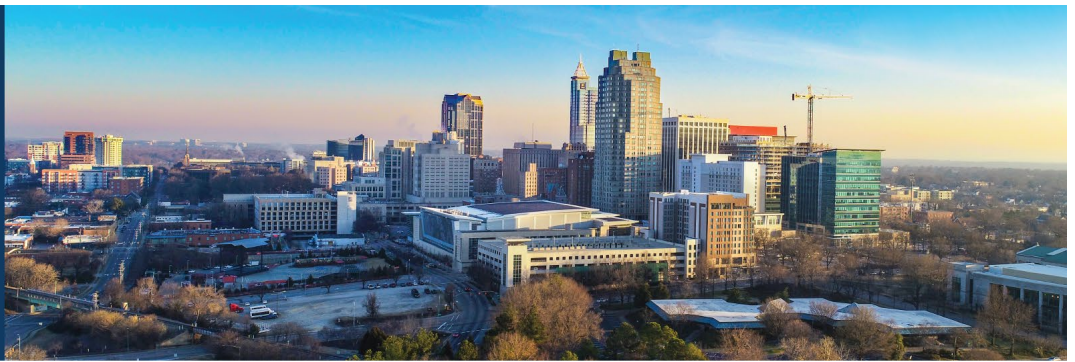


# Manager's Update

[raleighnc.gov](http://raleighnc.gov)



Issue 2021-10

March 19, 2021

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## INFORMATION:

### **Annual Loose-Leaf Collection is Complete**

*Staff Resource: Chris McGee, Transportation, 996-3030, [christopher.mcgee@raleighnc.gov](mailto:christopher.mcgee@raleighnc.gov)*

Transportation Field Services pushed through periods of unfavorable weather, equipment issues, and COVID-19 issues to complete the second Loose Leaf Program collection pass on Wednesday, March 17. This season crews collected 2,845 loads of leaves estimated at over 14,225 tons or almost 62,590 cubic yards. This volume of leaves would cover an entire city block approximately 20 feet deep with an equivalent weight of more than 7,000 cars.

The Loose-Leaf Collection Program faced several challenges this season, not least of which was protecting our employees from potential COVID-19 exposures in the workplace. In response to this challenge, we staggered staff schedules, reduced the number of occupants in vehicles, installed acrylic panels to better separate vehicle occupants, and emphasized mask-wearing and social distancing in compliance with State and County guidelines. Although some employees reported being exposed to COVID-19 or testing COVID-19-

positive, the remaining staff and supervisors were able to mitigate impacts on program delivery. As a result of COVID-19 effected staff, equipment issues, and multiple heavy rain events in January and February, this season was completed later in the year than anticipated. Raleigh Transportation is grateful for our community's patience and understanding this program season.

This leaf collection season also commenced our first Holiday Special Leaf Collection initiative. The program was offered to help accommodate communities with historical holiday celebrations. Many of these public celebrations generate increased vehicular and pedestrian traffic, increasing the need for parking and open, passable sidewalks. Communities need to meet certain requirements to qualify for the program. The Brentwood and Summerfield neighborhoods met these qualifications and received their first collection prior to the holidays to accommodate their legacy events.

Any residents with remaining leaf piles may contact Transportation Field Services at 919-996-6446 or email [leafcollection@raleighnc.gov](mailto:leafcollection@raleighnc.gov) to schedule collection. This service will be provided through the end of March, Monday through Friday between 7:30 A.M. and 4:00 P.M.

(No attachment)

### **New Utility Bill Payment System**

Staff Resources: Aaron Brower, Raleigh Water, 996-3469, [aaron.brower@raleighnc.gov](mailto:aaron.brower@raleighnc.gov)

Patrick Eudy, Finance, 996-3230, [patrick.eudy@raleighnc.gov](mailto:patrick.eudy@raleighnc.gov)

Spencer Smith, Information Technology, 996-5519, [spencer.smith@raleighnc.gov](mailto:spencer.smith@raleighnc.gov)

Staff has been working collaboratively to implement a new utility bill payment system. The system, hosted by third-party vendor Paymentus, will provide utility customers enhanced security and provide new options to make it easier to pay monthly utility bills. The new system will launch this weekend, and new options for bill pay include:

- The ability to make a one-time credit card payment without logging in.
- A direct toll-free phone number to make a payment without going through complex phone tree options; 888-905-3169.
- Increased payment methods such as PayPal, Venmo, E-check, and recurring credit card payments; and
- A wallet option to save payment methods.

