



TOWN OF FUQUAY-VARINA  
BOARD OF COMMISSIONERS REGULAR MEETING  
AUGUST 20, 2019

CALL TO ORDER

Mayor John W. Byrne called the regular meeting of the Fuquay-Varina Board of Commissioners to order on August 20, 2019 at 7:00 p.m.

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

Commissioners Absent: None

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

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INVOCATION AND PLEDGE OF ALLEGIANCE

Commissioner Smith provided the invocation and Commissioner Harris led the Pledge of Allegiance.

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APPROVAL OF THE MINUTES

The August 5, 2019 minutes of the regularly scheduled meeting of Town Board of Commissioners were presented and recommended for approval.

MOTION: Mayor Pro-Temp Massengill  
SECOND: Commissioner Gardner  
MOTION RESULT: Passed Unanimously (5-0)

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PRESENTATIONS

Agenda Item No. 4A            Recognition - Lt. Scottie Hinton - Police Department -  
Completion of NC State University Administrative  
Officer's Management Program - 84th Session

Town Manager Mitchell, Police Chief Fahnestock, and Mayor Byrne recognized Lt. Scottie Hinton for his completion of the NC State University Administrative Officer's Management Program. Police Chief Fahnestock stated that the program was a three-month course that focused on leadership, legal, statistics, liability and development classes. Mayor Byrne commended Lt. Hinton for being one of the many members of the Police Department who has participated in training courses that will enable them to better serve the community. Members of the Town Board also commended Lt. Hinton for completing the course.

Agenda Item No. 4B            Presentation - SWAC 8U Baseball State Champions

Town Manager Mitchell, Parks & Recreation Director, and Mayor Byrne presented the Statewide Athletics Committee (SWAC) 8U Baseball State Champions with a trophy and plaque; in addition, each member was given a Fuquay-Varina SWAC Champion backpack. Town Manager Mitchell commended the team on winning the championship and he stated that Fuquay-Varina has become a town recognized for being champions. Recreation and Parks Director Jonathan Cox stated that he was proud of the team as they advanced to the final tournament that was held in Aberdeen, NC. Athletic Program Specialist Trey Baggett introduced members of the team as follows:

Ethan Goodnight	Keegan Jackson	Parker Smith
Jackson Fansler	Jackson Fore	Grayson Shell
Michael McGahey	Carter Morgan	Kolby Smith
Clay Cox	Carson Thieret	Brayden Williams ( <i>absent</i> )

Head Coach Craig Morgan also commended the team for their ability to work together to win the championship. He also thanked Assistant Coaches Judson Smith, Andrew Jackson and Jerry Diehl for assisting in this endeavor. Mayor Byrne and the Town Board commended the team for representing Fuquay-Varina well and for bringing home the title of State Champions.

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PUBLIC COMMENTS:

Christina Catton, who resides at 105 Riding Ridge Road, spoke on behalf of the residents in the Northgate Subdivision regarding their requests for Town water service due to the Guilford Mills contamination of their well water. She stated that there has recently been a draft agreement written between the Town and Lear Corporation and she raised concerns regarding excessive fees levied as part of the agreement. Town Manager Mitchell stated that the Town Board did agree to waive the recreation fees for the residents of Northgate due to its unique situation. Mayor Byrne stated that Ms. Catton has received misinformation regarding the fees and he encouraged her to contact Town Staff and Lear Corporation regarding the matter.

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ITEMS TABLED FROM PREVIOUS MEETING:

There were no items tabled from a previous meeting for the August 20, 2019 Town Board meeting.

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PUBLIC HEARINGS:

There were no public hearings for the August 20, 2019 Town Board meeting.

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CONSENT AGENDA

Agenda Item No. 8.A: Resolution of Support of the 2020 Census and Establishment of Complete Count Committee

Purpose – To consider a resolution of support for the 2020 Census and formation of a Complete Count Committee.

Recommendation – Approve the resolution of support for the 2020 Census and formation of a Complete Count Committee as presented and recommended.

**Resolution No. 19-1621**

Agenda Item No. 8B: Voluntary Annexation Petition - Sugg Family Limited Partnership (High Grove Oaks Subdivision) - 3528 Wiltree Drive – PIN 0668979833 - ANX-2018-24

Purpose – To consider the adoption of a resolution instructing the Town Clerk to investigate an annexation petition, and to consider adoption of a resolution setting a public hearing for September 3, 2019 following the receipt of a petition for voluntary annexation of property owned by Sugg Family Partnership, located at 3528 Wiltree Drive, containing 92.858 acres.

