



**TOWN OF FUQUAY-VARINA
BOARD OF COMMISSIONERS REGULAR MEETING
FEBRUARY 6, 2017**

CALL TO ORDER

Mayor John W. Byrne called the regular meeting of the Fuquay-Varina Board of Commissioners to order on February 6, 2017 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

Commissioner Charlie Adcock gave the invocation and the Fuquay-Varina High School Gymnastics Team led the Pledge of Allegiance.

APPROVAL OF THE MINUTES

The January 17, 2017, minutes of the regularly scheduled Town Board of Commissioners meeting, were presented for approval

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

PRESENTATIONS

Agenda Item No. 4.A: Presentation - Law Enforcement Community Engagement Video - The Other Side

Town Manager Mitchell stated that staff wanted to share another video from the series “The Other Side”, which were compiled for the purpose of encouraging greater communication between the youth in the community and the Police Department. The video presented involves a Fuquay-Varina High School student and Police Officer David Taylor.

Agenda Item No. 4.B: Recognition - Fuquay-Varina High School Gymnastics Team - State Champions

Mayor Byrne recognized and presented a certificate of recognition to the Fuquay-Varina High School Gymnastics Team for winning the 2017 North Carolina High School State Championship in the Large Team gymnastics division. The competition was held in Raleigh, North Carolina. Mayor Byrne also recognized Gymnastics Coach Stacey Amey who has been coaching the Bengal’s Gymnastic Team since its inception four years ago. Coach Amey presented information regarding the team’s accomplishments and she also commended gymnast Haven Haswell for winning the all-around individual competition. The Town Board congratulated the Team for their exceptional season and big win.

PUBLIC COMMENT

Mr. Douglas Pfitzenmair, 624 Near Post Drive, expressed his opposition to the Town Board’s decision to approve the zoning map amendment (REZ-2016-30) for Reliabuilt, LLC, located off Fleming Loop Road.

PUBLIC HEARINGS

Agenda Item No. 7.A: Zoning Map Amendment - Tony M. Tate Landscape Architecture, PA and James Minor - 1000 NE Judd Parkway - Portion of PIN 0667434461 - REZ-2016-34

Purpose – To consider a requested zoning map amendment for 18.48 of a total of 21.43 acres located at 1000 NE Judd Parkway from the Corridor Commercial Conditional Zoning District (CC-CZD) to the Neighborhood Mixed-Use (NMU) Zoning District and Urban Mixed-Use (UMU) Zoning District. The subject property is also known as a portion of Wake County PIN 0667434461.

Staff Comments – Town Manager Mitchell advised the subject property is currently undeveloped. The adjacent property to the south is currently used for agricultural purposes, and was recently amended to the Residential High Density (RHD) Zoning District by the Town Board (REZ-2016-21). A single tract of land, currently undeveloped is immediately across Judd Pkwy from the subject property to northeast. The adjacent properties to the west are currently used for agricultural purposes or are undeveloped, and contain a significant environmental feature along the property line. Surrounding uses include single-family residential subdivisions, multifamily, shopping centers, and industrial uses. The current zoning of the subject property is Corridor Commercial Conditional Zoning District (CC-CZD), approved as REZ-2016-09 under the Town's now previous zoning regulations. The current zoning conditions limit use of the subject property to mixed-use development. The previous petition was made due to the Town's form-based zoning option not being adopted at that time. Town Manager Mitchell advised that the petitioner is now requesting a zoning map amendment to change 18.48 total acres of the property to the Neighborhood Mixed-Use (NMU) and Urban Mixed-Use (UMU) Zoning District. Both are optional form-based districts. Surrounding zoning districts include the Residential Agricultural (RA), Residential Low Density (RLD), Residential Medium Density (RMD), and Residential High Density (RHD) Zoning Districts. The current land use classification of the subject property is Commercial. The Commercial Land Use Classification is intended for a mix of retail, office and consumer services, with functional urban designs providing access to both vehicles and pedestrians. The proposed zoning districts, NMU and UMU, provide for these types of uses, as well as high density residential uses utilizing the same type of design. For those reasons, the requested zoning districts are consistent with the Commercial Land Use Classification. Town Manager Mitchell reported that the Town's Community Transportation Plan (CTP) calls for a 100-foot right-of-way with a 4 lane divided street cross-section along NE Judd Pkwy adjacent to the subject property. All required right-of-way adjacent to the subject property has already been publicly dedicated. Future development of the subject property will require construction of half of the Judd Pkwy cross-section mentioned. Public utilities are available to serve the subject property. He further advised that the zoning map amendment to the Neighborhood Mixed-Use (NMU) and Urban Mixed-Use (UMU) Zoning Districts utilizes the Town's new form-based zoning districts, located in Appendix B RMU, NMU & UMU Form-Based Districts of the Land Development Ordinance. Form-based zoning districts are proposed, reviewed and approved with a master plan. The master plan provides for a description of the following elements of a proposed development: permitted uses, arrangement of uses, open space, thoroughfare network, utilities, pedestrian network, architectural designs and standards, building layout, landscaping, and written documentation. Town Manager Mitchell stated that all of such have been submitted by the petitioner via a master plan and written document, both of which are included with the petition. He further advised that he and staff recommend approval of the zoning map amendment, REZ-2016-34, for the following reasons:

