



Town Commission Agenda Results

Monday, April 4, 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 Jason Wunsch*

Pledge of Allegiance – *Fire Chief Anthony Mauldin*

Approval of Minutes:

1. Approval of the minutes for the March 22, 2016, Regular and Town Board meeting.
– *Approved*

Presentations:

2. Presentation – Triangle J Council of Governments – *Mr. Lee Worsley, Executive Director of Triangle J Council of Governments presented information regarding services provided by the organization.*

Public Comments:

3. 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.

Jon Hansel, representing NC Missions of Mercy and the NC Dental Society presented information regarding a free dental clinic scheduled for July 29 and July 30, 2016 at the old Stephens Hardware Building, 405 East Broad Street. Volunteers are needed for this event. More information can be found at ncdental.org and click on the NC MOM link.

Ronald (Ron) Nawojczyk, 5700 Creekfall Lane, addressed the Board regarding the negative impact that the closing of the Crooked Creek Golf Course has had on the tax values of adjacent properties within the subdivision, and he asked the Board to deny a rezoning petition that is on the agenda for the first reading – REZ-2016-05.

Emily Holloway, 312 Angier Road, expressed concerns about the need for sidewalks along Hwy 55 from Windsor Point to Wal-Mart on Broad Street for safe pedestrian travel. She also stated that sidewalks are needed along Hwy 42 from Fleming Fields into town for the upcoming Balloon Festival.

Kenneth Boone, 1102 Green Knob Court (Fairways at Crooked Creek Subdivision) recommended that for the Board deny approval for the REZ-2016-05 rezoning case. This item is on tonight's agenda for its first reading. The Board will take action at a subsequent meeting regarding this petition.

Items Tabled From Previous Meeting:

4. Voluntary Annexation Petition – Hattie A. Mims Living Trust and James F. Kenney Trustee – 6513 Mims Road – PIN 0636936275 – ANX-2015-16

The purpose of this agenda item was to further continue a public hearing and table an item from a previous Town Board meeting (2.1.16), whereby the Board will be asked to eventually consider an ordinance extending the corporate limits of the Town of Fuquay-Varina following receipt of a petition for Voluntary Annexation of property owned by James F. Kenney, Trustee (Hattie A. Mims Living Trust) (PIN 0636936275) containing 10.53 acres and having access on Mims Road. *The Board motioned by a vote of 5-0 to continue the public hearing and tabled consideration until May 2, 2016.*

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

The purpose of this agenda item was to further continue a public hearing and table an item from a previous Town Board meeting (3.07.16), whereby the Board will be asked to eventually 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 5-0 to continue the public hearing and tabled consideration until May 2, 2016.*

6. Voluntary Annexation Petition – Parkway Properties Group, LLC – 6308 Mims Road – PIN 0646230404 and 0646225477 – ANX-2016-02

The purpose of this agenda item was to further continue a public hearing and table an item from a previous Town Board meeting (3.22.16), whereby the Board will be asked to eventually consider an ordinance extending the corporate limits of the Town of Fuquay-Varina following receipt of a petition for Voluntary Annexation of property owned by Parkway Properties Group, LLC. (PINs 0646230404 & 0646225477) containing 57.753 acres and having access on Mims Road. *The Board motioned by a vote of 5-0 to continue the public hearing and tabled consideration until May 17, 2016.*

7. Rezoning Petition – Duke Energy Progress, LLC – 4821 Wade Nash Road – PIN 0657496260 – REZ-2015-13

The purpose of this agenda item was to conduct a public hearing to consider a rezoning petition submitted by The John R. McAdams Company, Inc. on behalf of Duke Energy Progress, LLC for 12.28 acres of property located at 4821 Wade Nash Road from the Downtown Fringe Commercial II (CDFII) zoning district to Industrial (I) conditional zoning district. *After the close of the public hearing, the Board motioned by a vote of 5-0 to table the decision on the matter until May 2, 2016, in order to give the representatives from Duke Energy Progress more time to iron out concerns that were expressed by the residents of Springhill Subdivision.*

Public Hearing:

8. Zoning Petition – Hugh J. Gilleece – Parkway Properties Group LLC – 6308 Mims Road – PIN 0646230404 and 0646225477 – REZ-2016-04

