



TOWN OF FUQUAY-VARINA
BOARD OF COMMISSIONERS REGULAR MEETING
JANUARY 02, 2018

CALL TO ORDER

Mayor John W. Byrne called the regular meeting of the Fuquay-Varina Board of Commissioners to order on January 2, 2018 at 7:00 p.m.

Commissioners Present: Blake Massengill (Mayor Pro-Tem)
Charlie Adcock
Bill Harris
Jason Wunsch
Marilyn Gardner

Commissioners Absent: None

Others Present: Town Manager Adam Mitchell
Assistant Town Manager Mark Matthews
Town Clerk Rose Rich
Town Attorney Mark Cumalander

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Pro-Tem Massengill provided the invocation and Commissioner Gardner led the Pledge of Allegiance.

APPROVAL OF THE MINUTES

The December 19, 2017, minutes of the regularly scheduled Town Board of Commissioners meeting, were presented for approval.

MOTION: Mayor Pro-Tem Massengill
SECOND: Commissioner Adcock
MOTION RESULT: Passed Unanimously (5-0)

PRESENTATIONS

Agenda Item No. 4.A: Recognition of Service on the Fuquay-Varina Planning Board - Ramey Beavers

Mayor Byrne recognized Ramey Beavers by presenting him a plaque for his service on the Planning Board between January 1, 2015 through December 31, 2017.

Agenda Item No. 4.B: Recognition of Service on the Fuquay-Varina Board of Adjustment - Thurman (Rudy) Collins

Mayor Byrne recognized Rudy Collins by presenting him a plaque for his service on the Board of Adjustment between January 1, 2008 through December 31, 2017.

PUBLIC COMMENTS:

There were no comments from the public.

ITEMS TABLED FROM PREVIOUS MEETING:

There were no items tabled from previous meeting.

PUBLIC HEARINGS:

Agenda Item No. 7.A: Voluntary Annexation Petition - Hobby and Davenport - 235 Coley Farm Road - PIN 0656480178 - ANX-2017-23

Purpose – To consider the adoption of an annexation ordinance extending the corporate limits of the Town of Fuquay-Varina following receipt of a voluntary annexation petition of property owned by Colon W. Hobby and Roger L. Davenport located at 235 Coley Farm Road, (PIN 0656480178).

Staff Comments – Town Manager Mitchell entered the agenda abstract and supporting documents for this agenda item in the official record of the Town. He then provided general information about the subject property and advised that the voluntary annexation petition was certified by the Town Clerk as being sufficient and meeting the requirements prescribed by the North Carolina General Statutes.

Public Hearing – The public hearing was opened and closed. No one from the public chose to speak in favor of or against the voluntary annexation petition.

Board Member Discussion – There was no discussion from members of the Town Board regarding this matter.

Recommendation – Adopt the voluntary annexation ordinance extending the corporate limits of the Town of Fuquay-Varina to include property owned by Colon W. Hobby and Roger L. Davenport, PIN 0656480178, (ANX-2017-23) as presented and recommended.

MOTION: Mayor Pro-Tem Massengill
SECOND: Commissioner Gardner
MOTION RESULTS: Passed Unanimously (5-0) **Ordinance No. N-18-01**

Agenda Item No. 7.B: Voluntary Annexation Petition - John Palmer Elliott Heirs
- 1455 Bowling Road - PIN 0655986592 - ANX-2017-25

Purpose – To consider the adoption of a voluntary annexation ordinance extending the corporate limits of the Town of Fuquay-Varina following receipt of a petition for voluntary annexation of property owned by John Palmer Elliott, Heirs located at 1455 Bowling Road, PIN 0655986592.

Staff Comments – Town Manager Mitchell entered the agenda abstract and supporting documents for this agenda item in the official record of the Town. He then provided general information about the subject property and advised that the voluntary annexation petition was certified by the Town Clerk as being sufficient and meeting the requirements prescribed by the North Carolina General Statutes.

Public Hearing – The public hearing was opened and closed. No one from the public chose to speak in favor of or against the voluntary annexation petition.

Board Member Discussion – There was no discussion from members of the Town Board regarding this matter.

Recommendation – Adopt the voluntary annexation ordinance to extend the corporate limits of the Town of Fuquay-Varina to include property owned by John Palmer Elliott, Heirs, PIN 0655986592, (ANX-2017-25) as presented and recommended.