1. The requested zoning districts are consistent with the Town's Land Use Plan. The requested zoning districts are consistent with the existing land use classification; further the land use plans' intent to provide for integrated urban design, and advances the principles of the Land Use Plan.
2. Use of the subject property will remain the same as currently permitted in accordance with the currently applicable zoning conditions, which allow for future mixed-use development on the property.

3. The master plan and written document submitted with the petition adequately address the elements required by the Town's Land Development Ordinance. Those provisions created by and outlined within the master plan and written document will be binding to the subject property upon adoption of the proposed zoning districts.

Town Manager Mitchell stated that for the reasons identified above, he and staff recommend approval of the requested zoning map amendment to allow NMU and UMU development of the property in accordance with the master plan submitted with the petition. The Planning Board unanimously recommended approval of the requested zoning map amendment at the January 10, 2017 Planning Board meeting. A revised master plan was submitted by the applicant on February 3. Town Manager Mitchell stated that additional time is needed for the applicant to provide further clarification regarding the revisions needed to inform a staff recommendation. He made the recommendation that the Town Board open and immediately continue the public hearing and table consideration of the approval of the requested zoning map amendment to the February 21, 2017 Town Board meeting.

Public Hearing – Mayor Byrne opened the public hearing, and he asked if anyone wished to speak in favor of, or in opposition to the proposed zoning map amendment. No one chose to speak in favor of, or in opposition to the proposed zoning map amendment.

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

Recommendation - Continue the public hearing and table consideration of REZ-2016-34 to February 21, 2017.

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

Agenda Item No. 7.B: Voluntary Annexation Petition - Southview Self Storage, LLC - 0 S NC 55 Hwy - PIN 0676195209 - ANX-2016-12

Purpose – To consider an annexation ordinance extending the corporate limits of the Town of Fuquay-Varina following receipt of a petition for voluntary annexation of property owned by Southview Self Storage, LLC (Don G. Wellons), located at a property without an assigned address with access to NC Highway 55 (PIN 0676195209) containing approximately 25.09 acres.

Staff Comments – Town Manager Mitchell advised that the property contains approximately 25.09 acres and it has road access from S NC 55 Hwy. The property is contiguous to the Town's corporate limits where water and sewer is available. He reported that at the January 17, 2017 meeting, the Town Board instructed the Town Clerk to investigate the sufficiency of the applicant's petition for voluntary annexation and the Town Clerk certified at that time that the petition was sufficient and meets the

requirements prescribed by the North Carolina General Statutes. He advised that the Town Board also adopted a resolution setting a public hearing for the February 6, 2017 Town Board meeting.

