



TOWN OF FUQUAY-VARINA
BOARD OF COMMISSIONERS REGULAR MEETING
FEBRUARY 20, 2018

CALL TO ORDER

Mayor John W. Byrne called the regular meeting of the Fuquay-Varina Board of Commissioners to order on February 20, 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

Commissioner Adcock provided the invocation and Police Chief Laura Fahnestock led the Pledge of Allegiance.

APPROVAL OF THE MINUTES

The February 5, 2018, minutes of the regularly scheduled Town Board of Commissioners meeting, were presented for approval.

MOTION: Commissioner Adcock
SECOND: Commissioner Harris
MOTION RESULT: Passed Unanimously (5-0)

PRESENTATIONS

Agenda Item No. 4.A: Recognition of Public Utilities Staff

This item was tabled until the March 5, 2018 Town Board meeting due to the Public Utilities staff that was working to repair a damaged fire hydrant caused by road improvement construction of the NE Judd Parkway/Hwy 401 project next to Town Hall.

Agenda Item No. 4.B: Presentation - Fuquay-Varina Economic Development Promotional Video

Town Manager Mitchell and Economic Development Director Seymour presented a video to promote the Town of Fuquay-Varina. Town Manager Mitchell thanked Economic Development Director Seymour, Communications Director Susan Weis, and Mike Cole and his staff at Amazing Studios for their work in producing the video. He stated that the purpose of making the video was to obtain a greater presence in the marketplace and to identify the community by telling all the great things that are happening in Fuquay-Varina. Economic Development Director Seymour further explained that the video will be used as a marketing tool for the Town's recently purchased Business Park, and to convey nationally and internationally our successes, assets and partnerships with the business community.

Agenda Item No. 4.C: Presentation - Youth Sports - Winter Basketball / Spring 2018 Registration Statistics

Parks and Recreation Director Cox presented a PowerPoint presentation on youth winter and spring registration. Town Manager Mitchell stated that the Parks & Recreation Department recently wrapped up their winter youth sports and have concluded registrations for the spring youth sports. Parks and Recreation Director Cox shared statistics on both the 2017 winter league and the 2018 spring registration. The winter season ended at an all-time high with 850 participants, with an 18% growth from the previous season. The Town of Fuquay-Varina offered a total of 68 scholarships for the winter season (67 residents and 1 non-resident). Since the inception of the winter sports program the Town has experienced 128% growth in registration within 5 seasons. Spring sports registrations concluded on February 17, 2018, having an all-time high of 2,281 participants (60% residents and 40% non-residents), and a growth of 9.76% from the previous year. The Town of Fuquay-Varina offered a total of 146 scholarships for spring sports season (111 residents and 35 non-resident). Since the inception of spring sports, the Town has experienced 108%, within four years, more than doubling the program size. Mayor Byrne and Town Manager Mitchell thanked the Parks & Recreation Department for doing an excellent job in promoting and executing youth sports. Town Manager Mitchell stated that one of the topics for the Strategic Planning Retreat will be the impact of growing programs on facilities and our planning focus for the future. Mayor Byrne also thanked Assistant Town Manager Matthews for which the Parks and Recreation Department reports directly.

PUBLIC COMMENTS:

There were no comments from the public.

ITEMS TABLED FROM PREVIOUS MEETING:

Agenda Item No. 6.A: Voluntary Annexation Petition - Christine Powell - David and Irene Baldwin - 5006 Pond Water, 5404 Old Powell Road and 0 Three Ponds Drive - PIN 0657235926, 0657149897 and 0657149593- ANX-2017-13 - (ITEM TO BE TABLED)

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 Christine M. Powell and David and Irene Baldwin located at 5006 Pond Water Drive, 5404 Old Powell Road and 0 Three Ponds Drive, containing a total of 38.640 acres.

Staff Comments – Town Manager Mitchell entered the agenda abstract and supporting documents for this agenda item into the official record of the Town. He then provided general information about the subject property with respect to voluntary annexation. He stated that the petitioner requested to continue the public hearing and consider action at the May 7, 2018 Town Board meeting, for additional time to continue pursuit of options related to public sewer access.

Public Hearing – The public hearing was opened and continued as requested.

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

Recommendation – Continue the public hearing and table consideration of annexation petition ANX-2017-13 to the May 7, 2018 Town Board meeting.

