

**TOWN OF WENDELL  
BOARD OF COMMISSIONER MEETING MINUTES  
SEPTEMBER 14, 2020**

The Wendell Town Board of Commissioners held their virtual, regular meeting on Monday, September 14, 2020, in the Town Board Room, Wendell Town Hall, 15 East Fourth Street.

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

**ABSENT:**

**STAFF PRESENT:** Town Manager Marc Collins, Town Clerk Megan Howard, Town Attorney Jim Cauley (virtually), Assistant to the Manager Stephanie Smith, Police Chief Bill Carter, Planning Director Niki Jones, Assistant Planning Director Bryan Coates, and Public Works Director Brian Bray.

**SPECIAL NOTICE**

Due to the Declared State of Emergency in response to the COVID-19 Virus, the Town of Wendell has altered the traditional meeting process to accommodate and encourage positive public health practices. The Town is incorporating virtual meeting practices to continue the work of the Board of Commissioners while taking proactive measures to maintain transparency and provide for public comment.

The public is encouraged to remain home and watch the business meeting on Facebook Live, or after it is posted to the Town website, or by calling (919) 375-6880 and listening to the meeting. No direct access to Town Hall will be allowed.

Public Comment period for the September 14, 2020 Board of Commissioners meeting shall be organized in advance. The public can submit their written public comment to the Town Clerk via email to [mhoward@townofwendell.com](mailto:mhoward@townofwendell.com) or submit a request to call in and teleconference during the Board of Commissioners meeting by emailing their name, address, and phone number to the clerk via email by Friday, September 11<sup>th</sup> at 5 p.m.

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

Police Chief Bill Carter led the Pledge of Allegiance.

Commissioner Lutz provided the invocation.

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

**ACTION**

Mover: Commissioner Lutz made a motion to approve the agenda, as presented.  
Ayes: Commissioners Jason Joyner, Joe DeLoach, Jon Lutz, Philip Tarnaski, John Boyette  
Nays: None.  
Vote: 5-0

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**2. PUBLIC COMMENT PERIOD**

- The Public Comment period for the September 14, 2020 Board of Commissioners meeting shall be organized in advance. The public can submit their public comment to the Town Clerk via email to [mhoward@townofwendell.com](mailto:mhoward@townofwendell.com) by Friday, September 11<sup>th</sup> at 5 p.m.

or

- Submit a request to speak over the phone during the Board of Commissioners meeting by emailing their name, address, and phone number to the clerk via email by Friday, September 11<sup>th</sup> at 5 p.m. The Clerk will provide the call-in phone number and provide three (3) minutes to speak on any non-public hearing item or topic.
- Questions or comments regarding specific agenda items may be directed to the contact person provided for the individual items on the agenda below for additional information before or after the meeting.

No one signed up to speak during the 3-minute public comment period.

**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. Adoption of the August 10, 2020 Town Board of Commissioners Meeting Minutes

Staff Contact: Town Clerk Megan Howard  
[mhoward@townofwendell.com](mailto:mhoward@townofwendell.com)

- 3b. Authorize the Town Manager to sign a one-year Extension of Town of Wendell participation in the Contract for Disaster Debris Monitoring Services between Wake County and HDR Engineering, Inc. of the Carolinas.

Staff Contact: Public Works Director Brian Bray  
[bbray@townofwendell.com](mailto:bbray@townofwendell.com)

- 3c. Approve 2 Special-Called Meetings for Wednesday, September 16 and Thursday, September 17 from 6-8 p.m. for a Town Hall Project and Strategic Planning Work Session.

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Staff Contact: Town Clerk Megan Howard  
[mhoward@townofwendell.com](mailto:mhoward@townofwendell.com)

**ACTION**

Mover: Commissioner Lutz made a motion to approve the consent agenda.  
Ayes: Commissioners Joyner, DeLoach, Lutz, Tarnaski, and Boyette  
Nays: None.  
Vote: 5-0

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

4a. Introduction of Police Accreditation Manager Marie Pilotto

Staff Contact: Police Chief Bill Carter  
[bcarter@townofwendell.com](mailto:bcarter@townofwendell.com)

Police Chief Bill Carter introduced Police Accreditation Manager Marie Pilotto and presented the following staff report, below in italics:

**Item Summary:**

*On Monday, July 13, 2020, Marie Elizabeth Pilotto joined the Wendell Police Department as its Accreditation Manager. Marie is a resident of Johnston County. Marie is a graduate of the University of Kansas where she was awarded a Bachelor of Arts in Psychology. Marie will serve as the Accreditation Manager as well as the manager of our evidence and property control functions.*

*Marie has a total of almost 12 years of evidence and property room experience with police departments. Her most recent position of Property Technician was with the Overland Park, Kansas Police Department where she served for 10 years and resigned from that job as her family relocated to North Carolina. She was initially certified with the International Association for Property and Evidence in 2008. Additional evidence training completed included asset forfeiture, property and evidence room control, collection and preservation of fire evidence and handling of biological evidence. Of equally importance is her training and experience in policy and procedure development associated with the Commission on Accreditation for Law Enforcement Agencies (CALEA) accreditation process. Marie's evidence and property experience are invaluable as they require rigid development of and adherence to policies and procedures.*

*Marie is in the early phases of on-boarding at the Police Department. Over the next few months, she will be engaged in formal training opportunities associated with both accreditation and property and evidence management. Active engaged in policy review*

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*and development is key as the department move forward in assuring the use of best practices which are CALEA compliant.*

*While Marie has been a part of the Police Department for just a little over 2 months, she has hit the ground running. Policy reviews are underway, CALEA onboarding has been completed and she is developing a network with other accredited agencies in the area which will serve her well as the Police Department navigates through the accreditation process. Staff is excited to have Marie as a part of the Team.*

Chief Carter said they're happy to welcome Mrs. Pilotto on the team.

Mrs. Pilotto said that she's excited to be working for the Town of Wendell.

Mayor Gray said that the Board is excited to have Mrs. Pilotto join the team.

4b. Update on CALEA Law Enforcement Accreditation Process

Staff Contact: Police Chief Bill Carter  
[bcarter@townofwendell.com](mailto:bcarter@townofwendell.com)

Police Chief Bill Carter presented the following staff report, below in italics:

**Item Summary:**

*On February 11, 2019, the Town Board adopted its Strategic Plan with the purpose being "to provide for a process that aligns resources with commitment from Town organization leaders to bridge the gap between the assessed current conditions and envision community of the future". One of the nine strategic initiatives under Goal 2 (Public Safety and Neighborhood Improvement) of this plan is to establish an action plan for the police department to achieve Commission on Accreditation for Law Enforcement Agencies (CALEA) accreditation and initiate policy review and development to implement accreditation through CALEA.*

*The purpose of the law enforcement accreditation process is to improve law enforcement service by creating a national body of standards developed by law enforcement professionals and to recognize professional achievements by establishing and administering an accreditation process through which a law enforcement agency can demonstrate that it meets those standards.*

*CALEA accreditation benefits law enforcement agencies and the communities they serve by instilling a management tool which promotes greater accountability within the agency, reduces risk and liability exposure, establishes stronger defense against lawsuits, increases support from local government officials and encourages increased*

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*community advocacy. This is a complex process that requires an agency to examine itself, its policies and its relationships in order to better serve the community and enhance accountability. It is an ongoing process that not only addresses long standing needs but adjusts requirements to a changing law enforcement environment such as we have seen over the last few months.*

*The FY20 Budget as approved provide funding for staff and associated costs to advance this initiative. Selection of the right person for this position was essential and we remained deliberate through the hiring process. Our commitment to obtaining a solid applicant pool along with desire to hire the most suitable person did delay us past the target start date. Then as we moved through the background process COVID 19 created additional delays. We were ultimately able to hire our Accreditation Manager, Marie Pilotto, in Mid-July.*

*The accreditation process is a time-consuming commitment particularly in its initial phases. Even in reaccreditation, the need to monitor processes requires a significant commitment of time and resources to ensure compliance is met. The position of Accreditation Manager is also responsible for management and oversight of the Evidence Room. This responsibility is a high liability area as proper management of evidence and property not only reduces liability to the Town but further enhances the professional administration of justice throughout the judicial process.*

*In June 2020, the Police Department received notification that the Wendell Police Department has been deemed eligible to participate in the CALEA Law Enforcement Accreditation Program.*

*The Police Department is currently in the self-assessment phase of the accreditation process. In this phase, all policies and procedures are reviewed and approved or amended as needed to ensure they meet compliance with the applicable CALEA standards. In some cases, new policies and procedures may be needed at either the Police Department or at the Town level. The Police Department's policies and procedures last received a comprehensive re-write in 2012 and the Town's Personnel Policies were most recently amended in 2016 after a comprehensive revision in 2013. This is the most labor- intensive component of initial accreditation. In addition to the reviews, dedicated staff is required to attend mandatory training at a national CALEA conference and begin to generate proofs of compliance to the applicable CALEA Standards.*

*With the acceptance into the CALEA Law Enforcement Accreditation Program and the hiring of Marie Pilotto as our Accreditation Manager, we have taken the first big steps toward achieving accreditation.*

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*On July 21, 2020, Chief Carter and Accreditation Manager Pilotto attended a virtual get started meeting with our CALEA Program Manager to officially begin onboarding into the process. This allowed CALEA the first opportunity to learn about our Police Department and provide initial direction.*

*Later in July 2020, Accreditation Manager Pilotto attended the first ever virtual CALEA Conference which was four days of CALEA specific training allowing her to gain a stronger understanding of the process and how to successfully partner with CALEA to achieve successful results. Many of these courses were recorded which allows the opportunity to review as needed.*

*The Police Department is using a web-based application to manage the accreditation process to include police and procedure development and access. Accreditation Manager Pilotto has been attending virtual training courses on the best way to use the system to benefit staff and the organization.*

