

**TOWN OF WENDELL
BOARD OF COMMISSIONER MEETING MINUTES
February 25, 2019**

The Wendell Town Board of Commissioners held their regularly scheduled meeting on Monday, February 25, 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, Ben Carroll, Jason Joyner and David Myrick.

STAFF PRESENT: Town Manager Marc Collins, Special Assistant to the Manager-Town Clerk Sherry Scoggins, Town Attorney Jim Cauley, Finance Director Butch Kay, Planning Director David Bergmark, Parks & Recreation Director Jeff Polaski, Public Works Director Brian Bray and Police Chief Bill Carter.

CALL TO ORDER

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

Logan Champion student at Carver Elementary School led the Pledge of Allegiance.

Errol Briggerman of Wendell Council of Churches provided the invocation.

1. ADJUSTMENT AND APPROVAL OF THE AGENDA

ACTION

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

Vote: Unanimous.

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

The following persons spoke during Public Comment Period:

 Sid Baynes spoke in support of Little River vision.

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. Wake County Tax Report.

- 3b. Second reading for a Map Amendment request to rezone property at 719 Marshburn Road from Residential-3 (R3) to Neighborhood Center (NC). [Public hearing held on 2/11/2019; vote of 3 to 0 to approve as presented.]
- 3c. Approval of the November 13, 2018, regular meeting minutes.

ACTION:

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

Vote: Unanimous.

4. RECOGNITIONS, REPORTS, AND PRESENTATIONS

- 4a. Recognition of Carver Elementary School teacher: Judy Champion
Speaker: Mayor Virginia Gray

[Staff Report]

Item Summary

Judy Champion is a Pre-Kindergarten teacher. Currently, she is teaching in the Blended pre-K classroom at Carver Elementary School. Her career in Wake County began as a Teacher Assistant in a Special Education classroom. It was always a passion of hers to teach students with disabilities. She went back to school to obtain her bachelor's degree in Birth through Kindergarten studies so that she could become a classroom teacher. Once she obtained her degree, she had the opportunity to teach in the Developmentally Delayed pre-K classroom at Carver for seven years.

The Office of Early Learning in Wake County Schools continued to grow and began opening Blended pre-K classrooms throughout the district. Mrs. Faison, my Principal, asked if I would like to open a Blended pre-K at Carver and I excitedly accepted this new adventure. I am grateful for the last 12 years at Carver Elementary school where I have worked with some amazing students, families and staff.

Mayor Gray recognized Carver Elementary School teacher Judy Champion; staff report included above in italics.

- 4b. Introduction of new Town of Wendell employee: Police Officer Taylor Akins
Speaker: Police Chief Bill Carter

[Staff Report]

Item Summary:

Taylor Rae Akins, who goes by Taylor, is from Jacksonville, Florida. Taylor received her GED at Beville State Community College in 2016 after which she moved to Raleigh. Upon graduating, Taylor worked in various retail establishments and lived in several states before returning to Raleigh. Taylor has had a long-time desire to enter the law enforcement profession. In order to fulfil that goal, she enrolled in the Wake Tech Community College Basic Law Enforcement Training program and upon successful completion graduated in December 2018.

We first met Taylor at a recruiting event at Wake Tech where she was inquisitive about the Town of Wendell, what it had to offer and the community in general. Her interest in Wendell caused her to pursue employment here even when she had been in the hiring process with larger agencies in Wake County.

Taylor was sworn in as a police officer with the Town of Wendell on February 19, 2019 and is



currently in the Field Training Program.

Police Chief Bill Carter introduced Police Officer Taylor Akins; staff report above in italics.



- 4c. Presentation by City of Raleigh Public Utilities Department [CORPUD] to discuss merger.
Speaker: City of Raleigh Public Utilities Director Robert Massengill

[Staff Report]

Item Title:

Presentation by City of Raleigh Public Utilities Department [CORPUD] to discuss merger.