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

Agenda Item No. 6.B: Zoning Map Amendment - Smith Douglas, Morgan Bryan - 5006 Pond Water Road, 5404 Old Powell Road, and 0 Three Ponds Drive - PINs 0657235926, 0657149593, 0657149897 - REZ-2017-26 - (ITEM TO BE TABLED)

Purpose – To consider a requested zoning map amendment for a total of 37.52 acres, located at 5006 Pond Water Road, 5404 Old Powell Road, and 0 Three Ponds Drive, from the Wake County R-30 Zoning District to the Residential Medium Density Conditional Zoning District (RMD-CZD).

Staff Comments – Town Manager Mitchell entered the agenda abstract and supporting documents for this agenda item into the official record of the Town. He then provided general information about the subject property with respect to a zoning map amendment. He stated that the petitioner requested to continue the public hearing and consider action at the May 7, 2018 Town Board meeting, for additional time to continue pursuit of options related to public sewer access.

Public Hearing – The public hearing was opened and continued as requested.

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-2017-26, a zoning map amendment at 5006 Pond Water Road, 5404 Old Powell Road, and 0 Three Ponds Drive, from the Wake County R-30 Zoning District to the Residential Medium Density Conditional Zoning District (RMD-CZD) to May 7, 2018.

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

Agenda Item No. 6.C: Voluntary Annexation Petition - Beverly S. Dupree - 1286 Phelps West Road - PIN 0656271098 - ANX-2017-26

Purpose – To open and continue the public hearing from a previous meeting following the receipt of a petition for voluntary annexation of property owned by Beverly S. Dupree located at 1286 Phelps West Road, containing 0.750 acres.

Staff Comments – Town Manager Mitchell entered the agenda abstract and supporting documents for this agenda item into the official record of the Town. He then provided general information about the subject property and advised that public water and sanitary sewer services are available to serve the property.

Public Hearing – The public hearing was opened. Wayne Mauldin of Mauldin-Watkins Surveying, 1301 Broad Street, spoke in favor of the annexation petition on behalf of Ms. Beverly S. Dupree (property owner) citing that the property owner is interested in building a house to be closer to family. No one chose to speak in opposition to the proposed annexation petition. The hearing was closed.

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

Recommendation – Adopt the annexation ordinance to extend the corporate limits of the Town of Fuquay-Varina to include property owned by Beverly S. Dupree (ANX-2017-26) as presented and recommended.

MOTION: Commissioner Gardner
SECOND: Commissioner Harris
MOTION RESULTS: Passed Unanimously (5-0) **Ordinance No. N-18-07**

PUBLIC HEARINGS:

Agenda Item No. 7.A: Voluntary Annexation Petition - Kevin R. and Francene G. Figg - 2016 Herbert Akins Road - PIN 0668004437 - ANX-2018-02

Purpose – To consider an annexation agreement and the annexation ordinance extending the corporate limits of the Town of Fuquay-Varina following receipt of a petition for voluntary annexation of property owned by Kevin and Francene Figg located at 2016 Herbert Akins Road, containing approximately 4.172 acres.

Staff Comments – Town Manager Mitchell entered the agenda abstract and supporting documents for this agenda item into the official record of the Town. He then provided general information about the subject property and advised that public water is available to serve the property however sanitary sewer service is greater than 200 feet from the property and therefore not required to be extended per the Town Code. He advised that the property owner has consented to not receiving sanitary sewer service and has signed a Declaration of Annexation Agreement reflecting the same.

Public Hearing – The public hearing was opened. Wayne Mauldin of Mauldin-Watkins Surveying, 1301 Broad Street, spoke in favor of the annexation petition on behalf of the property owners, Kevin R. and Francene G. Figg. No one chose to speak in opposition to the proposed annexation petition. The hearing was closed.

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

Recommendation – Adopt the annexation ordinance to extend the corporate limits of the Town of Fuquay-Varina to include property owned by Kevin R. and Francene G. Figg (ANX-2018-02) and to approve the Declaration of Annexation Agreement as presented and recommended.

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

Ordinance No. N-18-08

Agenda Item No. 7.B: Fiscal Year 2018-2019 Budget – Public Input Hearing

Purpose – To hear comments from the public regarding matters related to the development of the Town’s 2018-2019 fiscal year operating budget.

Staff Comments – Town Manager Mitchell entered the agenda abstract and supporting documents for this agenda item into the official record of the Town. He advised that the Town has customarily held a public hearing before development of the annual operating budget to receive public input, if any, however a public hearing is not required by State statute.

