TOWN OF WENDELL
BOARD OF COMMISSIONER MEETING MINUTES
SEPTEMBER 28, 2020

The Wendell Town Board of Commissioners held their virtual, regular meeting on Monday, September 28, 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: None

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 28, 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 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 25th at 5 p.m.

CALL TO ORDER

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

Police Chief Bill Carter led the Pledge of Allegiance.

Errol Briggerman provided the invocation and gave the following updates from Wendell Baptist Church:

- Youth have been conducting offsite, socially-distanced services at 8:30 and 11:30 a.m.
- Errol and his wife are celebrating their 50th wedding anniversary, but she has been struggling with cancer and needs everyone's prayers right now.

TOWN OF WENDELL
BOARD OF COMMISSIONER MEETING MINUTES
SEPTEMBER 28, 2020

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

2. PUBLIC COMMENT PERIOD

- The Public Comment period for the September 28, 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 by Friday, September 25th 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 25th 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.

Nobody signed up to speak at this meeting.

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 24, 2020 Town Board of Commissioners Meeting Minutes

Staff Contact: Town Clerk Megan Howard
mhoward@townofwendell.com

3b. Adoption of the September 14, 2020 Town Board of Commissioners Meeting Minutes

Staff Contact: Town Clerk Megan Howard
mhoward@townofwendell.com

3c. Wake County Tax Report of September 8, 2020

Staff Contact: Town Clerk Megan Howard
mhoward@townofwendell.com

3d. Certification of Sufficiency and Resolution to set a Public Hearing Date for Non-contiguous Annexation Petition A-20-04 for 61.43 Acres located at 1129 Edgemont Rd., 1213 Edgemont Rd., 0 Edgemont Rd., 0 US HWY 64 E, and 0 Merganzer Rd. and identified by PIN #'s 1775-70-5631, 1775-71-4047, 1775-60-5484, 1775-51-9103, and 1775-50-6528.

Staff Contact: Town Clerk Megan Howard
mhoward@townofwendell.com

3e. Approval of resolution directing the clerk to investigate a contiguous annexation for two parcels totaling 19.64 acres [17.32 for PIN #1783-95-6846 and 2.32 acres for PIN #1783-86-9690] located at 0 S Selma Road and 0 S Hollybrook Rd.

Staff Contact: Town Clerk Megan Howard
mhoward@townofwendell.com

3f. Resolution directing the Town Clerk to investigate a Non-contiguous Annexation for 4 Parcels totaling 87.89 Acres (29.21 for PIN #1793-29-4123, 32.61 for PIN #1793-27-0810, .72 for PIN #1793-17-7440 and 25.33 for PIN #1793-38-0878) located at 929 JoJo Drive, 745 Lions Club Road, 753 Lions Club Road, and 0 Morphus Bridge Road, respectively.

Staff Contact: Town Clerk Megan Howard
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. 2020 Pavement Condition Survey (PCS) Report prepared by Withers Ravenel

Staff Contact: Public Works Director Brian Bray
bbray@townofwendell.com

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

Item Title:

Report on PCS (Pavement Condition Survey) by engineer of record Withers-Ravenel

Report to the Board of Commissioners:

Monday, September 28, 2020

Specific Action Requested:

Receive a presentation of the Pavement Condition Survey & 5 Year Management Plan from Town Engineer, Withers Ravenel

Item Summary:

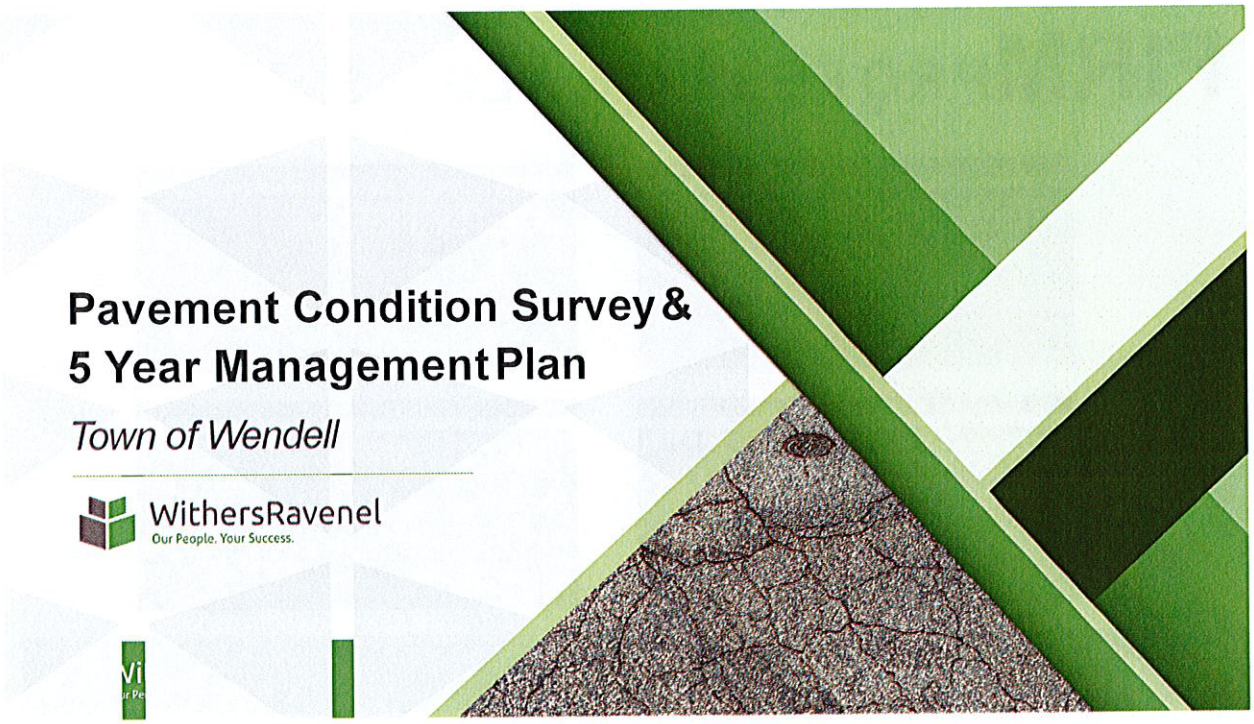
Withers Ravenel will present the findings of the Pavement Condition Survey (PCS) and 5 Year Management Plan. The PCS is a technical, unbiased analysis of the condition of all Town streets. State, private, and unpaved roads are not included in the PCS. The PCS is used to establish maintenance and repair plans with cost estimates for a 5-year period. The plan provides the data through the pavement condition index (PCI)to assist in developing the annual maintenance and resurfacing plan that is included in the Budget.

