



Fuquay-Varina Town Board Meeting

March 21, 2023

J. Blake Massengill, Mayor
Larry Smith, Mayor Pro-Tem
William H. Harris, Commissioner
Marilyn B. Gardner, Commissioner
Bryan Haynes, Commissioner
Vacant Seat - Commissioner
Adam G. Mitchell, Town Manager
Mark D. Matthews, Assistant Town Manager
James (Jim) E. Seymour, Assistant Town Manager
Rose H. Rich, Town Clerk
James S. Adcock, III, Town Attorney

The Regular Meeting of the Fuquay-Varina Town Board scheduled for Tuesday, March 21, 2023, at 7:00 p.m. was held at the Fuquay-Varina Town Hall, 134 N Main Street, Fuquay-Varina, NC.

In attendance were Mayor Blake Massengill, Mayor Pro-Tem Larry Smith, and Commissioners Marilyn Gardner, William Harris, and Bryan Haynes. Also in attendance were Town Manager Adam Mitchell, Assistant Town Manager Jim Seymour, Deputy Town Clerk Teresa Wilder, Town Attorney James Adcock, IT Director Scott Clark, and various other department directors. Assistant Town Manager Mark Matthews was on vacation.

CALL TO ORDER

Mayor Massengill called the meeting to order at 7:01 pm.

INVOCATION AND PLEDGE

Mayor Pro-Tem Larry Smith provided the invocation and Mark Doble led the Pledge of Allegiance.

VIRTUAL MEETING PROTOCOL

Town Manager Adam Mitchell reviewed the meeting protocol noting that the meeting was both in-person and live streamed on the Town's YouTube Channel and Facebook.

APPROVAL OF MINUTES

3A The March 6, 2023, Town Board of Commissioners Regular Scheduled meeting.

MOTION: Mayor Pro-Tem Smith

SECOND: Commissioner Harris

MOTION RESULTS: Passed Unanimously (4-0)

PRESENTATIONS

4A 2022 NC Main Street Champion Award Recognition

Purpose – To recognize the Town of Fuquay-Varina 2022 NC Main Street Champion.

Staff Comments – The NC Main Street Champion designation honors those persons who have made extraordinary contributions to their downtown.

Mayor Massengill recognized Commissioner Marylin Gardner as the Town of Fuquay-Varina 2022 NC Main Street Champion. He also recognized those in the room that have been members of the Fuquay-Varina Downtown Association since 1993. He reported that Commissioner Gardner has been an advocate and champion for downtown. He stated that she has done an incredible job in the Town and that you will find nobody that cares more about downtown Fuquay-Varina.

Commissioner Gardner thanked everyone for the special recognition and displayed the plaque and award medal that she received at the NC Main Street Conference that was recently held in Statesville, NC.

4B Presentation of 2022 Community Survey Results

Purpose – To receive a presentation from project consultant, ETC Institute, regarding the community satisfaction survey conducted in late 2022.

Communications Director Susan Weis stated that the Town of Fuquay-Varina engaged ETC Institute in late 2022 to conduct a community satisfaction survey. It is intended that the community satisfaction survey would help inform Board decision-making and planning for future budget considerations.

Jason Morado with ETC Institute presented a PowerPoint presentation of the survey results. He stated that the survey was conducted this past November and December 2022. He reported that the survey was administered by a combination of mail and online to randomly selected residents throughout the town. He stated that the goal was to receive at least 400 completed surveys and they received 455 completed surveys. There was a 95% level of competence, and the margin of error was 4.6%. He reported that the survey reflected the actual population of the town, especially for key demographic areas such as age, race, ethnicity and gender. Residents have a very positive perception and 92% rated the Town as a good place to live. The survey showed that the satisfaction of Town services are much higher than other communities. One of the areas that really stood out was the satisfaction with the overall quality of town services being rated at 34 percentage points above the US average. The survey showed that where the Town rated the farthest above the US average is in customer service which received 42 percentage points above the US average. He reported that there are only two areas that have significant dissatisfaction, and they are growth/development and traffic. He reported that 92% of respondents rated Fuquay-Varina as an excellent place to live and the national average is only 50%, which is 40 percentage points higher than the national average. He also reported that Fuquay-Varina residents feel safer than residents in other communities, according to the survey. The survey asked which services should receive the most emphasis over the next two years from Town leaders, and the response was traffic and growth/development. He reported that other priorities were street lighting, visibility of police, maintenance of streets, senior programs, walking, biking, and greenway trails.