The new system can be accessed after this weekend by visiting the City website and clicking on the green tile labeled "Make Payments" or visiting [Raleighnc.gov/utilitypay](https://Raleighnc.gov/utilitypay).

(No attachment)

### **Rezoning Engagement Portal**

Staff Resource: Bynum Walter, Planning & Development, 996-2178, [bynum.walter@raleighnc.gov](mailto:bynum.walter@raleighnc.gov)

Various departments have been utilizing software services for community engagement provided by the local Raleigh company PublicInput.com. PublicInput.com provides an operating system for public agencies to communicate, listen, and make informed decisions, with a platform composed of three core components: the Engagement Hub, Resident Database, and Communications Cloud.

Effective April 5, staff will begin using an online portal via publicinput.com to provide a centralized location for comments and questions for all rezoning cases. Modeled after the Text Change Engagement Portal, the Rezoning Engagement Portal will streamline the several avenues of public input that currently exist and provide consistency for applicants, staff, and the public. Questions and comments received will be compiled and included as an additional information in both the Planning Commission and the City Council meeting agenda materials. Included with the *Update* materials is a staff memorandum which provides more details on the incorporation of the portal into the rezoning process, as well as additional details about the contents of the portal itself.

*(Attachment)*

## Council Member Follow Up Items

### Follow Up from the February 16 City Council Meeting

#### **Renter-Tenant Engagement Liaison (Mayor Pro Tem Stewart)**

*Staff Resource: Linda Jones, Housing & Neighborhoods, 996-5707, [linda.jones@raleighnc.gov](mailto:linda.jones@raleighnc.gov)*

During the meeting an overview of the November “Renters Town Hall” was provided and Council authorized staff to proceed with implementing the following items to encourage tenant representation and engagement:

1. *Evaluate ways to encourage renter participation on city boards & commissions*
2. *The city manager identify a “Renter-Tenant Liaison” to be primary point of contact for that population*
3. *Investigate methods to improve communications with the renter-tenant population and evaluate potential for a voluntary “renter registration” program as a means of communicating*

With regard to item 2 above, please note that Dan Bagley, Community Relations Analyst with Housing & Neighborhoods has been assigned as the citywide point of contact for tenant issues. Staff is committed to engaging and expanding opportunities to this population to achieve the remaining objectives identified.

*(No attachment)*

#### **Public Comment – Police Body Camera Software (Mayor Baldwin)**

*Staff Resource: Chief C.L. Deck-Brown, Police, 996-3155, [cassandra.deck-brown@raleighnc.gov](mailto:cassandra.deck-brown@raleighnc.gov)*

During the meeting a representative of GreenKey software presented remarks to Council on this topic. Included with the *Update* materials is a staff memorandum containing additional information and background.

*(Attachment)*

**Speed Survey of Trailwood Drive near Avent Ferry Road (Council Member Forte, Mayor Baldwin)**

Staff Resource: Chief C.L. Deck-Brown, Police, 996-3155, [cassandra.deck-brown@raleighnc.gov](mailto:cassandra.deck-brown@raleighnc.gov)

During the meeting Council Member Forte reported that she has received numerous reports of excessive speeding at the referenced location. Mayor Baldwin requested targeted enforcement in the vicinity.

Included with the *Update* materials is a staff memorandum containing additional information and background.