MOTION: Mayor Pro-Tem Massengill
SECOND: Commissioner Wunsch
MOTION RESULTS: Passed Unanimously (5-0) **Ordinance No. N-18-02**

Agenda Item No. 7.C: Voluntary Annexation Petition - Robert Crabtree Builder, Inc. - 9207, 9211 and 9215 Purfoy Road - PINs 0665646226, 0665646116 and 0665645096 - ANX-2017-20

Purpose – To consider the adoption of a voluntary annexation ordinance extending the corporate limits of the Town of Fuquay-Varina following receipt of a petition for voluntary annexation of property owned by Robert Crabtree Builder, Inc. located at 9207, 9211 and 9215 Purfoy Road, PINs 0665646226, 0665646116 and 0665645096.

Staff Comments – Town Manager Mitchell entered the agenda abstract and supporting documents for this agenda item in the official record of the Town. He then provided general information about the subject property and advised that the voluntary annexation petition was certified by the Town Clerk as being sufficient and meeting the requirements prescribed by the North Carolina General Statutes.

Public Hearing – The public hearing was opened and closed. Robert Crabtree of Robert Crabtree Builders, Inc. spoke in favor of the voluntary annexation petition stating that he planned to build three custom built single-family homes on each lot.

Board Member Discussion – There was no discussion from members of the Town Board regarding this matter.

Recommendation – Adopt the voluntary annexation ordinance to extend the corporate limits of the Town of Fuquay-Varina to include property owned by Robert Crabtree Builder, Inc., PINs 0665646226, 0665646116, and 0665645096, (ANX-2017-20), and approve the annexation agreements as presented and recommended.

MOTION: Commissioner Wunsch
SECOND: Mayor Pro-Tem Massengill
MOTION RESULTS: Passed Unanimously (5-0) **Ordinance No. N-18-03**

Agenda Item No. 7.D: Zoning Map Amendment - Mauldin Watkins Surveying - 9207, 9211, and 9215 Purfoy Road - PINs 0665646226, 0665646116, and 0665645096 - REZ-2017-32

Purpose – To consider a requested zoning map amendment for property located at 9207, 9211, and 9215 Purfoy Road, from the Wake County R-30 Zoning District to the Residential Low Density (RLD) Zoning District.

Staff Comments – Town Manager Mitchell entered the agenda abstract and supporting documents for this agenda item in the official record of the Town. He then provided general information about the subject property to include property description, existing and requested zoning, surrounding land uses, relation to the town's land use plan, utilities, transportation impacts, and the neighborhood meeting requirement.

Town Manager Mitchell then described the recommendation from management and staff to approve the proposed zoning map amendment. He stated that it is reasonable and in the best interest of the public for the following reasons:

- 1) The requested zoning map amendment, RLD, is consistent with the 2035 Community Vision Land Use Plan designation of Large-Lot Residential.
- 2) The requested zoning map amendment will provide for more consistent development in this area as it would expand the RLD Zoning District that is currently adjacent to the subject properties.

At the December 18, 2017 regular meeting, the Planning Board unanimously voted to recommend approval.

Public Hearing – The public hearing was open and closed. No one from the public chose to speak in favor or opposition to the proposed zoning map amendment.

Board Member Discussion – There was no discussion from members of the Town Board regarding this matter.

Recommendation – Approve REZ-2017-32, a zoning map amendment at 9207, 9211, and 9215 Purfoy Road, from the Wake County R-30 Zoning District to the Residential Low Density (RLD) Zoning District. The proposed zoning map amendment is consistent with the 2035 Community Vision Land Use Plan and is reasonable and in the best interest of the public for the reasons identified by staff.

MOTION: Mayor Pro-Tem Massengill
SECOND: Commissioner Harris
MOTION RESULTS: Passed Unanimously (5-0)

Agenda Item No. 7.E: Zoning Map Amendment - Mauldin Watkins Survey - 2205 Terri Creek Drive - Portion of PIN 0677688748 - REZ-2017-31

Purpose – To consider a requested zoning map amendment for a total of 30.341 acres, located at 2205 Terri Creek Drive, from the Residential Agricultural (RA) Zoning District and General Commercial (GC) Zoning District to the Residential Medium Density (RMD) Zoning District. The petitioner has also requested a land use plan amendment for the subject property.