City of Raleigh Public Utilities Director Robert Massengill presented the below PowerPoint to the Wendell Board of Commissioners:





Wendell Water and Sewer Proforma

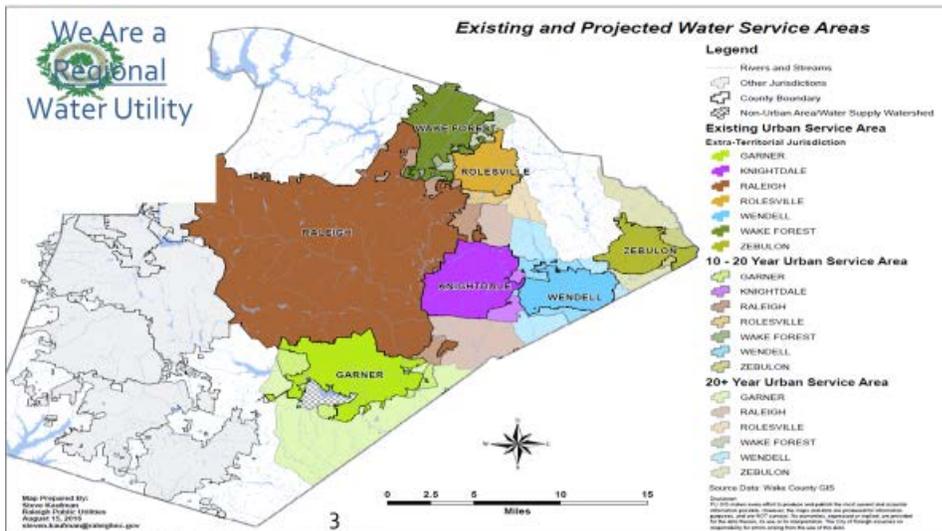
Presented by: City of Raleigh – Public Utilities Department
Robert Massengill, Director
Kenny Waldroup, Assistant Director

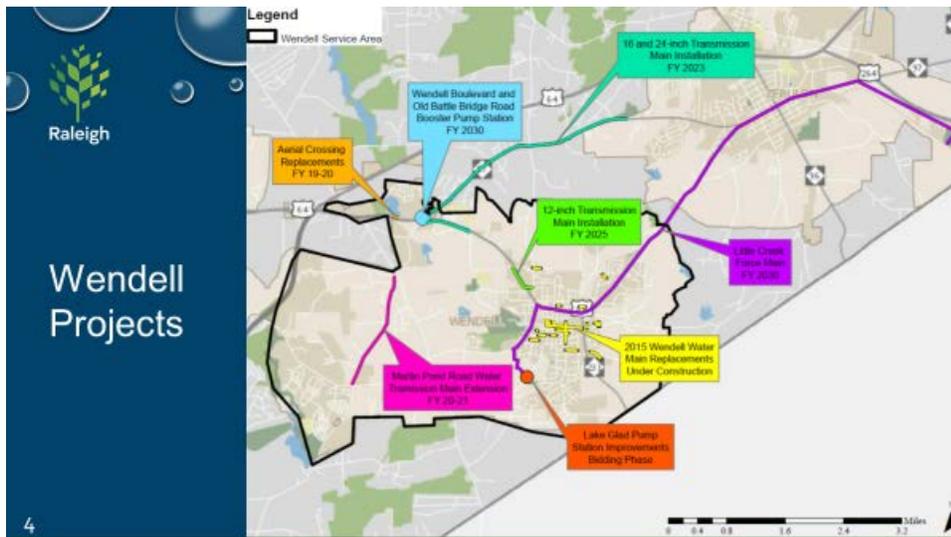


Agenda

- Background
- Current Status of Proforma
- Affordability Concerns
- Alternatives
- Questions

2





Goals for the Utility Merger

- Long-term reliable water and sewer services to support continued growth in the area;
- Provide Eastern Wake county Towns an opportunity to purchase capacity, continue growth and stabilize rates; and
- Regional system to gain benefits of economy of scale

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Structure of the Utility Merger