(Attachment)

## Follow Up from the March 2 City Council Meeting

**Street Renaming Process – Charlotte and Greensboro Processes (Council Member Knight)**

Staff Resource: Michael Moore, Transportation, 996-3030, [michael.moore@raleighnc.gov](mailto:michael.moore@raleighnc.gov)

During the meeting Council requested that staff provide information regarding the renaming of streets in both Charlotte and Greensboro. The source material outlining the process for both communities is accessible through the following links:

Charlotte

<https://charlottenc.gov/Transportation/CDOTServices/Pages/StreetNameChange.aspx>

Greensboro (Street Naming and Addressing Manual [the street renaming process begins on page 9])

<https://www.greensboro-nc.gov/Home/ShowDocument?id=8640>

Staff also noted the work of the Charlotte *Legacy Commission*, a fifteen-person commission tasked by the City Council to comprehensively study Charlotte streets and monuments that honor the legacy of Confederate soldiers, slaveowners, and segregationists. The following link describes the commission, mission, and membership: <https://charlottenc.gov/Mayor/Pages/Legacy-Commission.aspx>

A *Charlotte Observer* news story describing the initial street name changes may be accessed at this link: <https://www.charlotteobserver.com/news/local/article249117385.html>.

(No attachment)

**Public Comment - Wenchelsea Place No Parking Zone**

Staff Resource: Matthew Currier, Transportation, 996-4041, [matthew.currier@raleighnc.gov](mailto:matthew.currier@raleighnc.gov)

During the meeting two residents of Wenchelsea Place spoke about the recently installed “No Parking Zone” along the cul-de-sac and terminus of Wenchelsea Place. A staff memorandum discussing the issue is included with the *Update* materials.

(Attachment)

**Report of the City Clerk – Property Tax Resolution (Council Member Cox)**

Staff Resource: Gail Smith, City Clerk, 996-3040, [gail.smith@raleighnc.gov](mailto:gail.smith@raleighnc.gov)

During the meeting the city clerk presented a *Resolution Adjusting, Rebating, or Refunding Penalties, Exemptions, and Relieving Interest for Late Listing* of property taxes. Prior to adopting the resolution, there were various questions raised regarding the property tax adjustment process. Included with the *Update* materials is an excerpt from *Issue 2018-09* (March 9, 2018) where information on the process was previously provided, as well as more recent information on the Wake County Tax Committee.

(Attachments)

To	Marchell Adams-David, City Manager
Thru	Patrick O. Young, AICP, Director
From	Bynum Walter, AICP, Planning Supervisor
Department	Planning and Development
Date	March 17, 2021
Subject	Rezoning Online Engagement

This memo includes an overview of the launch, proposed business process, and outline of the contents for a rezoning engagement portal hosted through [PublicInput.com](https://PublicInput.com). The rezoning engagement portal process is modeled on the text change engagement process which launched in Spring 2020.

#### **Why Use Online Engagement for Rezoning?**

Currently, the public commonly asks questions and expresses their thoughts on rezoning cases in the following ways:

- Emailing or calling the case planner directly;
- Emailing Planning Commission; and/or
- Emailing City Council Member(s).

Any individual may use one or more of these methods, making it difficult for the case planner to collect comments and respond to them when necessary. This is especially true if an individual contacts City Council without copying a member of the Planning and Development Department. These methods also provide a low degree of transparency since other members of the public do not have ready access to the comments and replies.

The Rezoning Engagement Portal will provide a centralized location for comments and questions for all rezoning cases, streamline the several avenues of public input, and provide consistency for applicants, staff, and the public. Community members will be able to comment and ask questions about rezoning cases in a format that is visible to all participants. A centralized engagement portal will also help staff more efficiently understand the range and volume of concern from community members, keep track of questions from the public, and compile comments for agenda back-up materials during legislative review periods.

### **Incorporation into the Rezoning Process**

The goal of this engagement effort is to allow a convenient venue for the public to ask questions about and comment on active rezoning cases. In places where the public is already receiving information about rezoning cases, a link to the portal will be included instead of individual staff email accounts and the Planning Commission email. Residents will be encouraged to focus their input into the portal. Staff and Planning Commission contact information will still be available in the rezoning engagement portal.