Mayor Massengill thanked Mr. Morado for the survey presentation. He asked how they came up with the number of 400 as the target goal for the survey response. Mr. Morado stated that it is a very typical sample size for a community the size of Fuquay-Varina and the average response rate is 12 to 15%. He stated that they mailed out to 3,000 randomly selected households with the goal of getting at least 400 completed surveys.

Mayor Massengill asked if traffic and planning for future growth was a common concern on the survey with other Towns the size of Fuquay-Varina. Mr. Morado stated that it is common for fast-growing areas to have these concerns.

Mayor Massengill asked how often a survey should be conducted. Mr. Morado stated that the most frequent timeframe is every other year. Mayor Massengill stated that he thinks two years would be a reasonable timeframe with all the projects in the pipeline, especially with planning for growth and traffic projects.

Commissioner Harris asked what the baseline was for comparing the Atlantic Region, the United States and Fuquay-Varina, in terms of satisfaction level. Mr. Morado stated that it was a nationwide survey of about 10,000 residents. The results were pulled out of the Atlantic Region which had about 1,000 residents and that included North Carolina and several surrounding states.

The Town Board received the results of the survey, and no further action was needed.

PUBLIC COMMENTS

5A The following citizens spoke in favor of the proposed social district:

Beth Anderson, 613 Far Post Drive, Fuquay-Varina, a local business owner representing the Fuquay-Varina Chamber of Commerce, Mark Doble, 600 Broad Street, Fuquay-Varina, owner of Aviator Brewery, Ken O’Berry, 132 South Fuquay Avenue, Fuquay-Varina, owner of Vicious Fishes Brewery, Ruthi O’Berry, owner of a new boutique located at 103 Raleigh Street, Fuquay-Varina, David Ball, 204 S. Main Street, Fuquay-Varina, owner of several local businesses in Fuquay-Varina, Gretta Otto, new resident residing at 510 Broad Street, Fuquay-Varina, Dani Almeyda, 101 S. Main Street, Fuquay-Varina, chairperson of the Fuquay-Varina Downtown Association, Kelly Quiring, 1509 Wesser Court, Fuquay-Varina, a member of the Fuquay-Varina Chamber of Commerce and the Fuquay-Varina Downtown Association, Nolan Perry, 729 Laurel Spring Drive, Fuquay-Varina, local business owner, Justin Crawford, 5516 Stickleback Drive, Fuquay-Varina, local business owner, Robyn Morrison, 512 Broad Street, Fuquay-Varina, owner of Pints Ice Cream and Beer, Kyle Smiach,

1204 London Meadow Way, Fuquay-Varina, owner of a local cycling studio, and Katie Dies, 301 England Avenue, Fuquay-Varina, owner of Stickboy Bread Company.

The following citizens spoke in opposition of the proposed social districts:

Scott Tart, 212 South Main Street, Fuquay-Varina, owner of several local businesses, Susan Oliver, 721 Valleywater Street, Fuquay-Varina, representing the non-business community, Rev. Paul Jones, 1427 Stone Lion Drive, Fuquay-Varina, former Pastor of Piney Grove Baptist Church, and Thelma Mann, 1329 Bass Lake Road, Holly Springs.

ITEMS PREVIOUSLY TABLED

6A Fuquay-Varina Downtown Social Districts

Purpose – To consider adoption of an ordinance to create the Fuquay-Varina Downtown Social Districts and operational plan in downtown Fuquay-Varina.

Staff Comments – Assistant Town Manager Jim Seymour entered the agenda abstract and supporting documents for this agenda item into the official record of the Town. He then provided information about the agenda item by making the following remarks.

He stated that municipal leaders continue brainstorming creative ways to create vibrant downtowns while boosting their local economy and providing unique cultural experiences for residents, businesses, and visitors. In September 2021, the NC General Assembly passed House Bill 890 (HB 890), and in June 2022, House Bill 211 (HB 211), allowing local governments to create social districts where people may consume alcoholic beverages sold by an ABC permittee within a designated social district. The North Carolina Retail Merchants Association was the major interest group pushing for the passage of this legislation to help drive foot traffic to downtowns.

