



Town Commission Agenda Results

Monday, March 7, 2016
7:00 PM

Location: 401 Old Honeycutt Road, Fuquay-Varina, NC 27526

BOARD OF COMMISSIONERS – REGULAR MEETING

Call to Order – *Mayor John W. Byrne*

Invocation – *Commissioner Adcock*

Pledge of Allegiance – *Mayor Pro-Tempore Massengill*

Approval of Minutes:

1. Approval of the minutes for the February 16, 2016, Regular and Town Board meeting. – *Approved by a vote 4-0*

Presentations:

2. Fuquay-Varina Fire and Police Explorers – 2016 Winterfest Skills Competition

Fire Chief Mauldin and Police Chief Fahnestock presented the results of the Police and Fire Explorers 2016 Winterfest Skills Competition, held in Gatlinburg, Tennessee. The Board congratulated members of both the Fire & Police Explorers for representing the Town well at this year's competition.

3. Bond Citizen Advocacy Committee

Mr. John Adcock gave a brief overview of the Bond Citizen Advocacy Committee's educational campaign for support of the proposed 2015 Bonds, and he recognized and commended members of the committee for their help in

raising funds for a successful bond referendum that was passed during the 2015 municipal election.

Public Comments:

4. **Mayor Byrne invited members of the audience who wished to address the board about any matter, which is not the subject of a public hearing, to come forward. Comments would be limited to three minutes in order that all who wish to may be heard in a timely manner. *Naomi Riley thanked Assistant Town Manager Matthews and Planning Director Sorensen for meeting with downtown business owners regarding proposed amendments to the mobile restaurant ordinance.***

Public Hearings

5. **Town Code Amendment, Part 9: Planning and Regulation of Development, Chapter 4: Zoning, Article H: Conditions for Uses Permitted, §9-4090.7: Mobile Restaurants – CTA-2016-01**

The purpose of this agenda item was to conduct a public hearing and consider a text amendment to Article H: Conditions for Uses Permitted §9-4090.7 Mobile Restaurants to amend and clarify location, operation and other regulatory standards for the operation of Mobile Restaurants. – *Adopted as recommended by staff by a vote of 4-0. Ordinance No. PZ-16-04*

6. **Zoning Petition – Jenkins Properties Limited Partnership – 9316 Fayetteville Road – PIN 0689603433 – REZ-2015-18**

The purpose of this item was to hold a public hearing and consider a petition to zone a total of 0.3638 acres at 9316 Fayetteville Road from the Wake County HD Zoning District to CDF II Downtown Fringe Commercial II Zoning District. – *Approved by a vote of 4-0*

7. **Rezoning Petition – Mauldin-Watkins Surveying, PA – Ernest H. and Ruelle S. Dickens Property – 302 Wagstaff Road – PIN 0656711353 – REZ-2015-19**

The purpose of this item was to hold a public hearing and consider a petition to rezone a total of 2.045 acres at 302 Wagstaff Road from the R-20 Residential

Agricultural District to R-8 Residential Multi-Family Zoning District. – *Approved by a vote of 4-0*

8. Zoning Petition – Ransdell, LLC, Cumalander Co., LLC and Brennan Way, LLC – PINs 0668538807, 0668535684, and 0668534844 – REZ-2015-20

The purpose of this item is to hold a public hearing and consider a petition to rezone a total of 8.296 acres along Hilltop Needmore Road and Sunset Lake Road from Wake County R-30 Zoning District to the Town of Fuquay-Varina CDF I Downtown Fringe Commercial I Zoning District. – *Approved by a vote of 4-0*

9. Zoning Petition – Hattie A. Mims Living Trust and James F. Kenney Trustee – 6513 Mims Road – PIN 0636936275 – REZ-2016-01

The purpose of this item is to hold a public hearing and consider a petition to zone a total of 10.53 acres at 6513 Mims Road from the Wake County R-30 Zoning District to the Town of Fuquay-Varina R-20 Residential Agricultural Zoning District. – *The Board motioned (by a vote of 4-0) to table consideration and to continue the public hearing until such time as water service to this property is resolved but no later than April 4, 2016.*

Consent Agenda

10. What is the board's pleasure on the items on the consent agenda?

All Items on the Consent Agenda were approved by a vote of 4-0 as follows:

A. Project Closures - Depot Culvert Project, Dog Park Project, Library Park Project, Pedestrian Master Plan Project, Stewart Street Improvements Project, and Stewart Street/Judd Parkway Traffic Signal Project – **Resolution No. 16-1405, 16-1406, 16-1407, 16-1408, 16-1409 & 16-1410**

B. Voluntary Annexation Petition – Resolution Instructing the Town Clerk to Investigate a Voluntary Annexation Petition and a Resolution Setting a Public Hearing for March 22, 2016 – Parkway Properties Group, LLC – 6308 Mims Road – PIN 0646230404 – ANX-2016-02 **Resolution No. 16-1411 & 16-1412**