*One of the most important components of successful engagement in the accreditation process is networking with other agencies at various stages in the process. The North Carolina Law Enforcement Accreditation Network (NCLEAN) serves as the hub of this networking component where agencies can come together, share policies, evaluate one another informally and work toward representing North Carolina law enforcement at the highest possible level. The Wendell Police Department has joined this network and Accreditation Manager Pilotto has attended a virtual meeting and begun to develop contacts and obtain access to materials from participating agencies.*

*Accreditation Manager Pilotto is required to attend Accreditation Manager Training offered by CALEA. She is enrolled in the next available class and will start that class in January 2021. This will not impact any ongoing progress in the accreditation initiative as work can be done prior to this training.*

*In addition to the on-boarding with CALEA and the many training activities already undertaken, Staff has begun the process of a comprehensive review of existing policies and procedures to determine the level of compliance with CALEA standards. Staff across the Police Department will be asked to work with Accreditation Manager Pilotto to develop and or refine policies and procedures which meet the needs of the community, fulfill the requirements of the CALEA standards and provide all stakeholders with clear and concise expectations for the community served.*

*This is an exciting time for the Police Department and our community as we work to fulfill the strategic initiative while advancing the Police Department to an even higher*

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*level of professionalism and accountability based on international best practices and standards.*

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

Commissioner Jason Joyner said that he knows that the time clock starts in June when the Board signed the approval and he knows that it was said to be a three-year process. He asked if there was a cap from CALEA on that time frame.

Chief Carter said that CALEA allows departments to complete the process within 36 months after the month of signing, allowing for exceptions in extreme circumstances.

Commissioner Joyner asked if Chief Carter anticipated future needs of reconfiguring of the evidence room to comply or if the Town is generally within the framework, leaving the policy piece to be addressed.

Chief Carter said that there were some small issues that they may need to come back to the Board with. He said that CALEA gives the department a lot of latitude on how they satisfy the standards and he plans on the department looking at the most practical and efficient ways to satisfy those standards. He said they would anticipate future cost needs ahead of the upcoming budget.

- 4c. Presentation of Downtown Service Comparatives for Parking, Food Trucks, Electric Vehicle Charging, Lighting, and Solid Waste Service.

Staff Contact: Assistant to the Manager Stephanie Smith  
[ssmith@townofwendell.com](mailto:ssmith@townofwendell.com)

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

**Item Summary:**

*With the efforts to revitalize downtown Wendell, staff has recognized both by feedback from the community, as well as direct observations, the need to consider how the Board would like to handle municipal services specific to the DMX district. Staff will discuss a list of topics and follow the same format for each discussion item. Staff recognizes the need to give the Board the opportunity to speak with their constituents and consider the topics at hand, so this discussion will take place over several Board meetings.*

*The topics for discussion are Parking, Food Trucks, Electric Vehicle Charging, Lighting, and Solid Waste Service. Staff will address each topic by defining the issue, identifying the specific area impacted, providing a comparative analysis, and provide the opportunity for Board to discuss and to give initial thoughts to guide staff.*



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**Parking**

**Issue:**

Staff has received feedback from community members and business owners that it's difficult to find parking downtown, particularly in front of businesses they want to visit. Additionally, there is a need for additional wayfinding signage to indicate public parking, which Public Works staff is able to install after leaf season and holiday decorations are taken down.

**Area Impacted:**

DMX zoning district, specifically Main Street

**Current Conditions (numbers are approximate):**

Cypress Street: 37 on street; 30 in women's club lot

Second Street: 10 on street

Main Street: 60 on street

Campen Street: 44 on street; 4 golf cart parking spots

Depot Street: 46 on street

Fourth Street: 31 on street

Total on street parking spots downtown: 228\*

\*This number is approximate and captures existing public marked parking spaces. It does not include park and ride, or private parking.

**Information for Discussion:**

Staff has compiled different options for the Board's consideration with pros and cons for each option.

	<b>Pros</b>	<b>Cons</b>
Maintain current parking	Minor signage and enforcement costs	Complaints that parking is unavailable during certain times
Time limits through signage (i.e. 2 hours maximum)	Encourage turnover for businesses in targeted locations, customer friendly	Cost for signage, additional staff time to enforce, additional staff possibly needed (unsworn officer position)

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Parking meters	Encourage turnover for businesses in targeted locations, customer friendly, additional revenue. Modern technology is available for parking meters, which could be handed like a digital concierge.	Cost for meters (higher than signage), staff time to enforce, additional staff possibly needed (unsworn officer position)
Hybrid - different areas with different options	Select which areas have parking restrictions, allowing more flexibility for lower used areas, able to vary enforcement (proactive, versus reactive), able to select times/days to enforce	Cost for implementation, lack of consistency may cause confusion
No overnight parking	Reduce ability for public to use town parking as storage for large vehicles or trailers, enables staff to use space for events (i.e. farmers market, event setup)	Creates challenge when customers drink and wish to find a responsible way home, would need to be revised if/when residents live downtown

Staff does not recommend all policy options are implemented at this time. An incremental approach would be appropriate. For all options, the following would apply:

- Signage would be installed indicating golf cart parking, electric vehicle parking and no parking zones
- Restriping and evaluation of areas currently unstriped
- Basic parking enforcement

**Food Trucks**

Issue:

Currently the Town uses the Use of Public Space policy to approve food trucks downtown. Businesses request to bring in a food truck for a particular date/time, and

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staff provides a signed letter approving the use of public space for a food truck. Food truck requests are increasing with the addition of businesses downtown.

Area Impacted:  
DMX zoning district

Comparative Analysis:

Staff has compiled a table of what other towns in the area have policies for food trucks, and whether or not there is a fee to operate.

<b>Town</b>	<b>Mobile Vendor (Food Truck)</b>	<b>Fees (if any)</b>
Apex	Yes	\$150
Fuquay -Varina	Yes	\$30
Garner	Yes	\$125
Holly Springs	No	N/A
Knightdale	No	N/A
Morrisville	Yes	\$50
Raleigh	Yes	\$150
Rolesville	Yes	None
Wake Forest	No	N/A
Zebulon	Yes	\$160

Information for Discussion:

Currently, there is not a formal Food Truck Policy. Staff has reviewed food truck policies from neighboring jurisdictions and has included a list of some common themes for consideration, should the board wish to adopt a policy. These items include:

- Food trucks cannot operate within 100 feet of a brick and mortar restaurant
- Any food truck would need a host to operate
- For use of both public and private property, written permission must be provided by property owner
- Food trucks can only park on approved roads (Campen Street & Depot Street)
- Limit number of food trucks at 1 time
- Limit amount of times business can bring in food trucks

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- Quiet generators are required

Staff would like the Board to discuss their level of interest in a Food Truck Policy, and if so, what provisions should be included.

**Electric Vehicle Charging**

Issue:

With new electric vehicle charging stations, staff has identified a need to discuss whether or not there should be regulations on how long people can park, or if there should be a charge. There are plans to create a webpage on our website to let the public know about the availability of the chargers and will be working to add charging stations to websites like PlugShare, and ChargePoint so they can be located and used.

Area Impacted:

There are 2 charging stations located on E Campen Street, with the anticipation more will be added in the area over time.

Comparative Analysis:

Currently, all charging stations offered by municipalities in the area are free of charge. While most do not limit amount of time people can park there, they all have signs posted that say "Electric Vehicle Parking Only".

Information for Discussion:

Staff would like the Board to determine if there is interest in creating a policy to limit the amount of time users can park at a charging station location, and if there is an interest in charging a fee to use.

**Lighting**

Issue:

Some downtown lights are still owned and maintained by the Town, causing additional costs when repairs or maintenance is needed. Throughout downtown, electricity is unreliable and requires significant work, particularly around events, in order to be functional.

Area Impacted:

DMX zoning district

Comparative Analysis:

N/A

Information for Discussion:

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Currently the town owns 49 lights in the DMX zoning district. As new lights are added (i.e. E Campen Row), they are leased by Duke. Staff would like the Board to discuss whether they would like to convert the 49 lights that are owned to a lease.

	<b>Pros</b>	<b>Cons</b>
Leasing Lights	<ul style="list-style-type: none"> <li>-Duke maintains and repairs leased lights at no additional cost</li> <li>-Town staff resources are not needed to maintain lights or repair electricity for events</li> </ul>	<ul style="list-style-type: none"> <li>-Staff would need to work with Duke to run a second conduit for access to electricity;</li> <li>Duke does not allow electrical outlets to be installed on their light poles</li> </ul>
Owning Lights	-None	<ul style="list-style-type: none"> <li>-Unanticipated costs in replacing and repairing lights that are owned</li> <li>-Access to power during events is unreliable and requires additional work -</li> <li>Currently the Town does not have an electrician on staff, so work on electrical connections needs to be contracted</li> </ul>

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The cost to implement includes the cost of the pole, the underground charge of \$521/pole, plus any abnormal charges, like rewiring, digging and filling trenches, etc. The Town would also run electric to allow for the addition of electrical outlets to use during the holiday and special events.

Staff would recommend coordinating this effort with other strategic initiatives and capital projects, and possibly time the replacement with a streetscape design improvement.

**Solid Waste Service**

Issue:

Staff has received requests from downtown businesses to access dumpsters. Also, the aesthetics of having multiple dumpsters in multiple locations and the inappropriate use of current containers (dumpster contamination, small cans being used by small businesses) is an issue.

Area Impacted:

Businesses in DMX zoning district that do not have adequate space on their property for a dumpster. Particularly downtown historic areas with compacted space.

Comparative Analysis:

Staff has found information on solid waste services offered to downtown businesses for an additional fee in Raleigh and Gastonia, NC.

