



**Wendell Town Board of Commissioners
Board Room
15 E. Fourth Street, Wendell, NC 27591
Town Board Meeting Agenda
Monday, April 08, 2019 @ 7:00 PM**

CALL TO ORDER

- Welcome by Mayor Virginia R. Gray
- Pledge of Allegiance by Stalin Wences student at Carver Elementary School
- Invocation by Wendell Council of Churches

1. ADJUSTMENT AND APPROVAL OF THE AGENDA

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

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

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

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

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

3. CONSENT AGENDA

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

- 3a. Approval of the Wake County Tax Report for the Town of Wendell.
- 3b. Approval of the amended 2019 Board of Commissioners Meeting Schedule to include a Special Called Budget Work Session on Monday, April 29, 2019 at 7 PM at Wendell Town Hall, 15 E Fourth St.

4. RECOGNITIONS, REPORTS, AND PRESENTATIONS

- 4a. Recognition of Carver Elementary School teacher: Ms. Aryn Kontos
Speaker: Mayor Virginia Gray
- 4b. Recognition of the Youth Winter Basketball All-Star State 15-18 boys' team for winning the State Championship.
Speaker: Athletics Program Supervisor Director Tim Kay
- 4c. Presentation of the upcoming Spring Into the Arts Walk and request for temporary street closures.
Speaker: Parks & Recreation Director Jeff Polaski

5. PUBLIC HEARINGS

Public hearings are legislative. Persons wishing to speak will have five-minutes to speak.

QUASI-JUDICIAL [EVIDENTIARY] PUBLIC HEARINGS - *Quasi-judicial hearings are different than regular public hearings in that they resemble a court hearing where testimony is presented. The Town Board refrains from "ex parte communication" about these cases, as they must make a decision based solely on the written and oral evidence actually presented at the hearing itself. This means that the Town Board refrains from receiving any information about these cases outside the hearing, including emails, phone calls, letters, etc. The Town Board also refrains from conducting meetings about these issues outside the hearing. These same prohibitions do not apply to staff. Staff welcomes inquiries from the public about any of these cases.*

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** for a map amendment request to rezone 17 acres located behind Industrial Drive, accessed by Church Street (PIN #1784326835; addressed as 0 Wendell Blvd.) from Manufacturing & Industrial (M&I) to Corridor Mixed Use (CMX). The Wendell Board of Commissioners reserves the right to change the existing zoning classification of the area in question or any part or parts thereof to a more restrictive general zoning classification without the necessity of withdrawal or modification of the petition. [Item 5b is contingent

upon adoption of item 5a.]
Speaker: Planning Director David Bergmark.

Evidentiary (Quasi-Judicial) Hearing Guidelines:

- *Case is announced*
 - *Town Attorney provides rules of procedure for an evidentiary hearing*
 - *Disclosure*
 - *Town Clerk provides oath for persons wishing to present testimony*
 - *Staff presentation*
 - *Applicant presentation*
 - *Opposition presentation*
 - *Applicant rebuttal*
 - *Opposition rebuttal*
 - *Staff closing comments*
 - *Board inquiry*
 - *Board called into deliberation*
 - *Board discussion of the findings of fact:*
 - *Approve*
 - *Approve with conditions*
 - *Deny (must include reason)*
-

5b. **EVIDENTIARY HEARING** for a special use request to construct an 84-unit apartment complex on 17 acres located behind Industrial Drive, accessed by Church Street (PIN #1784326835; addressed as 0 Wendell Blvd.) [described in item 5a].

Speaker: Planning Director David Bergmark

5c. **EVIDENTIARY HEARING** for a special use request by Marcus A Scott of The Way Church of God and True Holiness to permit a church at 2493 Wendell Blvd located at Knott Square Shopping Center, PIN # 1784-16-5487.

Speaker: Planning Director David Bergmark.

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*
-

5d. **PUBLIC HEARING** for annexation petition A-19-03 for 11.64 acre tract located off of Charthouse Drive and adjacent to Knott Square Shopping Center; PIN # 1784-17-7071.

Speaker: Planning Director David Bergmark

5e. **PUBLIC HEARING** for a zoning text amendment to chapter 6.5 of the UDO as it relates to exemptions for private property owners for stormwater runoff provisions. This text amendment is in accordance with NC GS 143-214.7(b3).

Speaker: Planning Director David Bergmark

6. ADMINISTRATIVE ITEMS

No Administrative Items.

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. Snap Shot.

7b. Update on board committee(s) by Town board members:

 Wendell Fire Board [Commissioner Joyner]

8. COMMISSIONERS' REPORTS / COMMENTS

9. MAYOR'S REPORTS / COMMENTS

10. CLOSED SESSION

Closed session will be called if necessary.

11. ADJOURN