Staff Comments – Town Manager Mitchell entered the agenda abstract and supporting documents for this agenda item in the official record of the Town. He then provided general information about the subject property to include property description, existing and requested zoning, surrounding land uses, relation to the town’s land use plan, utilities, transportation impacts, the neighborhood meeting requirement, and the land use plan amendment petition.

Town Manager Mitchell then described the recommendation from management and staff to approve the proposed zoning map amendment. He stated that it is reasonable and in the best interest of the public for the following reasons:

- 1) Although the zoning map amendment is not consistent with the 2035 Community Vision Land Use Plan (LUP) designation of Mixed-Use Neighborhood (MUN), the request only applies to a portion of the property and a LUP amendment request accompanies the petition. The majority of the larger tract will remain in the MUN Land Use Designation.
- 2) The requested zoning map amendment provides for use of the subject property that is compatible with the surrounding community.

Town Manager Mitchell went on to say that management and staff further recommend approval of the requested land use plan amendment for the same reasons identified in support of the requested zoning map amendment.

At the December 18, 2017 regular meeting, the Planning Board voted 6-1 to recommend approval.

Mayor Pro-Tem Massengill requested to be recused from discussion and voting on the subject matter due to a conflict of interest (financial).

MOTION: Commissioner Wunsch
SECOND: Commissioner Gardner
MOTION RESULTS: Passed Unanimously (4-0)

Commissioner Wunsch inquired if the subject property would allow for commercial uses. Town Manager Mitchell advised that a small portion was currently zoned General Commercial and would allow for certain commercial uses by right. Commissioner Wunsch then inquired about density in the RMD zoning district.

Public Hearing – The public hearing was open and closed. Don Curry, Curry Engineering, and Wayne Massengill, 6600 Brookshire Drive – Fuquay-Varina, spoke in favor of the zoning map and land use plan amendment petition. Mr. Curry stated that the proposed zoning and development will provide a reasonable transition between existing residential and future commercial along Hwy 401. Mr. Massengill stated that the proposed development is likely to increase surrounding property values rather than diminish them. Jason Maslow, 2332 Forest Bluffs Drive and Joseph Rooks, 2208 Briland Court, spoke in opposition to the proposed zoning map and land use plan amendment petition. They stated safety, neighborhood amenities, and property tax value as reasons for their opposition as well as general policy disagreement.

Board Member Discussion – Commissioner Harris inquired if the property in question is being used for farming. Town Manager Mitchell advised that it was undeveloped land. Commissioner Wunsch again questioned the potential for commercial use on the property as it is currently zoned. He asked Town Manager Mitchell to give examples of commercial uses allowed by right in the General Commercial zoning district. Town Manager Mitchell provided several examples. Commissioner Wunsch stated that he was satisfied to hear that the proposed development will bring a quality product home to the property. Commissioner Adcock stated reasons he is comfortable with the zoning map amendment and cited the eventual future connection to Hwy 401 as being positive. Commissioner Harris stated that he would support the proposed amendment.

Recommendation – Approve REZ-2017-31, a zoning map amendment at 2205 Terri Creek Drive, from the Residential Agricultural (RA) Zoning District and General Commercial (GC) Zoning District to the Residential Medium Density Residential (RMD) Zoning District. Although the proposed zoning map amendment is not consistent with the 2035 Community Vision Land Use Plan, it is reasonable and in the best interest of the public for reasons identified by staff. This motion includes approval of the requested amendment to the 2035 Community Vision Land Use Plan to Small Lot Residential.

MOTION: Commissioner Adcock
SECOND: Commissioner Harris
MOTION RESULTS: Passed Unanimously (4-0)

Agenda Item No. 7.F: Zoning Map Amendment - Gala Construction - 411
Conover Street - PIN 0656792505 - REZ-2017-33

Purpose – To consider a requested zoning map amendment for a total of 0.26 acres, located at 411 Conover Street, from the Residential Medium Density (RMD) Zoning District to the Town Center Residential (TCR) Zoning District.

Staff Comments – Town Manager Mitchell entered the agenda abstract and supporting documents for this agenda item in the official record of the Town. He then provided general information about the subject property to include property description, existing and requested zoning, surrounding land uses, relation to the town’s land use plan, utilities, transportation impacts, and the neighborhood meeting requirement.

