

**TOWN OF WENDELL
BOARD OF COMMISSIONER MEETING MINUTES
JANUARY 13, 2020**

The Wendell Town Board of Commissioners held their regularly scheduled meeting on Monday, January 13 2020, in the Town Board Room, Wendell Town Hall, 15 East Fourth Street.

PRESENT: Mayor Virginia Gray; Mayor Pro Tem John Boyette; Commissioners: Jon Lutz, Jason Joyner, Joe DeLoach, and Philip Tarnaski

ABSENT:

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

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

Police Captain John Slaughter led the Pledge of Allegiance.

Errol Briggerman of the Wendell Council of Churches provided the invocation and mentioned the following events at Wendell Baptist Church:

- Saturday, January 18, 2020: Science Fair for grade-school children. 10 a.m. – 12 p.m.
- Saturday, January 18, 2020: Red Cross Blood Drive 8:30 a.m. – 12:30 p.m.

1. ADJUSTMENT AND APPROVAL OF THE AGENDA

ACTION

Mover: Commissioner Jon Lutz moved to approve the agenda.
Vote: 5-0

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.*

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- *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.*

No one spoke during public comment period. The following packet was given to the Town Clerk with copies for each member of the Town Board:

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MADAM GINA GRAY

To: WENDELL TOWN COMMISSIONERS

The attached photos were taken the latter part of December 2019. Shepards Park is a subdivision in Zebulon, and is being built by Starlight Homes. This property is located appx. ½ mile east of Southland Steak House, at the intersection of Old Bunn Road and Shephard School Road; (known as Old Hwy 64 going to Pilot).

Starlight Homes is proposing to the Town of Wendell to rezone from R40 to R04, 129 acres at the intersection of Davistown Road and Rolesville Road; and build 274 similar homes, plus 99 2-story Townhomes, on this 129 acres. These 99 Townhomes are 20 feet tall, and stretch 1,000 feet (over 3 football fields) along Rolesville Road, 3/10 of a mile from East Wake High School. In the middle of these 99 townhomes is "AVENUE A", one of only 2 entrances/exits to the entire 129 acre property. This entrance/exit enters Rolesville Road, directly across from existing Puryear Road.

For comparison purposes, the last photo was taken in the Pepper Point Subdivision, in Wendell.
This package was prepared by, and given to you by residents, homeowners, and property owners in the immediate area of Davistown and Rolesville Roads.