- Common merger agreement framework;
- Compounding water/wastewater capacity feature;
- Differential between rates, PLUS development fees collected by Towns, would fund:
 - Administrative costs of merger;
 - Capital projects for merger, or to serve development within "merger window";
 - Water/wastewater capacity purchases by Town;
 - Prior utility-related debt paid;

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 **Structure of the Utility Agreement**

- Revenues estimated based upon growth projections & historic revenue patterns provided by Town administration;
- Length of merger term (merger window) = time expected to recover costs of merger through rates/fees;
- Measured using financial pro forma model;
- Some Towns used rate/fee increases to manage merger window length; and
- Transfer of Town utility infrastructure, assets & employees.

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 **Conditions Have Changed Since Utility Mergers**

- Droughts and tiered rates = reduced per capita demand;
- Changes in economy and development conditions = slower growth, delay in expected development projects;
- Raleigh water rate increases higher than expected;
- CIP Updates and Construction costs higher than expected;
- New legislative limitations on Development Fees; and
- Change in water use accounting (favorable to Towns).

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 **Current status of merger agreement**

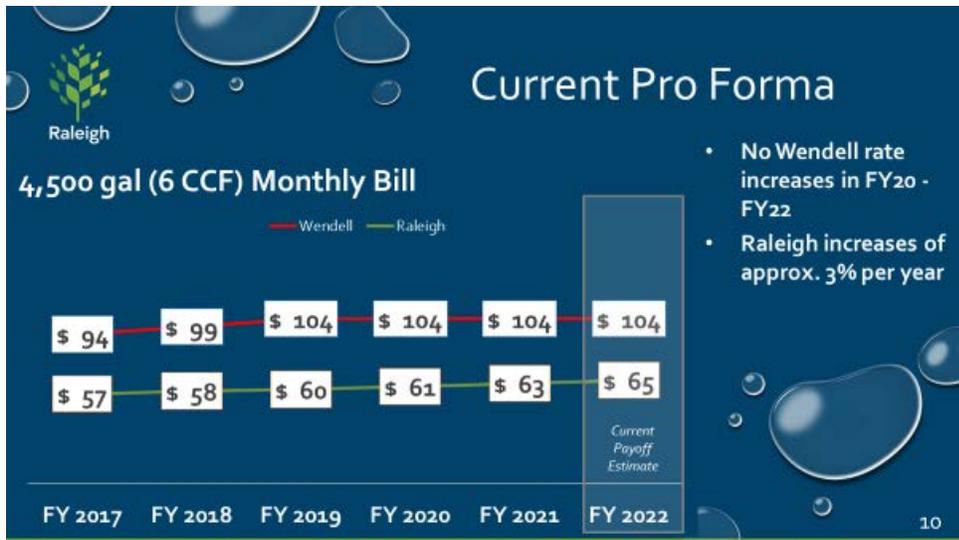
- Garner: FY 2009
- Rolesville: FY 2014
- Wake Forest: FY 2015
- Knightdale: FY 2019
- **Wendell: Projected late FY 2022**
- Zebulon: Projected late FY 2023

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The map, titled "City of Raleigh Regional Utility System 2016", shows the geographical layout of the utility system. It includes a legend with the following categories: "New Incorporation" (blue circle), "Current Consolidated Service Area" (blue hatched area), "New Water" (orange hatched area), "City of Raleigh Water Service Area" (yellow hatched area), and "Other County Boundaries" (dotted line). The map shows that Wake Forest, Rolesville, and Knightdale are within the current consolidated service area. Wendell is shown as a new incorporation within the City of Raleigh Water Service Area. Zebulon is shown as a new incorporation within the Other County Boundaries. The map also shows the boundaries of Durham County, Johnston County, and Wake County.