Town Manager Mitchell then described the recommendation from management and staff to approve the proposed zoning map amendment. He stated that it is reasonable and in the best interest of the public for the following reasons:

- 1) The requested zoning map amendment, Town Center Residential, is consistent with the 2035 Community Vision Land Use Plan designation of Town Center Residential.
- 2) The requested zoning district provides for a transition of uses and density from the Office & Institutional Zoning Districts that are on either side of the current residential neighborhood.
- 3) The requested zoning district provides for residential infill development to support the downtown center districts.

At the December 18, 2017 regular meeting, the Planning Board unanimously voted to recommend approval.

Public Hearing – The public hearing was open and closed. No one from the public chose to speak in favor or opposition to the proposed zoning map amendment.

Board Member Discussion – Mayor Pro-Tem Massengill expressed pleasure that the Lincoln Heights neighborhood was experiencing new investments. Commissioner Adcock also expressed that it was nice to see that the neighborhood is transforming.

Recommendation – Approve REZ-2017-33, a zoning map amendment at 411 Conover Street, from the Residential Medium Density (RMD) Zoning District to the Town Center Residential (TCR) Zoning District. The proposed zoning map amendment is consistent with the 2035 Community Vision Land Use Plan and is reasonable and in the best interest of the public for the reasons identified by management and staff.

MOTION: Mayor Pro-Tem Massengill
SECOND: Commissioner Wunsch
MOTION RESULTS: Passed Unanimously (5-0)

Agenda Item No. 7.G: Zoning Map Amendment - Jim Minor - 414 SW Judd
Parkway; 500 Fleming Loop Road - PINs 0656650334 and
0656555365 - REZ-2017-34

Purpose – To consider a requested zoning map amendment for a total of 17.09 acres, located at 414 SW Judd Parkway and 500 Fleming Loop Road, from the Residential Medium Density Conditional Zoning District (RMD-CZD) to the General Commercial

Conditional Zoning District (GC-CZD). The petitioner has also requested a land use plan amendment for the subject property.

Staff Comments – Town Manager Mitchell entered the agenda abstract and supporting documents for this agenda item in the official record of the Town. He then provided general information about the subject property to include property description, existing and requested zoning, surrounding land uses, relation to the town’s land use plan, utilities, transportation impacts, the neighborhood meeting requirement, and the land use plan amendment petition.

Town Manager Mitchell described the conditions proposed by the petitioner as follows:

- Prohibition of the following uses:
Live/Work Unit; Assembly Uses; Parking Deck; Transit Terminal; Vehicle/Charter Services; Public Utility Buildings/Use; All Adult Uses; Hotel/Motel/Extend Stay Facility; Beach Bingo; Golf Course; Brew Pub; Convenience Cash Business; Convenience Store/Kiosk; Funeral Home; Pawnshop; Retail, Bulk Goods; Retail, Vehicle Parts & Accessories; Shopping Center; Tire Sales & Service; Upholstery Shop; Vehicle, Equipment, Manufactured Home Sales & Service; Special Trade Contractor; Wholesale Trade; Mobile Units; Kennels.

- Applicable conditions as to the use of the subject property:
 - 25% of land undisturbed.
 - No outdoor storage on the site.
 - Type A landscape buffering on the southern and eastern boundaries of the project with 50 feet on the southern and 40 feet on the eastern side.
 - Lighting will be no more than 20 feet in height and will contain full cutoff fixtures that emit light at 45 degrees or less to the ground.
 - Building materials will be of neutral colors and materials used will be in harmony with the Town's requirements per Section 9-1356 of the LDO.

Town Manager Mitchell then described the recommendation from management and staff to approve the proposed zoning map amendment. He stated that it is reasonable and in the best interest of the public for the following reasons:

- 1) Although the requested zoning map is not consistent with the 2035 Community Vision Land Use Plan designation of Small-Scale Commercial Center and Small-Lot Residential, the Land Use Plan amendment would correct the split land use designations on the subject property.
- 2) The requested zoning map amendment will allow for the entirety of the subject property to be developed in a consistent manner.
- 3) The requested zoning map amendment will create opportunities for commercial establishments to serve the neighboring residential communities.

Town Manager Mitchell went on to say that management and staff further recommend approval of the requested land use plan amendment for the same reasons identified in support of the requested zoning map amendment.

At the December 18, 2017 regular meeting, the Planning Board unanimously voted to recommend approval.