STARLIGHT HOMES

SHEPARDS PARK

Homes from the
Low \$200's
\$0 Down

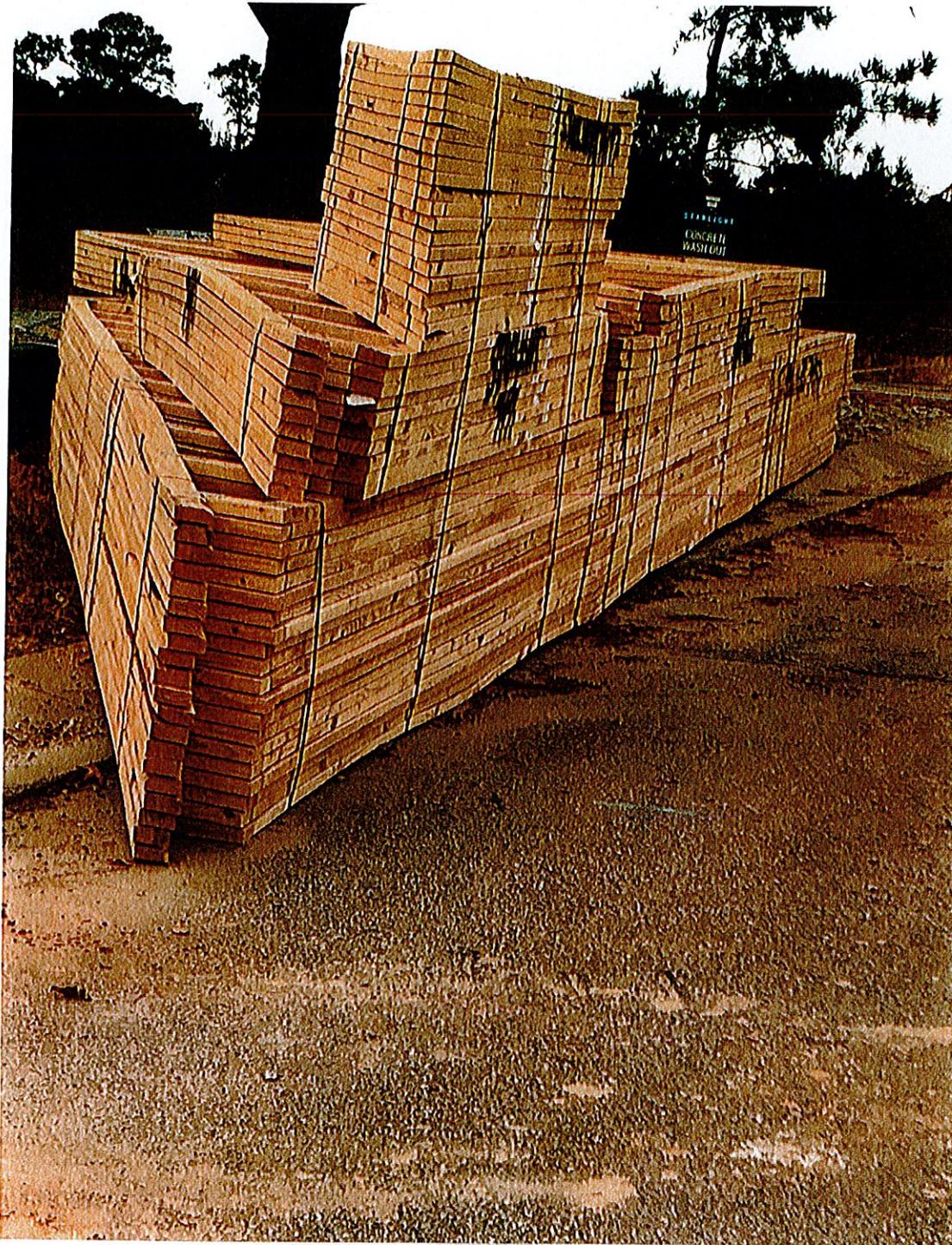
919.367.1140

STARLIGHTHOMES.COM

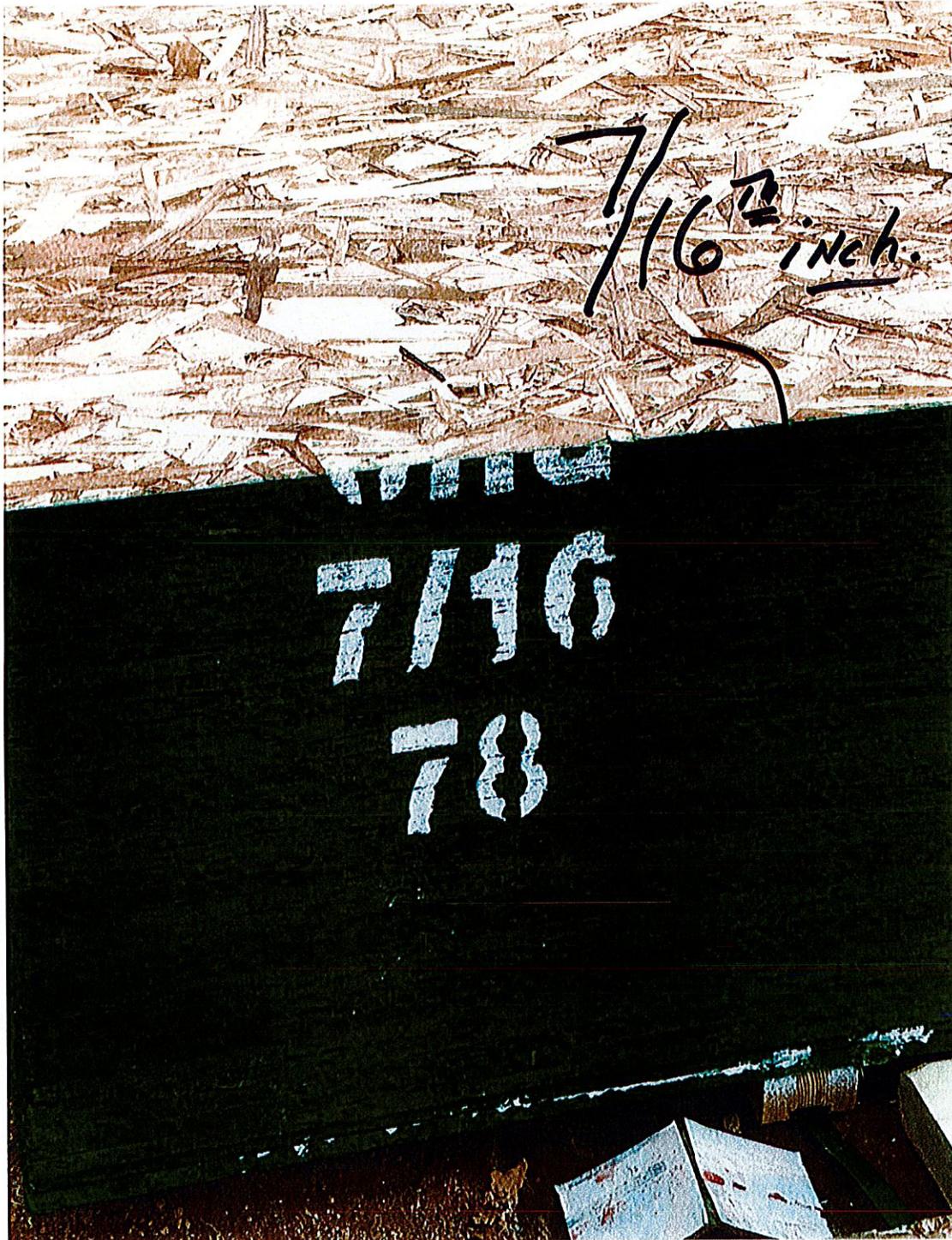
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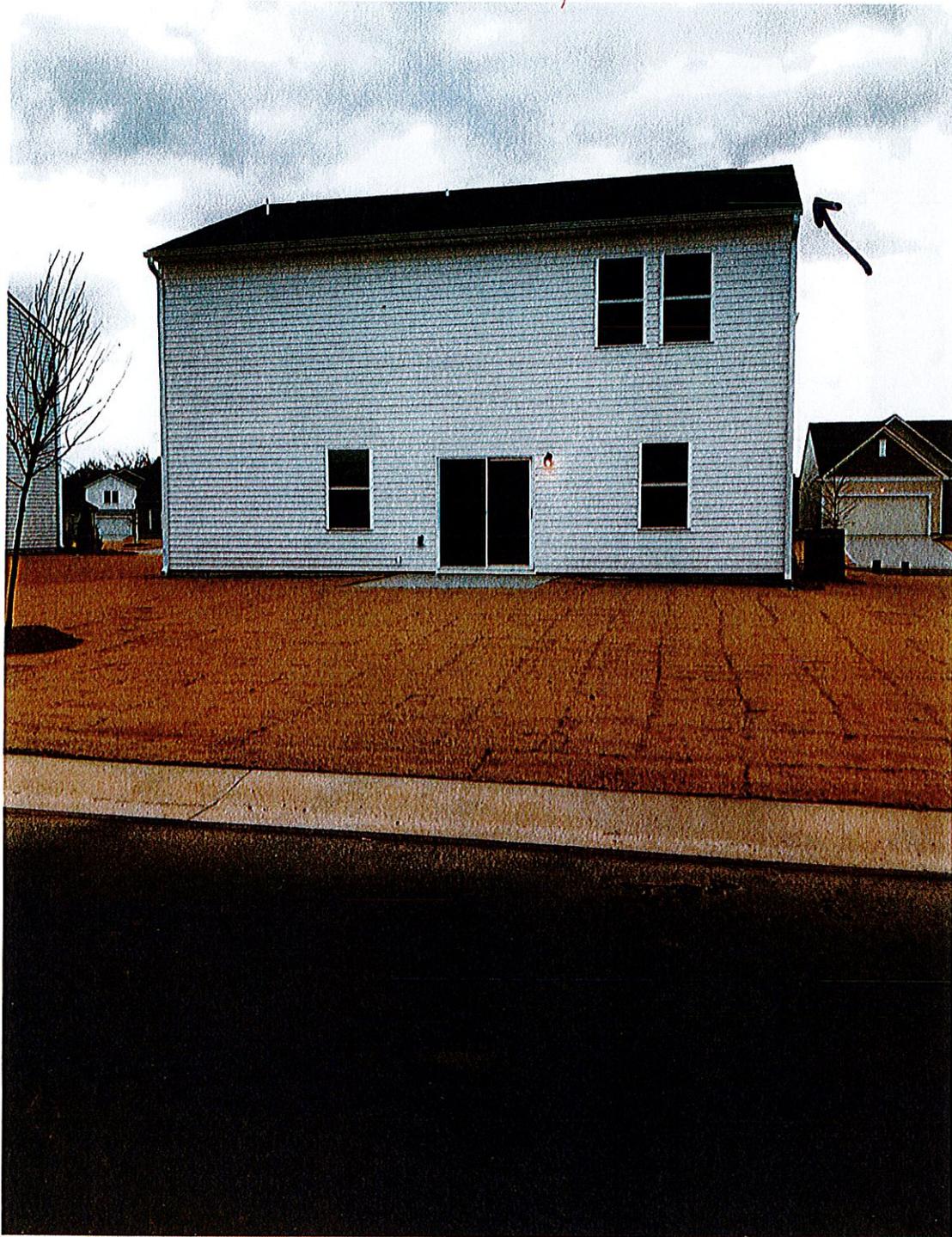
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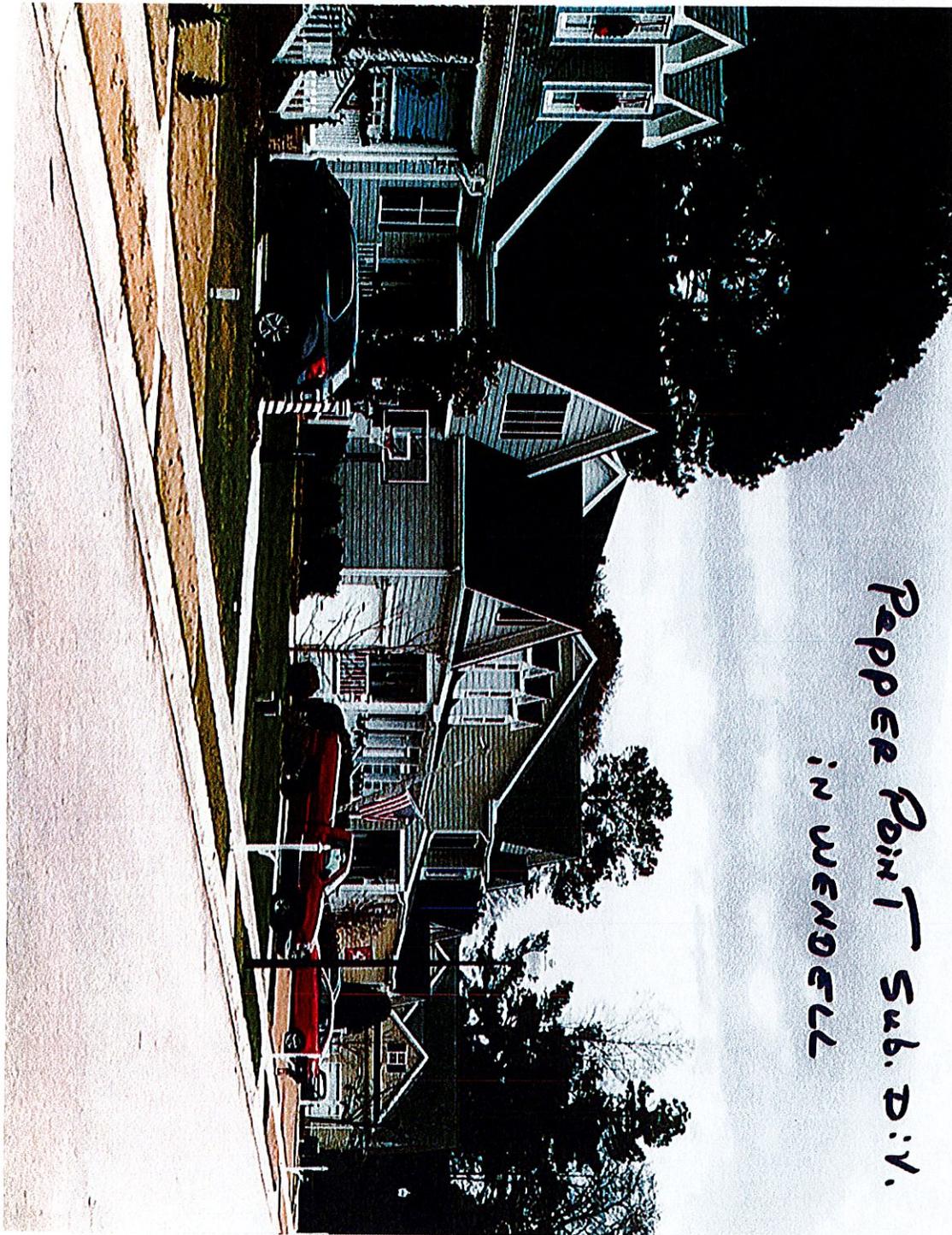
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3. CONSENT AGENDA