Public Hearing – Mayor Byrne opened the public hearing and he asked if anyone wished to speak in favor of, or in opposition to the proposed annexation ordinance. No one chose to speak in favor of, or in opposition to the proposed annexation ordinance. Mayor Byrne declared the public hearing closed.

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

Recommendation - Adopt the annexation ordinance to extend the corporate limits of the Town of Fuquay-Varina to include property owned by Southview Self Storage, LLC (ANX-2016-12) as presented and recommended.

MOTION: Commissioner Wunsch

SECOND: Commissioner Adcock

MOTION RESULTS: Passed Unanimously (5-0)

Ordinance No. N-17-02

Agenda Item No. 7.C: Voluntary Annexation Petition - David G. Moore Property - 6648 Old Mills Road - PIN 0687123185 - ANX-2016-13

Purpose – To consider an annexation ordinance extending the corporate limits of the Town of Fuquay-Varina following receipt of a petition for voluntary annexation of property owned by David G. Moore, located at 6648 Old Mills Road (PIN 0687123185) containing approximately 0.789 acres.

Staff Comments – Town Manager Mitchell advised that the property contains approximately 0.789 acres and it has road access at 6648 Old Mills Road. Water and sewer is available to the property. The property is non-contiguous to the Town's corporate limits. Town Manager Mitchell reported that at the January 17, 2017 meeting, the Town Board instructed the Town Clerk to investigate the sufficiency of the applicant's petition for voluntary annexation and the Town Clerk certified at that time that the petition was sufficient and meets the requirements prescribed by the North Carolina General Statutes. He also stated that the Town Board adopted a resolution setting a public hearing for the February 6, 2017 Town Board meeting.

Public Hearing – Mayor Byrne opened the public hearing and he asked if anyone wished to speak in favor of the proposed annexation petition. Wayne Mauldin of Mauldin-Watkins Surveying spoke in favor of the annexation petition on behalf of the petitioners. Mayor Byrne asked if anyone wished to speak in opposition to the proposed annexation petition. No one chose to speak in opposition to the petition. Mayor Byrne declared the public hearing closed.

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

Recommendation - Adopt the annexation ordinance to extend the corporate limits of the Town of Fuquay-Varina to include property owned by David G. Moore (ANX-2016-13) as presented and recommended.

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

Ordinance No. N-17-03

Agenda Item No. 7.D: Voluntary Annexation Petition - Morgan Development Company, LLC - 1829 and 1955 Eddie Howard Road - PIN 0686076032 and PIN 0686079384 - ANX-2016-15

Purpose – To consider an annexation ordinance extending the corporate limits of the Town of Fuquay-Varina following receipt of a petition for voluntary annexation of property owned by Morgan Development Company, LLC, located at 1829 and 1955 Eddie Howard Road, PIN 0686076032 and PIN 0686079384, containing approximately 29.055 acres.

Staff Comments – Town Manager Mitchell advised that the property contains approximately 29.055 acres and it has road access at 1829 and 1955 Eddie Howard Road. The property is non-contiguous to the Town's corporate limits where water is available, and sewer is not yet available to serve the property. The petitioner has signed an annexation agreement as it relates to the provision of Town services. Town Manager Mitchell reported that at the January 17, 2017 meeting, the Town Board instructed the Town Clerk to investigate the sufficiency of the applicant's petition for voluntary annexation and the Town Clerk certified at that time that the petition was sufficient and meets the requirements prescribed by the North Carolina General Statutes. The Town Board also adopted a resolution setting a public hearing for the February 6, 2017 Town Board meeting. The present total value of the property is \$686,424. Town Manager Mitchell further advised the Town Board that when this annexation was submitted, the petitioners had not submitted a zoning petition for this property. He stated that as we have done in the past, most annexation and zoning petitions run concurrently in order to meet the 60-day zoning requirement if the property is outside the corporate limits. He reported to the Board that a zoning petition was submitted on January 23, 2017 for this property and he recommends that the Town Board proceed with tonight's public hearing, but to continue the public hearing at the April 3rd meeting in order to give the Town Board ample time to take the necessary action on the zoning petition.