Information for Discussion:

The Board has prioritized efforts in the DMX zoning district to improve aesthetics and generate interest in private investment in the area. Considering a solid waste service for the businesses that do not have adequate space could enhance the visual appeal of the area and be an added benefit for those looking to locate their businesses in this area. Staff would like the Board to discuss their level of interest in pursuing one of the options outlined below.

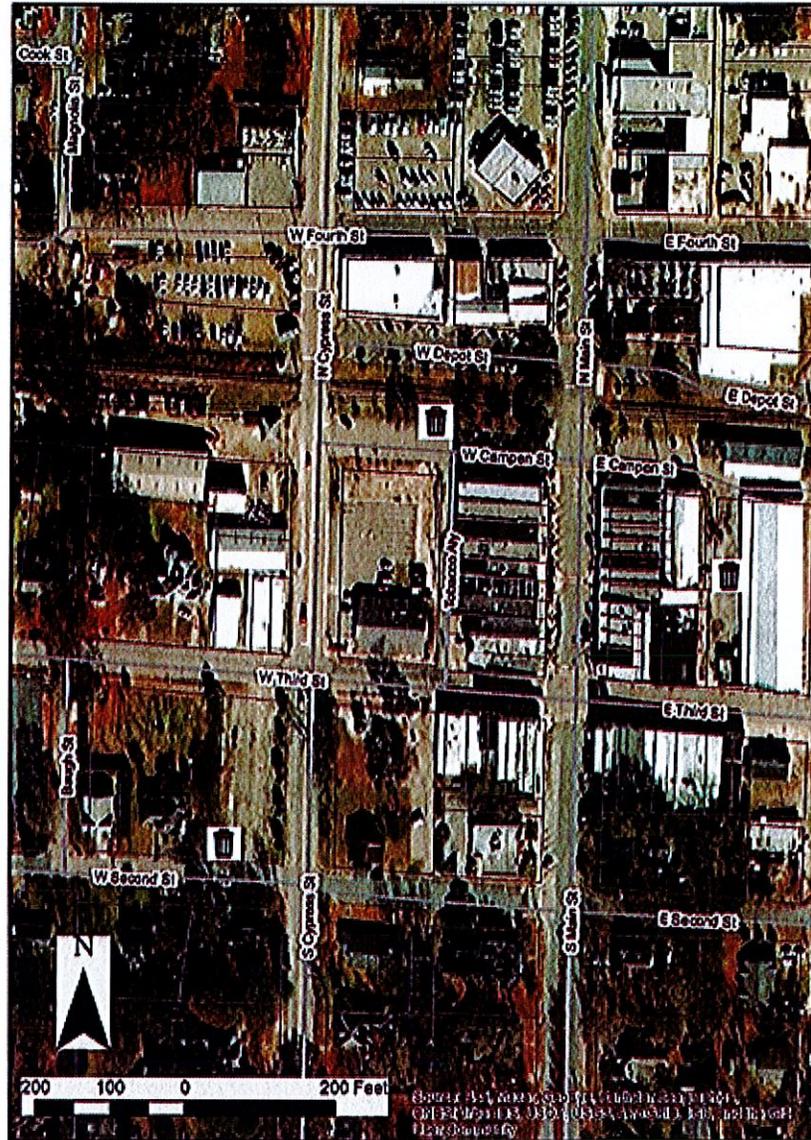
Option 1	Town covers 100% of the cost of solid waste services to downtown businesses who qualify
Option I B	Town covers 100% of the cost of solid waste services to downtown businesses who qualify; understand the tax value and taxes collected by downtown businesses off-set incurred costs.
Option I C	Town covers 100% of the cost of solid waste services to downtown businesses who qualify; fee is implemented for special assessment area to help off-set this and other downtown maintenance costs.
Option 2	Town covers implementation costs, charges fee to businesses who participate to cover 100% of recurring costs.

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Option 2 B	Town covers implementation costs, charges fee to businesses who participate to cover some of recurring costs.
Option 2 C	Town covers implementation costs, charges businesses what they would have paid for their own dumpster service, covers remaining costs.
Option 3	Town provides public space and enclosure, charges use of space for businesses & businesses provide their own dumpster service.

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**Downtown Dumpster Locations**



With all options listed, small cans will be handled by Town staff and trash will put in dumpster, dumpsters would be emptied by GFL. Businesses who participate would be responsible for bringing trash to dumpster locations. Dumpsters can only be placed by businesses on their property, in a manner consistent with our ordinance (i.e. approved enclosures). Dumpsters cannot be located on right of way. Otherwise, businesses can utilize the dumpsters the town provides. Staff estimates the following costs to add enclosure space and create new dumpster locations:

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West Campen (Add to existing enclosure): \$1,000

Women's Club Lot (Create new location, including enclosure): \$5,000

Next Steps

Staff has provided this presentation to give the Board and opportunity to review this information and consider what policies would be of interest to implement. Some policies may be of interest to move forward with now, while others may be implemented at a later date. Staff also understands the Board may not be interested in implementing some or all of these policies at this time.

Staff will give the Board an opportunity to consider this information, speak to their constituents, and come back at the next meeting with questions, discussion and possible direction to staff on how they would like to move forward.

Ms. Smith offered to answer any questions that the Board might have.

Commissioner Lutz asked if any of the downtown businesses knew about the proposed policies and the steps that the Board is taking right now with this overview of the DMX districts.

Ms. Smith said that there had been informal conversations with business owners where they have given Town staff feedback or given staff requests for some of these services. She said staff wanted to give this information to the Board so that they had it first before staff did an official outreach to the businesses that would be affected, giving each businessowner the opportunity to give their input, as they would want businesses to have a say in the policies that would be intended for their benefit.

Commissioner Lutz said it would be beneficial for downtown businesses to be aware of what the Board is doing and for them to reach out to the Board for ideas or concerns. He asked if anyone counted the parking spaces located on Third Street.

Ms. Smith said that Third Street was counted between Pine and Cypress Street and she would send the Board the numbers.

Mayor Gray asked if staff counted the parallel parking spaces near the Town Square.

Ms. Smith said that staff did count those spaces.

Mayor Gray asked if the Food Truck fees were annual.

Ms. Smith confirmed that they were.

Commissioner Tarnaski asked how the electric charging stations worked.

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Ms. Smith said there are different mechanisms to use through an app where, in order to access the charging station, the individual would sign up through an app and you would be able to charge through selecting that location within the app.

Commissioner DeLoach said that he thinks it would be helpful to have an idea in an order of importance to the business owners, each of the five options. He said it would be nice to have the feedback ahead of time.

Commissioner Joyner said that, with the location of the dumpsters, the Board has seen the changing of conditions based upon building use, particularly on the North end towards Wendell Boulevard. He said thinking about potential changes in the future would be cost-effective for permanency in the policy.

Commissioner DeLoach said that, based on the increased traffic downtown, does the Town consider that to be at a level where solid waste is problematic?

Ms. Smith said that currently, Public Works empties the individual cans 3 times a week, currently. She said that they're also seeing some businesses empty their business trash into these public use cans due to lack of access to large bins. With the addition of businesses coming online that don't have that private space to put a dumpster, it's not critical but would continue to be an issue without a plan put in place.

## **5. PUBLIC HEARINGS**

**PLEASE NOTE:** Due to the current State of Emergency and in the interest of public health, the following accommodations will be made to allow public participation in public hearings, but no public attendance at Town Hall will be permitted. No Board action on public hearing items will occur if a virtual meeting is used to conduct the public hearing. The item will be continued and the public will have 24 hours from the end of the meeting to provide comments on the public hearing item.

- Public participation for public hearing items on the agenda for the September 14<sup>th</sup>, 2020 Board of Commissioners meeting shall be organized in advance. The public can submit their public hearing comments to the Town Clerk via email to [mhoward@townofwendell.com](mailto:mhoward@townofwendell.com) up to 24 hours after the public hearing is held. Please provide your name, address, and the agenda item number with your comments. Copies of the written comments received by Friday, September 11<sup>th</sup> at 5pm will be provided to the Board of Commissioners at the meeting, read at the meeting, and included in the minutes of the meeting. Comments will be received for 24 hours after the meeting and provided to the Board prior to action and will be included in the minutes.

Or

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- Submit a request to speak over the phone during the Board of Commissioners meeting by emailing their name, address, phone number, and item number they wish to speak on to the clerk via email by Friday, September 11<sup>th</sup> at 5 p.m. The Clerk will provide the call-in phone number and provide five (5) minutes to speak on any public hearing item or topic. Comments made by phone will be recorded and transcribed to maintain the public record.
- If you have questions regarding an agenda item, please email the staff contact directly in advance of the meeting. If preferred, you may call Town Hall at (919) 365-4450 to be directed to speak with the staff contact for the agenda item(s) of interest. Communications of this type will not be included in the meeting minutes.