The purpose of this item was to conduct a public hearing and consider a petition to zone a total of 56.20 acres at 6308 Mims Road from Wake County R-30 Zoning District to the Town of Fuquay-Varina R-10 (CZD) Residential Single and Two-Family Conditional Zoning District. *The Board motioned by a vote of 5-0 to continue the public hearing and tabled consideration until May 17, 2016.*

Consent Agenda

9. 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 5-0 as follows:

- A. Temporary Street Closure – Portion of Weststone Blvd. and Portion of N. Fuquay Springs Ave. – Willow Creek Homeowner’s Association – Spring Festival – May 21, 2016
- B. Temporary Street Closure – Portion of Depot Street – Downtown Revitalization – En Plein Air Art Auction – April 16, 2016
- C. Temporary Street Closure – Portion of Depot Street – Downtown Revitalization – Dinner on Depot – May 14, 2016

Administrative Reports:

10. Project Ordinance Amendment – Action Park Playground Equipment Replacement - \$50,000

The purpose of this agenda item was to consider a project ordinance amendment for the Action Park playground replacement project in the amount of \$50,000. – *Approved by a vote of 5-0 Ordinance No. N-16-05*

11. Project Ordinance Amendment and Contract Award - NC42 Pump Station #2 Rehabilitation – KBS Construction Company, LLC — \$195,500

The purpose of this agenda item was to consider approval of a project Ordinance amendment and award a construction contract to KBS Construction Company LLC in the amount \$195,500 for the rehabilitation of NC42 Pump Station #2. - *Approved by a vote of 5-0 Ordinance No. N-16-06*

Other Business (Town Manager)

- Manager’s Report
- Project Status Report (April 2016) (*distributed at the meeting*)
- Law and Finance Committee Meeting – Organization Requesting Funding – April 14, 2016 – 6:00 pm – Town Hall Board Room
- Teen Day – April 16, 2016 – 11:00-4:00 pm – South Park
- FM2FV Concert – Jim Quick and the Coastline Band – April 21, 2016 at Centennial Park from 6:30 -9:30 pm
- Senior Expo – Fire Station #1 – April 27, 2016 from 10:00 – 2:00 pm

- Rezoning Petition – Russell Killen – 4621 Shady Greens Drive - PIN 0678758191 – REZ-2016-05 – *(First Reading)*
- Rezoning Petition – John B. Adcock – 3628 Air Park Road - PIN 0688425475 – REZ-2016-06 – *(First Reading)*
- Rezoning Petition – Dan Ryan Builders – 260 Bramblehill Drive - PIN 0666575427 – REZ-2016-07 – *(First Reading)*
- Rezoning Petition – Timing is Everything, LLC – 2700 Jones Lake Road - PIN 0676229829 – REZ-2016-08 – *(First Reading)*
- Rezoning Petition – Tony M. Tate Landscape Architecture – 7221 Sunset Lake Road - PIN 0667531925 – REZ-2016-09 – *(First Reading)*

Town Manager Mitchell also reported on the following:

All First Readings will be presented to the Board for consideration in May.

The NC DOT paving project will be in progress in the downtown Fuquay area this week.

June 17, 2016 is Public Safety Night at the Five County Stadium in Zebulon, where Police Chief Laura Fahnestock will throw out the first ball.

The En Plein Air event is scheduled for April 15 and April 16, and the Dinner on Depot is scheduled for May 14, 2016.

Other Business (Mayor and Town Board)

Mayor Pro-Tem Massengill – *No comments*

Commissioner Adcock *stated that he likes the new youth sports uniforms with the Town's new logo.*

Commissioner Harris – *No Comments*

Commissioner Wunsch – *Go Tarheels!*

Commissioner Gardner *stated that the En Plein Art event will be expanded to two days this year, and she stated that she is looking forward to the event.*

Mayor Byrne – *No Comments*

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.*

A motion was made and seconded to authorize approval for preliminary engineering services for an At-Grade Public Railroad Crossing over Ideal Lane as presented and recommended by town staff. The remaining members of the Board voted (4-0) in favor of the motion. (Commissioner Charlie Adcock was recused earlier by the Board and excused from the meeting during this vote.)

Adjournment