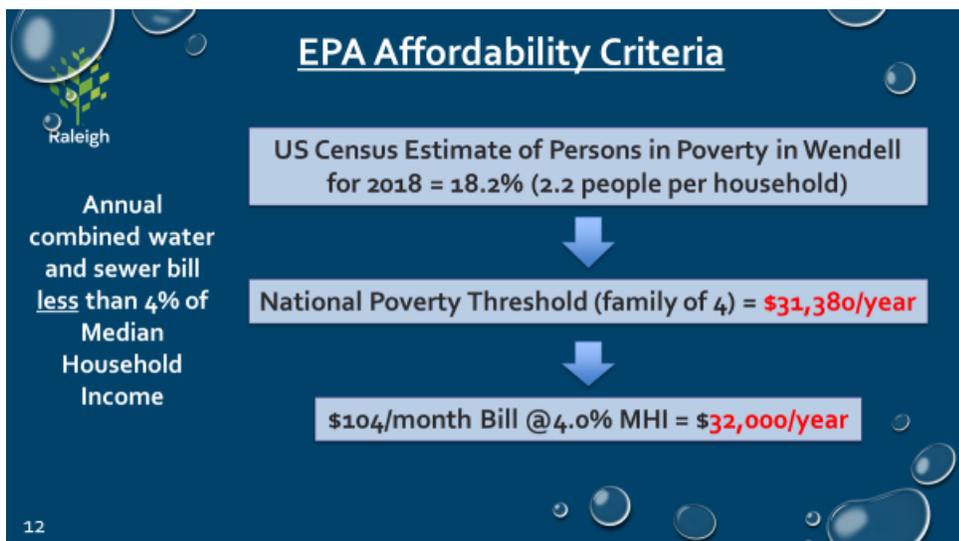


EPA Affordability Criteria

Annual combined water and sewer bill less than 4.0% of Median Household Income

Township	MHI (per year)
Zebulon	\$50,267
Wendell	\$53,730
Garner	\$60,797
Raleigh	\$61,505
Knightdale	\$70,540
Wake Forest	\$85,155
Rolesville	\$96,384

Overall Average MHI = \$63,732.82/year



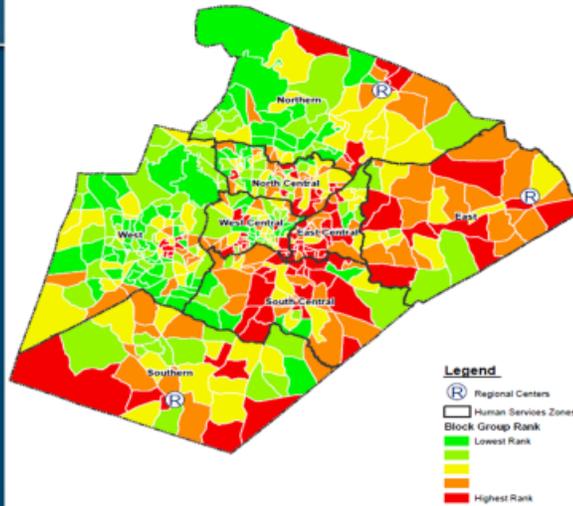
Raleigh

A measure of Economic Distress

FACTORS:

1. Unemployment
2. Age Dependency
3. Low Educational Attainment
4. Housing Vacancy
5. Below Poverty Level

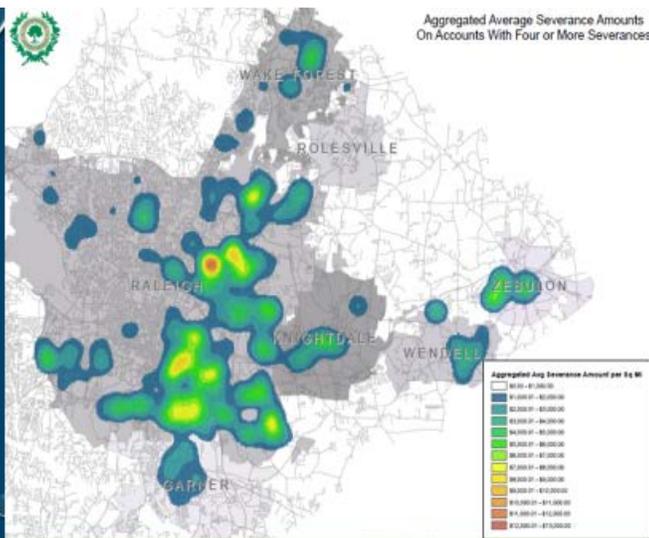
13



Raleigh

Another Way of Assessing Utility Customer Need

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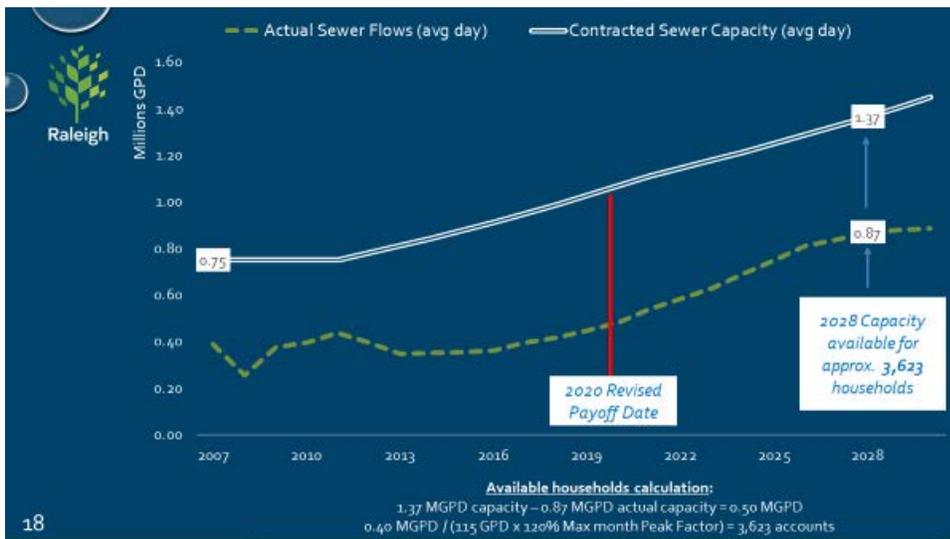
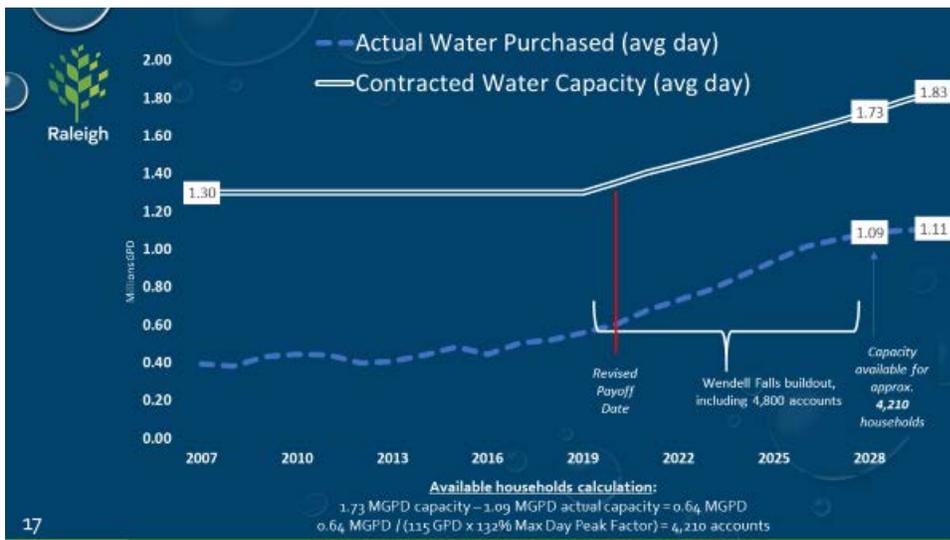
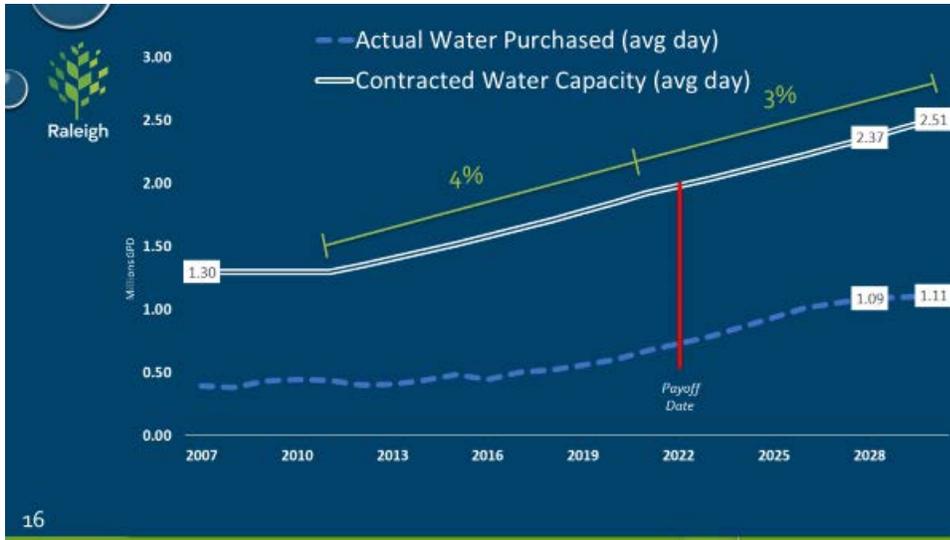
Raleigh