5a. **PUBLIC HEARING:** on a Zoning Map Amendment request to rezone 50.63 acres from Rural Residential (RR) to Residential-3 (R3)

Staff Contact: Planning Director Niki Jones  
[njones@townofwendell.com](mailto:njones@townofwendell.com)

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

**Item Summary:**

*The applicant is requesting to rezone a 50.63-acre parcel that is currently located in the town's extraterritorial jurisdiction (ETJ) from RR to R3.*

*In March 2019, a conditional district request proposed at this location was recommend for denial by the Planning Board mostly due to challenges with access to the site.*

*In November 2019, the Planning Board approved a request by the current applicant to rezone the property to R2. The request was withdrawn before proceeding to the Town Board.*

*Currently, the applicant is requesting a rezoning to R3, that is not part of a conditional district. Issues regarding access to the site have been resolved by the Anderson Estate Deed (see attachment D).*

*This type of rezoning allows for all permitted uses within the R3 zoning district (see attachment B).*

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***Property Information Summary***

<b>Location</b>	<i>East side of Eagle Rock Road along the north side of the railway</i> <b>Addresses:</b> 0 Eagle Rock Road <b>PINs:</b> 1774-72-4863
<b>Current Zoning</b>	RR
<b>Requested Zoning</b>	R3
<b>Area of Request</b>	50.63 acres
<b>Corporate Limits</b>	ETJ – will to be annexed
<b>Property Owner</b>	520 State Street, LLC
<b>Applicant</b>	Amanda S. Bambrick

**Project Setting – Surrounding Districts and Land uses:**

<u>DIRECTION</u>	<u>LANDUSE</u>	<u>ZONING</u>
North	Agricultural	RR
South	Residential/Vacant	RR/RA
East	Residential/Vacant	RA
West	Residential	R3/R-30

**Zoning District:**

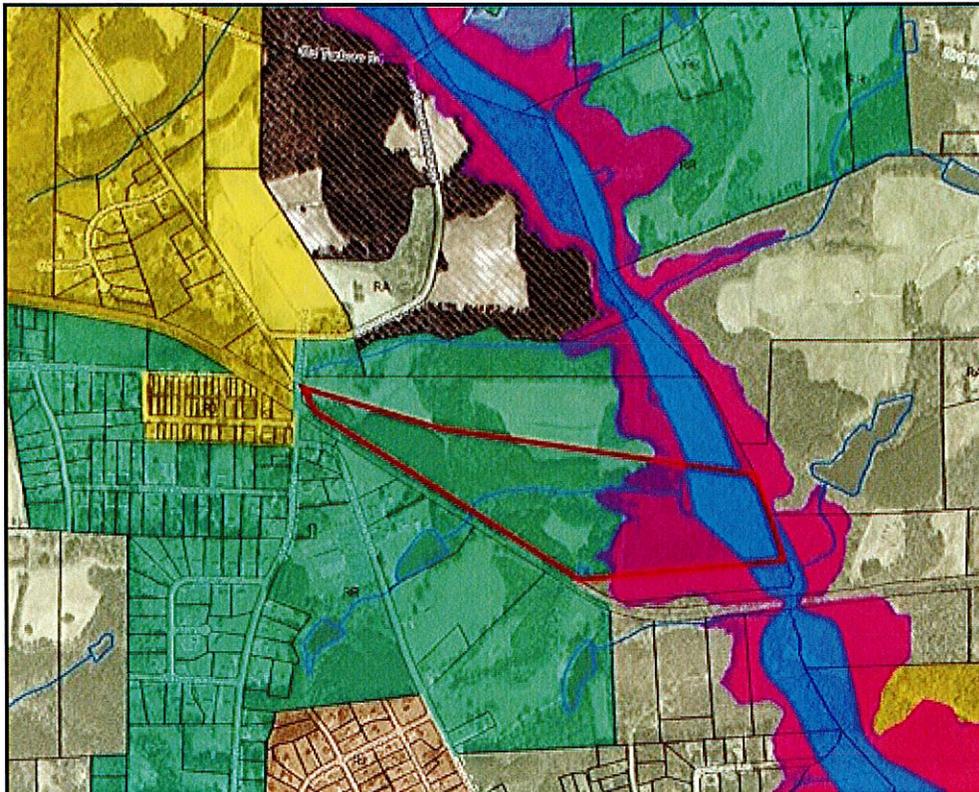
**TOWN OF WENDELL  
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*This property is located within the town's extraterritorial jurisdiction and is zoned RR. The surrounding properties are currently zoned RA, RR, R3 and Wake County R-30. The RA district allows a minimum lot size of 1 acre, the RR district allows a minimum of 25,000 sq. ft. and the R3 minimum lot size is 10,000 sq. ft. The Anderson Farm subdivision which is a few parcels north, is zoned R4-CU with a minimum lot size of 6,000 square feet.*

*The R3 zoning district has the following minimum dimension standards;*

- 60ft Lot Width
- 25ft Front Setback
- 20% of lot width combined, Side Setback
- 20ft rear setback
- 3 stories, maximum height

**Current Zoning Map (Requested Property outlined in red):**



**Comprehensive Plan:**

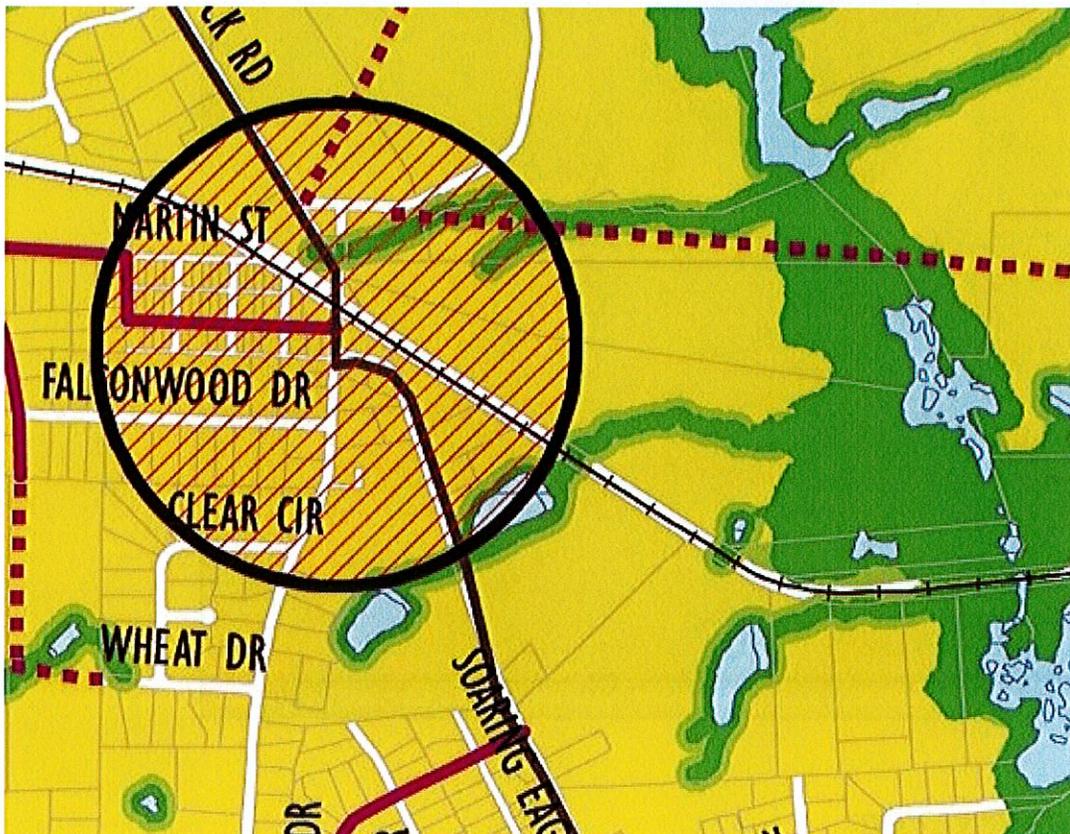
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*The Wendell Comprehensive Plan defines this section as S-4 "Controlled Growth Sector" and partly in a Neighborhood Center.*

*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 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.*



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 PLAN BOUNDARY	 S1 PRESERVED OPEN SPACE
 RAILROAD	 S2 RESERVED OPEN SPACE
<b>COLLECTOR STREET PLAN</b>	 S3 RESTRICTED GROWTH AREA
 EXISTING COLLECTOR	 S4 CONTROLLED GROWTH AREA
 PROPOSED COLLECTOR	 S5 INTENDED GROWTH AREA
<b>CAMPO THOROUGHFARE PLAN</b>	 S6 INFILL/REDEVELOPMENT AREA
 EXISTING THOROUGHFARE	 VILLAGE/TOWN CENTER
 PROPOSED THOROUGHFARE	 NEIGHBORHOOD CENTER
 WATER BODIES	 WENDELL BLVD GATEWAY CORRIDOR

**Planning Board Recommendation:**

*At their July 20, 2020 meeting, the Planning Board voted 7-1 to recommend approval of the requested zoning map amendment.*

***Voting in Favor:*** Jonathan Olson, Jimmena Huffman-Hall, Levin Jones, Deans Eatman, Cande Killian Wood, Ryan Zakany and Brett Hennington

***Voting Against:*** Allen Swaim

***Absent:*** Michael Firstbrook

**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.*

- *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 to be consistent with adjoining zoning districts.*

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**Applicant Justification:**

*The applicant lists the following reasons for rezoning the property from RR to R3:*

*“As Wendell continues to experience population growth, this rezoning will provide for a range of housing opportunities with reasonable access to the Town’s downtown core. While density would increase, this rezoning is not expected to unreasonably impact the level of available Town services and is expected to diversify and increase the Town’s tax base. By providing additional residential opportunities, we expect the rezoning to promote Wendell’s attractiveness to business and people. Open space in accordance with the Town ordinances will preserve the Town’s natural resources and amenities. While this property appears to be designated as “industrial” pursuant to the Town’s 2007 future land use map, we would note that industrial uses are perhaps disfavored over time and this use would likely be perceived as less impactful to neighboring properties. We would also note that per state statute, the future land use map would automatically be amended as part of the rezoning process if the rezoning is approved.”*

**Staff Recommendation:**

*Staff recommends approval of this rezoning request.*

**Attachments:** *Please note that these attachments can be found in the Agenda Packet for this meeting, located on the town’s website.*

- A. Application*
- B. R3 Zoning District Land Use Chart*
- C. Ordinance*
- D. Anderson Estate Deed*

Mr. Coates offered to answer any questions that the Board might have, saying that the applicant has a presentation to give and some members of the public have signed up to speak during public comment, as well.

Commissioner Lutz asked if there was any reason for the applicant changing the proposed rezoning from an R2 to an R3.

Mr. Coates said that he would let the applicant answer that question.