The presentation will cover the purpose of the PCS, how the survey is conducted, PCI data results, budget scenarios, and how the PCS fits into the Town asset management goals.

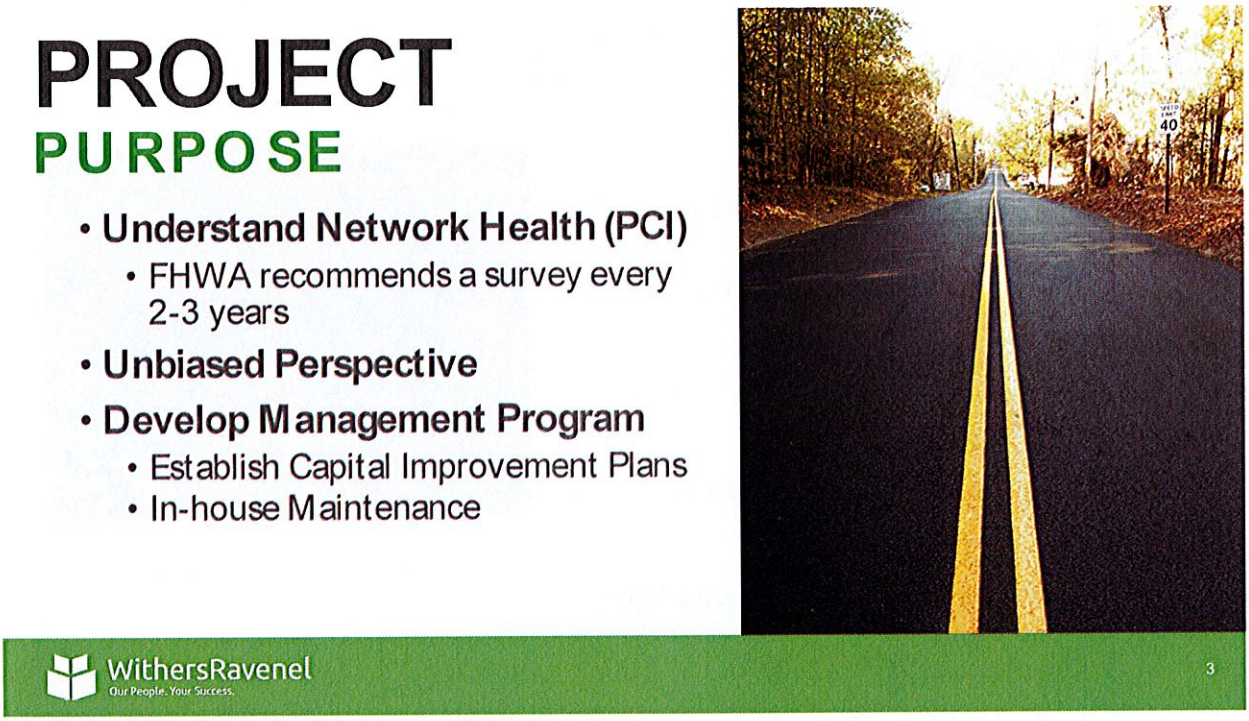
Attachments:

None

Bill Cowan of Withers-Ravenel presented the following power point presentation to the Board, virtually:


Pavement Condition Survey &
5 Year Management Plan
Town of Wendell
WithersRavenel
Our People. Your Success.

Mr. Cowan introduced everyone and turned the presentation over to Joe Turner, Project Manager.



Mr. Turner thanked the Board for having Withers-Ravenel present virtually. He said they're hoping to help the Town implement these steps into the plan. Mr. Turner thanked the survey team, including Bryan Hill and Jacob Smith for their work on this project. Mr. Turner said that the dirt roads were not included in this survey.

Survey

Windshield survey

- Driver → pavement expert; Passenger → data entry
- Survey vehicle maintains 5-10 mph speed

Equipment

- Tablet for data entry
- Measuring wheel
- Hard copy of Powell Bill map and list of streets

Safety

- PPE • Vehicle mounted signs • Strobe lights

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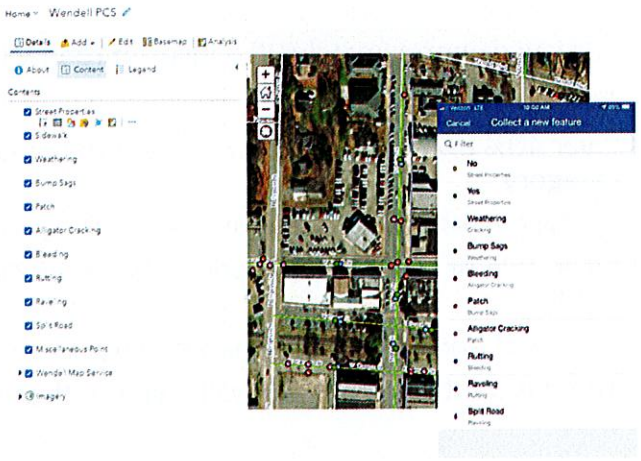
Mr. Turner explained the process of how the survey was completed via vehicle traveling with a measuring wheel.

Survey COLLECTOR INTERFACE

Data Collection

- GPS Distresses Based on Type
- Distresses are Assigned to Street Segment
- Fields Capture Distress Specific Data



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Mr. Turner said that every point on the interactive map allocates a distress and the severity of each distress.

Wendell Results

- Surveyed approximately 32.5 miles of roadway
- Average PCI is 74
- Over 40% of roadway network falls into the Good category
  - Approximately 16% increase in network mileage in last 4 years
- Over 75% of roadway network is above the critical PCI of 55
  - 25% of roadway network → significant repairs/rebuilding
- There is a total of 16.2 sidewalk miles in the network

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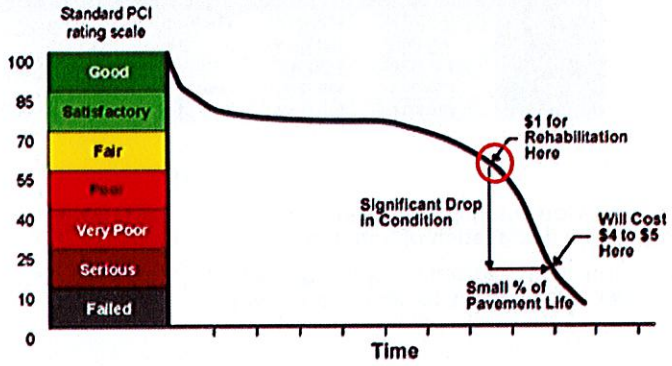
Mr. Turner shared the results of the survey with the Board.

