the break-down of services to be provided by each firm would be as follow:

Withers and Ravenel	A Morton Thomas & Associates
<ul style="list-style-type: none">• Environmental• Surveying• Transportation• Planning• GIS• General Civil• Landscape Architecture• Stormwater Engineering• Construction Administration• Field Inspection• Construction Estimates	<ul style="list-style-type: none">Development Plan ReviewTransportation Impact Assessment ReviewField InspectionsAnnual Powell Bill UpdatesBond Estimate ReviewConstruction Estimates

In general, the proposed structure would retain AMT for most of the engineering services they are currently providing the Town, while contracting Withers and Ravenel to take over Stormwater Engineering and assist with various services related to capital projects.

The master services agreement (MSA) will provide 12-month pricing and would fall within appropriated funds in the FY20 budget. Separate projects agreements will be established for specific program needs (for example: an agreement for stormwater engineering services) with the MSA providing rate sheets and governing rules for services. Any proposed engineering costs

which exceed appropriations in the the adopted budget would require approved by the Town Board prior to commencement of services. The award of contracts is not exclusive and the Town may still approve other firms to provide services on projects as needed.

Staff recommends authorization to enter final negotiations to execute a master services agreement or contract with A Morton Thomas & Associates and Withers and Ravenel to provide on-call engineering services.

Attachments:

None

Item Title:

Request for the Addition of a Human Resources Administrator Position to the Fiscal Year 2020 Budget effective December 1, 2019

Board of Commissioners Meeting:

Monday, October 14, 2019

Specific Action Requested:

Approval of a Human Resource Administrator Position in the Position Classification Plan for the Fiscal Year (FY) 2020 Budget effective December 1, 2019.

Item Summary:

Staff requests the addition of a Human Resources Administrator position to be added mid-year to the FY 2020 Budget to assist with regulatory compliance, administration of the Personnel Policy, and implementation of strategic initiative projects. The position will provide the staff time needed to advance a Top Priority strategic initiative of the Board to “Evaluate human resource policies for overtime, insurance selection, employee evaluation, compensation, comparative benefits, and training programs.

The Finance Director was assigned the Human Resources Officer role in the past. The two roles have a conflict of interest as one protects the fiscal health of the Town and the other has legal and risk implications related to personnel. The Human Resource Specialist position in the Finance Department fills the payroll and benefits responsibilities of the organization which are separate from human resources officer requirements. The Town Manager is now the only employee with formal human resources training and experience.

The position was not originally requested in the FY 2020 as the new Town Clerk was assuming the clerk and communications responsibilities from the Special Assistant to the Manager. The Special Assistant to the Manager had trained to assume the Human Resources Officer assignment in FY 2020 in addition to other project assignments. With the retirement of the position in July 2019 after budget adoption, the need to fill the human resource role remains.

The requested Human Resources Administrator position will be assigned the Role of Human Resources Officer identified in the Personnel Policy. General responsibilities identified in the Personnel Policy include:

- Recommend rules and revisions to the personnel system to the Town Manager for consideration;
- Recommend changes as necessary to maintain an up to date and accurate position classification plan;
- Recommend necessary revisions to the pay plan;

- Recommend which employees shall be subject to the overtime provisions of the Fair Labor Standards Act (FLSA);
- Maintain a roster of all persons in the municipal service;
- Establish and maintain a list of authorized positions in the municipal service at the beginning of each budget year which identifies the each authorized position, class title of position, salary range, any changes in class title and status, position number and other such data as may be desirable or useful;
- Develop and administer such recruiting programs as be necessary to obtain an adequate supply of competent applicants to meet the needs of the Town;
- Develop and coordinate training and education programs for Town employees;
- Investigate periodically the operation and effect of the personnel provisions of the Personnel Policy;
- Perform such other duties as may be assigned by the Town Manager not inconsistent with the Personnel Policy;
- Maintain all records and files related to human resources management and act as the custodian of the same.

Specifically, the position is necessary to assist with the implementation of the compensation and classification study currently in progress, initiate the ADA transition process as the ADA Coordinator of the Town, develop an employee evaluation system, and update processes, records, and policies to meet regulatory compliance.

While the position is not appropriated in the FY 2020 budget, staff is requesting it be filled in advance of the Risk Manager position planned for FY 2021. The risk manager position would be added in a future fiscal year. The approximate cost of the position for six (6) months with benefits is \$39,500. The funding would be appropriated at the end of fiscal year budget amendment using accrued savings and increased revenues, if available, or fund balance if not.

Attachment:

None

Date: October 14, 2019

Item # 7a

Item Title:

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

Specific Action Requested:

None

Attachments:

None

Date: October 14, 2019

Item # 8

Item Title:

Commissioners' Reports.

Specific Action Requested:

None

Attachments:

None

Date: October 14, 2019

Item # 9

Item Title:

Mayor's Report.

Specific Action Requested:

None

Attachments:

None

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