Mayor Gray opened the public hearing and asked to hear from the applicant.

Attorney Amanda Bambrick from Morning Star Law Group, 421 Fayetteville Street, Suite 530, Raleigh, NC, 27601, presented the following presentation to the Board:

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# Wendell Rezoning

Town of Wendell Board of Commissioners, September 14, 2020



Mrs. Bambrick said that she also had the following applicants on the phone with her to answer any questions from the Board:

1. Wyatt Boone, Bohler Engineering NC, PLLC, 4130 Parklake Ave., Suite 130, Raleigh, NC, 27612
2. Rynal Stephenson, Traffic Engineer at Ramey Kemp Associates, Inc., 5808 Faringdon Place, Raleigh, NC, 27609

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**Project Timeline to Date**

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Our office took up this project in May of 2019.

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Prior to that time, a previous developer had commenced the rezoning had taken the project through the TRC.

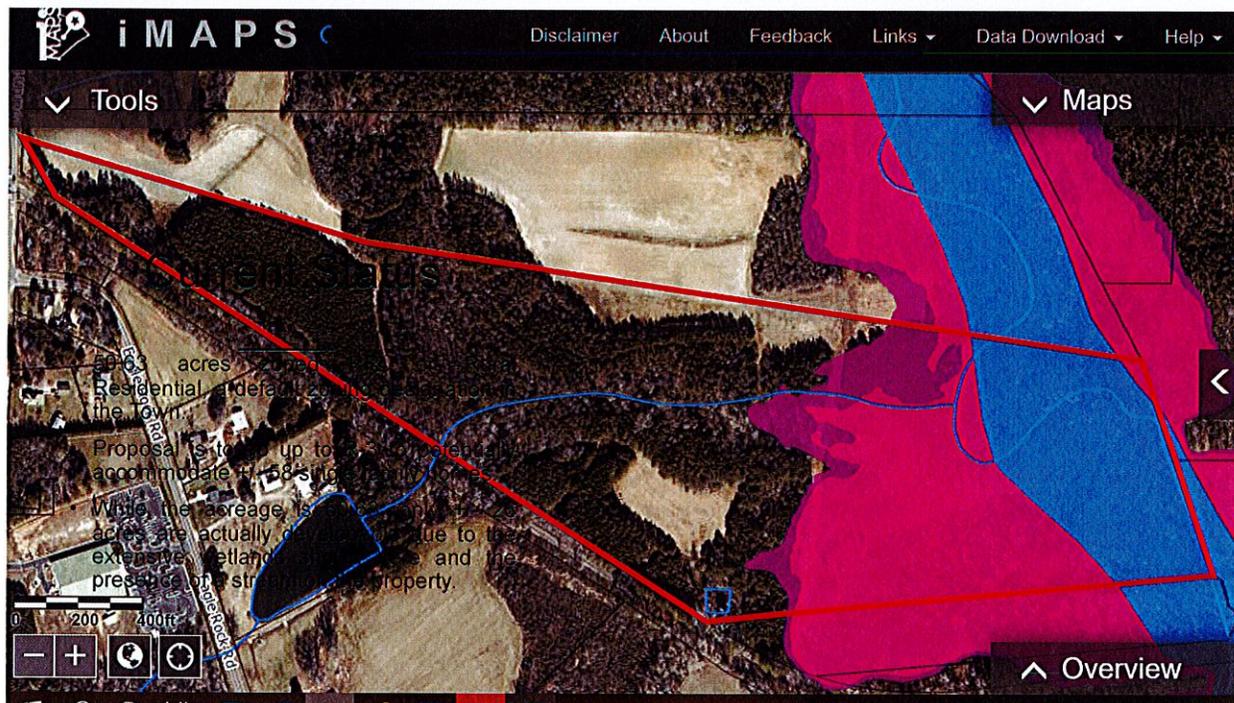
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Our client decided to take the project in a different direction.

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The Wendell Planning Board recommended approval by a 7-1 vote on July 20, 2020.

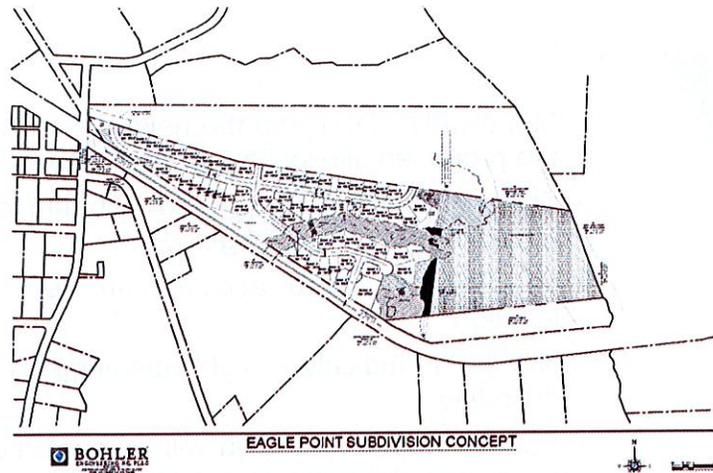
Mrs. Bambrick said that a part of the reason for changing the designation from an R2 to a R3 zoning was due to market conditions and an uptick in construction costs.



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Potential Site Plan

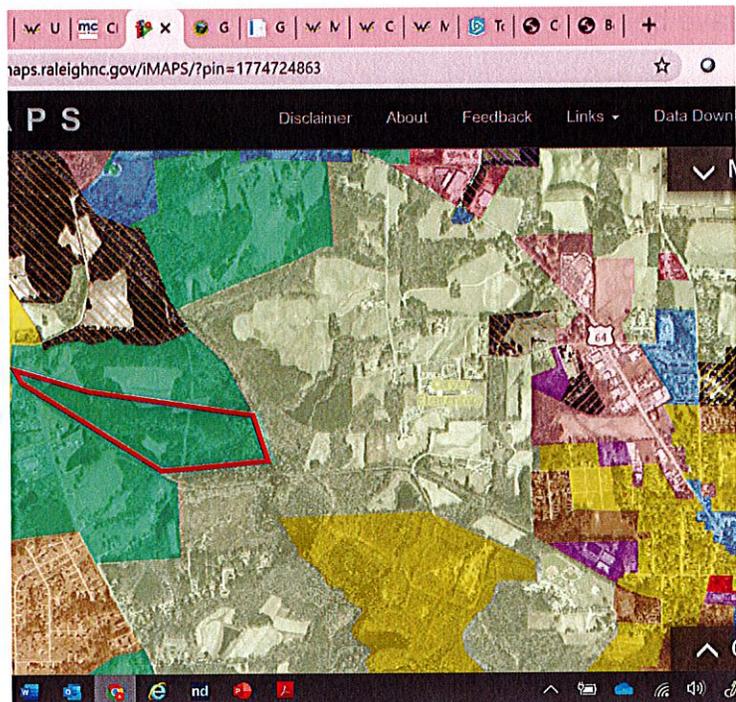
- Given these site restrictions, the applicant is only looking at +/- 58 single family homes on the property.



Mrs. Bambrick said that adjustments were made to adhere to the Town's ordinance.

Existing Zoning

- As we will discuss later in the presentation and also as reflected in your Staff's report, the proposed zoning is exactly in harmony with the existing zoning.
- R-3 to the south, R-4 to the north (for +/- 200 proposed homes), R-3 and R-4 down the road toward downtown, as well as a variety of commercial and mixed-use designations.





## Traffic Analysis

- Met with NC DOT and the neighbor's representative in the field at the proposed site location back in the fall of 2019
- There have been subsequent communications with NC DOT and the applicant's traffic engineers
- NC DOT indicated access can be allowed at proposed site location
- NC DOT indicated sight distance is adequate at proposed driveway
- Specific driveway design will be evaluated and determined in the future with driveway permit application

Mrs. Brambrick said that multiple meetings were held with NCDOT and access solutions have been discussed.



## Traffic Analysis

- Site will generate approximately 1 trip per minute
- Site trips are approximately ½ of the threshold for a full TIA report
- Site driveway will be adequate for site access and circulation
- Surrounding roads and intersections have adequate capacity to accommodate site trips

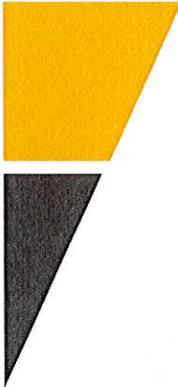
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It is anticipated that the Grantee, or the Grantee's heirs or assigns, will subdivide Tract 2 and develop it as a residential subdivision. In that event, it is specifically understood and agreed by the Grantor that all owners of any lot developed within Tract 2 shall have the same perpetual easement of ingress, egress and regress over the said 60 foot wide easement as is granted to the Grantee. If in the future, the Grantee or the Grantee's heirs or assigns, might desire to have any road or street installed over the 60 foot wide easement area dedicated to the public and taken over for maintenance by the appropriate governmental authority, that such action shall be permitted. This shall in no way limit Grantor, or Grantor's heirs or assigns, rights to use or improve the easement area.

## Access Easement by Deed

- On October 3<sup>rd</sup>, 2001, members of the Anderson family granted an easement by way of deed to my client's predecessor in title.
- Book 9110, Page 190, Wake County Registry.
- It is also shown on a map recorded at Book of Maps 2001, Page 1415.

Mrs. Brambrick said the parcel was granted an easement by deed with the right to install roads or streets on it that are dedicated to the public.



## Neighbor Interactions

- It is inaccurate that the applicant has not attempted to work with the neighbor.
- We became aware of their opposition at the first Planning Board meeting, where we received the below list of demands, and deferred to November of 2019 so we could talk to NC DOT.
- We met with the applicant's then-representative and NC DOT on the property in the fall of 2019.
- The neighbor was the only appearing party at prior Planning Board hearings; I have not heard anything from the signatories on the letter.
- Also, we would note that only about 192 or 30% of the signatories on the letter actually reside in Wendell. Most are in Zebulon, Clayton, Knightdale, Raleigh, Wake Forest, and New Hope.