A social district is a defined area in which a person may consume alcoholic beverages sold by an ABC permittee located within the social district. A social district may include both indoor and outdoor areas of businesses within or contiguous to the defined district area during the days and hours set by the local government creating the social district. A social district may include privately

owned property, ABC permittees businesses, non-ABC permittee businesses, multi-tenant establishments, public streets, crosswalks, or parking areas, whether the streets or parking areas are closed to vehicle traffic. It is the sole decision of a business located within the social district to participate in the activities of the social district.

Under General Statutes, the following is required to establish and operate a social district:

- A Council-adopted ordinance designating a social district.
- Established days and hours of operation, a boundaries map, and a written description of the designated social district.
- A Council-approved management and maintenance plan must be published on the municipality's website.
- Registration of the social district with the NC Alcoholic Beverage Control Commission (ABC Commission).

Before a social district can become operational, a local government must submit to the ABC Commission a detailed map of the social district with the boundaries marked and the days and hours during which alcoholic beverages can be consumed. Social districts must be clearly defined, and signage must be posted in visible locations indicating the social district's boundaries and operational procedures. As mandated by general statute, social districts can only operate Monday through Saturday, 7:00 am to 2:00 am, and Sunday, 12:00 pm to 2:00 am. If a local government has allowed for earlier Sunday Sales of alcohol, a social district may operate at 10:00 am on Sunday.

Town staff researched social districts throughout the state of North Carolina. As of March 10, 2023, 30 municipalities in the state of North Carolina have implemented social district ordinances, including Albemarle, Asheboro, Cary, Charlotte, Cornelius, Durham, Elon, Garner, Greensboro, Greenville, Hickory, High Point, Huntersville, Kannapolis, Lenoir, Monroe, Mooresville, Newton, Norwood, Oxford, Pilot Mountain, Raleigh, Salisbury, Selma, Sylva, Washington, Whiteville, Wilson, and Youngsville. Those considering adopting ordinances include Fayetteville, Hendersonville, New Bern, Wake Forest, Wendell, Waynesville, Wilmington, and Winston-Salem. While conducting its research, Town staff participated in discussions with peer communities (including law enforcement agencies), private and non-profit organizations, and residents. These discussions addressed enforcement, safety, communication, education, economic impact, maintenance, and

management of creating and operating a social district. Feedback was also gathered from downtown retailers, restaurants, and breweries. As a result, these downtown merchant groups and individuals support creating a social district in downtown Fuquay-Varina.

The following criteria were initially the Town staff's recommendations for establishing and operating the downtown Fuquay-Varina Social Districts:

- Establishment of the Fuquay-Varina Downtown Social Districts' boundaries (maps attached).
- Hours of Operations: 10 am – 10 pm EST (7 days a week).
- Alcohol must be purchased within the social district and consumed before leaving the social district.
- Permitted ABC establishments must use a social district branded label with their business name to allow customers to carry drinks into designated areas.
- Individual businesses not participating and not selling alcohol may determine if they will allow branded social district cups with alcohol in their establishment.
- Appropriate signage on the establishment's door will be required if the consumption of alcohol is allowed in these businesses.

The following Town Departments will be responsible for the management and maintenance of the social districts' operations:

- General Management: The Town's Downtown Development Department, Parks and Recreation Department, and Police Department will be responsible for actively managing the Town's Social Districts when in effect.
- Security and Enforcement: The Town of Fuquay-Varina Police Department will provide security and enforcement of the Social Districts.
- Sanitation and Maintenance: The Town's Parks and Recreation Department will provide sanitation services within the social districts, including trash removal and litter pick-up. Trash/recycling receptacles will be located at the boundaries of the Social Districts to encourage patrons to dispose of their used cups properly.

- Marketing and Promotion: Marketing and promotion of the Social District will be provided by the Town of Fuquay-Varina Communications Department and the Downtown Development Manager in collaboration with ABC-permitted establishments within the Social Districts.

On November 22, 2022, the Town Board voted to table the discussion of social districts until March 2023.