Public Hearing – Mayor Byrne opened the public hearing and he asked if anyone wished to speak in favor of the annexation petition. Mr. Gregory Morgan, 1920 Old Buies Creek Road, Angier, spoke in favor of the annexation petition remarking that he planned to develop the site with single family homes and that he will develop a project that the community will be proud of. Mayor Byrne asked if anyone wished to speak in opposition to the proposed annexation petition. No one chose to speak in opposition to the annexation petition.

Board Member Discussion – There were no comments from the members of the Town Board regarding the proposed annexation.

Recommendation – Continue the public hearing to the April 3, 2017 Town Board meeting regarding an annexation ordinance to extend the corporate limits of the Town of Fuquay-Varina to include property owned by Morgan Development Company, LLC (ANX-2016-15) and to also consider approval of the Declaration of Annexation Agreement at the April 3, 2017, Town Board meeting as recommended.

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

CONSENT AGENDA

Agenda Item No. 8.A: Budget Amendment BA-2017-25 - John Rex Endowment Grant - Parks, Recreation, and Cultural Resources - \$9,000

Purpose – To recognize the receipt of \$9,000 from the John Rex Endowment to promote healthy eating and active living. This award completes the final installment of a three year grant totaling \$209,887.

Recommendation – Approve Budget Amendment BA-2017-25 as presented and recommended.

Agenda Item No. 8B: Declaration of Surplus Property - Unit 131 - 2004 Ford Expedition Fire Truck

Purpose – To consider approval of the surplus and sale of Unit #131 - 2004 Ford Expedition.

Recommendation – Approve the surplus and sale of Unit #131 - 2004 Ford Expedition.

Agenda Item No. 8.C: Utility Allocation - Sonoma Springs - Phase 3

Purpose – To consider a utility allocation request for the Sonoma Springs Subdivision, Phase 3, 4,200 gpd sewer and 4,200 gpd water.

Recommendation – Approve the utility allocation request for Sonoma Springs Subdivision, Phase 3 as presented and recommended.

Agenda Item No. 8.D: Request to Use Town Property – American Foundation for Suicide Prevention – September 24, 2017 - South Park

Purpose – To consider a request from the American Foundation for Suicide Prevention to use South Park for the Out of Darkness – Suicide Prevention Walk on September 24, 2017.

Recommendation – Approve the request for use of South Park for the Out of Darkness – Suicide Prevention Walk on September 24, 2017 as presented.

Agenda Item No. 8E: Request to Use Town Property – Heritage Day – Friends of the Museums - May 6, 2017 - Museums at Ashworth Park & Library Park

Purpose – To consider a request from the Friends of the Museums to use the Museums at Ashworth Park and Library Park for Heritage Day on May 6, 2017.

Recommendation – Approve the request for use of Museums at Ashworth Park and Library Park for Heritage Day by the Friends of the Museums on May 6, 2017 as presented.

Agenda Item No. 8.F: Project Ordinance Amendment - Bridge Street Southern Street Water Line Project - \$10,000

Purpose – To consider a project ordinance amendment to the Bridge Street and Southern Street infrastructure improvements project to cover unforeseen project costs and project improvements.

Recommendation – Approve a project ordinance amendment to the Southern Street Paving/Bridge Street Infrastructure project in the amount of \$10,000 to account for additional project costs and project improvements. **Ordinance No. N-17-04**

A motion was made to approve all items A through F on the Consent Agenda as recommended.

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

ADMINISTRATIVE REPORTS

Agenda Item No. 10.A: Grant Project Reimbursement - CDBG Funding - Water Project - Burton Street

Purpose – To approve matching funds for Community Development Block Grant funding administered by Wake County for the replacement of the Burton Street 2" water line with a new 6" water main.