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Mrs. Brambrick said that the applicant became aware of opposition and has been trying to work toward a resolution with the neighbors.

## Prior Neighbor Demands

- In the fall of 2019, the neighbors provided a document demanding the following:

The owners of the adjacent property request that if the Planning Board recommends the proposed rezoning application be sent to the Town Council for consideration, notice of the 6 additional conditions below be sent with the recommendation:

1. A traffic study should be required prior to zoning approval.
2. The traffic study should address the approximately 100 acres and all residential traffic permitted under future zonings in conformance with the Town Land Use Plan, to be served by the new cut into Eagle Rock Road.
3. The applicant should be responsible for completing the improvements required by the traffic study before getting a CO on any home on the rezoned tract.
4. The applicant may withdraw the request for rezoning if the improvements are uneconomical for it to make.
5. If the request in the rezoning application to allow the length of the cul de sac to exceed the Town's current requirements is granted, a similar extension of the cul de sac on the John Anderson development be granted in order to reduce impacts on the wetlands and blue line stream by a required stubbed road in the development on the attached subdivision plan.
6. The developer of the rezoned tract should be required to create an effective buffer of bushes and trees on its north property line to permit the transition to larger and more expensive homes on the adjacent tract.



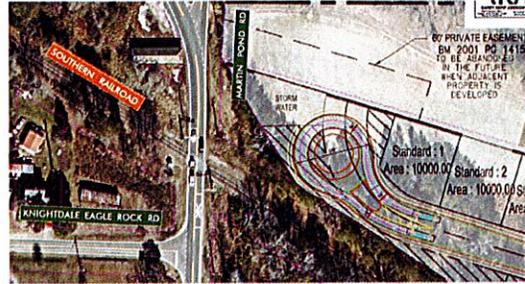
## Neighbor Interactions

- As you will hear tonight, the neighbor will continue discussing "traffic" as the primary concern of the project.
- We believed then and continue to believe now that traffic is not the motivating factor here giving the timing of construction drawings approved on the Anderson family single family and townhome project to the north that was sold in July of 2020 as well as the comments of their own representative, and as well as what you see in their own comments, which I will highlight shortly.
- The neighbor requested through the Town to speak to us on September 2, 2020 and this conversation occurred on September 10, 2020 regarding a new "proposal."

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## The Neighbor's "Proposal"

- It is important to note that the neighbor does not at present have a sketch of what their future project may entail.
- The "proposal" the neighbor will present is shown here.
- Basically, the neighbor is saying that when/if they develop their land, we will simply use whatever access they construct with their project and abandon the easement and close our legally valid access altogether.

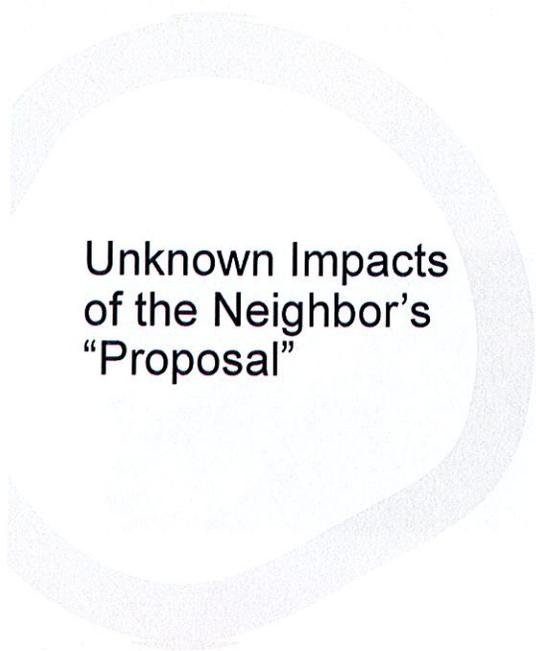


Mrs. Bambrick said that the opposition would like the applicant to abandon the easement, but that it's not legal to landlock a parcel in North Carolina.

It's the Existence  
of the Easement,  
Not Traffic or  
Safety or  
Preserving a  
Small Family  
Farm

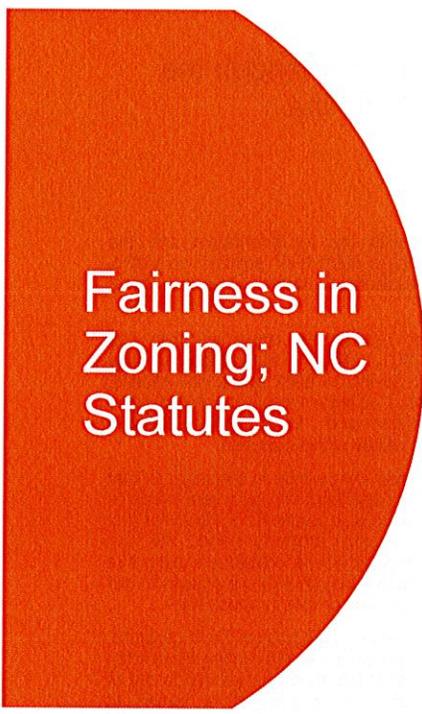
- In the conversation with the representative and the Town, while continuing to push their position on traffic, the representative essentially stated what we have known all along:
- They really, really do not like the easement that was legally granted in 2001. This is our property's only access point without having to seek additional access, from this same neighbor no less, across not one, but two additional parcels of their land. Land cannot legally in North Carolina be left wholly without access.
- What we know from their own words in the letter is that they would like for the "applicant will take real steps to ensure that we have access to Eagle Rock Road for any future development of our property" and "we are concerned that the property will be developed using this access easement in such a way that future access to our property will be made difficult or even impossible."
- That is interesting because on the call on September 10, we were told that the easement is preventing them from maximizing the number of lots they can subdivide out of their property. They also requested a buffer to distinguish the potential "price points" of the potential projects. This is about lots and competition.

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Unknown Impacts  
of the Neighbor's  
"Proposal"

- We have no idea when the neighbor may develop or what the neighbor would develop, where any such access would be located, or how it would be designed.
- Their "proposal" would require (a) my homeowners to completely change their ingress and egress from the development as constructed at some unknown point in the future, (b) the removal of a "front door" into an existing residential subdivision in order to locate it some two parcels away behind other development, and (c) require my client to create a legal mechanism for abandoning the easement and establishing new access by negotiating with this neighbor.
- What if they or another owner decide in the future to rezone to commercial? I cannot control that, and then our homeowners would be driving through a shopping center to get home? What if the parcels aren't sold together?
- This isn't an instance of refusing to work with a neighbor; it is being unable to work with requests that produce so much future uncertainty.



Fairness in  
Zoning; NC  
Statutes

- My client should not be punished for the (a) existence of the easement itself, which has been on record for 19 years, or (b) the fact that our development is moving faster.
  - Despite the dust here, the very basic story is that this is a low density, single-family residential proposed project, at the outset of the development approvals process.
  - There is no requirement anywhere to my knowledge that this property should have to "cooperatively agree on a plan that will work for both properties, now and in the future" as stated in the December 2019 letter. If that were the case, all adjacent properties in all rezoning cases everywhere would be held hostage.
- 

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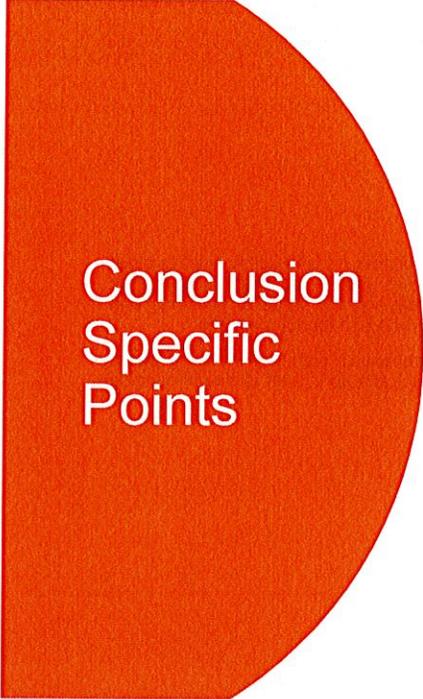
NC Statutes

- The regulations shall be made with reasonable consideration, among other things, as to the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout such city.
- The project is consistent with the comprehensive plan, the Planning Board recommended approval by a wide margin, and your Staff is recommending approval.

Conclusion  
Specific  
Points

- This is a general rezoning, not a conditional site plan approval. The applicant is fully cognizant that the fate of the development is ultimately with the proper permitting authorities, NC DOT and the Town of Wendell, who are the experts on such processes, not the neighbor and her broker.
- NC DOT has visited the site with us and the neighbor's representative and is well aware of the location. NC DOT has indicated that some blend of improvements may have to happen, including abandoning that small branch of road depicted in neighbor's letter. That said, it is NC DOT's job to determine the extent of the requirements.

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**Conclusion  
Specific  
Points**

- If the neighbor decides to develop in the future, they will have to do exactly what we are doing, which is go through NC DOT and the Town of Wendell to make something workable. We don't see them "losing access" to Eagle Rock at all as the terms of the easement directly permits their reasonable use of what we construct in the easement, and we would also note that they would also have access by land control to Old Battle Bridge directly.
- We believe that this neighbor will oppose (a) anything proposed for this property due to their forthcoming involvement in housing development in the area (b) unless they are able to extract some benefit or cause delay.
- Given the fit of the proposed rezoning within the existing area and the low impact of the proposed project, we respectfully request that the Board of Commissioners recommend approval of our request. We are dedicated to working to the extent of our abilities with NC DOT and the Town of Wendell to create a safe and vibrant project.