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.

ACTION

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

Vote: 5-0

- 3a. Certification of Sufficiency and setting public hearing date for non-contiguous annexation petition A-19-04 for 151.81 acres of property located at:
4501 Rolesville Road (12.28 acres) and identified by PIN Number 1765-85-2501; 0 Davistown Road (50.16 acres) and identified by PIN Number 1765-96-2276; 1401 Davistown Road (57.16 acres) and identified by PIN Number 1765-85-6251; and 6021 Yancey Drive (32.21 acres) and identified by PIN Number 1775-04-2139.
- 3b. Certification of Sufficiency and setting Public Hearing Date for non-contiguous annexation petition A-19-06 for 20.03 acres of property located at 1500 Wendell Boulevard and identified by PIN Number 1774-66-5953.
- 3c. Certification of Sufficiency and setting Public Hearing Date for non-contiguous annexation petition A-19-07 for 32.31 acres of property located at:
0 Marshburn Road addressed as 0 Marshburn Road (23 acres) and identified by PIN Number 1784-69-5299; 1408 Marshburn Road (9.31 acres) and identified by PIN Number 1784-68-2669.
- 3d. Adoption of the Minutes from the November 25, 2019 Town Board Meeting.
- 3e. Adoption of the Minutes from the December 9, 2019 Town Board Meeting.
- 3f. Wake County Tax Report: December 2, 2019.
- 3g. Amendment to the Board of Commissioners Meeting Schedule to add Organizational and Budget Retreat (R-04-2020)
- 3h. Approval of Resolution directing the clerk to investigate a contiguous annexation for 7.45 acres located within the parcel addressed as 1425 S. Hollybrook Rd and identified by PIN Number 1793-03-4587.

4. RECOGNITIONS, REPORTS, AND PRESENTATIONS

- 4a. Wendell Neighborhood Improvement Program Application to Wake County for CBDG Funding

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Speaker: Assistant to the Manager Stephanie Smith

Assistant to the Manager Stephanie Smith presented the following staff report, below in italics:

Item Summary:

Staff has been working on developing a Neighborhood Improvement Program, which seeks to create healthy, safe, walkable neighborhoods through investments that will enhance infrastructure, preserve affordability, and increase accessibility for all residents. This program implements several Strategic Plan goals, including:

Goal 1 Downtown, Vibrancy, Economic Growth, and Community Character

- *Identify opportunities for infill housing and commercial development in Downtown and establish a program to promote the potential development or redevelopment projects. (Top Priority Initiative)*

Goal 2 Public Safety and Neighborhood Improvement

- *Seek opportunities and programs to improve traffic and pedestrian safety near school sites. (High Priority Initiative)*
- *Conduct a comparative analysis of community improvement programs to seek a neighborhood driven solution for engagement, housing repair, and aesthetic improvement.*
- *Develop a pilot project for a “neighborhood clean-up day” to connect citizens in-need to resources for home and yard improvements, encourage voluntary efforts, and improve public spaces for a targeted geographic area.*
- *Evaluate housing stock and identify opportunities to encourage a diversity of housing types, promote infill development, and provide for connectivity, beautification, and park improvements.*

Goal 3 Infrastructure, Transportation, and the Environment

- *Establish a sidewalk maintenance program to implement the Pedestrian Plan.*
- *Identify needed stormwater projects and maintenance of existing infrastructure.*

Goal 4 Parks, Recreation, Special Events and Culture

- *Implementation of the Parks & Recreation Master Plan.*

The Neighborhood Improvement Program divides the community into four quadrants, based on US Census Block Groups, and focuses efforts on one quadrant each fiscal year, based on that area’s greatest needs. The determination of need is mostly data driven, using information such as citizen surveys, infrastructure analysis, home values and age. For fiscal year 2021, staff is focusing efforts on Zone 1 (see map attached).