Furthermore, the Town received input showing great support for enacting social districts. Even so, there have been concerns. In light of the concerns received, the Town Board may wish to consider certain modifications to the proposed social district before making a decision. Those modifications are as follows:

- Amending the proposed operational hours of the social district to 4:00 pm - 9:00 pm (M-F) and 12:00 pm - 9:00 pm (Sat-Sun). This action reduces operational hours and eliminates social district activity during school hours.
- Alternatively, consider amending the proposed operational hours of the social district to 4:00 pm - 9:00 pm (Thursday-Friday) and 12:00 pm - 9:00 pm (Saturday). This action further reduces operational hours and continues to eliminate social district activity during school hours.
- Instruct management to provide an operational report to the Town Board after six months of operation that addresses the success and effectiveness of the social district, any legal or public safety matters/concerns related to the social district, and any positive or negative outcomes as a directly related result of the social district. The Town Board may use information from this report to determine modifications to the adopted social district ordinance.
- Before implementation and activation of the social district, instruct management to report on reasonable pedestrian safety improvements identified and addressed within downtown Fuquay-Varina and, specifically, within the social district boundaries.

Assistant Town Manager Seymour presented management's options or recommendations for the establishment of a social district as follows:

ALTERNATIVE 1:

Establish the Fuquay-Varina Social Districts' ordinance version 1, designating social district boundaries within the Town's downtown districts as indicated, establish social district hours of operation (Monday through Sunday between 10:00 a.m. and 10:00 p.m.), and establish social district management and maintenance plans as recommended.

or

ALTERNATIVE 2:

Establish the Fuquay-Varina Social Districts' ordinance version 2, designating social district boundaries within the Town's downtown districts as indicated, establish social district hours of operation (Monday through Friday between 4:00 p.m. and 9:00 p.m. and Saturday through Sunday between 12:00 p.m. and 9:00 p.m.), and establish social district management and maintenance plans as recommended.

or

ALTERNATIVE 3: Establish the Fuquay-Varina Social Districts' ordinance version 3, designating social district boundaries within the Town's downtown districts as indicated, establish social district hours of operation (Thursday and Friday between 4:00 p.m. and 9:00 p.m. and Saturday between 12:00 p.m. and 9:00 p.m.), and establish social district management and maintenance plans as recommended.

If approved by the Town Board, once the Fuquay-Varina Social Districts are established by ordinance, Town staff anticipates the social districts to be operational within two to three months. Once all necessary steps are completed and permissions are granted from the NC ABC Commission, Town staff via social media, Town website, and coordination through local downtown businesses will notify the public that the Social Districts are in effect and operational.

Discussion – Mayor Massengill thanked everyone for coming to the meeting and voicing their concerns about the matter. He stated that alternative three would be a good way for the Town to dip its toe in the water. He stated that one of the concerns brought up was children walking home from school downtown on public sidewalks and alternative three address this concern with the time not starting until 4:00 pm. He reported that a business can choose to participate or not participate. He stated that it was brought up that there were better ideas, but he has not heard of any that have been proposed. He asked Police Chief Medina if a business that sells alcohol would be responsible by law to check ID's or deny the sell of alcohol to a customer that is already intoxicated. Police Chief Medina agreed with the statement that businesses would be responsible to check ID's and they must deny the sale of alcohol to an intoxicated customer. Mayor Massengill reported that Greensboro was quoted in a police forum that they have not had an increase in crime with their social districts. Also, Wendell, Hickory, Albemarle, Cornelius, Waynesville, Silva, and Stanley reported that they have not had an increase in crime linked to their social districts. He asked Police Chief Medina if he felt like this would increase the crime in Fuquay-Varina. Police Chief Medina reported that they started looking at this back in September/October 2022 timeframe and they looked at 24 jurisdictions and received their feedback. He stated that the information that the Police Department found supports the proposed social district especially with the operations plan and six-month feedback.

Mayor Massengill stated that the community wants more going on downtown, and the Town multiple organizations and residents that are in support of a social district. The Fuquay-Varina Chamber of Commerce and the Fuquay-Varina Downtown Association passed resolutions unanimously in support of a social district. He also stated that the Let's Talk Fuquay platform had overwhelming response in support. He reported that the North Carolina League of Municipalities is the entity that drafted the state legislation for the social districts. He advised that there was a retail study that was presented at the last Town Board meeting that showed leakage of several million dollars that go to other towns every day.