Mrs. Bambrick offered to answer any questions that the Board might have.

Mayor Gray asked to hear from the neighbors who signed up for public comment period.

The following people spoke during public comment period, via the Uber Conference Line:

1. Ashley Anderson, 313 Old Battle Bridge Road, Wendell, NC, 27591, expressed her opposition on the access problem involved in the development, citing traffic implications and asking the Board to propose a plan to address these issues.
2. Richard Hibbits, Galax Dr., Raleigh (no full address given), explained that the Anderson family's opposition is related to the Town's code not allowing the family to have a part in the design process. He expressed his opposition to the Town's process for rezoning and development design.
3. TC Morphis, Brough Law Firm, 1526 E Franklin St., Chapel Hill, expressed how a conditional rezoning would provide more transparency to the opposition. He asked the Board to either delay voting on this or to deny the rezoning outright to appease the opposition.

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Assistant Planning Director Bryan Coates said that the Town of Wendell's UDO says that any rezoning that comes through needs to meet all of the Town's regulations in the UDO and requires stubs to all neighboring properties. He said that all subdivisions and site plans have to go through the TRC (Technical Review Committee) for review.

Commissioner Joyner asked if the limitation of the property is the northern access to Eagle Rock or just access to the property.

Mrs. Bambrick said that they only own the one parcel and that the 60-foot easement is the only access that they have to any road. She said that the two parcels to the north are also owned and controlled by the Anderson family and the only real route would be Old Battle Bridge, which they can't get to because they don't own that property. She said that there wasn't another place to create access, as they don't own the surrounding properties.

Commissioner Joyner said that he agrees that he doesn't understand how they got to this intersection configuration, as it's clear to see both the issues and opportunities involved.

Mrs. Bambrick said that NCDOT has mentioned that the offshoot branch road could go away, although she couldn't see that happening now due to potential other requirements that NCDOT might propose which could potentially facilitate a different rezoning process.

Mayor Gray closed the public hearing subject to the 24-hour written public comment period.

Mr. Richard Hibbits, Galax Dr. Raleigh, provided the following written public comment within the written public comment 24-hour period:

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September 15, 2020

The Hon. Virginia Gray  
and the Wendell Board of Commissioners  
c/o Ms. Megan Howard, Wendell Town Clerk  
15 E. Fourth Street  
Wendell, NC 27591

**Via Email to:**

vgray@townofwendell.com	jlutz@townofwendell.com
jboyette@townofwendell.com	jdelaachl@townofwendell.com
jjoyner@townofwendell.com	ptarnaski@townofwendell.com
mhoward@townofwendell.com	

**Re: Zoning Comments, 0 Eagle Rock Road  
(Board of Commissioners Meeting Agenda Item #5a)**

Dear Mayor Gray and Members of the Board,

Thank you for your time last night. A public Hearing is not the best forum for dialog between neighbors.

1. Good planning anticipates future problems and addresses them, rather than kicking them down the road for others to deal with later.
2. The problem the Town of Wendell kicking down the road is the cost of signalizing 8 intersections at a railroad crossing.
3. Ask the town's road consultant to estimate the cost, and even more interestingly, the sequencing of such a system when it is required.
4. The access across M'Lou's land serves both her land and the applicant's.

**TOWN OF WENDELL  
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Zoning Comments, 0 Eagle Rock Road  
Page two

5. M'Lou asked the applicant to study how both her land and theirs could work together to minimize complications to the intersection. Since the applicant did not do so, M'Lou hired a consultant to study it and presented one way to minimize the access issues. The applicant's comments at the public hearing did not support the design but offered no other way to minimize the number of intersections.
6. This morning, I emailed the applicant's representative asking how I could encourage her client to work with his neighbor. I did not receive a reply or acknowledgement before the 5pm deadline for comments.
7. Assuming the applicant continues not to engage with us, and the planning board and elected officials do not compel the applicant to do so, M'Lou Anderson respectfully submits to the manner in which the town wishes to narrow the scope of input to be considered in rezoning applications and eliminates from it subdivision approval process. As her neighbors have, she and her successors will limit their concerns to their own interests in any future submittals.

Sincerely,  


**RICHARD HIBBITS**  
[rhibbits@nai-carolantic.com](mailto:rhibbits@nai-carolantic.com)  
Direct: 919-714-7132 Mobile: 919-758-4159  
Tri Properties | NAI Carolantic  
5121 Kingdom Way, Suite 200  
Raleigh, NC 27607  
Main: 919-832-0594, Fax: 919-832-7385  
Stronger Together !!  
NAI Carolantic has merged with Tri Properties

CC: Mr. Marvin E. "Marc" Collins, Wendell Town Manager  
(via email to [mcollins@townofwendell.com](mailto:mcollins@townofwendell.com))  
Mr. Niki Jones, Wendell Planning Director  
(via email to [njones@townofwendell.com](mailto:njones@townofwendell.com))

**TOWN OF WENDELL  
BOARD OF COMMISSIONER MEETING MINUTES  
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**6. ADMINISTRATIVE ITEMS**

6a. Citizen Advisory Board Application Update and Vote

Staff Contact: Town Clerk Megan Howard  
[mhoward@townofwendell.com](mailto:mhoward@townofwendell.com)

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

**Item Summary:**

*At its June 22, 2020 Town Board meeting, the Wendell Board of Commissioners advised staff to accept applications for the 2 vacant Parks and Recreation Commission positions and the 4 Tree Board vacancies. The application deadline was set for February 15<sup>th</sup> and marketing included video, social media posts, website marketing, e-board and print marketing distributed throughout Town businesses. The Town Clerk only received 1 application for the Tree Board at this meeting for the Board to consider, as the other applications for these positions had already been voted into other citizen advisory boards.*

*Since that June meeting, the Town Clerk has received 3 additional applications:*

*2 In-Town Applications to the Parks and Recreation Commission  
1 ETJ Application to the Tree Board*

Ms. Howard passed out the voting ballots to the Board, which were recorded as follows:

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Citizen Advisory  
Board Ballot

2 PARKS AND RECREATION COMMISSION  
IN-TOWN VACANCIES (3-YEAR TERM):

Lucas Duggins

Crystal McFaden

Signature: \_\_\_\_\_

A handwritten signature in black ink, appearing to be 'Crystal McFaden', written over a horizontal line.



Citizen Advisory  
Board Ballot

2 PARKS AND RECREATION COMMISSION  
IN-TOWN VACANCIES (3-YEAR TERM):

Lucas Duggins

Crystal McFaden

Signature: \_\_\_\_\_

A handwritten signature in black ink, appearing to be 'John J.', written over a horizontal line.

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Citizen Advisory  
Board Ballot

2 PARKS AND RECREATION COMMISSION  
IN-TOWN VACANCIES (3-YEAR TERM):



Lucas Duggins

Crystal McFaden

Signature: \_\_\_\_\_

A large, bold, black handwritten signature scribble that covers the line for the signature field.

TOWN OF WENDELL  
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Citizen Advisory  
Board Ballot

2 PARKS AND RECREATION COMMISSION  
IN-TOWN VACANCIES (3-YEAR TERM):

Lucas Duggins

Crystal McFaden

Signature: \_\_\_\_\_

A handwritten signature in dark ink, appearing to be 'C. Duggins', written over a horizontal line.



Citizen Advisory  
Board Ballot

2 PARKS AND RECREATION COMMISSION  
IN-TOWN VACANCIES (3-YEAR TERM):

Lucas Duggins

Crystal McFaden

Signature: \_\_\_\_\_

A handwritten signature in dark ink, appearing to be 'C. Duggins', written over a horizontal line.

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Citizen Advisory  
Board Ballot

4 TREE BOARD VACANCIES WITH 3-YEAR TERM:

Marriott Sheldon

Signature: \_\_\_\_\_



Citizen Advisory  
Board Ballot

4 TREE BOARD VACANCIES WITH 3-YEAR TERM:

Marriott Sheldon

Signature: \_\_\_\_\_

TOWN OF WENDELL  
BOARD OF COMMISSIONER MEETING MINUTES  
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Citizen Advisory  
Board Ballot

4 TREE BOARD VACANCIES WITH 3-YEAR TERM:

Marriott Sheldon

Signature: \_\_\_\_\_

A handwritten signature in purple ink, appearing to be 'J. Sheldon', written over a horizontal line.



Citizen Advisory  
Board Ballot

4 TREE BOARD VACANCIES WITH 3-YEAR TERM:

Marriott Sheldon

Signature: \_\_\_\_\_

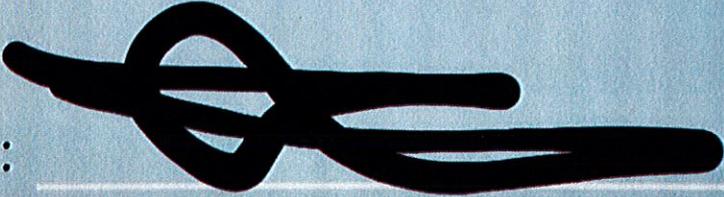
A handwritten signature in green ink, appearing to be 'J. Sheldon', written over a horizontal line.

TOWN OF WENDELL  
BOARD OF COMMISSIONER MEETING MINUTES  
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 Citizen Advisory Board Ballot

4 TREE BOARD VACANCIES WITH 3-YEAR TERM:

 Marriott Sheldon

Signature: 

**Parks and Recreation Commission Votes:**

Lucas Duggins: 4 votes  
Crystal McFadden: 5 votes

**Tree Board Votes:**

**Marriott Sheldon: 5 votes**

Mayor Gray thanked those who were voted in for applying to the Citizen Advisory Boards.