The two major priorities of the identified project are housing rehabilitation and infrastructure improvements. The recommended infrastructure projects have been identified by Town staff as

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having the highest priority in order to complete pedestrian networks, repair failing infrastructure, and protect public safety. As a result, the Town is planning for \$257,000 in the CIP for fiscal year 2021 to address road and sidewalk improvements on Academy, Todd, Cook and Wall Streets, drainage improvements on Short Street and ADA sidewalk improvements at the Wall Street/Todd Street intersection.

To supplement the infrastructure improvements the Town has budgeted, staff has submitted a Letter of Intent to Wake County to receive funding through their redesigned Community Development Block Grant (CDBG) program. To address the infrastructure needs of the target area, the Town of Wendell is requesting Wake County to provide funding assistance in the amount of \$886,040 for needed improvements. This includes road, sidewalk and ADA improvements on Academy, Todd, Cook and Wall Streets.

Upon full project completion, a substantial portion of area residents would be able to safely and conveniently navigate to the Wendell Blvd/Wendell Falls Parkway intersection, for secure crossing at a signalized intersection to the broader Wendell Blvd pedestrian network.

To address the housing rehabilitation needs the Town of Wendell will partner with Wake County Department of Housing Affordability and Community Revitalization, Wendell Council of Churches, and other local and regional non-profits to preserve the aging housing stock and provide cleanup in the area. This will include major home repair, minor home repair, lead hazard reduction and abatement, health and safety repairs, related home repair activities and neighborhood cleanup initiatives. Housing rehabilitation work will only be performed for those that qualify as LMI based on the HUD-CDBG income requirements.

The Town of Wendell has the following goals related to housing rehabilitation within the targeted area;

- ✓ Housing rehabilitation (major, minor and health and safety repairs) of 20 homes*
- ✓ Painting and/or power washing of 10 homes*
- ✓ Weatherization/Energy Efficiency type improvements of 6 homes*
- ✓ Neighborhood cleanup efforts in a substantial area of the targeted zone*

Timeline & Next Steps

Wake County expects to announce funding awards in early March, with funds available on July 1, 2020. From here, staff will continue to develop the Neighborhood Improvement Program to include a work plan based on Strategic Plan goals and a webpage on the Town's website to promote progress and provide program updates to the community.

Stephanie offered to answer any questions that the Board might have.

Mayor Gray said that she was very excited about this and looks forward to the

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improvements.

- 4b. Town of Wendell Economic Development Strategic Plan 2025
Speaker: Assistant Planning Director Bryan Coates

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

Item Summary:

This economic development strategic plan will serve as a framework for the Town's economic development effort. The plan seeks to adapt to trends in economic development, resilient to changes in economic conditions and a creates a foundation to ensure a sustainable and long-term growth that enriches Wendell's economic and tax base.

The economic development strategic plan contains the following four strategic goals;

- 1) Support existing businesses & industries*
 - Build strong relationships with businesses through the business retention and expansion program visits.*
 - Enhance industry clusters.*
 - Continue to develop and refine business events for the community.*
 - Create a resource for small business entrepreneurs.*

- 2) Enhance recruitment of identified industries*
 - Work to grow and locate companies in Wendell to create jobs.*
 - Continue developing and maintaining relationships with businesses, site selectors, brokers, developers, and land owners.*
 - Enhance our online presence.*

- 3) Workforce development initiatives*
 - Develop stronger relationships with educational institutions that serve Wendell's workforce.*
 - Partner with NC Works and Capital Area Workforce Development to encourage utilization of programs and incentives.*
 - Work to make Wendell more desirable and well-known to the greater community and state.*

- 4) Create a vibrant downtown connected to all neighborhoods*
 - Develop a framework for a sustainable, non-profit, tax exempt downtown development organization.*
 - Create visual and physical connections between downtown and all neighborhoods.*
 - Develop gathering spaces/activities/events throughout town where all people from all neighborhoods feel welcome.*

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- *Increase Downtown retail and dining options.*
- *Infill Downtown development.*

Each strategic goal contains a framework on how to implement the identified goals. The Town of Wendell needs to partner with other agencies, universities, businesses and residents to implement the identified goals and programs.

This Plan will be reviewed every two years to accommodate successes, identify new goals, as well review existing priorities.

The Town's economic development commission recommended approval of the Town of Wendell 2025 Economic Development Strategic Plan at its December 18, 2019 meeting.

No action is requested at this meeting as the item will be included on the January 27, 2020 meeting agenda for adoption.

Bryan offered to answer any questions that the Board might have.

No questions were asked by the Board.

- 4c. Triangle J Council of Government (TJCOG) FY20 Brownfields Assessment Coalition Grant
Speaker: TJCOG Engagement Specialist Alana Keegan

TJCOG Engagement Specialist Alana Keegan presented the following:

Item Summary:

The Triangle J Regional Brownfields Coalition is a collaborative and ongoing effort between TJCOG, the coalition lead, and the towns of Fuquay-Varina, Selma, and Wendell. The Towns in the coalition view brownfields redevelopment a critical piece of revitalization and preservation strategy to create walkable vibrant downtowns, mitigate contamination, reduce sprawl, preserve green space, and bring well-paying jobs to residents.

The grant application focuses on three target areas within each communities' downtown areas. These areas are critical to revitalize the communities into burgeoning small-town centers. If awarded the grant would provide for community engagement and education, phase I and II environmental assessments and redevelopment site planning on the sites identified within the application.

In addition to brownfields funding, the coalition will work to secure funding from other sources and public entities to maximize the potential of target sites. Local funds will be foundational; the coalition will pursue Historic Tax Credits eligible for all target areas to preserve the character of the downtowns, leverage internal planning and staffing support, and utilize strategic support from Preservation NC and the NC Main Street Program. The coalition will also pursue monetary support from the NC Brownfields Program to coordinate redevelopment efforts and secure liability

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insurance for developers. After receiving brownfields funding and entering site planning stages, the coalition will apply for additional funding to incentivize and secure investment from companies. Funding through the U.S Economic Development Administration and TJCOG's Economic Development District will be leveraged for infrastructure needs - EDA funds rarely reward assessment or planning activities. Wake County's Community Block and Development Grant (CBDG) funding is only available for projects that incorporate affordable housing. The brownfields grant will allow the communities to conduct remediation and infrastructure-specific activities and identify ideal sites for housing opportunities that can ultimately qualify for and access CBDG funds. Wake County Equitable Economic Development project offers additional incentives and funding to businesses that invest in highly vulnerable census tracts – both Fuquay-Varina and Wendell's sites are designated highly vulnerable. Additional funding will include the NCDOT Rail Industrial Access Program to improve railroad tracks near target sites and Golden LEAF Infrastructure Grants intended to assist with economic recovery for historic tobacco communities.