- C. Utility Allocation – Sunset Bluffs Subdivision - Phase 4B - approved 5,625 gpd sewer & 5,625 gpd water.
- D. Temporary Street Closure – Stewart Street (from Broad Street to North Street) for the St. Patrick’s Day Event sponsored by Aviator on March 19, 2016

Administrative Reports:

11. Resolution – Affirming Support for a New Community Branch Library

The purpose of this agenda item was to consider adoption of a resolution expressing the Town’s position on a New Community Branch Library recommended by Wake County staff. – *Adopted the resolution as last presented by a vote of 3-1* **Resolution No. 16-1404**

12. Preliminary Plat – Broad Street Market at Sippihaw (Conventional Development) – N. Judd Parkway NE and 1810 James Slaughter Road – SUB-PR-2015-05 *At the request of the applicant, consideration of this item will be deferred to a future Town Board meeting. No action was taken by the Board.*

13. Preliminary Plat – Copper Pond (Conventional Development) – 3421 Piney Grove Wilbon Road and 5820 Sand Star Drive – SUB-PR-2015-06

The purpose of this agenda item was to consider a proposed subdivision submitted by Copper Pond Developers, LLC, called Copper Pond for a total of 50 single family lots located at 3421 Piney Grove Wilbon Road and 5820 Sand Star Drive on a site consisting of 10.64 acres. The site is zoned R20 Residential – Agricultural Zoning District. - *Approved by a vote of 4-0*

14. Preliminary Plat – Cedar 2015-08Crest (Conventional Development) – 6825 Sunset Lake Road – SUB-PR-

The purpose of this agenda item was to consider a proposed subdivision submitted by Robuck Homes, Inc. called Cedar Crest for a total of 59 single family lots located at 6825 Sunset Lake Road on a site consisting of 22.15 acres. The site is zoned R10 (CZD) Residential Single and Two Family Conditional Zoning District. - *Approved by a vote of 4-0*

15. Project Ordinance Amendment and Contract Award – Crowder Construction – Terrible Creek Wastewater Treatment Plant - \$27,379,000

The purpose of this agenda item was to consider a project ordinance amendment for funding the Terrible Creek Wastewater Treatment Plant Expansion and award a contract to Crowder Construction Company in the amount of \$27,379,000. *Approved by a vote of 4-0 Ordinance No. N-16-04*

16. Addendum to Contract – Hazen and Sawyer – Terrible Creek Wastewater Treatment Plant - \$2,307,198

The purpose of this agenda item was to review a proposed Amendment to the Agreement for Professional Services for Wastewater Treatment Expansion form Hazen and Sawyer for Construction Administration Services and Material Testing. - *Approved subject to review of the Town Attorney by a vote of 4-0*

Other Business (Town Manager)

- Manager's Report – (Mitchell)
The Town received a NC Humanities Grant of the presentation of “Tar, Pitch & Turpentine” to be presented at Ashworth Park on May 14, 2016. (Recreation & Parks Director Jonathan Cox presented information.
- *Police Chief Fahnestock reported that she attended a celebration of Black History Month that was held at Faith Missionary Baptist Church.*
- Project Status Report (March 2016)
- Presentation of Town Hall Board Room Renovations – *Information Technology Director Scott Clark presented ideas for upgrades in the Town Board meeting room.*
- Main Street Conference – March 16-18, 2016 – Goldsboro, NC

- Easter Egg Hunt – Saturday, March 19, 2016 at 10:00 am at the South Park – Community Center.
- Rezoning Petition – Parkway Properties Group, LLC – PIN 0646230404 – REZ-2016-04 – *(First Reading)*

Other Business (Mayor and Town Board)

Mayor Pro-Tem Massengill *stated that he and his family will be participating in the Woman's Club Fashion show at the Shoppes on Main.*

Commissioner Adcock – *No comments*

Commissioner Harris – **Absent** *(attending the National League of Cities Conference in Washington, DC.)*

Commissioner Wunsch *commended Fuquay-Varina High School's athletics department for a great season in various sports. He also commended the Fuquay-Varina Fire Department for a great banquet this year.*

Commissioner Gardner *stated that she will also be participating in the upcoming Woman's Club Fashion Show. She also made positive comments about the new Town business cards with the new logo.*

Mayor Byrne *expressed his appreciation to John Deere Turf Care for the donation of a lawn mower to the Parks, Recreation and Cultural Resources Department.*

Closed Session

Pursuant to N.C.G.S. §143-318.11(a)(3) – Attorney Client Privilege, N.C.G.S. §143-318.11(a)(4) – Economic Development, N.C.G.S. §143-318.11(a)(5) – Property Acquisition and N.C.G.S. §143-318.11(a)(6) - Personnel

Open Session - *There was nothing to report out from the Closed Session meeting.*

Mayor Byrne recommended that the Town Board Rules of Procedure may need to be amended to possibly re-arrange the order of agendas.

Adjournment