Public Hearing – The public hearing was opened and closed. Mr. Jim Minor, petitioner, spoke in favor of the zoning map and land use plan amendment on behalf of the

property owner. No one chose to speak in opposition to the zoning map and land use plan amendment.

Board Member Discussion – Commissioner Adcock thanked the petitioner for doing a good job addressing the concerns of adjoining and neighboring property owners as evidenced during the public hearing.

Recommendation – Approve REZ-2017-34, a zoning map amendment at a portion of both 414 SW Judd Parkway and 500 Fleming Loop Road, from the Residential Medium Density Conditional Zoning District (RMD-CZD) to the General Commercial Conditional Zoning District (GC-CZD). Although the proposed zoning map amendment is not consistent with the 2035 Community Vision Land Use Plan, it is reasonable and in the best interest of the public for the reasons identified by management and staff. This motion includes approval of the requested amendment to the 2035 Land Use Plan to Small Scale Commercial on the portion of PIN 0656650334 south of Judd Parkway.

MOTION: Mayor Pro-Tem Massengill
SECOND: Commissioner Wunch
MOTION RESULTS: Passed Unanimously (5-0)

Agenda Item No. 7.H: Voluntary Town Code Amendment - Amendment
Addressing Recent Statutory Changes - CTA-2017-06

Purpose – To consider a proposed text amendment to the Town Code of Ordinances, Part 9 Land Development Ordinance, addressing recent statutory changes.

Staff Comments – Town Manager Mitchell entered the agenda abstract and supporting documents for this agenda item in the official record of the Town. Town Manager Mitchell then stated that the amendment identifies and proposes changes to the adopted Land Development Ordinance (LDO). A portion of these proposed changes are a direct result of recent statutory changes made by the North Carolina General Assembly and lessons learned since the Land Development Ordinance took effect in December 2016.

Town Manager Mitchell described the first change as being amendment to the table of permitted uses only allowing schools as a permitted use in the O&I zoning district. He advised that the amendment will provide for uniformity in the zoning of educational facilities within the Town’s planning jurisdiction and more predictability as to the future use and development of property while streamlining the approval process for school renovations, expansions, or new construction.

Town Manager Mitchell then explained that Session Law 2017-159, An Act to Reform Collocation of Small Wireless Communications Infrastructure to Aid in Deployment of New Technologies, allows for what are called "small wireless facilities" in public right-of-way and on private property, where such small wireless facilities meet certain criteria, as outlined by the law. Town staff is proposing an amendment in order to effectively regulate these small wireless facilities to the extent possible. This amendment addresses recent statutory changes and lessons learned over the first year under the Town's Land Development Ordinance, and is proposed by management and staff in order to ensure the continued protection of the public health, safety and general welfare for all citizens of the Town.

At the December 18, 2017 regular meeting the Planning Board unanimously recommended approval.

Public Hearing – The public hearing was opened and closed. No one from the public chose to speak in favor of or against the town code amendment.

Board Member Discussion – There was no discussion from members of the Town Board regarding this matter.

Recommendation – To Approve CTA-2017-06, an amendment to the Town Code addressing recent statutory changes, as it is reasonable and in the best interest of the public for the reasons identified by management and staff. The proposed code text amendment is further consistent with the Town's Land Development Ordinance, 2035 Community Vision Land Use Plan, and 2035 Community Transportation Plan.

MOTION: Commissioner Wunsch

SECOND: Commissioner Harris

MOTION RESULTS: Passed Unanimously (5-0)

Ordinance No. PZ-18-01

Agenda Item No. 7.I: Zoning Town Code Amendment - RMU Setback - Royal Creek / Cambridge Properties - CTA-2017-05 - - (APPLICATION WITHDRAWN)

Purpose – The purpose of this agenda item is to acknowledge that the petitioner has withdrawn a petition for a text amendment to the Town Code of Ordinances, Part 9 Land Development Ordinance, Appendix B RMU, NMU, & UMU Form-Based Districts, Section 9-3013 Lot Standards. The petitioner submitted a written request to withdraw the petition after the public hearing was advertised, therefore this item is provided for information only.

Staff Comments – Town Manager Mitchell entered the agenda abstract and supporting documents for this agenda item in the official record of the Town. He then informed the Board that the petitioner withdrew their application on December 18, 2018 and recommended that the Board take no further action.