Staff Comments – Town Manager Mitchell advised that based on the 5 year plan that the Town completed with Wake County for the administration of Community Development Block Grant Funds and the current funding levels of the Bridge Street and Southern

Street infrastructure improvements, additional funds are available to complete the replacement of the existing 2" water line in Burton Street with a 6" water main. The total estimated project cost is \$146,000, which would require \$29,200 in town matching funds. Town Manager Mitchell reported that the Public Utilities department has sufficient funds available to provide this match from the operating budget in the water enterprise fund. He also stated that should this work extend into next year, public utilities would maintain the budget accordingly.

Board Discussion – Mayor Byrne stated that it is important that the 2" lines be replaced because it is difficult to operate a fire hydrant from a 2" line. Town Manager Mitchell stated that it is a great opportunity to make advancements in the older parts of the Town's infrastructure. Mayor Byrne then asked about the age of the 2" inch water line on Burton Street. Public Utilities Director Jay Meyers stated that the 2" water line was installed during the 1970's when Burton Street was constructed. Mayor Pro-Tem Massengill asked about the number of fire hydrants on Burton Street. Fire Chief Anthony Mauldin stated that a fire hydrant is located at the corner of Burton Street and Bridge Street. Town Engineer Tracy Stephenson stated that since fire hydrants require a 6" water line, a fire hydrant would be placed at the end of Burton Street once the water line is put in place. During further discussion, Commissioner Adcock asked about the source for the matching funds. Town Manager Mitchell stated that these funds came from Wake County's Community Development Block Grants (CDBG). Commissioner Adcock encouraged Town staff to continue to work on replacing the old water line infrastructure throughout Town.

Recommendation – Approve matching of funds for Burton Street Waterline Replacement in the amount of \$29,200.00.

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

Agenda Item No. 10.B: Preliminary Plat - Adalyn Place Open Space Development Subdivision - SUB-PR-2016-08

Purpose – To consider approval of a preliminary subdivision plat submitted by The Nau Company, PLLC. The proposed open space development, Adalyn Place, is located at 260 Bramblehill Drive and zoned Residential Medium Density Conditional Zoning District (RMD-CZD).

Staff Comments – Town Manager Mitchell advised that the proposed open space development, Adalyn Place, is located in the Residential Medium Density Conditional Zoning District (RMD-CZD), formerly R-10 (CZD) Residential Single and Two-Family Conditional Zoning District. The preliminary subdivision plat was submitted on July 20, 2016 and is subject to Town Code of Ordinances, Part 9 Planning & Regulation of Development, as it was submitted prior to the adoption of Town Code of Ordinances, Part 9 Land Development Ordinance. Applicable conditions related to the zoning of the subject property are as follows: (1) Only single-family detached homes will be allowed (no duplexes); and (2) A barricade is required to be placed at the north entrance of the Northwyck neighborhood (Bevis Marks Dr.) until a minimum of 50% of the proposed lots have been developed. This subdivision is proposed using open space development