The portal will be open for each rezoning case once staff review has begun. It will continue to be open until 10 days prior to the rezoning case's first appearance on a Planning Commission agenda. This 10-day deadline is the current deadline for amendments to zoning conditions for Planning Commission review. The public will still be able to see previous questions and comments once a case has been archived, but new questions and comments cannot be added to the case.

To be clear, closing the case in the engagement portal does not mean no additional comments or questions will be accepted. The purpose of closing the case in the engagement portal is to encourage direct engagement in the public meeting process and allow time for staff to batch public comments for legislative review. Community members will also still be able to use the Planning Commission and City Council emails during respective reviews.

Note that the portal will not be open at the time of the first neighborhood meeting. The portal for each rezoning case opens after a rezoning petition is filed and all application materials are received. The reasons for this are twofold. One, the first neighborhood meeting does not always result in a rezoning application. Two, city staff do not fully engage with the applicant team about a rezoning case until the application is submitted and after the pre-submittal (first) neighborhood meeting.

Questions received through the engagement portal will be answered by case planners with the assistance of intake planners on more general or logistical questions. Case planners will receive notification when new questions or comments are posted to answer questions as needed. The response time to questions received through the engagement portal will not exceed 2 business days. Responses and general comments will be visible to the public so that community members are aware of others' opinions and answers to common questions but commenting on others' comments will be disabled.

Rezoning Case Process		Rezoning Engagement Portal Process	
Intake			
1. A rezoning application is filed. Intake planner reviews for missing information and materials. If none, then staff review begins.		1. The intake planner creates the case in the Rezoning Engagement Portal after a rezoning application is filed and deemed complete.	
Initial Review			
2. Staff review lasts 2-3 weeks, depending on the type of proposed rezoning.		2. A case will remain open on the portal during the entire staff review period and up until 10 days prior to Planning Commission review. Case planners will be notified by email when new questions or comments are posted by residents in the portal.	
3. Case planner sends initial review letter. If case does not require any outstanding technical documents (TIA, Stormwater documentation, etc.) then case is deemed complete and the 45-day deadline to place the case on a Planning Commission agenda begins.			
4. If a second neighborhood meeting is required, the meeting date will take place at least 30 days after submittal and 10 days prior to the case being discussed at Planning Commission. A link to the portal will be included in the letter to residents and property owners.			
Planning Commission Review			
5. The rezoning case is scheduled for a Planning Commission meeting.		3. The intake planner will close and shift the case to the closed engagement portal page. Comments and questions can continue to be received via email to the review boards and the case planner. The case planner will compile the comments and questions to include in the agenda materials for Planning Commission and City Council appearances	

### **Portal Launch**

The rezoning engagement portal is proposed to launch with rezoning applications filed after April 5, 2021. To promote the launch of the new portal, social media posts on the Raleigh Planning accounts will announce the new portal and include an instructional how-to video. A GovDelivery email will also be sent to Planning and Development distribution lists to let subscribers know about the launch of the portal. The instructional video will provide a step-by-step overview on how to find the engagement portal on the City of Raleigh Rezoning Process webpage and how to use the engagement portal on Public Input.

### **Notification of New Rezoning Cases**

Social media and GovDelivery will be used to notify the public of new cases available for comment on the engagement portal. A weekly update via social media posts and GovDelivery



email with a list of new cases can keep the public up to date on which rezoning cases are now available for comment on the Rezoning Engagement Portal. Currently, community members are notified about rezoning cases through mailed or posted notice for second neighborhood meetings, Planning Commission review, and City Council Public Hearings.

The portal will be linked to and referenced in several places throughout the life of the rezoning case:

- Second neighborhood meeting notification letter
  - A link to the rezoning case's input page will be included in the letter to propertyowners and residents.
- Current Development Activity webpage
  - While the case is open for comment on the portal, a link to the rezoning case's inputpage will be included in the zoning case table, replacing the case planner's contact information.
- Staff report
  - Case planners will summarize the general themes of public comments in the public meetings table section of the staff report. A full report of comments will be generatedfrom the portal as an attachment in the staff report.
- Planning Commission webpage
  - Information and a link to the rezoning portal will be included on the PlanningCommission webpage.
- Rezoning Process webpage
  - Information and a link to the rezoning portal will be included on the RezoningProcess webpage.