Public Hearing – The public hearing was opened and closed. No one from the public chose to make comments regarding the development of the Town’s 2018-2019 fiscal year operating budget.

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

Recommendation – Receive comment regarding the Town’s 2018-2019 fiscal year budget.

There was no additional action recommended or taken by the Town Board.

CONSENT AGENDA

Town Manager Mitchell entered the agenda abstracts and supporting documents for the Consent Agenda Items 8A-8D into the official record of the Town.

Agenda Item No. 8.A: Budget Amendment - Parks, Recreation, and Cultural Resources - United Arts Council Arts for Municipalities Grant - \$1,252.00 - BA-2018-24

Purpose – To recognize the receipt of \$1,252.00 from the United Arts Council - Arts for Municipalities Grant Program. This award is the second of three installments this fiscal year that will total \$3,756.00.

Recommendation – Approve Budget Amendment BA-2018-24 as presented and recommended.

Agenda Item No. 8B: Budget Amendment - Recognize Insurance Proceeds - Hail Damage - Public Works - BA-2018- 25 - \$1,840.00

Purpose – To recognize funds from insurance proceeds due to hail damage that occurred on September 1, 2017 that damaged vehicles in the Public Works Department, Street Division.

Recommendation – Approve Budget Amendment BA-2018-23, recognizing funds from The NC League of Municipalities for storm hail damage as presented and recommended.

Agenda Item No. 8C: Maxine Senter Heirs/Barbara S. Cummings (Cambridge/Royal Oaks) - 7700 and 7512 Ten Ten Road - PIN 0689884196 (portion of) and 0689784626 (portion of) - ANX-2018-01

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 March 5, 2018, following the receipt of a petition for voluntary annexation of property owned by Maxine Senter Heirs and Barbara S. Cummings, 7700 and 7512 Ten Ten Road, containing approximately 2.507 acres, portions of PIN 0689884196 and PIN 0689784626.

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 March 5, 2018 for include property owned by Maxine Senter Heirs and Barbara S. Cummings (ANX-2018-01) as presented and recommended.

Resolution No. 18-1518 & Resolution No.18-1519

Agenda Item No. 8D: Request to Use Town Property – American Foundation for Suicide Prevention – September 30, 2018 - 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 30, 2018.

Recommendation – Approve the request for use of South Park for the Out of Darkness – Suicide Prevention Walk on September 30, 2018 as presented and recommended.

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

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

ADMINISTRATIVE REPORTS

Agenda Item No. 10.A: Contract Award - Governmental Facilities Project - Cline Design/Bass Nixon Kennedy

Purpose – To consider award of a contract for design, engineering and construction management services to Cline Design/BNK for the Governmental Facilities Project.

Staff Comments – Town Manager Mitchell entered the agenda abstract and supporting documents for this agenda item into the official record of the Town. He then provided general information about the proposed contract. Town Manager Mitchell advised that the contract amount for the design and construction management for both facilities is \$315,311 and includes all major services necessary to see the project to completion. He stated that the team of Cline Design and Bass Nixon Kennedy were being recommended because of their past experience designing law enforcement facilities and class A office space as well as their understanding of the unique schedule related to this project.

Board Discussion – Mayor Byrne asked about the timelines for renovations. Town Manager Mitchell stated that it is the goal and objective to have the contractors start renovations of the Barker building shortly after the July 4th holiday, and it is the intent to be located in both renovated facilities in the late spring of 2019. He also stated that the Town Board may have to have some of its Town Board meetings at the Public Service Center during the renovation of the current Town Hall facility.

Recommendation – Award a contract for the design, engineering, and construction management services related to the Government Facilities Project to Cline Design/Bass Nixon Kennedy in the amount of \$315,311.00.

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

Agenda Item No. 10.B: Contract Award - NE Water Line Project - Gaines and Company, Inc. - \$1,589,543

Purpose – Award the NE Waterline Project contract to Gaines and Company, Inc. in the amount of \$1,589,543.

Staff Comments – Town Manager Mitchell entered the agenda abstract and supporting documents for this agenda item into the official record of the Town. He then provided additional information related to the location of the newly installed infrastructure and the materials for the infrastructure. Town Manager Mitchell presented a map that showed where C-900 PVC water lines will be installed along Johnson Pond Road, Lake Wheeler Road, and Optimist Farm Road. He also explained that the recommended contract award takes into account exercising bid alternate 2, which reduced the based bid by approximately \$50,000 by removing ductile iron joints and using C-900 PVC pipe instead.