standards at 25% open space dedication and contains a total of 92 single family lots on 26.485 acres. The subdivision being developed under R-10 Open Space Development standards requires minimum average lot area size of 6,000 square feet. The proposed subdivision meets that requirement with an average lot size of 7,391 square feet. The smallest lot is 5,458 square feet. Primary access to the proposed subdivision is via an extension of East Academy Street, beginning at the intersection of SE Judd Parkway, across the northern boundary of the subject property and via an extension of Bevis Mark Drive from the Northwyck Subdivision to the south. The 2006 Fuquay-Varina Community Transportation Plan identifies extension of East Academy Street as a thoroughfare collector with dedication of a 60 foot right-of-way and a 37 foot back-to-back width, including two (2) travel lanes with sidewalks on both sides. SE Judd Parkway is a major thoroughfare providing three travel lanes with sidewalks on both sides. The proposed development includes construction and dedication of one half of a 70 foot right-of-way and one half of the 51 foot back-to-back width of SE Judd Pkwy along the entire length of the subject property. Town Manager Mitchell advised the Town Board that the developer understands that the Town is in the process of rewriting its Community Transportation Plan and SE Judd Parkway will be identified as a future 100ft. ROW as a recommendation of the new plan. He stated that the developer has agreed to dedicate one half of the soon to be required 100ft. ROW as a part of a preliminary plat amendment to be submitted to the Town by March 17, 2017. The developer has requested to move forward with Town Board consideration for approval and management agrees, so as to allow the project to move forward, subject to the submittal of the preliminary plat amendment by March 17, 2017 showing one half of the 100ft. right-of-way. The 2014 Community Pedestrian Master Plan identifies sidewalks on East Academy Street extension and SE Judd Parkway, consistent with the CTP and shown on the proposed subdivision. The subdivision is within the town limits and will have available public water and sewer services installed by the developer. At the January 10, 2017 Planning Board meeting, the Planning Board unanimously recommended approval. As this open space development meets all Town requirements, Town Manager Mitchell advised that he and staff also recommend approval.

Board Discussion – Mayor Pro-Tem Massengill asked if the proposed preliminary plat meets the requirements of the Town’s ordinances and he expressed concerns about future road connectivity due to wetland issues. Town Manager Mitchell stated that the proposed preliminary plat does meet town standards and that the portion of adjacent property currently zoned RHD would be required to make needed road connections once it is developed.

Recommendation – Approve the proposed Adalyn Place (SUB-PR-2016-08) preliminary subdivision plat, an open space development containing 92 single family lots subject to submittal of a Preliminary Plat amendment submitted by March 17, 2017 showing the dedication of right-of-way along the property road frontage adjacent to SE Judd Parkway that reflects one half of 100ft., as presented and recommended.

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

Agenda Item No. 10.C: Project Ordinance Amendment - Herbert Akins Road Realignment Project - Hilltop Needmore Road Mitigation Reimbursement - Sunset Bluffs Subdivision

Purpose – To consider a project ordinance amendment in the amount of \$48,750 to the Herbert Akins Road Realignment project completed through a development agreement with the Sunset Bluffs Developers, SSBNC, LLC.

Staff Comments – Town Manager Mitchell advised that the Town Board entered into a development agreement with the developers of Sunset Bluffs, SSBNC, LLC in 2013 for the realignment and expansion of Herbert Akins road as it relates to the Sunset Bluffs and Mill Ridge Developments. As a part of that agreement, the Town agreed to reimburse SSBNC, LLC up to \$275,000 for construction of the road and 50% of compensatory mitigation up to \$200,000 required by the United States Corps of Engineers for the creek/wetlands crossing that was a part of the project. Town Manager Mitchell reported that at the time, the Town Board adopted a project ordinance and funded the \$275,000 reimbursement funds. He further stated that the amount of the mitigation was not known at the time and thus, was not budgeted. Subsequently, the mitigation amount was determined to be \$97,500 and was paid by the developer. Town Manager Mitchell stated that the Town has processed the reimbursement requests by SSBNC, LLC in accordance with the development agreement and has reimbursed them the \$275,000 for construction. He advised that a project ordinance amendment is needed to fund the Town's share of the mitigation, which is \$48,750. Town Manager Mitchell remarked that he and staff have evaluated the developer's documentation, and found the mitigation costs to be justified and eligible for reimbursement under the terms of the agreement and stated that management and staff recommend approval. He advised that the proposed Project Ordinance Amendment will move \$48,750 from bond interest funds to the Herbert Akins Road Realignment Project Ordinance.

Board Discussion – Mayor Byrne asked if this Project Ordinance Amendment brings the project to a conclusion. Town Manager Mitchell stated yes, that the Project Ordinance Amendment completes this portion of the project.

Recommendation – Approve the project ordinance amendment in the amount of \$48,750 for costs incurred under the development agreement with SSBNC, LLC for construction of a portion of Herbert Akins/Hilltop Needmore Road.