Mayor Pro-Tem Smith also thanked everyone who came to the meeting. He stated that like many Board Members he has received many emails, phone calls, text messages and letters from citizens regarding the proposed social district. He reported that he has not felt comfortable about this proposal and many factors contributed to his opposition from being in law enforcement for 40

years and Chief of Police for the Town of Fuquay-Varina. He stated that over his time as an officer he had a hard time keeping a handle on alcohol with people on the sidewalk and moving around. He also has seen several stabbings, sexual assaults and all kinds of violent cases that occurred in downtown areas and alcohol was a major contributing factor. He reported that he supports all types of businesses and that they have helped contribute to the growth of the downtown areas. He stated that the Town Board has held to the idea of preserving the character of our small downtown to be of utmost importance to our communities and many of the folks he has heard from believe and he believes that it would change the character. He stated that when this item is called for a vote, he will vote against the proposed social district.

Commissioner Gardner thanked Town staff for the research and ongoing updates over the months on the proposed social district. She stated that from back in October 2022 she wanted this proposed social district to reflect the community and that it was designed for the community. She stated that she attended a toolkit session at the NC Main Street Conference last week and she learned a lot and heard from three different Town Managers on their implementation of their social districts. She stated that the state retail association along with the NCLM drafted the social district legislation and they even came back after a year and tweaked it, so she feels that the social district proposal can be customized to fit Fuquay-Varina. She stated that she has been a part of the downtown since 1993 and that she has seen the ups and downs and how the economic trends affect what is being done in downtown and this needs to be looked at so the Town can bring more vitality to the downtown areas. She likes alternative three which reflects the Town and its unique characteristics, and it addresses some of her concerns about the proximity to the high school. She stated that starting with three days a week is a chance to try it to see how it does and she would be in favor of the proposed social district using alternative three.

Commissioner Haynes thanked everyone for the phone calls, emails, text messages and Facebook messages regarding the matter. He stated that he wanted to apologize for any business or person that has been hurt by any means in this process. He reported that he took an oath to be a representative to the citizens in Town whether you agree or don't agree with them. He stated that he took a different approach and went and surveyed 120 people at Walmart, Home Depot and Harris Teeter. He asked them a few questions and one was do you know what a social district is and about 80% didn't know what it was. He stated that at the end of the day this is a quality of life

issue. He reported that he has heard that this is saying the Town Board is against small business if the Town Board does not vote for it. He stated that it is not true because every Town Board member supports some type of small business in some way. He reported that he has heard that the Town needs to create community and this process does not support community, but it brings division in the process. He stated that the bigger question is how do we as a Town increase foot traffic in downtown. He stated that he will hold his decision on the vote until it is time to vote.

Commissioner Harris thanked everyone who spoke tonight and expressed their heartfelt concerns. He stated that the Town is at a pivotal point in history. He reported that he had to reflect on his experiences and working 12 years with a substance abuse agency and then working 30 years with mental health, substance abuse, and developmental disabilities. During those years he was a drug education teacher and coordinated and ran a domestic violence group for men who were convicted of domestic violence and one common theme was the issue of alcohol abuse. He stated that what is being discussed tonight is not only the aspect of the business community which he appreciates but it is about community health. He reported that for him he has to consider whether he is going to promote further consumption of alcohol and that has been linked to a lot of things that are not conducive to what he considers to be a healthy lifestyle. He stated that alcohol has been linked to mental illness, substance abuse, domestic violence, suicide, and all different kinds of things. He reported that his decision is whether he is going to promote the consumption of alcohol or promote prevention and for him it is prevention. He stated that he has an obligation to the community and to the citizens at large, and he has a responsibility to make sure that the Town continues to be a quality city with a small town feel and also have a healthy community. He stated that based on his experiences and based on what he has said he will not support the social district.

Commissioner Gardner stated that she has great respect for every Town Board member, and she wants to encourage everyone regardless of how the vote goes to go downtown, go to the concerts downtown, and attend the festivals.

Recommendation –

ALTERNATIVE 1:

Establish the Fuquay-Varina Social Districts' ordinance version 1, designating social district boundaries within the Town's downtown districts as indicated, establish social district hours of

operation (Monday through Sunday between 10:00 a.m. and 10:00 p.m.), and establish social district management and maintenance plans as recommended.

or

ALTERNATIVE 2:

Establish the Fuquay-Varina Social Districts' ordinance version 2, designating social district boundaries within the Town's downtown districts as indicated, establish social district hours of operation (Monday through Friday between 4:00 p.m. and 9:00 p.m. and Saturday through Sunday between 12:00 p.m. and 9:00 p.m.), and establish social district management and maintenance plans as recommended.

or

ALTERNATIVE 3: Establish the Fuquay-Varina Social Districts' ordinance version 3, designating social district boundaries within the Town's downtown districts as indicated, establish social district hours of operation (Thursday and Friday between 4:00 p.m. and 9:00 p.m. and Saturday between 12:00 p.m. and 9:00 p.m.), and establish social district management and maintenance plans as recommended.