Board Discussion – Mayor Pro-Tem Massengill asked what the Town would be giving up by selecting Alternate 2 for the bid. Public Utilities Director Jay Meyers stated that Alternate 2 would allow for the reduction of ductile iron pipe to be replaced by C-900 PVC pipe which has about the same life expectancy and is a very good product. He further advised that with the installation of tracing wire and good as-built drawings, that the Town would not be giving up anything with respect to exercising the alternate 2 option.

Recommendation – Approve the Contract Award for the NE Waterline Replacement Project to Gaines and Company, Inc. in the amount of \$1,589,543 subject to Town Attorney review as to form.

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

OTHER BUSINESS

A. Manager's Report

- Reported that the Town is advertising for another full-time position for the Arts Center that is budgeted in the current operating budget
- Reported that Arts Center Director Daly is in the process of selling naming rights to corporations for the Theater, Art Gallery, Dance Studio, and programmatic rooms
- Reported that the Fiber Project is half way complete with the contractor continuing to run conduit and fiber
- Reported that a new IT employee (Patrick Petty) has been hired to replace Don Smith after his promotion to Assistant IT Director
- Reported that the Town received approval from Norfolk Southern for the crossing related to the Sunset/Purfoy/Main Phase 1A & 1B intersection project
- Reported that Scope and Fee for Design Phase 2 of the Sunset/Purfoy/Main intersection project is underway
- Reported that gateway signs are up, and that landscaping and lights will be added next week
- Reported that March 3-5, 2018 is the scheduled Town Board Retreat

- B. Fundraising Event - Never Forget 911 Foundation - K9 Dash's Ballistic Vest - Thursday, February 22, 2018 - Aviator Smokehouse - 4:00 - 9:00 pm
- C. State of the Town Address – March 20, 2018 - Town Hall Board Room - 6:30 pm
- D. Zoning Map Amendment - Gala Construction - 416 Cherry Street - PIN 0657702027 - REZ-2018-02 - (FIRST READING) - (Mitchell/Matthews/Smith)
- E. Town Code Amendment - Land Development Ordinance (LDO) Clean-Up Amendment #3 - CTA-2018-01 - (FIRST READING) - (Mitchell/Matthews/Smith)
- F. 2035 Community Vision Land Use Plan Amendment - (FIRST READING) - (Mitchell/Matthews/Smith)

TOWN BOARD MEMBER COMMENTS

Mayor Pro-Tem Massengill stated that he and other members of the Town Board attended and participated in the Chamber’s leadership class, and he thanked the Fire Department for use of the facility for the class.

Commissioner Adcock asked if our Town code addressed goats in the Town limits. Planning Director Samantha Smith stated that the ordinance does not address goats.

Commissioner Harris stated that he had no further comments.

Commissioner Wunsch stated that he had no further comments.

Commissioner Gardner stated that she was honored to participate with the Make A Wish Foundation and the Fire Department to grant a wish to a young boy by the name of Wyatt who is experiencing a medical life challenge.

Mayor Byrne referred to past and upcoming events as listed below and he stated that former Mayor Roy Tilley recently passed away.

Past Events

- 2/7 – Administered the Police Oath of Office to David Walker
- 2/7 – Spoke at FV Chamber Leadership class
- 2/8 – Participated in a Balloon Festival Promotional Video
- 2/9 – Spoke to Friends of the Museum
- 2/15 – Met with Lindy Brown who is running for Wake County Commissioner
- 2/19 – Administered the Police Oath of Office to Gralen Starling
- 2/19 – Attended Wake County Mayor’s Association Meeting

Coming Up Events

- 2/22 – Attending the Lions Club 75th Anniversary at Bentwinds
- 2/22 – Speaking at the Regional Transportation Alliance membership meeting
- 2/24 – Attending the Chamber Annual Banquet at Carrollock Farm – 6:00 pm

CLOSED SESSION - Pursuant to N.C.G.S. 143-318.11(a)(3) - Attorney Client Privilege.

A motion was made to enter a closed session meeting at 8:22 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 8:26 p.m.

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

Adopted this the 5th day of March 2018 in Fuquay-Varina, North Carolina.

FUQUAY-VARINA, NORTH CAROLINA

John W. Byrne, Mayor

ATTEST:

(TOWN SEAL)

Rose H. Rich, Town Clerk