MOTION: Commissioner Gardner

SECOND: Commissioner Harris

MOTION RESULTS: Passed Unanimously (5-0)

Ordinance No. N-17-05

Agenda Item No. 10.D: Consultant Selection - Sunset Lake Road/Purfoy Road/N. Main Street

Purpose – To approve consultant selection for the Sunset Lake Road, Purfoy Road, and North Main Street LAPP project.

Staff Comments – Town Manager Mitchell stated that the Town has reached another milestone at working toward our roadway improvements. He advised that the Town staff solicited Letters of Interest (LOIs) for design consultants to complete the LAPP project

improvements for the Sunset Lake, Purfoy and North Main Street intersection. These improvements were initially identified in the Hot Spot analysis conducted by Mott MacDonald on behalf of the Capital Area Metropolitan Planning Organization (CAMPO) in 2015. The Town has coordinated with NCDOT, who has already completed some initial improvements as a part of their resurfacing and maintenance program. However, further improvements, including but not limited to restoration of the pedestrian signals, restriping, and construction of concrete medians are still required to complete the initial phase of improvements, as well as to make all lanes of traffic fully operational. Following the initial phase improvements, Town staff will then turn its focus to the 2015 bond program improvements that will include design and construction of lane additions. In future years, the Town plans to further improve traffic at this intersection by extending improvements north of the railroad as a part of the Town's 2015 Transportation Bond program. These additional improvements require further design, right of way acquisition, and railroad coordination, which it is not feasible to complete them as part of the current LAPP project. Town Manager Mitchell reported that town staff received letters of interest from three highly qualified transportation firms and based on the scoring criteria established in the request for qualifications, Mott MacDonald was the highest scoring firm. He advised that pending Town Board approval, Town Staff will work with Mott Macdonald to develop scope and fee and bring that recommendation to the Town Board at its next meeting. The concurrence in selection letter to NCDOT is attached for reference. Construction of this project is expected to begin in the final quarter of 2017. Town Manager Mitchell stated that he and staff recommend approval of consultant selection, which will allow for the design and construction of this project to remain on schedule.

Board Discussion – Mayor Pro-Tem Massengill stated that he was happy to see Mott MacDonald; a local firm, as the highest scoring firm recommended for the design of the project. He then asked at what point improvements would be made north and west past the railroad. Engineering Director Tracy Stephenson stated that we are probably looking at 2019 because of the coordination that has to be done with Norfolk Southern Railroad for the railroad crossing design. Mayor Pro-Tem Massengill expressed concerns that the general public should be made aware that this is a phased project, and while the initial work is done and completed, the entire project would not be finished at that point.

Recommendation – Approve the selection of Mott MacDonald for the design of the Sunset Lake Road/Purfoy Road/N. Main Street intersection improvements associated with the Locally Administered Projects Program (LAPP) project and instruct staff to negotiate a scope and fee to be considered at a later meeting, subject to NCDOT concurrence.

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

OTHER BUSINESS

A. Manager's Report – *(Mitchell)*

Town Manager Mitchell briefed the Town Board on the following topics:

- Public Information meeting held on Downtown Water Line Project resulted in no issues to resolve and the Town is in position to move forward with the project. Public Utilities Director Jay Meyers stated that the water line project will start soon on Pine Street and Main Street.
- Recently hired two sanitation workers.
- Bids for the Arts Center were opened and he will bring back a recommendation at the Feb. 21st meeting.
- Downtown Advisory Committee is working with Liz Parham of the NC Main Street Program on the Downtown Strategic Plan.
- Inspections Department received 79 permits for the month of January and 17 permits have been submitted so far for the month of February.
- Hired new planner - Heather Britt will start on March 1st.
- IT Department –will open bids tomorrow for the building security upgrades for the Town's public buildings.
- Engineering Department is in the process of hiring a staff engineer that was approved in this year's budget.
- Communications Department working on a design for way-finding signs and working with the Town Manager and the Mayor on the State of the Town Address.
- Finance Department working on materials for the FY 18 budget.
- Police Department and Fire Department preparing for the Winterfest Skills competition this coming weekend.
- Fire Department working on budget request to submit to Wake County.
- Human Resources Department working pay and classification study with consultant.
- Parks and Recreation accepting registration for spring sports.
- Reported that the first house in Sonoma Springs sold for \$398,000, which was above the base price in the development agreement.