The Town Board accepted the withdrawn application with no further action taken.

Agenda Item No. 7.J: Zoning Map Amendment - Corporation for Educational Partnerships - 5202 Spence Farm Road - PIN 0657360697 - REZ-2017-30 - (ITEM TO BE TABLED)

Purpose – To consider a requested zoning map amendment for a total of 20.05 acres, located at 5202 Spence Farm Road, from the Residential Agricultural (RA) Zoning District to the Office & Institutional Conditional Zoning District (O&I-CZD).

Staff Comments – Town Manager Mitchell entered the agenda abstract and supporting documents for this agenda item in the official record of the Town. He then advised that the petitioner has submitted a written request seeking the Town Board to continue the public hearing and table consideration of the zoning map and land use plan amendment until January 16, 2018. Town Manager Mitchell reported that the petitioner is

requesting more time to evaluate proposed conditions and address concerns identified by the Planning Board and town staff.

At the December 18, 2017 regular meeting, the Planning Board unanimously voted to recommend denial.

Commissioner Wunsch requested to be recused from discussion and voting on the agenda item due to a conflict of interest (legal representative of petitioner).

MOTION: Commissioner Harris
SECOND: Mayor Pro-Tem Massengill
MOTION RESULTS: Passed Unanimously (4-0)

Public Hearing – The public hearing was opened. No one from the public chose to speak in favor of or in opposition to the zoning map and land use plan amendment.

Board Member Discussion – There was no discussion from members of the Town Board regarding this matter.

Recommendation –Continue the public hearing and table consideration of REZ-2017-30, a zoning map amendment at 5202 Spence Farm Road, from the Residential Agricultural (RA) Zoning District to the Office & Institutional Conditional Zoning District (O&I-CZD) to January 16, 2018.

MOTION: Mayor Pro-Tem Massengill
SECOND: Commissioner Gardner
MOTION RESULTS: Passed Unanimously (4-0)

CONSENT AGENDA

Agenda Item No. 8.A: Reimbursement Voluntary Annexation Petition - Barbara S. Cummings & Royal Mark David King Property (Royal Creek) - 8020 Daddy Road, 7700 Ten Ten Road, 7512 Ten Ten Road, 0 Gelder Drive and 0 Daddy Road - PIN 0689762851, 0689763862, 0689764863,0689765864, 0689766875, 0689872552, 0689873734, 0689874930, 0689875970,0689873748, 0689873863, 0689873877, 0689871260, 0689873272, 0689873142, 0689778086, 0689873157, Portion of 0689776508, Portion of 0689884196, Portion of 0689784626 - ANX-2017-14

Purpose – To consider the adoption of a resolution instructing the Town Clerk to investigate an annexation petition and to adopt a resolution setting a public hearing for January 16, 2018, following the receipt of a petition for voluntary annexation of property owned by Barbara S. Cummings and Royal Mark David King located at 8020 Daddy Road, 7700 Ten Ten Road, 7512 Ten Ten Road, 0 Gelder Drive and 0 Daddy Road.

Recommendation – Adopt the resolution instructing the Town Clerk to investigate the voluntary annexation petition, and adopt the resolution setting the public hearing for a voluntary annexation petition on January 16, 2018, for property owned by Barbara S. Cummings and Royal Mark David King (ANX-2017-14) as presented and recommended.

Resolution No. 18-1504

Resolution No. 18-1505

Agenda Item No. 8B: Voluntary Annexation Petition - Calvary Baptist Temple Church - 7900 Ten-Ten Road - portion of PIN 0689878532 - ANX-2017-22

Purpose – To consider the adoption of a resolution instructing the Town Clerk to investigate an annexation petition and to adopt a resolution setting a public hearing for January 16, 2018, following the receipt of a petition for voluntary annexation of property owned by Calvary Baptist Temple Church located at 7900 Ten-Ten Road.

Recommendation – Adopt the resolution instructing the Town Clerk to investigate the voluntary annexation petition, and adopt the resolution setting the public hearing for a voluntary annexation petition on January 16, 2018, for property owned by Calvary Baptist Temple Church (ANX-2017-22) as presented and recommended.