PAVER Analytics

MODELING: CRITICAL PCI



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Mr. Turner said that this graphic shows the life cycle of the pavement. He said that the PCI drops, with time.

Budget Scenarios

- **5 Year Plan**
  - Overall Average PCI:
    - 70 PCI → $435k
    - 75 PCI → $780k
    - 80 PCI → $1.2M
    - 85 PCI → $1.5M
- **Items to note:**
  - For PCI of 70, PAVER mainly allots funding to preventative and stopgap repairs to help slow the degradation of poor streets
  - For PCI of 85, most of the funding is allotted to replacing roads in poor condition with a smaller portion going to preventative work

5-year funding plan to maintain an average PCI of 75 on all streets

Date	Stop Gap Funded	Preventive Funded	Global Funded	Major Under Critical Funded	Major Above Critical Funded	Total
2020	$71,553.34	$294,688.79	$238,358.31	$179,176.98	$0.00	$783,777.42
2021	$93,186.06	$221,330.79	$0.00	$467,394.45	$0.00	$781,911.30
2022	$121,547.60	$269,588.00	$0.00	$391,188.45	$0.00	$782,324.04
2023	$156,718.19	$339,724.63	$89,133.76	$193,279.29	$0.00	$778,855.87
2024	$200,803.40	$333,619.46	$0.00	$244,817.48	$0.00	$779,240.34

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Mr. Turner introduced the Town Board to the 5-year budget plan to maintain an average PCI. He said it would require 25-35% of the roads to receive maintenance every five years. He then turned the presentation over to Steve Lander, Director of Pavement Management at Withers-Ravenel.

Mr. Lander said that they wanted to maintain PCI at the highest level of service for the lowest cost, which will require preventative maintenance.

Town of Wendell
Asset Management

- **Program Goals**
  - 5-year pavement resurfacing plan including preventative maintenance
  - Stormwater infrastructure
  - Sidewalks
  - ADA Transition Plan
  - Water, Sewer, and Other Utilities

...With the Overall Goal

- **Of leveraging this information to better plan maintenance activities and ensure a better product for the Town and its citizens.**

Mr. Lander went over the program goals with the Board.

Mr. Lander asked if there were any questions from the Board.

Commissioner Joyner asked what the merit was of having a PCI level higher than 75.

Mr. Cowan said that the differences are slight, with the goal of staying within the range but above the critical level of PCI.

Mr. Lander said that it depends on how much money one wants to spend to get where they want to be. He said that 75 is a good score, with a score of 70 or below becoming a slippery slope for getting the roads to a level of acceptable service.

Mr. Collins said that the maintenance plan will have different costs for different roads, clarifying that the amount of money allocated in the budget each year will not be at the consistent rate listed. He said it was evaluated annually.

Commissioner Joyner asked about the goals in asset management, including stormwater management. He asked if the budget scenarios are tied into these other project goals and if there is going to be a way to track these goals.

Mr. Collins said if the curb and gutter or ADA/sidewalk improvement is mobilized with a contractor and the budget can afford multiple aspects at the same time, it saves cost. He said understanding the town's needs and communicating that to utilities when they're out there to avoid paving a road and have it torn up again. He said they would be able to coordinate for smarter decisions regarding infrastructure.

Commissioner DeLoach asked about slide 6 regarding 25% of the road in significant need of repair. He asked what the definition of significant need of repair and if there is a PCI associated with it.

Mr. Cowan said each road will be individually analyzed for what that repair need will be. He said the provided approximate costs, but not all roads will be treated the same. Mr. Cowan said they're using this survey to get an idea of what roads are in what condition. Anything below a PCI of 55 would need significant repairs.

Commissioner DeLoach asked about slide 7 regarding costs and asked if they were being used as a comparison and what a dollar per what unit.

Mr. Lander said it's more of a comparison.

Commissioner Boyette asked how unpaved roads are graded in this system.

Mr. Lander said they're not graded.

Mr. Collins clarified that state roads, private alleyways and parking lots, and unpaved roads are not included in this study.

Commissioner Boyette asked if unpaved roads were brought into the Powell Bill program, if they would be included.

Mr. Lander said yes as long as they're 16-ft width or greater. Mr. Lander thanked the Board for their time.

4b. Locally Administered Projects Program (LAPP) Update – U-6244 & EB-6048 (Wendell Boulevard Pedestrian and Intersection Improvements)

Staff Contact: Planning Director Niki Jones
njones@townofwendell.com

Planning Director Niki Jones presented the following staff report, below in italics:

Item Title:

TOWN OF WENDELL
BOARD OF COMMISSIONER MEETING MINUTES
SEPTEMBER 28, 2020

Locally Administered Projects Program (LAPP) Update – U-6244 & EB-6048 (Wendell Boulevard Pedestrian and Intersection Improvements)

Report to the Board of Commissioners:

Monday, September 28, 2020 – Project Update

Specific Action Requested:

No action is needed. Staff is only providing information

Item Summary:

Locally Administered Projects Program (LAPP) is a competitive funding program managed by the Capital Area Metropolitan Planning Organization (CAMPO). The program prioritizes locally administered transportation projects in the region. These projects are funded using the federal funds directly allocated to the region with a minimum 20% local match. Currently, the Town is partnering with CAMPO and the North Carolina Department of Transportation (NCDOT) to expend federal funds for a project at the intersection of Wendell Falls Parkway and Wendell Boulevard.

The project is divided into two (2) separate LAPP grants:

- *EB-6048 - will address the sidewalk extension along Wendell Boulevard and the intersection improvements to Marshburn Road.*

- *U-6244 - will address operational improvements to the Wendell Boulevard and Wendell Falls Parkway intersection, including signalizing the intersection and closing Wall Street.*

This project advances several strategic initiatives of the 2019 Strategic Plan. Additionally, it addresses sidewalk recommendations made in 2016 Pedestrian Plan. The project will provide a continuous sidewalk along Wendell Boulevard from Wendell Elementary School (Downtown) to the Food Lion shopping center. The project also focuses on unsafe pedestrian crossings and provides a traffic signal at the intersection with Wendell Falls Parkway.

The initial improvements to Wendell Boulevard included:

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

- *Pedestrian Improvements and modifications to the Marshburn Road/Wendell Blvd. intersection.*

Chronology

February 2019 – Town adopts Strategic Plan which notes enhancements to this intersection.

May 2019 – Town adopts budget which provides funding for design and engineering.

July 2019 - Town Board authorizes the Town Manager to negotiate with Kimley Horn to provide design and engineering services for this project.