B. Project Status Report – February 2017

C. Coffee with a Cop – Village at Marquee Station – February 28,2017 - 9:00 am - 11:00 am

D. Zoning Map Amendment - Reliabuilt, LLC - 5375 and 5311 Old Powell Road - PIN 0657336137 and a portion of PIN 0657446163 - REZ-2016-31 - (FIRST READING) - (Mitchell/Matthews/Smith)

E. Zoning Map Amendment - Mauldin Watkins Surveying, PA - 6648 Old Mills Road - PIN 0678123185 - REZ-2016-35 - (FIRST READING) - (Mitchell/Matthews/Smith)

- F. Zoning Map Amendment - JS Development Company - 1220 and 1240 Kenneth Branch Road - Portion of both Wake County PINs 0655999658 and 0665094827 - REZ-2017-02 - (FIRST READING) - (Mitchell/Matthews/Smith)
- G. Zoning Map Amendment - Mauldin Watkins Surveying, PA - 202 and 0 Wagstaff Road- PINs 0656728150 and 0656714997 - REZ-2017-01 - (FIRST READING) - (Mitchell/Matthews/Smith)

TOWN BOARD MEMBER COMMENTS

Mayor Pro-Tem Massengill – stated that the sun is shining bright on Fuquay-Varina.

Commissioner Adcock – stated that it’s really exciting to see the Town work on all of the things that are improving quality in Fuquay-Varina, and he agreed that the sun is shining bright on Fuquay-Varina.

Commissioner Harris – stated that he had no further comments.

Commissioner Wunsch – stated that the sun is definitely shining bright on Fuquay-Varina.

Commissioner Gardner – stated that there is a dash more sunshine in Fuquay-Varina. She also shared an invitation that there is a 5K walk/run for Suicide Prevention that honors her late son and sponsored by his fraternity at NC State University. The event “Break the Silence” will take place on March 25, 2017, at 11:00 a.m., at the Wake Med Soccer Complex.

Mayor Byrne – stated that he appreciates all the Town Board does outside of our regular meetings. He stated the he attended the funeral of a former Town resident, Ms. Mable Thorpe, who lived to see her 107th birthday before passing away. He also stated that on February 13th there will be a dedication of a park bench in memory of Frances Ashworth Sentor at Ashworth Park. He also reminded the public that the Town Board will hold a Strategic Planning Retreat on February 18 – 20, 2017, in Pinehurst, N.C.

CLOSED SESSION

A motion was made for the Town Board to enter into closed session at 8:37 p.m. 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 §143-318.11 (a) (5) – Property Acquisition.

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

OPEN SESSION

The Town Board returned to open session at 8:56 p.m. At that time, Town Attorney Mark Cumalander reported that the Town has resolved a disputed a legal matter with former employee Daniel Christopher Hackney, Sr. upon payment of \$12,000 pursuant to the terms set out in a settlement agreement as provided by law.

ADJOURN

A motion was made to adjourn the meeting at 8:57 p.m.

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

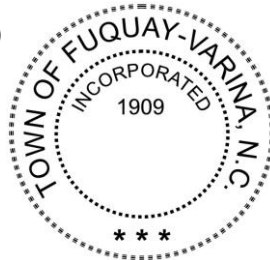
Adopted this the 21st day of February 2017 in Fuquay-Varina, North Carolina.

FUQUAY-VARINA, NORTH CAROLINA

John W. Byrne, Mayor

ATTEST:

(TOWN SEAL)



Rose H. Rich, Town Clerk