Resolution No. 18-1506

Resolution No. 18-1507

Agenda Item No. 8.C: Voluntary Annexation Petition - Walters, Johnston and Bailey Property - 8816 Purfoy Road and 1501 Angier Road - PIN 0665578802 and 0665377006 - ANX-2017-21

Purpose – To consider the adoption of a resolution instructing the Town Clerk to investigate an annexation petition and to adopt a resolution setting a public hearing for January 16, 2018, following the receipt of a petition for voluntary annexation of property owned by Kenneth R. Walters, Christopher D. Walters, Nancy B. Johnston, Kenneth B. Bailey III and Jennifer R. Bailey.

Recommendation – Adopt the resolution instructing the Town Clerk to investigate the voluntary annexation petition, and adopt the resolution setting the public hearing for a voluntary annexation petition on January 16, 2018, for property owned by Kenneth R. Walters, Christopher D. Walters, Nancy B. Johnston, Kenneth B. Bailey III and Jennifer R. Bailey (ANX-2017-21) as presented and recommended.

Resolution No. 18-1508

Resolution No. 18-1509

Agenda Item No. 8D: Voluntary Annexation Petition - I Am Revealed, LLC - 7005 Kennebec Road - PIN 0687011299 - ANX-2017-24

Purpose – To consider the adoption of a resolution instructing the Town Clerk to investigate an annexation petition and to adopt a resolution setting a public hearing for January 16, 2018, following the receipt of a petition for voluntary annexation of property owned by I Am Revealed, LLC, located at 7005 Kennebec Road, Willow Springs.

Recommendation - Adopt the resolution instructing the Town Clerk to investigate the voluntary annexation petition, and adopt the resolution setting the public hearing for a voluntary annexation petition on January 16, 2018, for property owned by I Am Revealed, LLC (ANX-2017-24) as presented and recommended.

Resolution No. 18-1510

Resolution No. 18-1511

Agenda Item No. 8.E: Town Code Amendment - Four Way Stop - Sippihaw Oaks Drive and Walapai Drive

Purpose – To consider the approval of a Town Code ordinance amendment to establish a four way stop at the intersection of Sippihaw Oaks Drive and Walapai Drive in the Oaks of Sippihaw subdivision.

Recommendation – Adopt an ordinance amendment to the Town Code establishing a four way stop at the intersection of Sippihaw Oaks Drive and Walapai Drive as recommended and presented.

Ordinance No. M-18-01

Agenda Item No. 8F: Resolution - Law Enforcement Service Weapon Retirement Award - Lieutenant Wayne Sorensen

Purpose – To consider adopting a resolution thereby awarding Wayne Sorensen his service weapon upon his retirement from the Town of Fuquay-Varina and the Fuquay-Varina Police Department as a Police Lieutenant.

Recommendation – Adopt the Resolution authorizing the award of a law enforcement service weapon to Police Lieutenant Wayne Sorensen in recognition of retirement from the Fuquay-Varina Police Department as recommended and presented.

Resolution No. 18-1512

Agenda Item No. 8G: Ordinance Amendment - Speed Limit Reduction - Jones Lake Road from 35 to 25 mph from Fuquay-Varina Parkway to Long Lake Drive

Purpose – To consider a request by the South Lakes HOA to reduce the speed limit on Jones Lake Road from 35 mph to 25 mph for the section of Jones Lake Road east of Fuquay-Varina Parkway to Long Lake Drive.

Recommendation – Adopt the Town Code ordinance amendment to change the speed limit on Jones Lake Road from Fuquay-Varina Parkway to Long Lake Drive from 35 mph to 25 mph.

Ordinance No. M-18-02

Agenda Item No. 8H: Budget Amendment - Duke Energy - Energy Incentive - Parks, Recreation, and Cultural Resources Department - \$3,000 - BA-2018-17

Purpose – To consider approval of budget amendment BA-2018-17 recognizing energy incentive funds from Duke Energy in the amount of \$3,000 for the installation of LED lights at W. O. Council Gymnasium.

Recommendation – Approve budget amendment BA-2018-17 as presented and recommended.

Agenda Item No. 8I: Budget Amendment - Insurance Proceeds from Hail Damage - Parks, Recreation and Cultural Resources, Fire and Engineering - \$62,763.00 - BA-2018-18

Purpose – To consider recognizing funds from insurance proceeds due to hail damage that occurred on 9-1-2017 that damaged vehicles in Parks and Recreation Department, Fire and Engineering.

Recommendation – Approve Budget Amendment BA-2018-18, recognizing funds from The NC League of Municipalities for storm hail damage as presented and recommended.