6b. Blueprint Wendell 2030 Steering Committee Appointment

Staff Contact: Assistant Planning Director Bryan Coates  
[bcoates@townofwendell.com](mailto:bcoates@townofwendell.com)

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

**Item Summary:**

*The Town of Wendell is undertaking the process of creating a new Comprehensive Plan called Blueprint Wendell 2030. As part of the process the Town is creating a Steering Committee. The committee will participate in a range of project activities and, more importantly, meet with the Consultant team throughout the process (3-4 meetings). Specifically, the Steering Committee will:*

- *Act as a liaison to the community about the project- Listen, and help raise awareness of the project and community outreach opportunities*
- *Provide insight and expertise on local conditions and issues*
- *Brainstorm ideas and concepts with the Consultant Team*
- *Review and comment on draft plan ideas, recommendations, and work products (maps, presentations, reports, etc.)*

*The committee will provide recommendations in response to questions posed by the Consultant team and project related information as it arises. Voting/approvals are not expected, as the elected officials have these responsibilities. The Town Board of Wendell will take action on Blueprint Wendell 2030 for adoption.*

*The committee should consist of representatives from community organizations, interest groups, and institutions with local knowledge and expertise in topics related to one or more plan elements. Those appointed to the committee should represent differing points of view and experiences and should be reflective of the diversity of the community. The following are examples of the types of people and interests that could be represented:*

- ✓ *Long-time residents*
- ✓ *Newcomers*
- ✓ *Large landowners*
- ✓ *Pro-Growth/No Growth*
- ✓ *Environmental Interests*
- ✓ *Business/Downtown Merchants*
- ✓ *Real Estate/Development*
- ✓ *Culture/History*
- ✓ *Major Employers*
- ✓ *Community Health/Well Being*
- ✓ *Economic Development*
- ✓ *Institutions*

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*The ideal size of the committee should be between 7 and 12 members. A chair and vice-chair are recommended. The public will be invited to attend and observe the Steering Committee. If members are unable to attend, we do not anticipate coming back to the Town Board for new appointments as we have a few more selected than the recommendation.*

*Staff developed a draft list for review by the Board prior to the meeting. The final list as amended will be provided to the Board at the meeting for consideration.*

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

No questions were asked.

Commissioner Joyner and Mayor Gray said they did not receive the list.

Town Manager Marc Collins said that he emailed the list to the Board and that he hasn't received any feedback from the Board. He offered to bring it back in two weeks at the next Board Meeting if the Board wasn't ready to vote on the list, tonight. He pulled up the list that was emailed on the projection screen.

Commissioner Joyner asked if the people on the list have been approached about serving on the Steering Committee.

Mr. Coates said that they hadn't, although some of those on the list expressed being a part of the process.

Commissioner DeLoach said that he looked at the list and he thought it touches on all the points. He said he's happy to wait if the rest of the Board isn't ready to vote.

Commissioner Lutz said he's ready to vote on the list.

Commissioner Joyner said he had heard interest expressed by a person that wasn't on the list—he said he'd like to add this person to the list before voting. He said that Paul White wanted to serve on the committee, but he wasn't on the list. He asked if he could be added to the list before a vote was taken.

Commissioner DeLoach asked how many could serve from the list.

Mr. Collins said that anywhere from 7-12 normally serve, but all 15 could agree to serve if they would like to.

Mayor Gray said they could all come up with people to add to the list that weren't on the list already. She said she didn't think the Board needed to add people to the list that staff already created.

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Commissioner Lutz said he felt that the list would be best to vote on as it is before adding to it.

**ACTION**

Mover: Commissioner Lutz made a motion to approve the Blueprint Wendell 2030 Steering Committee Appointment.

Ayes: Commissioners Joyner, DeLoach, Lutz, Tarnaski, and Boyette

Nays: None.

Vote: 5-0

- 6c. Proposal for Professional Services with Withers-Ravenel to Complete the Stormwater GIS Inventory Mapping

Staff Contact: Brian Bray, Public Works Director  
[bbray@townofwendell.com](mailto:bbray@townofwendell.com)

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

***Item Summary:***

*The Town initiated a multi-year project in 2015 to locate and map public stormwater features throughout the Town. The project was completed by the prior consult in 2018 and data provided to the Town. In FY 2020, Withers-Ravenel was contracted to conduct a gap analysis of the existing stormwater program to determine the needs to achieve a compliant stormwater program audit scheduled by NCDEP for 2022. The gap analysis determined that the data collected was incomplete and that additional work is needed to develop the compliant stormwater program.*

*Withers-Ravenel, the Town engineer of record for stormwater services, provided the attached proposal to complete the necessary stormwater GIS inventory mapping. The anticipated cost of the work is \$28,950 and would be included in the end-of-year amendment to the FY 2021 Budget. The anticipated source of funding will be the General Fund Reserve.*

*The work completed will complete the gaps in the existing data set. The consultant will verify pipe connectivity and identify possible deficiencies in the stormwater conveyance. Data collected includes pipe attributes such as the diameter, pipe material, and overall structure condition and type. The completed data will be used to identify stormwater maintenance and capital project needs for upcoming years and provide a complete data*

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*set that can be maintained by the Town moving forward and added to as new development occurs.*

**Attachments:** *Please note that the following attachments can be found in the Agenda Packet on the town's website for this meeting.*

*Attachment A – Proposal for Professional Services for Stormwater GIS Inventory Mapping*

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

No questions were asked.

**ACTION**

Mover: Commissioner Lutz made a motion to approve the Proposal for Professional Services with Withers-Ravenel to complete the Stormwater GIS Inventory Mapping.

Ayes: Commissioners Joyner, DeLoach, Lutz, Tarnaski, and Boyette

Nays: None.

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:



Wendell Volunteer Fire Department Board of Directors – Commissioner Jason Joyner

Commissioner Joyner said that the Board met on Thursday and another round of promotions happening within the department were discussed regarding 30% of the department. He said they also discussed the firework display that was held on Friday night for project Homecoming at Wendell Falls.



Technical Review Committee – Mayor Pro Tempore John Boyette

Commissioner Boyette said he was unable to attend but will have an update at the next Board Meeting.

**8. COMMISSIONERS' REPORTS / COMMENTS**

Commissioner Joyner said most of the conversations the Board has been having have been about growth and demand within downtown. He said it's important for the Board to continue to work on the Comprehensive Plan and encouraged people to work with their

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neighbors to find solutions regarding growth. He encouraged the public to reach out to the Board with any ideas that they might have. He said that he appreciated the work that the staff did.

Commissioner DeLoach said that he recorded a video for the 1<sup>st</sup> graders at Lake Myra Elementary with words of encouragement. He said that he enjoyed doing it and he encouraged people to get involved in the community. He gave the same message to all kids in Wendell, saying the Town supports them and has their back. He said that Operation Coming Home was a great success and thanked Wake Home Builders and Newland and Garmin Homes for putting that together. He said it's great to see the increase in foot traffic downtown. Mr. DeLoach said that the Wendell Chamber is holding their Golf Competition this Friday at noon.

Commissioner Lutz said it's nice to see downtown growth and see business owners that have come to Wendell to start their businesses.

Commissioner Tarnaski said that the Board needs to work on finding more parking for downtown with all the growth.

Commissioner Boyette said that parking is brought up a lot and it is something that is important for downtown. He said if there was paving done all over downtown for parking occurred, it would reduce the amount of businesses that could be build within the downtown district. He mentioned public transportation and asked for citizens to come to the Board with any ideas for solutions they might have.

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

Mayor Gray said that she's happy to see the Town move forward with their CALEA process, as it was one of the Board's goals in 2019. She thanked those who applied to serve for the Tree Board and Parks and Recreation Committees. She encouraged people to fill the three remaining Tree Board vacancies. She encouraged people to speak to the board regarding food trucks, parking, solid waste, lighting, and downtown. She said the downtown has been busy and she understands parking has become an issue. She said not everyone can't park at the door with the growth that's been seen, and the Board will look at solutions and encouraged people to look at the upside that growth is a good thing.

**10. CLOSED SESSION**

*Closed session will be called if necessary.*

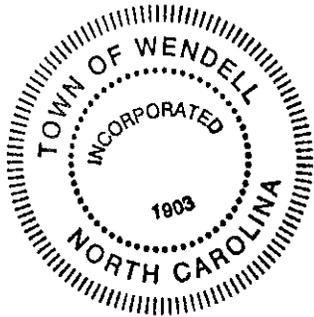
**11. ADJOURN**

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**ACTION**

Mover: Commissioner Lutz moved to Adjourn at 9 p.m.  
Ayes: Commissioners Joyner, DeLoach, Lutz, Tarnaski, and Boyette  
Nays: None.  
Vote: 5-0

Duly adopted this 28<sup>th</sup> day of September 2020 while in regular session.



**ATTEST:**

Megan Howard

Megan Howard,  
Town Clerk

Virginia R. Gray  
Virginia R. Gray,  
Mayor

Appendix A: Public Notice Publications in *The Wake Weekly* for Public Hearing 5a.

September 14, 2020

Public Notices, The Wake Weekly

September 3, 2020

## Public Notices

### Public Notice

The public will take notice that the Wendell Board of Commissioners has scheduled a public hearing on Monday, September 14, 2020 at 7:00 p.m. in the Wendell Town Hall to consider a Zoning Map Amendment request to rezone 50.63 acres located within the parcel addressed as 0 Eagle Rock Road and identified by PIN #1774-72-4863 from Rural Residential (RR) to Residential-3 (R3).

Interested parties and citizens shall have opportunity to speak and may obtain additional information on request from the Town of Wendell Zoning Administrator, 15 E. Fourth Street, Wendell, North Carolina 27591. Please go to [www.townofwendell.com](http://www.townofwendell.com) and refer to the meeting agenda for public input options.

Megan Howard

Town Clerk

*The Wake Weekly*

September 3, 10, 2020

### Public Notice

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Megan Howard

Town Clerk

*The Wake Weekly*

September 3, 10, 2020