July 2019 - Town pursues funding through CAMPO's Locally Administered Planning Program (LAPP) for Right-of-Way (ROW) and Construction phases of the project.

August 2019 - Kimley Horn was contracted to assist the Town in preparing material for the LAPP submittal.

October 2019 – Town Board authorizes design services for Kimley Horn in the amount of $268,790

October 30, 2019 - LAPP submittal deadline.

September 2020 – Drainage issues were discovered within the project area and Kimley Horn was directed to investigate and recommend options to resolve the problem.

September 2020 – The scope of the project has expanded to address the drainage issues. The scope expansion necessitates an increase in the project budget.

Staff Recommendation:

None. The presentation is for information only.

Fiscal Impact:

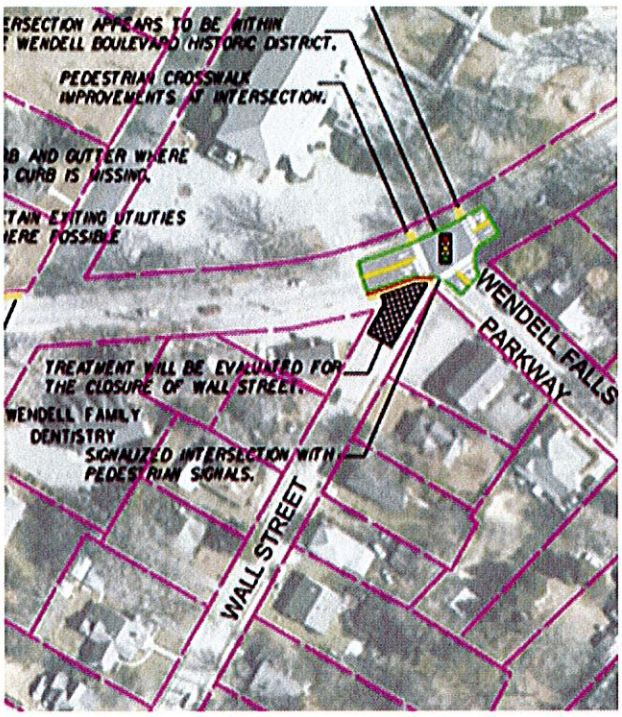
None currently.

WENDELL
Board of Commissioners

Project Overview

U-6244

- Block Wall Street from intersection
- Signalize the intersection
- Curbing and paving
- $576,818 (75%) + $192,273 (25%) = **$796,091**



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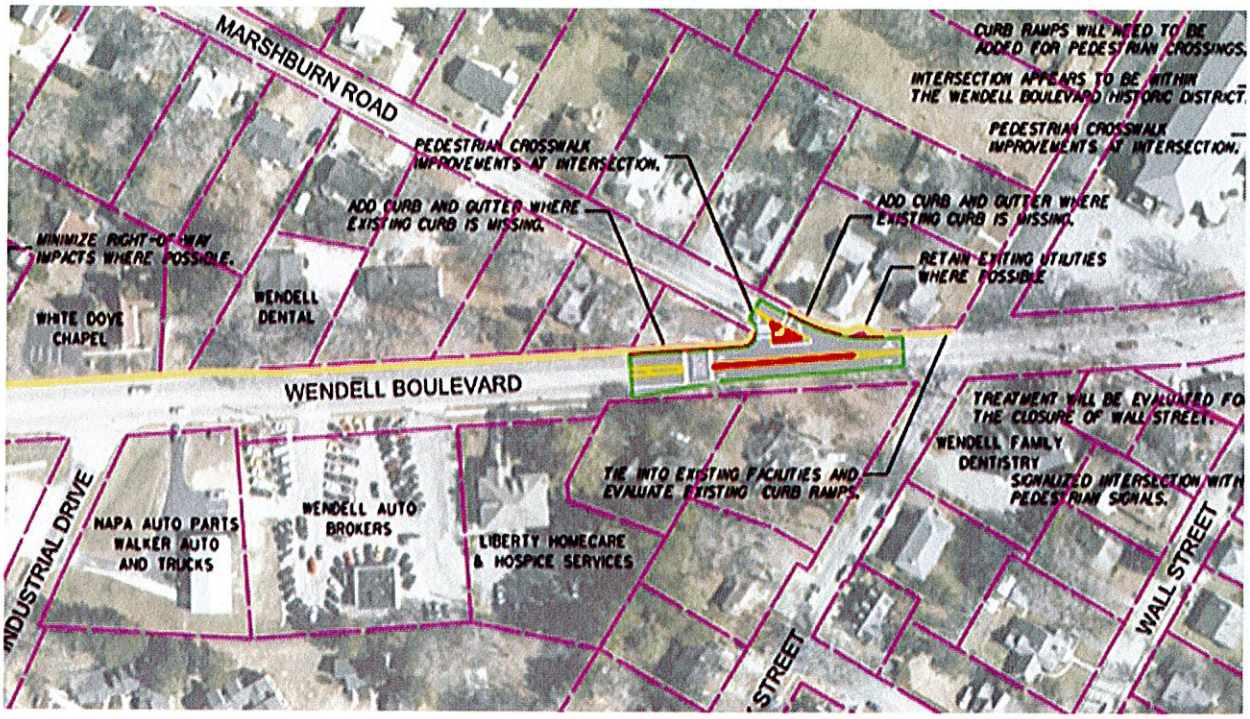
Project Overview

EB-6048

- Sidewalk connection from IGA to Academy Street.
- Pedestrian improvements at Marshburn and Wendell Boulevard
- Safety upgrades at the intersection
- $827,276 (80%) + $206,818 (20%) = **$1,034,094**



Chronology

July 2019

Town authorizes negotiation with Kimley Horn for design and engineering services.

October 2019

Town Board authorizes design services with Kimley Horn in the amount of $268,790

February 2020

Public Meeting held at Town Hall

September 2020

Drainage issues outside of the scope of the project were identified

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Board of Commissioners

Staff Analysis

- Ponding at the intersection of Wendell Boulevard and Wendell Falls Parkway has been relieved with a temporary solution
- Excavation along Wendell Falls Parkway revealed the need to run a new stormwater pipe from the intersection to the Cooke Street intersection.
- Sidewalk connection could be made at the same time.