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Brownfields are abandoned, idled, or underused industrial and commercial properties where expansion or redevelopment is complicated by real or perceived environmental contamination. Brownfields are often assumed to be blighted, abandoned properties, however they can also be commercial buildings with little or no contamination such as former service stations or warehouses.

Do I own a brownfield? Ask yourself: Is my land idle, vacant, or less productive than it ought to be? Are there concerns about environmental contamination contributing to this problem? If you answered yes, you might.

WHAT IS THE PURPOSE OF THE REGIONAL CONSORTIUM?

The Triangle J Council of Governments Regional Brownfields Consortium provides assistance to local governments looking to improve redevelopment efforts in their community, grow "smart", and identify their local economic development strategy, relative to the region. Working directly with Fuquay-Varina and three other communities, Triangle J Council of Governments is applying to the U.S EPA Brownfields grant program for \$300,000 of funding to assess and prepare potential brownfields sites for their highest and best use.

WHAT DO I NEED TO KNOW?

- Your property was identified as a **priority site** through analysis of its current use, the current value of the property, and the potential value of the property.
- As a priority site, your property could (with your approval) be included in the grant application.
- If funding is awarded, your site would be included in assessments for identification and remediation of contamination, but also in planning activities such as market or infrastructure studies that can attract developers.

HOW CAN I BENEFIT FROM A BROWNFIELDS GRANT?

A successful brownfields grant can help you

- avoid potential environmental enforcement actions
- receive tax benefits for cleaning up and reusing the property
- realize an enhanced return from the property making it more valuable and marketable
- connect with and assure developers that the property is prepared for its next use
- reduce the potential liabilities from contamination on the property and its impact nearby the site.



Regional Brownfields Consortium Town of Wendell



About TJCOG



- Originally created as the Research Triangle Planning Commission
- Formally become Triangle J Council of Governments in 1968 by the Intergovernmental Cooperation Act calling for closer cooperation between federal, state and local programs.
- Serves 43 local governments in Chatham, Durham, Johnston, Lee, Moore, Orange, and Wake counties.
- Acts as an extension of local governments. As member needs change, TJCOG services change and adapt.
- 2019-2020 Organizational Priorities:
 - Aging & Human Services
 - Economic Development
 - Housing
 - Resilience
 - Services to our Members
 - Transportation
 - Water



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A Regional Look



Housing

197,004 (26%) households in the region are housing cost-burdened.
This means they pay 30% or more of their gross monthly income for housing.

The median sales price in the region is \$159,400.
Prices have increased 33% since January 2015.

69% of households in the region are 1-3 person households.
Only 1/3 of housing units are 1- and 2- bedroom units.

Resilience

A flooding event in the region has the potential to make 30,000 properties in Durham, Orange, and Wake counties inaccessible to residents or emergency vehicles.

Hurricane Florence had a \$17B impact on NC, with \$4.8B not covered by federal/state funds or insurance.
Our region had \$2M in public assistance claims and \$1M in individual assistance claims.

Water and wastewater infrastructure needs in NC are estimated to be \$17B-\$28B over the next 30 years.
Only 2% of these needs can be met by existing state/federal grants.

Transportation

193,000 vehicles transit the roadway segment on I-40, just west of I-840, every day.
This is the highest volume link in our region, straddling the Durham/Wake County line.

Almost 24 million transit trips were taken in 2017, on 12 different transit agencies.
These ranged from small rural to major urban systems.

Of the 900,000 workers in the region, 2% walk, 2% take public transit and 7% work from home.
The mean commute travel time is 24.3 minutes, an increase of 2 minutes since 2010.

26% (233,894) of residents cross county lines to get to work.

Economic Mobility

The average household income in 2015 for a person born to a low-income family in the region was \$27,000.
An individual born to a high-income family had an average household income of \$51,000.
the income defined as $\leq \\$27,000$ high income defined as $\geq \\$51,000$

16% of people in the region have a household income below the poverty level.
19% of children under the age of 18 are below the poverty level.

133,820 individuals in the region's labor force do not have any health insurance coverage (public or private).
This is 14.9% of the total labor force with no coverage.



Regional Brownfields Consortium



Towns of Fuquay-Varina, Selma, Wake Forest, and Wendell

1. Help consortium member governments identify potential brownfields sites.
2. Teach pre-development strategies to government staff to help prepare sites for development.
3. Increase awareness and understanding of brownfields redevelopment and its benefit.
4. Make stronger connections between developers and local governments.
5. Submit applications on behalf of member governments to the EPA Brownfields Program for additional funding.



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What in the World is a *Brownfield*?



Brownfields – Quick Definition & Overview



Abandoned, idled, or underused industrial and commercial properties where expansion or redevelopment is complicated by **real or perceived** environmental contamination. *Brownfields are often assumed to be blighted, abandoned properties, however they can also be underutilized commercial buildings with little or no contamination such as former service stations or warehouses.*

Brownfields redevelopment and federal grant programs

- reduce liability for current and future owners regarding the site and nearby properties,
- assist with planning activities (vision for site, reuse for site, market appetite),
- and make the property more marketable.



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Brownfields Redevelopment – Community Benefits



- ✓ **Focused Development** - brownfields are often located in dense or developed areas (downtowns, industrial parks, neighborhoods) identified as community priorities.
- ✓ **Smart Growth & Reduced Sprawl** - a focus on brownfields sites can move development away from open space and undeveloped areas and encourage compact cores.
- ✓ **Revenue Potential** - Due to their location, redeveloped brownfields sites have tremendous tax revenue potential. *An EPA study found between \$29 to \$97 million in additional tax revenue each year after clean-up.*
- ✓ **Resident Benefit(s)** - Studies have found that clean-up of brownfield properties led to residential property value increases of between 5% and 15% within 1.3 miles of the site.
- ✓ **Economic Stimulus** - On average, 9 new jobs per \$100,000 of EPA Brownfields Funding.