A motion was made by Commissioner Gardner to approve the proposed social district for the Town of Fuquay-Varina using Alternate 3 as presented.

MOTION: Commissioner Gardner

SECOND: No one seconded the motion

MOTION RESULTS: Motion died for lack of a second

Town Manager Mitchel stated that staff needs direction from the Board as to their interest for more information or if this matter should be closed. Mayor Pro-Tem Smith, Commissioner Harris and Commissioner Haynes (a majority) reached consensus to bring closure to the matter.

PUBLIC HEARINGS

7A There were no public hearings for the March 21, 2023 Town Board meeting.

Mayor Massengill requested a recess at 9:07 pm.

Mayor Massengill called the meeting back to order at 9:11 pm

CONSENT AGENDA

8A. Special Event Application, Amplified Sound Permit, and Temporary Road Closure Request - Curated Craft Market on Depot Street

Purpose – To consider approval of the Special Event Application, Amplified Sound Permit, and Temporary Road Closure Request for the Curated Craft Market on Depot Street events scheduled for Saturday, April 15, May 20, June 17, October 21, November 18, and December 16, 2023.

Recommendation – Approve the Special Event Application, Amplified Sound Permit, and Temporary Road Closure request for the Curated Craft Market on Depot Street events scheduled for Saturday, April 15, May 20, June 17, October 21, November 18, and December 16, 2023 as presented and recommended.

8B. Special Event Application and Amplified Sound Permit - Curated Craft Market at Cultivate Coffee - May 6, 2023, and December 2, 2023

Purpose – To consider approval of a Special Event Application and Amplified Sound Permit Request for the Curated Craft Market for Cultivate Coffee scheduled for May 6, 2023 and December 2, 2023.

Recommendation – Approve the Special Event Application and Amplified Sound Permit request for the Curated Craft Market at Cultivate Coffee for events scheduled for May 6, 2023 and December 2, 2023, as presented and recommended.

8C. Modify Town Board Meeting Schedule - Monday, August 7, 2023 to Tuesday, August 8, 2023

Purpose – To consider amending the Town Board adopted meeting schedule by moving the first meeting in August to Tuesday, August 8, 2023 at 7:00pm.

Recommendation – Reschedule the 2023 Town Board adopted meeting schedule by moving the first meeting in August 2023 to Tuesday, August 8, 2023 at 7:00pm as recommended.

8D. Voluntary Annexation Petition - Brandon Ridge Farms, LLC - 2475 Optimist Farm Road, Apex, NC - PIN 0689342106 - ANX-2023-01

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 April 3, 2023, following the receipt of the petition for voluntary annexation of property owned by Brandon Ridge Farms, LLC containing a total of approximately 2.72 acres.

Recommendation – Adopt the resolution instructing the Town Clerk to investigate the voluntary annexation petition and adopt the resolution setting the public hearing for April 3, 2023, for property owned by Brandon Ridge Farms, LLC - ANX-2023-01, as presented and recommended.

8E. Introduction of a Bond Order - Two-Thirds General Obligation Bonds

Purpose – To formally introduce bond orders for issuance of \$1.65 million in General Obligation Bonds for capital costs of public buildings. In addition, the Town Board will consider adopting a resolution to set a public hearing and authorize filing of debt statements by the Town Finance Director.

Recommendation – Adopt a resolution setting a public hearing, accept the formal introduction of the Bond Orders, and authorize the Town's Finance Director to file a sworn statement of debt.

8F. Utility Agreement Allocation Request - Gold Leaf Crossing - Phase I

Purpose – To consider a Utility Agreement Allocation Request for the Gold Leaf Crossing Project - Phase I.

Recommendation – Approve the recommended utility allocation request for the Gold Leaf Crossing Phase I, as presented and recommended.

A motion was made to approve Consent Agenda Items 8A-8F.

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

Mayor Massengill referred to Consent Agenda Item 8F and stated that he is excited for the retail shopping center project to continue advancing and construction should begin this summer starting with road improvements.