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Board of Commissioners

Next Steps (2 options)

1. **Staff could seek additional funding via LAPP funding**

- October 2020 funding cycle
- Reduce the local match to overall project
- Pedestrian project remains on schedule, but the intersection project will be delayed (approx. 1 year)

2. **Proceed as scheduled**

- 50/50 match for additional cost (increase total grant amount and local share)
- Both projects remain on schedule

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Board of Commissioners

Next Steps (2 options)

	New LAPP Project (Option 1)	Drainage Outfall Update (Option 2)
Approx. Additional Construction Cost	$625,000	$400,000
Approx. Additional Design Cost	$95,000	$75,000
Match Ratio	80/20	50/50
Total Town Cost (Match + Plus Design)	$220,000	$275,000

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

Commissioner Joyner said that on the match ratio in option 1 saying 80/20. He asked if that was more likely to be 25 on the town's end.

Mr. Jones said that this would be a new LAPP project from Kimley Horn, with the connectivity piece making it more competitive for the Town.

Commissioner Tarnaski asked if that would be a year set back.

Mr. Jones said yes, approximately.

Commissioner Joyner asked if it makes this project more desirable, with the gap back to 3rd street.

Mr. Jones said the stand-alone project would be the drainage would make it more of a project.

Mr. Collins said that there was no guarantee that the Town would get funded—it may or may not, given what other submissions come in. He said the sidewalk project advances the safety improvements of the Town. He said if the town is not funded in option 1, they can come back in a year to do option 2. He said that staff recommends option 2 but is open to direction if timing isn't as important as cost.

Commissioner DeLoach said Option 2 is a known possibility, whereas Option 1 is an unknown on cost.

Commissioner Lutz said either way, the pedestrian project is happening. He asked if the redesigning of the intersection would be adding this to the project of if it would be separate.

Mr. Jones said it would be two separate projects.

Mr. Collins said that the stormwater ponding has to be resolved to qualify for the federal funding.

Mayor Gray said that from a funding standpoint, they are two separate projects.

Mr. Jones said they might save money on mobilization costs due to the fact that both projects occur so close in time to each other.

Commissioner Boyette said he supports option 2, as well. Direction of the Commission was for staff to pursue option 2.

4c. Continued Discussion 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

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

Item Title:

Continued Discussion of Downtown Service Comparatives for Parking, Food Trucks, Electric Vehicle Charging, Lighting, and Solid Waste Service.

Report to the Board of Commissioners:

Monday, September 28, 2020

Specific Action Requested:

Discussion only, no action requested.

Item Summary:

Continued discussion around the topics presented at the September 14 Board Meeting: Parking, Food Trucks, Electric Vehicle Charging, Lighting, and Solid Waste Service. Staff

presented information at the September 14 Board meeting defining the issue, identifying the specific area impacted, providing a comparative analysis, and provided the Board with information to consider moving forward. On September 28, staff will provide policies for each topic that illustrate how each comparative is currently being handled and give the Board the opportunity to review and provide feedback.

Attachments:

None

Ms. Smith presented the following presentation:

WENDELL
Board of Commissioners

Agenda Item #4c: Continued Discussion of Downtown Service Comparatives for Parking, Food Trucks, Electric Vehicle Charging, Lighting, and Solid Waste Service

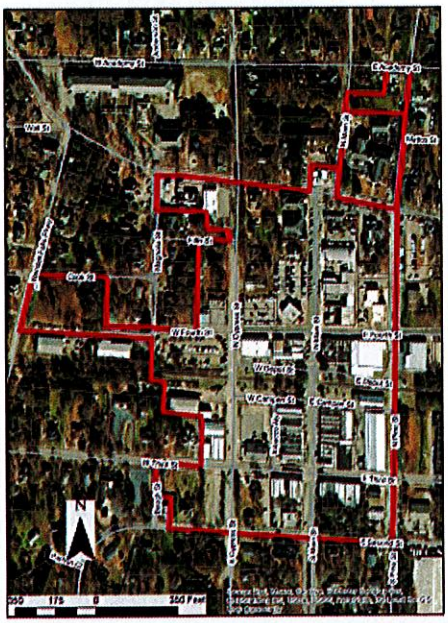
Specific Action Requested:
Presentation only, no action requested.

Item Summary:
At the September 14 Board of Commissioners Meeting, staff presented information on several topics related to downtown service comparatives. After giving the Board time to review the information and speak to their constituents, staff has prepared "status quo" plans or policies for each of the items.

The topics are Parking, Food Trucks, Electric Vehicle Charging, Lighting, and Solid Waste Service. Staff will revisit each topic and present a plan or policy to capture how it is currently being handled, and provide the opportunity for Board to discuss and to give feedback to guide staff.

Ms. Smith said that staff would bring back proposed policies to the Board at the next meeting for discussion.

Downtown Mixed-Use Zoning District



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Board of Commissioners

Parking

Recap:
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.

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

WENDELL
Board of Commissioners

Parking

	Pros	Cons
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)
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

WENDELL
Board of Commissioners

Parking

Status Quo:
Signage will be installed indicating golf cart parking, electric vehicle parking and no parking zones, as well as "Public Parking" wayfinding signage. Staff will evaluate the restriping of certain areas, and evaluation of areas currently unstriped. Police will also begin basic parking enforcement as defined by state statute, beginning with education efforts.

Ms. Smith asked if there were any questions regarding parking.

Commissioner Lutz said he feels like the status quo was fine, with the idea of parking meters and more signs seeming a bit strong. He said striping and the signage seems good.

Mayor Gray agreed that the Town needs directional signage in areas like Pine Street. She said the Board needs to talk about large vehicle overnight parking, while still allowing people to get safely home if they need a ride with someone.

Commissioner DeLoach said that status quo doesn't mean the Board isn't doing anything. He said that the Board is addressing areas of concern with signage and overnight parking. Mr. DeLoach mentioned signage at the Farmer's Market lot, as well.

Commissioner Tarnaski said he's not a fan of parking meters and suggested limiting parking to 30 minutes and providing additional handicapped parking near Larry's Tailor Shop.

Commissioner Joyner said that any changes made to the DMX are going to be impactful, with the first step being signage. He said he supports uniform signage throughout downtown.

WENDELL
Board of Commissioners

Food Trucks

Recap:
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 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.

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
- Quiet generators or use of electric hookups are required

Mayor Gray asked if the Town limits food trucks to Campen and Depot Street only, at this time.

Ms. Smith said that the Town is unofficially placing them at Campen and Depot Street for public safety purposes, as there is a better way for them to que up at these locations. She said that this isn't captured in an official policy.

Mayor Gray said it would be her preference to have the food trucks on Campen and Depot, rather than allowing them to park in front of a brick and mortar restaurant. She

said she was in favor of the host requirement but wasn't in favor of limiting the amount of times that a business can host a food truck. Mrs. Gray said she did like the idea of requiring quiet generators but did not like the idea of a fee.