Consortium Work 2019-2020



- Data analysis of underutilized or (suspected) contaminated properties.
- Identification of sites & property owner support.
- Promotion of identified sites.
- Greater connection & education for local developers.
- Ongoing and annual grant process to receive funding – always room to improve! Building off successful regional grants received by the Piedmont-Triad COG.
- Administration and coordination of grant funds ** if received **



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EPA Brownfields Coalition Grant



Grant Funding & Community Allocation

- \$600,000 of funds requested
- 3 sites per community (a total of 9 sites)

Grant Activities

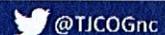
- Administration and oversight
- Community engagement and education (visioning, overview on priority sites, materials)
- Environmental assessments to determine if contamination exists on the sites
- Redevelopment planning
 - Site reuse assessment
 - Market study
 - Site reuse vision document
- Prepare sites for clean-up (additional funding available for these efforts)



EPA Brownfields Grant – The Story



- ❑ **Changing communities**, from agricultural hubs to growing bedroom communities and suburban meccas.
- ❑ **Dramatic population growth in municipalities** (*Wake County's growth is 80% municipal*) causing greater need for services, improved quality of life, and management of growth (congestion, long commutes, economic mobility challenges).
- ❑ **Disproportionate residential vs. commercial growth** means little tax revenue to manage and offer such services.
- ❑ **Smart growth and infill development** to address blight and preserve historic buildings, increase opportunity near residents, and increase connectivity.



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How Sites Were Selected for the Grant

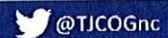
- **Infill development**
- **Factors:**
 - **Land use** (*vacancy, zoning, proximity to existing infrastructure*)
 - **Community revitalization** (*previously developed areas, underutilization or blight, community-identified focus area*)
 - **Economic development** (*opportunity zones, potential for job creation or tax revenue generation*)
 - **Property owner support**



Wendell Sites – Downtown Core



		
18 West Third Street <i>.77 acres</i> <i>Commercial & Underutilized</i>	235 Cook Street <i>1.49 acres</i> <i>Commercial</i>	East Fourth Street <i>2 acres</i> <i>Vacant & Underutilized</i>



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Questions?



Alana offered to answer any questions that the Board might have.

No questions were asked by the Board.

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*

There are no Public Hearings scheduled for this meeting.

6. ADMINISTRATIVE ITEMS

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- 6a. Request to Establish a Deadline for the Receipt of Citizen Advisory Board Applications and Appointment of EDC non-officio member Peedie Edwards.
Speaker: Town Clerk Megan Howard

Town Clerk Megan Howard presented the following staff report, below in italics:

Item Summary:

The Town of Wendell has six citizen advisory boards with several vacancies available for new members this year. A list of vacancies and the associated term limits are as follows:

Appearance Commission: 1 in-town vacancy with the term expiring June 30, 2022

Economic Development Committee: 1 ex-officio, non-voting vacancy which has been nominated by the Wendell Chamber of Commerce as Wendell Business owner Aubrey "Peedie" Edwards to be appointed by the Board of Commissioners, with the term expiring June 30, 2021.

Parks and Recreation Commission: 1 in-town vacancy with the term expiring June 30, 2020.

Planning Board: 1 in-town vacancy with the term expiring June 30, 2021.

Tree Board: 3 vacancies with 2 terms expiring June 30, 2022, and one term expiring June 30, 2021.

Once a deadline is set for application submission, the Town Clerk will begin marketing the available positions through the Town's website, social media, newsletter, and print communications tools. Citizens may visit the Town's website – www.townofwendell.com – for an overview of what each citizen advisory board does for the Town of Wendell and an application. Applications may be returned to Town Hall, 15 E Fourth Street, Wendell, Attention Town Clerk Megan Howard or remitted via email to mhoward@townofwendell.com

Megan offered to answer any questions the Board might have.

Mayor Gray said that in the past there was a timeline of days that the Board started accepting applications, when the deadline for applications was, and then votes were made. Mayor Gray asked if the Board could do it the same way that it's been done in previous years.

Mayor Pro Tem John Boyette said that it was sometime in April when recruitment began.

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Mayor Gray advised Town Clerk Howard to look at what's been done in the past and to go by that process with applications being due in April and the Town Board voting on appointments in May with the terms beginning in June.

Commissioner Jason Joyner said that the new vacancy on the Planning Board should be filled before June in order to meet quorum requirements for redevelopment voting.

Commissioner Jon Lutz asked if the Town has received any applications for vacancies since last June.

Town Clerk Megan Howard responded that no new applications have been received.

Mayor Gray asked how many open spaces are available on the Planning Board.

Ms. Howard said there is currently one in-town vacancy with the term ending June 30, 2021. She said that in June of this year, three other terms would become open: two in-town and one ETJ.

Mayor Pro Tem John Boyette asked how many members were on the Planning Board

Commissioner Joe DeLoach said that it's a 9-member Board.

Mr. Boyette said that it's the largest Citizen Advisory Board that the Town has and that he's concerned about it being an even number for voting purposes.

Mr. Lutz asked that, in limiting town staff time and resources, what goes into advertising and what is the cost to the Town and inquired as to timing.

Ms. Howard said it doesn't cost the Town anything, as she creates graphics in-house. She said that East Wake TV can do a video as a part of the PEG agreement. The video that Ms. Howard made last year can be used at no cost. Ms. Howard said she can also write a news release to be emailed out to publications at no cost to the Town and see if they would like to publish it as a story. She said she can also push print advertisements to be dropped off at local businesses and post the advertisement on the Eboard, as well.

Commissioner Joe DeLoach said that he would recommend what Mayor Pro Tem John Boyette said about there being an even number. As a previous member, Mr. DeLoach said that there's a lot coming through the Planning Board. He said he'd prefer filling the one spot on the Planning Board now and filling the others along the regular timeline.

Mayor Gray asked what the rest of the Board thought about Mr. DeLoach's recommendation.

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Mr. Lutz said he agreed with Mr. DeLoach's recommendation and asked if the deadline could be set for the middle of February for the open position on the Planning Board, with the Town Board to vote on the open position at its regular meeting on February 24, 2020.

Mr. Boyette asked how long the terms were for with the 3 upcoming availabilities in June.

Ms. Howard said the in-town terms were for three years. The ETJ terms last for two years.

Mr. Boyette said that the spot that is currently available on the Planning Board is only for one year, with the term expiring on June 30, 2021.

<p>ACTION: Ballots were passed out to the 5 commissioners to nominate Peedie Edwards to the Economic Development Committee.</p> <p>Vote: 5-0</p>
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- 6b. Town of Wendell Logo Licensing Agreement
Speaker: Assistant to the Manager Stephanie Smith

Assistant to the Manager Stephanie Smith presented the following staff report, below in italics:

Item Summary:

Staff requests the approval of the Town of Wendell Logo Licensing Agreement to permit the use of the Town of Wendell logo on items for sale by Third Party Vendors. This agreement is created as a supplement to the Logo Use Policy, approved in October 2019. In the Logo Licensing Agreement, the Town grants Third Party Vendors a non-exclusive, non-transferable license to use the Trademark and Work in connection with the customization of apparel and accessories throughout the United States and abroad. The Third Party Vendor shall make no other use of the Trademark or Work. The Third Party Vendor also acknowledges that the Town is the sole and exclusive owner of the Trademark and Work. The Town must approve the format in which the Trademark and Work is used. Each agreement will last for one year, with the option to extend additional one year terms.