Agenda Item No. 8J: Surety / Letter of Credit - Sunset Bluffs Phases 5B, 7, 8, 10 and 14 - Landscaping Delay of Installation - \$33,993.75

Purpose – To consider a surety request for delay of landscaping improvements for the Sunset Bluffs Phases 5B, 7, 8, 10 and 14 in the amount of \$33,993.75.

Recommendation – Approve the underlying agreement and acceptance of a surety for Sunset Bluffs Phases 5B, 7, 8, 10 and 14 in the amount of \$33,993.75 as recommended and presented subject to Town Attorney review as to form.

A motion was made to approve all items (A-J) on the Consent Agenda as recommended.

MOTION: Mayor Pro-Tem Massengill
SECOND: Commissioner Wunsch
MOTION RESULTS: Passed Unanimously (5-0)

ADMINISTRATIVE REPORTS

There were no administrative reports for the January 2, 2018 Town Board meeting.

OTHER BUSINESS

- A. Manager's Report
 - Town Manager Mitchell reported that single family permits issued in the 2017 calendar year exceeded that of the year prior (626 to 612).
- B. Project Status Report (January 2018)
- C. 14th Annual Rev. Dr. Martin Luther King, Jr. Celebration – Cultural Arts Society of Fuquay-Varina – January 15, 2018
- D. Zoning Map Amendment - Cambridge Properties - 8020 Daddy Road, 0 Daddy Road, 0 Gelder Drive, 7700 Ten Ten Road, and 7512 Ten Ten Road - PINs 0689884196, 0689872552, 0689762851, 0689776508, 0689766875, 0689873877, 0689873734, 0689874930, 0689873272, 0689765864, 0689763862, 0689871260, 0689873142, 0689764863, 0689778086, 0689875970, 0689873863, 0689873748, 0689873157, Portion of 0689784626, and Portion of 0689878532 - REZ-2017-18 - (FIRST READING) - (Mitchell/Matthews/Smith)
- E. Zoning Map Amendment - Withers and Ravenel - 1501 Angier Road and 8816 Purfoy Road - PIN 0665377006 and 0665578802 - REZ-2017-35 - (FIRST READING) - (Mitchell/Matthews/Smith)
- F. Zoning Map Amendment - I Am Revealed, LLC - 7005 Kennebec Road - PIN 0687011299 - REZ-2017-36 - (FIRST READING) - (Mitchell/Matthews/Smith)

Mayor Byrne recommended the appointment of Danielle Cebak to the Parks, Recreation, and Cultural Resources Advisory Board as an ETJ Alternate member. He asked that the Town Board ratify his appointment.

MOTION: Commissioner Wunsch
SECOND: Commissioner Harris
MOTION RESULTS: Passed Unanimously (5-0)

TOWN BOARD MEMBER COMMENTS

Mayor Pro-Tem Massengill wished everyone a wonderful New Year for 2018.

Commissioner Adcock stated that he had no further comments or business to discuss.

Commissioner Harris wished everyone a Happy New Year.

Commissioner Wunsch thanked everyone that has been helping him with his Master of Public Administration program and he announced that he is being inducted into the Honor Society.

Commissioner Gardner stated that there are many exciting happenings coming for the new year and she wished everyone a Happy New Year.

Mayor Byrne reminded everyone of the upcoming Law & Finance Committee meeting to discuss the government facilities project that is scheduled for Thursday, January 4, 2018 at 8:30 a.m. at Town Hall.

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, and N.C.G.S. 143-318.11 (a) (5) Property Acquisition

A motion was made to enter a closed session meeting at 8:52 p.m.

MOTION: Mayor Pro-Tem Massengill
SECOND: Commissioner Wunsch
MOTION RESULTS: Passed Unanimously (5-0)

OPEN SESSION – There was nothing to report out from the closed session meeting.

ADJOURN

A motion was made to adjourn the meeting at 9:14 p.m.

MOTION: Mayor Pro-Tem Massengill
SECOND: Commissioner Wunsch
MOTION RESULTS: Passed Unanimously (5-0)

Adopted this the 16th day of January 2018 in Fuquay-Varina, North Carolina.

FUQUAY-VARINA, NORTH CAROLINA

John W. Byrne, Mayor

ATTEST:

(TOWN SEAL)

Rose H. Rich, Town Clerk