Commissioner Joyner said that there's a lot of growth in Wendell and the flexibility that the lack of policy provided in previous years was beneficial when the businesses weren't there. He said he didn't find the fees objectionable, but a policy needed to be put in place establishing what the rate should be.

Commissioner DeLoach said that if the Town is going to limit where food trucks are able to park, he's okay with that and he agrees with requiring quiet generators and requiring a fee.

Commissioner Lutz said he agrees with Commissioner Joyner about this providing variety in the Town for dining options. He said he agrees with permits and fees being required, saying he also wants to make sure they're being respectful of surrounding businesses.

Mayor Gray said she did not want to allow food trucks on Main Street, as it would be a safety issue. She said she wanted to make sure the food trucks on Campen aren't too close to the restaurants one block up, such as 41 North and Peedie's.

Ms. Smith said she would bring back a policy draft for the Board to review and would provide it to business owners, as well.

WENDELL
Board of Commissioners

Food Trucks

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.

Town	Mobile Vendor (Food Truck) Policy	Fees (if any)
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

WENDELL
Board of Commissioners

Food Trucks

Status Quo:
Staff will prepare a policy to bring back at the next Board Meeting (October 12), to capture how food truck requests are currently being handled, following the use of public space procedure:

- Business submits request to Town for food truck on public property, including date(s) and time(s) of use
- Staff provides a signed letter granting approval for use of public space
- No current limit on number of trucks, where they should be located, how often they can be brought in, or for how long.

WENDELL
Board of Commissioners

Electric Vehicle Charging

Recap:
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.

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

Status Quo:
Signage will be installed indicating "Electric Vehicle Parking Only", and staff will monitor use and cost. No fees will be implemented at this time.

Commissioner Tarnaski said that he wants to charge for electric charging station use.

Commissioner Joyner said that he views the charging stations as a destination device, that brings people to stop in the downtown core to charge their vehicles. He said it would be helpful to see usage reports to see use over a year to see that there's a consistent market using the charging stations.

Mayor Gray said she would want it to be available for charging, but once charged, the parking spot should be available to other vehicles.

Commissioner DeLoach said that it isn't intended as a gas station and electrical vehicle owners charge and visit downtown businesses while they wait for their vehicle to charge.

Commissioner Boyette said that he thinks that charging for electric vehicles would cost more in transactions fees than what was made. He said he didn't think rates charged would cover the cost. He said the Town collocated some electrical access for food trucks and they're located in the same place where the power is run to. He said the food truck usually arrives in afternoons and blocks some if not all of the parking spaces. Mr. Boyette said if the parking spaces are blocked by the food truck, he doesn't know how they would offer those charging spaces. He also voiced concerns about non-electric vehicles parking in those charging spaces. Mr. Boyette asked how aggressive the Town would be with enforcement and if the location of putting the food trucks would be specified in the policy.

Town Manager Marc Collins said that staff would work on putting that language in the draft policies that they bring back to the Board at the October 12, 2020 meeting.

WENDELL
Board of Commissioners

Lighting

Recap:
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.

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.

Status Quo:
Staff will work to coordinate the effort to convert all lights to a lease with other strategic initiatives and capital projects, and possibly time the replacement with a streetscape design improvement.

WENDELL
Board of Commissioners

Solid Waste Service

Recap:
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.

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.

WENDELL
Board of Commissioners

Solid Waste Service

Option	Details
Option 1	Town covers 100% of the cost of solid waste services to downtown businesses who qualify.
Option 1 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 1 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.
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.

WENDELL
Board of Commissioners

Solid Waste Service

Status Quo:
The current dumpster locations will service existing businesses. Businesses will continue to be responsible for finding ways to dispose of trash and recycling individually. As growth continues and conditions allow, dumpsters could be added as part of future budgets.

Commissioner Lutz said that the dumpster that is on Campen Street takes up a lot of prime parking spaces. He considered finding another location for that dumpster to be relocated.

Town Manager Marc Collins said that there's an ability to push it farther down by Cypress, freeing up parking closer to Main Street. He said that there is a limited private property capacity for dumpsters and the question is whether dumpsters can be placed on public property, instead.

Mayor Gray said there's a hill on Cypress that makes it not as flat, which is why the dumpsters are located where they are currently.

Mr. Collins said that his recommendation would be to prepare a concrete pad and provide the screening at that location when other Cypress Street improvements are conducted.

Commissioner DeLoach said that there are a lot of options and the Town might need to have more discussion with citizens and business owners on this subject.

Mr. Collins said that staff received input from Farmers & Merchants and 41 North. He said that there have been issues with private use of public space and the placement of privately-owned dumpsters. He said staff has been working on equitable points within the downtown area for general trash and recycling receptacles.

Mayor Gray said that as the businesses regrow and reopen after the pandemic, there's going to be even more waste produced that requires a place to put it.

Commissioner Tarnaski said that staff should make sure there's good lighting near where the solid waste bins are placed for safety purposes.

Commissioner Joyner said that finding a place to put the dumpsters is a difficult task to coordinate. He asked staff to consider working with the Chamber to send out a survey allowing local businesses to give the Town feedback and allowing the Chamber to weigh in on this matter.

Staff

5. PUBLIC HEARINGS

There are no public hearings scheduled for this meeting.

6. ADMINISTRATIVE ITEMS

6a. Zoning Map Amendment request to rezone 50.63 acres from Rural Residential (RR) to Residential-3 (R3) located at 0 Eagle Rock Road (PIN# 1774-72-4863).

Staff Contact: Planning Director Niki Jones
njones@townofwendell.com

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

Item Title:
Motion on a Zoning Map Amendment request to rezone 50.63 acres from Rural Residential (RR) to Residential-3 (R3)

Specific Action Requested:

Make a motion on the proposed rezoning request and consider adopting the attached ordinance, which includes a statement of comprehensive plan consistency and reasonableness. The public hearing was held for this item on Monday September 14, 2020.

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).