ITEMS REMOVED FROM CONSENT

9A There were no items removed from the Consent Agenda for separate consideration.

ADMINISTRATIVE REPORTS

10A Project Ordinance Amendment POA 23-09, Budget Amendment BA-23-43 and Project Award – Quality Builders, Inc. of Raleigh – Town Hall Phase II – Public Buildings

Purpose – To consider a contract award to Quality Builders Inc. of Raleigh for the Town Hall Phase II Project, as well as an associated Budget Amendment and Project Ordinance Amendment.

Staff Comments – Parks and Recreation Director Jonathan Cox entered the agenda abstract and supporting documents for this agenda item into the official record of the Town. He then provided information about the agenda item by making the following remarks.

The Public Buildings Division solicited informal bids for the Town Hall Phase II project and received a total of four bids from interested general contractors. The lowest responsible bid was received from Quality Builders Inc., of Raleigh in the amount of \$387,826. The project scope of work includes upfitting unfinished space on the second floor that will leverage eight additional staff offices, improvements to/expansion of the Information Technology office suite, division of offices in the current Code Compliance corridor, expansion of the board room dais, and relocation and installation of access control doors on the second floor. The overall duration of the project is projected to take no longer than 180 days once the notice to proceed has been issued. Town staff recommends awarding the Town Hall Phase II Project to Quality Builders Inc., of Raleigh in the amount of \$387,826 as presented and recommended and authorize the Town Manager to execute a contract subject to Town Attorney review as to form.

The FY 2023 Public Buildings budget identifies funding of \$120,000 for the upfit of office space at the John W. Byrne Municipal Building of which \$16,300 was allocated to design and development of construction documents. The overall project budget of \$462,113 includes construction, structure cable install, access control, software license, signage, office furniture, roller shade modifications and a 5% contingency. Project bids exceeded the approved project budget and therefore a budget amendment and project ordinance amendment are needed in the amount of \$394,560.

Discussion – There was no discussion from board members.

Recommendation – Approve a Project Ordinance Amendment POA 23-09, Budget Amendment BA-23-43, and contract award for the construction of Town Hall Phase II to Quality Builders Inc. of Raleigh in the amount of \$387,826 as presented and recommended and authorize the Town Manager to execute a contract with Quality Builders Inc, of Raleigh, subject to Town Attorney review as to form.

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

OTHER BUSINESS

11A Manager's Report

Town Manager Adam Mitchell gave the following updates:

- Police – The Police Department is currently in 2nd place in the state for Special Olympics NC. They have also been exploring creative budget solutions to advance purchases in FY 23 to provide relief in the FY 24 budget.
- Fire- The Fire Department has promoted Martin Baxley through the Fire Department career ladder from Firefighter II to Senior Firefighter. Captain Jerry Crocker received his Fire Inspector Level I certification.
- Human Resources - Karin Wanner (Recruitment Coordinator) has begun summer employment interviews for summer seasonal employees. David Taylor has formed a town-wide safety committee to help with risk management throughout the organization.
- Communications – The Communication Department is working with Finance on developing a budget video and parks and recreation video highlighting town parks and offerings.
- Planning – The Planning Department went live with a Development & Business Liaison Services webpage which includes a wide variety of links for both residents and the development community providing answers to frequently asked questions, forms and applications and even online meeting requests. Pam Davison, Planning Director has been selected to be one of 30 people participating in this year's Urban Land Institute Health Leaders Network. The international group of land use and real estate professionals including public officials, architects, designers, developers, healthcare professionals, planners, and educators will collaborate on actionable development and design strategies that improve health, and well-being.
- Inspections – The Inspections Department have several inspectors taking state exams to advance their certifications in inspection trades.
- Engineering – The Engineering Department continues to advance the numerous transportation projects the town board has prioritized.

- Economic Development – The Economic Development Department will host the Downtown Generational Master Plan Community Engagement Session on March 23, 2023, from 5pm - 8pm at the FV Arts Center. Residents and business owners are invited to learn more about the importance of the plan and provide input on what they would like to see in our downtown districts.
- Public Utilities – The Public Utilities Department has submitted a grant funding request for community funding for \$2 million submitted to Congressman Wiley Nickel’s office. We appreciate Congressman Nickel and his staff working with us as we prepared our submittal.
- Finance – The Finance Department is working on the FY 24 budget and Five-Year Plan.
- Arts Center – The Arts Center has several great activities coming up this spring and summer.