In return for the use of the Trademark and Work, the Town will collect fifteen percent of proceeds for each item of apparel and accessory sold to the public. This will be done by the Third Party Vendor adding an additional fifteen percent to the base price for each item. Payment will be collected by the Town quarterly. The Agreement also includes a provision to terminate the agreement, if the Third Party Vendor is found to misuse the Trademark and Work.

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Stephanie offered to answer any questions that the Board might have.

Commissioner Philip Tarnaski asked why the Town was charging 15%.

Ms. Smith said that the expectation would be that if somebody was to use the Town's logo, since it is trademarked, the Town would collect a fee as the logo is a result of the Town's work. She said that it is comparable to what other municipalities are doing for third party vendors who are using their logo.

Mr. Tarnaski asked if the Board could waive that if they wanted to, as it helps get Wendell's name out.

Ms. Smith said that there's currently not a provision to waive the agreement. This would be a process for approval for any third-party vendor. The agreement is in response to discussion at the logo use policy meeting recognizing that third-party vendors may desire to use the logo and since the logo mark is owned by the Town, the discussion was that the Town should benefit by a nominal fee for that use.

Commissioner Jon Lutz asked if this applies only to people who are using the logo to sell goods or for other purposes.

Ms. Smith said that it applies to when people are using the logo to sell goods. People who are using the logo in general and wouldn't be profiting from that would go through the traditional logo use policy, which does not include a fee.

Mayor Gray asked how the Town was going to enforce this agreement.

Ms. Smith said that this is somewhat of an honors system and the Town would ask the vendor that is selling items with the logo and making a profit to contact Town staff to execute the agreement process.

Town Manager Marc Collins said that when people sell items, they have to report their sales to the state as sales tax, which is also an honor system. He said that this is no different of a process.

Mayor Gray said that she understands where this came about and where it's going. She said she agrees with the agreement when it comes to large use of the logo. She said in other instances she thinks it puts the Town dangerously close to nickel and diming, in her opinion.

Commissioner Tarnaski said that perhaps the Town should set a max amount of profit for enforcing the agreement.

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Commissioner Jason Joyner said that for him it's not about the revenue. He said that in paying the revenue to the Town is an acknowledgement on their part that the logo is something of value that the Town has a trademark on. Mr. Joyner said that he thinks it's more about protecting the image and how the intake is done will be important. He said he does understand the enforcement concern.

Mayor Gray said there's a benefit to people doing some things. She said the Town provides municipal services and will not be creating things with a logo on them. She said that she feels that other people making items with the logo is a service to the Town.

ACTION

Mover: Mayor Pro Tem John Boyette moved to approve the Town of Wendell Logo Licensing Agreement.

Vote: 4-1

- 6c. Town of Wendell Downtown Mural Agreement
Speaker: Assistant to the Manager Stephanie Smith

Assistant to the Manager Stephanie Smith presented the following staff report, below in italics:

Request approval for the Town of Wendell Downtown Mural Agreement. With the support of the Appearance Commission, staff has selected Matthew Wiley Murals, Inc. to provide a mural located on the side of the Perry building, along East Campen Street. Matthew Willey will create an original, one-of-a-kind, hand-painted mural featuring honey bees and other pollinators on the wall of the Perry building in Wendell, NC. Design will begin upon acceptance of the agreement. This piece will forever be considered a part of the 50,000 bees that Matthew is creating as a part of his global project titled The Good of the Hive. Once the mural is completed, the Town of Wendell NC will have a presence on TheGoodoftheHive.com describing the project.

Utilizing with an internationally-known muralist will bring regional and national attention to downtown Wendell, reinforcing the Board's Strategic Plan Goal 1: Downtown Vibrancy, Economic Growth, and Community Character. The mural will be scheduled to begin next summer, once the work on the downtown parking/event space project is substantially complete on E Campen Street.

Item Summary:

Staff requests the approval of the Town Manager to negotiate and sign the Town of Wendell Downtown Mural Agreement.

Stephanie offered to answer any questions that the Board might have.

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ACTION

Mover: Mayor Pro Tem John Boyette moved to direct the Town manager to negotiate and sign the Town of Wendell Downtown Mural Agreement.

Vote: 5-0

- 6d. Fee in Lieu Request for 103 feet of Roadway Improvements on Wendell Boulevard (Charthouse Self-Storage Lot).
Speaker: Planning Director David Bergmark

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

Item Summary:

In July of 2018, Construction plans were approved for the Wendell Builders Supply business at 2505 Wendell Boulevard. One site improvement required by the Department of Transportation (DOT) as part of this development included the addition of dedicated left turn lane and a wider shoulder to assist with right turning movements on Wendell Boulevard. Since this site contained an existing business in operation, a bond was provided to DOT to guarantee the roadway improvements. This work has not been completed to date, but the bond is still in effect. No additional Certificates of Occupancy will be issued along Charthouse Drive until these improvements have been constructed.

Following the Wendell Builders Supply site approval, a Conditional District Master Plan revision was approved by the Town Board to permit a Self-Storage facility to locate on the opposite corner from Wendell Builder's supply, addressed as 709 Charthouse Drive. The development of this site would require separate roadway improvements according to Wendell's Unified Development Ordinance, along the site's frontage.

The applicant's fee in lieu request does not impact the DOT required improvement, but rather represents the difference between the widening already scheduled to occur and the additional widening/improvements which Wendell's regulations would require along 103 feet of Wendell Blvd.

Wendell's cross-section would call for a bike lane and curb and gutter, in addition to the minor widening already required by DOT. Since the original improvements are not yet in place, and the length of improvements is so short (103 feet), the applicant is requesting to pay a fee in lieu of these additional improvements in the amount of \$17,520.

If approved, the fee in lieu of roadway improvements would be due prior to staff signing the Final Development Plan for the self-storage facility.

Staff Recommendation:

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The fee in lieu request and estimate have been reviewed by the Town engineer for accuracy and completeness. Currently there is no curb and gutter, storm drains, or bike lanes along this section of Wendell Boulevard. Right-of-way has already been dedicated based on the Town's ultimate cross-section. The applicant would still be installing sidewalk along Wendell Boulevard as part of his project.

Based on the limited length of improvement and the additional complications resulting from coordinating the Town's required improvements for the self-storage facility with DOT's requirements related to Wendell Builders Supply, staff recommends approval of a fee-in-lieu request. Approval of the request would permit these funds to be used by the Town to support roadway improvements in higher priority areas of Town as part of a larger, complete project.

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

Commissioner Jon Lutz asked if the curb and gutter will still be installed, since the bike lane is being removed.

Mr. Bergmark said that there would not be a curb and gutter. He said that they're asking to pay in lieu of installing curb/gutter and the extra width that would have been associated with the bike lane. There is some additional width already there, and it would be a piece within that five feet of width.

Mr. Lutz asked if the sidewalk would still be there.

Mr. Bergmark confirmed that it would be.

Mayor Pro Tem John Boyette said that he's usually not a fan of fee in lieu items, but in this case he is in favor of it.

ACTION

Mover: Mayor Pro Tem John Boyette moved to approve the Fee-in-lieu request for 103 ft of roadway improvements on Wendell Boulevard (Charthouse Self-Storage Lot).