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

Project Setting – Surrounding Districts and Land uses:

DIRECTION	*LANDUSE*	*ZONING*

North	*Agricultural*	*RR*
South	*Residential/Vacant*	*RR/RA*
East	*Residential/Vacant*	*RA*
West	*Residential*	*R3/R-30*

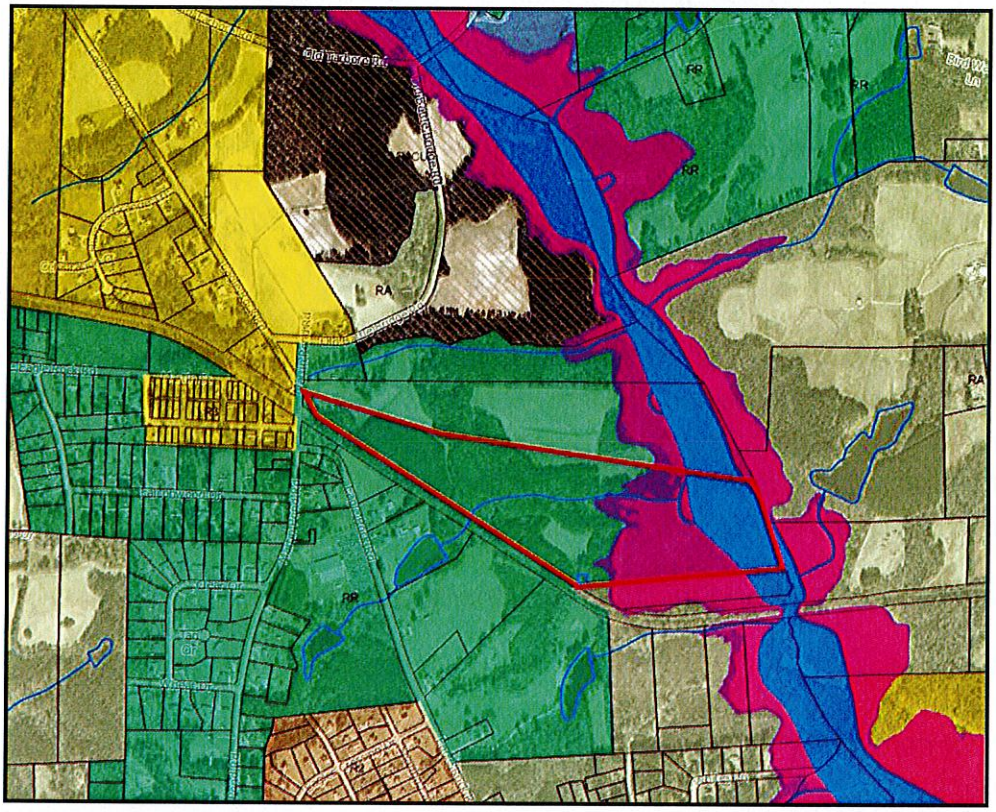
***Zoning District**:*

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)**:*



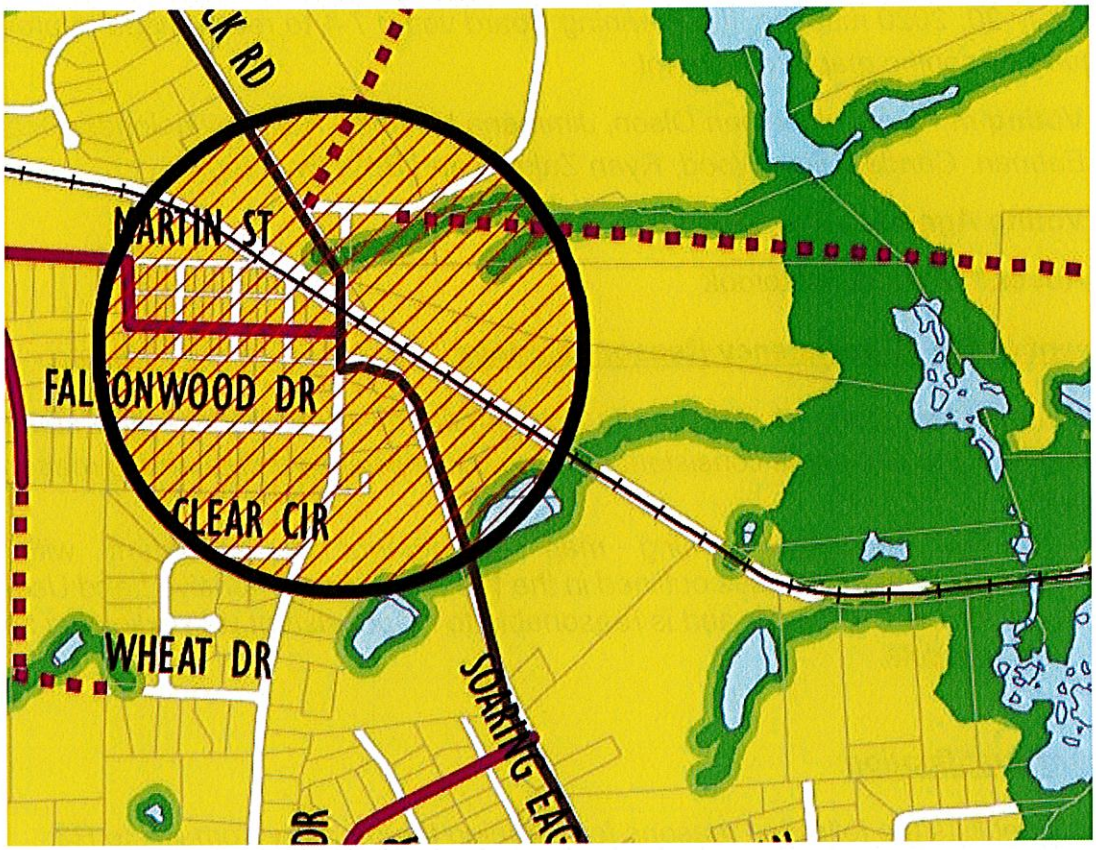
Comprehensive Plan:

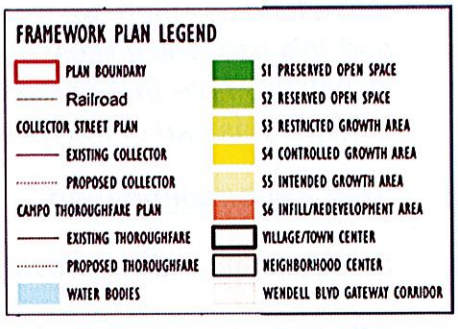
The Wendell Comprehensive Plan defines this section as S-4 "Controlled Growth Sector" and partly in a Neighborhood Center.

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.





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.*

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 are located in the Agenda Packet for this meeting on the Town's website.*

A. *Application*

B. R3 Zoning District Land Use Chart
C. Ordinance
D. Anderson Estate Deed

Mayor Gray asked the applicants to speak.

Amanda _____? Said that the site plan has created a couple of agreements between the applicant and surrounding landowners that would accommodate a cul-de-sac that would resolve some of the Anderson family's concerns. She said they would work with the Anderson family, moving forward with the site plan.

Mayor Gray asked if Mr. Hibbits or the Andersons are on the phone.

Ashley Anderson said she appreciates everyone working together to reach an agreement.

Mayor Gray asked if Richard Hibbits had something to say. Mr. Hibbits didn't speak.