MODIFY MERGER AGREEMENT FOR PAYOFF IN JUNE 2020

- \$1.725 million monetary credit for compounding water capacity only
 - Sewer compound capacity still accrues per agreement
- \$2 million cash transfer in FY19
- 4,800 new water accounts at 115 gpd/account added in FY19-28
- Modify Merger Agreement with payoff June 30, 2020

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ACTION
Consensus of the Town Board of Commissioners that staff continue working with CORPUD.

5. PUBLIC HEARINGS

5a. **PUBLIC HEARING** for annexation petition A-19-01 for property located at 2412 Wendell Blvd; .4 acres, noncontiguous; PIN # 1784-16-1389.
Speaker: Planning Director David Bergmark

[Staff Report]

Item Summary:

Coconut Boat LLC has submitted an annexation request 0.4 acres of property located at 2412 Wendell Blvd and identified by PIN Number 1784-16-1389. This property is located across the



street from the Knott Square Shopping Center and is occupied by one single family dwelling. The home had been unoccupied for some time, and the new tenant discovered severe problems with the well and septic serving this lot. As a result, the owner has petitioned for annexation in order to access the existing water and sewer utility lines running along Wendell Blvd.

The Town Clerk has certified the sufficiency of the annexation petition.

Zoning District:

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



Public Utilities:

Both water and sewer run along Wendell Boulevard and are available to the property.

Tax Information:

Currently, the subject property is developed and is valued at \$103,576. At the current tax rate of 49 cents per \$100 valuation, annexation of this property would result in approximately \$508 in annual tax revenue for the Town.

Police & Public Works & Utility Service:

- *The proposed annexation area would require services from the Town's Police and Public Works Departments, if annexed. Both departments currently serve nearby property along Wendell Boulevard.*

Planning Director David Bergmark provided an overview of the satellite annexation request for .4 acres of property located at 2412 Wendell Blvd; staff report included above in italics.

Mayor Gray opened the public hearing at 8:00 PM. No one spoke. Mayor Gray closed



the public hearing at 8:00 PM.

ACTION

Mover: Mayor Pro Tem Lutz moved to the annexation petition A-19-01 for property located at 2412 Wendell Boulevard as presented.

Vote: Unanimous.

6. ADMINISTRATIVE ITEMS

- 6a. Discussion of the vision statement for the Little River.
Speaker: Mayor Virginia Gray

[Staff Report]

Item Title:

Discussion of the vision statement for the Little River.

Mayor Virginia Gray led the discussion of the vision statement for the Little River.