### **Contents of [the Portal](#)**

Links to the Neighborhood Meetings, Rezoning Process, Adopted Rezoning Cases, and Zoning Cases webpages will be included on [the portal's landing page](#). Links to send emails directly to the Planning Commission and instructions on how to sign up to speak at Planning Commission are also included.

Each rezoning case will include the following information:

- Existing zoning and conditions
- Proposed zoning and conditions
- Applicant contact information
- Case planner contact information

[An example case](#) can be previewed for Z-37-20 (7520 Leesville Road).

Survey questions for rezoning case will allow members of the public to comment or ask questions about the rezoning request in a semi-structured manner. Previous comments and questions will be publicly available to view but commenting on others' comments will be

disabled.

Voluntary questions about demographic information will allow staff to better assess who is participating in public comment for rezoning cases. The standard set of questions for each case in the public input rezoning portal includes:

Rezoning Case Questions:

1. What is your zip code?
2. What is your full name?
3. Do you have any **comments** about this rezoning? If so, leave them in the comments box below. Please note that your comments are public, can be seen by others, and will be presented to the Planning Commission.
4. Do you have any **questions** about this rezoning? If so, ask in the comment box below. Staff will respond to your question here. Please note that your question is public and can be seen by others.

Voluntary Demographics:

1. What is your age?
  - a. Under 18
  - b. 18-25
  - c. 26-39
  - d. 40-55
  - e. 56-69
  - f. Over 70
2. What is your race?
  - a. White
  - b. Black or African American
  - c. Hispanic or Latino
  - d. Asian
  - e. American Indian or Alaskan Native
  - f. Native Hawaiian or Other Pacific Islander
  - g. Multi-racial
3. What is your gender?
  - a. Female
  - b. Male
  - c. Non-binary
  - d. Prefer not to answer
4. What is your income level?
  - a. I am a student.
  - b. I am unemployed.
  - c. I am retired.
  - d. Less than \$24,999
  - e. \$25,000 to \$49,999
  - f. \$50,000 to \$99,999
  - g. More than \$100,000

# Council Member Follow Up



Raleigh

## MEMO

TO: Marchell Adams-David, City Manager

FROM: Cassandra Deck-Brown, Police Chief

DEPARTMENT: Police

DATE: March 5, 2021

SUBJECT: GreenKey Presentation Response

On February 16, 2021, Nikhit Bhatia, the head of sales with GreenKey Technologies presented during the public comment portion of the council meeting. Mr. Bhatia stated that his company analyzes body camera data and quantifies the level of respectfulness and de-escalation during police interactions with the public.

On September 10, 2020, RPD command staff and IT personnel held a virtual meeting with GreenKey representatives to view multiple platforms regarding Artificial Intelligence in the use of the technology offered by the company. After discussing the product with IT staff and legal advisors, the command staff determined that RPD would not consider the technology any further. The determination not to pursue the GreenKey product was based on the following factors:

- The program is cloud-based and would require RPD to upload body worn camera videos to the GreenKey cloud server.
- NCGS §132-1.4A governs the release and disclosure of law enforcement recordings. The definition of law enforcement recordings includes body worn camera recordings.
- According to NCGS §132-1.4A(a)(4), to disclose a recording means “to make a recording available for viewing or listening to by the person requesting disclosure, at a time and location chosen by the custodial law enforcement agency.” NCGS §132-1.4A(b) specifically states that such recordings are not public records.
- Such recordings may only be disclosed as allowed by NCGS §132-1.4A(c), which has no provision that would allow disclosure to a for-profit, private company seeking to do business with the City of Raleigh. NCGS §132-1.4A(f) limits release of recordings to those recordings that are subject to disclosure.
- RPD has not been presented with any information that would allow release pursuant to NCGS §132-1.4A(g).