Vote: 5-0

- 6e. Adoption of the Wake County Multi-Jurisdictional Hazard Mitigation Plan
Speaker: Planning Director David Bergmark

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

Item Summary:

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In an effort to reduce the nation's mounting natural disaster losses, the U.S. Congress passed the Disaster Mitigation Act of 2000 (DMA 2000), which requires state and local governments to develop hazard mitigation plans as a condition for federal mitigation grant assistance. These funds are administered by the Federal Emergency Management Agency (FEMA) under the Department of Homeland Security, and include:

- *the Hazard Mitigation Grant Program (HMGP),*
- *the Pre-Disaster Mitigation Program (PDM), and*
- *the Flood Mitigation Assistance Program (FMA).*

DMA 2000 also requires that jurisdictions update their hazard mitigation plans every five years. If the approved hazard mitigation plan expires and a new one is not adopted, that jurisdiction is not able to pursue federal funding for which a current hazard mitigation plan is a prerequisite.

In 2014, Wake County and most of the municipalities within the County joined together to develop the first Wake County Multi-Jurisdictional Hazard Mitigation Plan. Previously, each jurisdiction had developed its own, individual Hazard Mitigation Plan. The 2014 Multi-Jurisdictional Hazard Mitigation Plan will expire in January 2020. In order to remain compliant with federal regulations, the Wood Company was contracted by the North Carolina Division of Emergency Management to complete the 2020 – 2025 Wake County Multi-Jurisdictional Hazard Mitigation Plan.

The general purpose of the plan is to protect life and property by reducing the potential for future damages and economic losses that result from natural hazards, allow the participating communities to qualify for pre and post-disaster grant funding, facilitate recovery and redevelopment following disaster events, demonstrate a firm local commitment to hazard mitigation principles, and comply with state and federal requirements for disaster recovery and mitigation funding.

The 2020 - 2025 Wake County Multi-Jurisdictional Hazard Mitigation Plan includes an Action Plan for each jurisdiction. The Town of Wendell's Plan is listed in Annex L, which is included in the Wake County Multi-Jurisdictional Hazard Mitigation Plan Complete Review Draft (link below) starting on page 455. The Action Plan includes action items that reduce the Town of Wendell's vulnerability to the effects of natural hazards. The Action Plan is the core of the Hazard Mitigation Plan and includes an outline of mitigation actions by each department, priority, and target date of completion. The Plan recommends an annual report outlining progress on Mitigation Action Implementation. The annual report ensures that goals and objectives continue to address current and expected conditions. The link to the Complete Draft of the Wake County Multi-Jurisdictional Hazard Mitigation Plan is below:

http://www.wakecountyhmp.com/assets/pdf/documents/Draft_Documents/Wake%20County%20Complete%20Review%20Draft_Revised.pdf

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Wendell's current Hazard Mitigation Plan is set to expire on January 28th, 2020. Adoption of the updated plan will keep Wendell compliant with North Carolina General Statutes, Chapter 166A: North Carolina Emergency Management Act and Section 322: Mitigation Planning, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

Planning Board Recommendation:

At their December 16, 2019 meeting, the Planning Board voted 8-0 in favor of adopting the Wake County Multi-Jurisdictional Hazard Mitigation Plan.

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

Voting Against: None

Absent: None

Staff Recommendation:

Staff recommends approval and adoption of the 2020 - 2025 Wake County Multi-Jurisdictional Hazard Mitigation Plan.

David offered to answer any questions that the Board might have.

ACTION

Mover: Commissioner Jon Lutz moved to approve the Wake County Multi-Jurisdictional Hazard Mitigation Plan.

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:
No committee meetings were held.

8. COMMISSIONERS' REPORTS / COMMENTS

- Commissioner Jason Joyner thanked town staff for all their work on all of the items on the agenda that involve the Town's strategic initiatives. He also said that Wendell Methodist Church is going to have a pancake dinner that Commissioner Lutz or DeLoach will have the details for.
- Mayor Pro Tem John Boyette said go Tigers.
- Commissioner Tarnaski wished everyone a Happy New Year and said that he's happy to be a part of the 2020 vision for Wendell.

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- Commissioner Jon Lutz said the Pancake Dinner at Wendell Methodist Church is on January 30th with all proceeds going to missions work. The event is all you can eat and will take place from 5 to 7 p.m.
- Commissioner Joe DeLoach said that they've heard a lot of material tonight and if any citizens want to get involved, there are plenty of opportunities available.

9. MAYOR'S REPORTS / COMMENTS

- The Town Board will hold its Organizational retreat from 8 a.m. to 1 p.m. on Saturday, January 25th at the Garner Town Hall and is open to the public.
- Saturday, January 25th is Family Movie Night at the Community Center showing *The Secret Life of Pets 2*
- Thursday, January 30th is the Wendell Chamber of Commerce Banquet and tickets are available on the Chamber's website.
- Mayor Gray thanked Town staff and the Public Works department for all of their hard work with the Town's Christmas decorations.
- Mayor Gray said that the Town is starting 2020 with a bang with the Neighborhood Improvement Program, the Economic Development Strategic Plan and the Brownfield Consortium Grant. Each of these will be beneficial to Wendell.
- Mayor Gray read the following Proclamation proclaiming the week of January 20th as Dr. Martin Luther King Jr. Week:

PROCLAIMING DR. MARTIN LUTHER KING JR. WEEK

WHEREAS, Dr. Martin Luther King Jr. dedicated his life to the American proposition that we have achieved and can continue to achieve non-violent social change; and

WHEREAS, Dr. King advanced the cause of attaining social change for all people and the establishment of "the beloved community" worldwide; and

WHEREAS, Dr. King admonished us that it is far better to love than hate, to seek justice rather than revenge, and to refrain from acts of violence and not condone those who engage in it or profess hatred for any people, group or race; and

WHEREAS, Dr. King was a great orator and leader whose eloquent message influenced his country to integrate peacefully and resulted in the passing and signing of the Civil Rights Act of 1964 and the Voting Rights Act of 1965; and

WHEREAS, Dr. King was a leader whose life and message influenced this nation to integrate peacefully

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NOW THEREFORE, on behalf of the Wendell Town Board of Commissioners, I, Virginia Gray, Mayor of the Town of Wendell, do hereby proclaim the week of January 20th, 2020 as Dr. Martin Luther King Jr. Week and urge our citizens to rededicate themselves to the principle of justice and equality for all.

DULY PROCLAIMED this 13th day of January, 2020.

Virginia R. Gray, Mayor

10. CLOSED SESSION

Closed session will be called if necessary.

11. ADJOURN

ACTION:

Mover: Mayor Pro Tem John Boyette moved to adjourn at 7:58 p.m.

Vote: 5-0

Duly adopted this 10th day of February 2020, while in regular session.



Virginia R. Gray,
Mayor

ATTEST:



Stephanie Smith,
Deputy Town Clerk