ACTION

Consensus and direction of the Town Board of Commissioners that staff draft a letter of support for the vision statement.

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 Fire Board [Commissioner Joyner]
 -  Capital Area Metropolitan Planning Organization [CAMPO] [Mayor Gray]

An update was provided by each representative.

8. COMMISSIONERS' REPORTS / COMMENTS

Commissioner Carroll thanked the staff for the Saturday Board Retreat.

9. MAYOR'S REPORTS / COMMENTS

Mayor Gray provided the following:

-  Congratulated the Women's EWHS Basketball team champions!
-  Congratulated the Men's EWHS Basketball team! They finished as runner-up.
-  Aubrey's and Peedie's is celebrating its 40th Anniversary.
-  Spoke at Career Day at Carver Elementary.
-  Thanked the Parks & Recreation team for hosting Princesses in the Park.
-  Thanked the staff for the Board Retreat.



10. CLOSED SESSION

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

ACTION:

Mover: Mayor Pro Tem Lutz moved to go into closed session in accordance with NC GS 143.318.11 (a) (5) at 8:14 PM.
Vote: Unanimous.

ACTION:

Mover: Mayor Pro Tem Lutz moved to return to open session at 8:32 PM.
Vote: Unanimous.

ACTION:

Mover: Mayor Pro Tem Lutz moved to approve the sanitary sewer outfall resolution; below.
Vote: 4-1 approved with Commissioner Myrick voting opposed. .

**RESOLUTION R-06-2019
RESOLUTION OF THE BOARD OF COMMISSIONERS
OF THE TOWN OF WENDELL**

PROVIDING FOR THE ACQUISITION OF INTERESTS IN REAL PROPERTY

WHEREAS, the governing body of the Town of Wendell hereby determines that it is necessary and in the public interest to acquire interests in those parcels of land hereinafter described for the purpose of installing and upgrading the sanitary sewer system to serve the citizens of the Town of Wendell; and

WHEREAS, proper officials or agents of the Town of Wendell have attempted to acquire the appropriate interests in the hereinafter described properties, and have been able to do so in some cases and in cases have been unable to agree with the owners thereof as to the fair market value thereof; and as a result, the Town of Wendell has been unable or unwilling to obtain all of the said properties by voluntary conveyance; and

WHEREAS, the Town of Wendell, acting by and through the Board of Commissioners, proposes to exercise the power of eminent domain conferred upon the Town by the Charter of the Town and/or Chapter 40A of the North Carolina General Statutes to condemn such properties, if necessary;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF WENDELL:

1. That the Town Manager and/or Town Attorney or their designees are authorized to acquire by purchase or condemnation the interests in properties needed for the proposed "Wendell Falls Sanitary Sewer Outfall D Project" which project includes the properties more particularly described on Exhibit A attached hereto and as shown on maps prepared therefore and incorporated herein by reference.

2. The nature of the right, title and interest to be acquired is an easement interest with substantially those terms as set forth on Exhibit B attached hereto.



3. That the purpose for which the parcels are being acquired is to improve and expand the public sanitary sewer system as allowed by law in order to benefit the public and to provide the public with an adequate, safe and efficient sanitary sewer system.

4. That the attorneys for the Town of Wendell are hereby authorized and directed to institute the necessary proceedings, pursuant to Chapter 40A of the General Statutes of the State of North Carolina, to effectuate the acquisition of the interests in the land herein identified and that the attorneys for the Town of Wendell are hereby authorized on behalf of the Town of Wendell to give or receive such notice or notices as may be law be required.

5. That all property acquisitions occurring prior to the date of this Resolution in connection with this project are hereby ratified.

Duly adopted this 25th day of February 2019.

11. ADJOURN

ACTION:

Mover: Mayor Pro Tem Lutz moved to adjourn at 8:33 p.m.

Vote: Unanimous.

Duly adopted this 28th day of May 2019, while in regular session.

ATTEST:

Virginia R. Gray,
Mayor

Megan Howard,
Town Clerk