With concerns, RPD did confer with the City Attorney’s Office about providing recordings to private companies due to the potential privacy interest violations of members of the public captured in the recordings. With concern remaining, the products sold by GreenKey do not appear to serve the best interests of the City of Raleigh at this time.

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(Mailing Address)



**Raleigh**

## **MEMO**

TO: Marchell Adams David, City Manager

FROM: Cassandra Deck-Brown, Chief of Police

DEPARTMENT: Police

DATE: March 15, 2021

SUBJECT: Council Response – Trailwood Drive Speed Complaint

This memo is in response to a Mayor and Council request of potential speed violations on Trailwood Drive in the vicinity of Avent Ferry Road.

The police department's Traffic Enforcement Unit conducted a speed survey of Trailwood Drive near Avent Ferry Road from 02/27/2021 through 03/05/2021. Trailwood Drive is a NCDOT maintained roadway and is listed as a minor thoroughfare. During the speed survey, approximately 28,500 vehicles passed through the area, which has a posted speed limit of 40 MPH. The survey revealed that the average speed of northbound traffic was 43 MPH, while the average speed of southbound traffic was 51 MPH. It should be noted that there is a grade on Trailwood Drive that may account for the disparity observed in average speeds.

The Southwest District has not received complaints of speed violations on Trailwood Drive between 01/01/2020 and 03/01/2021. RPD conducted an enforcement effort on Trailwood Drive from 03/09/2021 through 03/12/2021. During this initiative, 32-traffic stops were conducted which resulted in 15-citations for speeding and 17-warnings.

A review of traffic stops on Trailwood Drive, between I-40/440 and Avent Ferry Road from 01/01/2020 through 03/01/2021, revealed that 112-traffic stops were made, resulting in 56-citations, 16 of which were for speeding.

The results of the speed survey and enforcement effort were shared with the Southwest District Captain and a request for increased patrol and enforcement by Field Operations Division officers was made. As an additional measure, the Southwest District Commander has communicated with North Carolina State University Police Department personnel about encouraging their university population to observe speed limits within the city of Raleigh, with a specific focus on Trailwood Drive. In conjunction with the Southwest District, the Traffic Enforcement Unit will also conduct enforcement initiatives in this area in the upcoming weeks.

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Raleigh

## MEMO

TO: Marcell Adams-David, City Manager

FROM: Michael Moore, Director

DEPARTMENT: Transportation

DATE: March 19, 2021

SUBJECT: Recently signed “No Parking Zone” along cul-de-sac on Wenchelsea Place

During the March 2, 2021 City Council meeting and following public comments, Council requested staff to provide an update regarding the recently signed “No Parking Zone” along the cul-de-sac and terminus of Wenchelsea Place. (See Figure 1)



### Background

In June 2020, Transportation staff received a request from both Raleigh Fire and Police Departments to restrict on-street parking on Wenchelsea Place along the cul-de-sac. These requests stemmed directly from an incident where emergency personnel needed to access one of the properties in the cul-de-sac but were unable due to vehicles parking along Wenchelsea Place. During this particular event, emergency responders were required to park down the block and walk to the property thereby slowing their response time.

After receiving this request, Transportation staff completed a review of Wenchelsea Place to determine how much on-street parking would need to be removed in order to ensure public safety in the event of future emergencies. Staff's review determined that due to the large traffic island in the center of the cul-de-sac, parking in the entirety of the cul-de-sac would need to be restricted. The roadway adjacent to the cul-de-sac is only fifteen feet wide, and when

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vehicles are parked in this area, the travel portion is reduced to around seven feet which is insufficient for emergency vehicles to safely navigate. Staff determined this area should immediately be restricted to No Parking Anytime based on City Code 11-2171 (a) – Obstructing Traffic.