11B Arts Center - Thursday March 23, 2023 at 7:00 pm - Portrait of Aretha: Cece Teneal Celebrates the Queen of Soul

11C Fire Department Station No. 4 - Topping Out Ceremony - Wednesday, March 29, 2023 at 11:00 am.- This event is being rescheduled.

11.D Easter Egg Hunt - Saturday April 1, 2023 - 10:00 am - Fleming Loop Park

11.E FVDA - Downtown Candy Hop - Saturday April 1, 2023 - 11:00 am - 2:00 pm

11.F Coffee with a Cop - HNTTP Clubhouse - 4621 Shady Greens Drive - Monday April 10, 2023 - 9:00 am - 10:30 am

11.G FM2FV Concert - Liquid Pleasure - Thursday April 13, 2023 - 6:30 pm - 9:30 pm - Centennial Park

11.H Arts Center - April 13, 2023, at 7:00 pm - Downtown Jazz: Sirens of Song-Ella Fitzgerald, Sarah Vaughn & Nina Simone, featuring Shana Tucker

11.I Arts Center - April 15, 2023, at 7:30 pm - Who Hijacked my Fairytale, featuring comedian Kelly Swanson

11.J Budget Workshop - Monday April 17, 2023 - 6:00 pm - Town Hall Board Room

11.K Arts Center - April 29, 2023, at 7:30 pm - Rodney Marsalis and The Philadelphia Big Brass

BOARD MEMBER COMMENTS

Commissioner Gardner thanked the Town for their support in defraying the cost for the FVDA to be able to attend the NC Main Street Conference last week. She attended some of the best sessions ever and the speakers were very good. She reported that there were a lot of good ideas that can be worked towards.

Commissioner Harris had no comments.

Mayor Pro-Tem Smith expressed his congratulations to Commissioner Gardner for being selected as the 2022 Fuquay-Varina Main Street Champion.

Mayor Massengill stated that there are a lot of great events coming up and he encouraged everyone to attend the different events. He stated that Communications Director Weis has done a good job with updating the Town website.

The following items are Mayor Massengill's past and future events:

Past Events

3/7 – Coffee with a Cop

3/10 – Metro Mayor's Call

3/11 – Fainting Goat St. Baldrick Fundraiser

3/14 – Chamber Ribbon Cutting – Pelican Snowballs

3/15 – FV Chamber Board Meeting

3/17 – Metro Mayor's Call

3/19 – American Legion Chili Cook Off Judge

3/20 – Speak at Herbert Akins Elementary School 4th Grade

3/20 – Wake County Mayor's Association Meeting

Upcoming Events

3/22 – Meals on Wheels

3/24 – Metro Mayor’s Call

3/29 – Topping Out Ceremony – Fire Station #4

3/31 – Metro Mayor’s Call

4/1 – Opening Day at the Grower Market

4/1 – Easter Egg Hung

4/1 – Downtown Candy Hop

CLOSED SESSION

Pursuant to N.C.G.S. 143-318.11 (a) (3) - Attorney Client Privilege and N.C.G.S. 143-318.11 (a) (5) Property Acquisition and Disposition.

A motion was made to conduct a closed session meeting at 9:30 p.m.

MOTION: Mayor Pro-Tem Smith
SECOND: Commissioner Harris
MOTION RESULT: Passed Unanimously (4-0)

RETURN TO OPEN SESSION

The Town Board returned to open session at 9:50 p.m. with nothing to report out of closed session.

ADJOURNMENT

A motion was made to adjourn the meeting at 9:50 p.m.

MOTION: Mayor Pro-Tem Smith
SECOND: Commissioner Harris
MOTION RESULT: Passed Unanimously (4-0)

The minutes from the March 21, 2023, Town Board of Commissioners regularly scheduled meeting are adopted this 3rd day of April in the year 2023 in Fuquay-Varina, North Carolina.

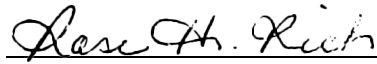
FUQUAY-VARINA, NORTH CAROLINA



J. Blake Massengill, Mayor

ATTEST

(TOWN SEAL)



Rose H. Rich, Town Clerk

Rose H. Rich, Town Clerk