ACTION
Mover: Commissioner Joyner made a motion to approve the Zoning Map Amendment request to rezone 50.63 acres from Rural Residential (RR) to Residential-3 (R3) located at 0 Eagle Rock Road (PIN# 1774-72-4863).
Ayes: Commissioners Joyner, DeLoach, Lutz, Tarnaski, and Boyette
Nays: Commissioner Lutz.
Vote: 4-1

6b. Locally Administered Projects Program (LAPP) Update – U-5323 (Intersection of Business US 64, Rolesville Road, and Eagle Rock Road)

Staff Contact: Planning Director Niki Jones
njones@townofwendell.com

Planning Director Niki Jones presented the following staff report, below in italics:

Item Title:

Locally Administered Projects Program (LAPP) Update – U-5323

Report to the Board of Commissioners:

Monday, September 28, 2020

Specific Action Requested:

No action is needed. Staff is only providing information

TOWN OF WENDELL
BOARD OF COMMISSIONER MEETING MINUTES
SEPTEMBER 28, 2020

Item Summary:

Locally Administered Projects Program (LAPP) is a competitive funding program managed by the Capital Area Metropolitan Planning Organization (CAMPO). The program prioritizes locally administered transportation projects in the region. These projects are funded using the federal funds directly allocated to the region with a minimum 20% local match.

The project U-5323 was awarded funding via LAPP. The intent of the project was to conduct traffic engineering and planning for the intersection of Wendell Boulevard and Rolesville Road/Eagle Rock Road. The project anticipated high traffic volumes and potential future safety and access challenges. Ultimately, the project envisioned a realignment of Rolesville Road and Eagle Rock Road to shift traffic and turning movements further from the interchange.

The receipt of federal funding for the U-5323 project came with an obligation to complete construction (or at least obtain construction authorization) within 10 years. That 10-year deadline is set to expire in September of 2021. Failure to obtain construction authorization within this timeline requires the return of federal funding

Currently the Town has partial design plans (25% roadway design). However, before the Town can pursue Right-of-Way (ROW) or construction funds, it would need to complete the design plans and obtain all necessary NEPA documentation (environmental analysis which demonstrates the impact of a transportation project).

Chronology

2011 - the Town received federal funds in the amount of $131,160.42 to assist in the design and engineering for the project.

2014 - Ramey Kemp & Associates, Inc. was hired by the Town to develop the plans and subsequently delivered 25% roadway design plans to the Town

2017 - staff initiated an evaluation of the Arterial and Collector Street (ACS) plan - specific focus on the U-5323 alignment

2017 - the Town Board approved changes to the Town's ACS plan which included the removal of the northern segment of the U-5323 project.

- *This change amended the original plan from a full realignment of Rolesville Road and Eagle Rock Road to the creation of two offset T-intersections.*

September 2020 – staff met with CAMPO to discuss options for moving the project forward.

- *After several meetings, staff realized that the sequence of events that needed to occur prior to the September 2021 deadline could not realistically occur.*

Staff Recommendation:

Retain the 25% design which details the Eagle Rock Road alignment as shown on the Town's transportation plan and return the $131,160.42 to Federal Highway Administration.

Fiscal Impact:

The Town has already paid for the 25% design using federal funds. The Town would be required to pay back $131,160.42 for the project. These funds would come from the General Fund balance at the end of the year after a budget amendment.

Attachments:

None

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

Commissioner Joyner said he appreciates and agrees with staff's recommendation about this corridor. He said he's glad the Board addressed the Transportation Plan in 2017 and that he leans toward option 2 concerning the LAPP project. He said that he'd hate for the Town to give back funds and he appreciates the way the Town is going about its LAPP projects.

Mayor Gray said she's happy to know they can make adjustments to the future on this.

Town Manager Collins asked for a motion to proceed with reimbursing the LAPP project for the 25% design funds and correct it with a budget amendment with reserve funds.

ACTION	
Mover:	Commissioner Lutz made a motion to reimburse 25% design funds for the LAPP Project.
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:

Capital Area Metropolitan Planning Organization (CAMPO) – Mayor Virginia Gray

Mayor Gray said that CAMPO was held on September 16th and they held a public hearing on the fiscal year 2020-2029 Transportation Improvement Program Amendment #2. There have been some changes to some regional projects and they received information on the freeway and base transit network study. She said they received information on 540 Phase 1 and 2. They received information and funding updates about various other CAMPO projects and programs and LAPP project extensions.

Technical Review Committee – Mayor Pro Tempore John Boyette

Mayor Pro Tem Boyette said there was a discussion about a project near Wendell Falls which is a commercial outparcel with six individual lots for commercial development, with questions about stormwater drainage that will be discussed at the next meeting.

8. COMMISSIONERS' REPORTS / COMMENTS

Commissioner Joyner said he has received inquiries on leaf and limb and solid waste from citizens. He said it is now the fall season and the Town has a plan for that increase in yard waste. He asked staff to identify problem spots to the Board. He made the public aware of the Tell Wendell app to report problems when they see them and said that staff is working on it. Mr. Joyner said that drive-in church is occurring with Wendell Methodist Church.

Commissioner DeLoach said that the Treat Trail will occur Friday, October 30th and will be a bit different this year. He said there will be a flu shot clinic on Thursday at Wendell Falls Farmhouse at 7 p.m. for $29. Mr. DeLoach said it is a drive-thru and will require an ID. He said that Town staff and the Board would like to be good partners with local businesses and encouraged the community to reach out.

Commissioner Tarnaski thanked all residents who came to St. Eugene's drive-thru Food Festival this year.

9. MAYOR'S REPORTS / COMMENTS

Mayor Gray said she's been getting some calls about leaf and limb regarding the 2 times a year pickup. She asked staff to revisit getting more information out to the public. She said this Saturday is the last Farmer's Market of the season and said she's been getting a lot of questions about events in town. She said the situation is a bit fluid with the pandemic and the Town is adjusting and being as flexible as it can while doing things safely. She urged citizens to keep an eye on the Town's social media account. She thanked town staff for all that they've done since the pandemic started.

10. CLOSED SESSION

Closed session will be called if necessary.

11. ADJOURN

ACTION
Mover: Commissioner Lutz moved to Adjourn at 8:54 p.m.
Ayes: Commissioners Joyner, DeLoach, Lutz, Tarnaski, and Boyette
Nays: None.
Vote: 5-0

Duly adopted this 26 day of October 2020 while in regular session.

Virginia R. Gray,

Mayor

ATTEST:

TOWN OF WENDELL INCORPORATED 1903 NORTH CAROLINA

Megan Howard,

Town Clerk