A further review of the area determined that parking would need to be restricted from the cul-de-sac westward for 20 feet in order to create efficient space for these same trucks (as well as Solid Waste Services) to safely ingress and egress the cul-de-sac (see attachment. In September 2020 staff sent mailers to all affected property owners duly notifying them of the proposed changes and provided two weeks to respond with any concerns, and multiple responses were received. Staff received phone calls from two different residents as well as face to face conversations with two others thanking staff for creating a solution that would provide safety to the neighborhood residents and guests.

Staff also received one response opposed to the implemented resolution. The property owner of 4516 Wenchelsea Place was opposed to staff restricting any parking adjacent to and outside of the cul-de-sac as it would directly affect their ability to park in front of their home. Staff spoke with the property owner on-site and explained that while we understood that this solution would create a hardship on the resident, that the change only removed one space along their property but that there would still be an abundance of available parking on Wenchelsea Place. Staff further advised that while preserving parking is a priority, public safety must first be maintained.

On February 8, 2021 staff completed sign installations along Wenchelsea Place. Within hours of the completion of the installation staff received a phone call from a property owner on Wenchelsea Place concerned that the current sign placement was not as described in the received mailer. Staff met back on-site on the morning of February 17<sup>th</sup> to have a look at the signs at which time it was determined that the original sign installation was incorrect and would need to be adjusted in order to create the desired safety solution. During this visit the property owner of 4516 again spoke with staff insisting that staff's solution would create an undue hardship on himself and requested staff to leave the signs in their current locations. Staff again advised they understood the property owners' concerns, but that public safety was of the upmost concern and that the parking need to be restricted. The signs were installed in the proper locations and staff provided the property owner with contacts for senior staff to elevate their concerns for further discussion (see attachment).

On February 18th the City's Parking Manager spoke with the property owner of 4516 via a phone conversation. During that conversation, staff explained why the restrictions had been implemented and that staff would be unwilling to waiver from solutions that preserved public safety. That same afternoon a concerned citizen reached out to staff advising they witnessed the property owner of 4516 relocating the City signage.

On February 22, 2021 both Transportation staff as well as RPD meet on-site with the property owner to relocate the signs to their proper location. During the visit, RPD had a discussion with the property owner notifying them that tampering with City signage was illegal and that any further issues with the signage may result in the property owner being cited with misdemeanor charges.

At the March 2, 2021 Council Meeting, the property owners of 4516 Wenchelsea Place made public comment asking the City to look into the roadway and cul-de-sac to see if any accommodations could be made.

### **Response to Question raised during Public Comment**

- Removal of landscape island on Wenchelsea Place: Staff sees removal of the landscape island in the middle of the cul-de-sac as a way to mitigate the concerns raised by the property owner, however doing so comes with a myriad of challenges.

Removal of the landscape island would eliminate the need for emergency vehicles to navigate around the landscape island and remove the need to limit parking at the entrance into the cul-de-sac. This would provide limited street parking within the cul-de-sac at an estimated 4 parking spaces due to the proximity of existing driveways. However, this option would eliminate 6 established trees and add additional impervious surface to the watershed (See Figure 2).



For a project of this size, the city would most likely choose to pay an offsite stormwater mitigation fee to account for the increase in impervious area rather than install an onsite stormwater management device. This is paid to a private stormwater mitigation account in the Upper Neuse Watershed. It is difficult to estimate the cost without an exact measurement of the impervious surface, but it would be in the thousands of dollars. This could be permitted but it would be adding more impervious surface to the watershed which will have a downstream impact.

There also isn't a clear path forward within our existing street petition program for a modification like this. The Street Improvement Petition Program provides citizens an opportunity to initiate improvements to non-standard streets that have not been identified in the City's Capital Improvement Program. Streets are considered as non-standard if they; do not include curb and gutter, are too narrow, or do not have an acceptable driving base or pavement. Including this project under the street petition program would be outside of the designed confines of the program unless modified by Council.

There would need to be a funding source identified within the capital program to initiate such a project and this could also set precedent for similar situations throughout the city. There is also not clear evidence that the neighborhood would be supportive of the removal of the greenspace in favor of additional on-street parking. Residents have added benches and tables to the area to serve as an active green space.



## Council Member Follow Up Items

### Follow Up from the February 20 City Council Meeting

#### Taxpayer Appeal Process (Council Member Thompson)

Staff Resource: Robin Rose, Finance, 996-4960, [robin.rose@raleighnc.gov](mailto:robin.rose@raleighnc.gov)

During the meeting, Council requested information about the criteria used to review taxpayer appeals listed in the *Property Tax Resolution* document presented in the Report of the City Clerk.

Property tax resolutions are submitted to the Council four to five times annually and are produced by the Wake County Tax Committee. Included with the *Weekly Report* packet is a staff memorandum describing the Wake County Tax Committee process, including details regarding the criteria used to review taxpayer appeals.

(Attachment)



*City of Raleigh*

NORTH CAROLINA

## MEMORANDUM

DATE: March 6, 2018  
TO: Ruffin Hall, City Manager  
FROM: Robin Rose, Assistant Financial Officer

SUBJECT: Wake County Tax Committee Appeals Process

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At the February 20th meeting, Council Member Thompson requested information about the procedures used to produce the Property Tax Resolution document presented in the City Clerk Report.

The Wake County Tax Committee is a body of local government employees who hear appeals from Wake County taxpayers. The Committee consists of three accounting/finance professionals selected from the Town of Cary, Wake County, and The City of Raleigh with no set term of service for committee members. The committee meets monthly to review tax payer appeals with input provided by Wake County staff. Tax Committee decisions are considered recommendations that are submitted to the Wake County Board of Commissioners for approval and submitted on a quarterly basis to the City of Raleigh Clerk's Office as a resolution on the City Council's meeting agenda. Review by the Tax Committee is the required first step of the formal appeal process. If the matter is not resolved at this level, the taxpayer may further appeal to the North Carolina Property Tax Commission, the North Carolina Court of Appeals, and ultimately the North Carolina Supreme Court.

Appeals brought before the Tax Committee fall into four general categories:

1. Denial of Tax Relief

The Wake County Revenue Department reviews applications for three types of tax relief:

- Exclusion: Elderly or Disabled Veteran
- Deferral: Circuit Breaker, historic building, agricultural, forestry, horticultural and wildlife conservation land use

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Weekly Report

**City of Raleigh**

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North Carolina 27602-0590

**(Mailing Address)**

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**Municipal Building**

222 West Hargett Street  
Raleigh, North Carolina 27601

March 9, 2018

- Exemption: Religious, Educational, Charitable Organizations, Builders Inventory

Application for tax exemption is generally denied for the following reasons:

- The applicant did not own the property on January 1st in the year for which exemption is sought
- The property was not in use as of January 1st in the year for which exemption is sought
- The property changed ownership without the timely filing of a corresponding exemption application

## 2. Relief of Late List Penalty

Individual and Business personal property not listed by the annual deadline is assessed a late list penalty which accrues 10% per year, up to a maximum of 60%. Relief from penalty is either granted in full, partially granted (usually at 50%) or denied.

Criteria for granting relief includes:

- Good history of timely filing
- No escape from taxation for any tax year due to the statute of limitations
- Taxpayer cooperation and forthrightness as per auditor recommendation

## 3. Adjustment of Property Valuation

Taxpayers who disagree with the assessed value of their property may appeal to the Tax Committee for a valuation adjustment. For these appeals the Committee extensively reviews tax records, surveys, maps, photos and comparable sales data for real property as well as market analysis, depreciation and obsolescence data, amongst other items for personal property to determine an appropriate value. Using this information, the Committee decides whether or not to adjust the value and determines the appropriate amount.

## 4. Relief of Prepared Food and Beverage Late Filing/Payment Penalty

Businesses that provide prepared food and beverages must report and remit a 1% gross receipts tax on those sales. If the filing and related payment is not received by Wake County Revenue by the monthly due date, a late penalty is applied. Criteria for deciding whether to relieve these penalties is substantially the same as those used to determine relief for late list penalties.

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