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 September 3, 2019 for property owned by Sugg Family Limited Partnership Property (High Grove Oaks Subdivision) (ANX-2018-24) as presented and recommended.

**Resolution No. 19-1622**

**Resolution No. 19-1623**

Agenda Item No. 8C: Voluntary Annexation Petition - Randy and Kathy Dickens Property (Highridge) - 8900 Purfoy Road – PIN 0665568827 - ANX-2019-09

Purpose – To consider the adoption of a resolution instructing the Town Clerk to investigate an annexation petition, and to consider adoption of a resolution setting a public hearing for September 3, 2019 following the receipt of a petition for voluntary annexation of property owned by Randy and Kathy Dickens Property (Highridge) located at 8900 Purfoy Road containing 24.893 acres.

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 September 3, 2019 for property owned by Randy and Kathy Dickens (Highridge) (ANX-2019-09) as presented and recommended.

**Resolution No. 19-1624**

**Resolution No. 19-1625**

Agenda Item No. 8D: Surety / Letter of Credit - Sunset Bluffs Phases 12, 13, 16 and 17 - Landscaping Delay of Installation - \$42,875.00

Purpose – To consider a surety request for delay of landscaping improvements for Sunset Bluffs, Phases 12, 13, 16 and 17 in the amount of \$42,875.00.

Recommendation – Approve the underlying agreement and acceptance of a surety for Sunset Bluffs, Phases 12, 13, 16 and 17 in the amount of \$42,875.00 as presented and recommended subject to Town Attorney review as to form.

**Mayor Pro-Tem Massengill requested that this item be removed for further discussion.**

Agenda Item No. 8E: Surety / Letter of Credit - Fuquay-Varina Library - Landscaping Delay of Installation - \$52,654.00

Purpose – To consider a surety request for delay of landscaping improvements for Fuquay-Varina Library in the amount of \$52,654.00

Recommendation – Approve the underlying agreement and acceptance of a surety for Fuquay-Varina Library in the amount of \$52,654.00 as presented and recommended subject to Town Attorney review as to form.

Agenda Item No. 8F: Ordinance Amendment - No Left Turns - Fuquay-Varina Middle School

Purpose – To consider a Town Code amendment to revise the hours of prohibited left turns from Ennis Street into the Fuquay-Varina Middle School carpool line during weekday school drop off and pickup hours.

Recommendation – Adopt an ordinance amendment to the Town Code to prohibit left hand turns off of Ennis Street into the Fuquay-Varina Middle School carpool lane to reflect current drop off and pick up hours Monday through Friday as presented and recommended.

**Ordinance No. M-19-06**

Agenda Item No. 8G: Budget Amendment - Police Department - Police Explorers Post Fundraiser - \$463 - BA-20-03

Purpose – To consider adoption of a budget amendment that recognizes funds raised from a Fuquay-Varina Police Department Police Explorers Post fundraiser held in August 2019.

Recommendation – Approve Budget Amendment (BA-20-03) as presented and recommended.

Agenda Item No. 8H: Budget Amendment - Hilltop Needmore Town Park and Preserve - Parks, Recreation and Cultural Resources - BA-20-04 - \$40,000

Purpose – To consider approval of a budget amendment recognizing funds from Wake County for repairs and stabilization associated with the Hilltop Needmore Town Park and Preserve property.



MOTION: Commissioner Smith  
SECOND: Commissioner Gardner  
MOTION RESULT: Passed Unanimously (4-0)

A motion was made to approve Item 8D that was removed from the Consent Agenda.

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

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ADMINISTRATIVE REPORTS

Agenda Item No. 10A: Agreement to Grant Easement and Waiver - Woodland Point

Purpose – To consider an Agreement to Grant Easement and Waiver between the Town of Fuquay-Varina and Jakadacoho LLC for a portion of easement necessary for the Southern Oaks Interceptor public sewer 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 explained that the recommendation is approve the waiver of required pedestrian improvements related to the Woodland Point subdivision in exchange for a sewer utility easement that is needed to complete the Southern Oaks sewer interceptor project. Town Manager Mitchell advised that the required pedestrians improvements terminate at a railroad track and have limited benefit given that pedestrian facilities already exist on the opposite side of the road. He further advised that the Town will need to purchase a sewer utility easement from the property owner, or it can be given to the Town as a part of the proposed arrangement. Town Manager Mitchell stated that the value of the pedestrian improvements and easement were determined to comparable.

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

Recommendation – Approve the Agreement to Grant Easement and Waiver between the Town of Fuquay-Varina and Jakadacoho LLC as presented and recommended.

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

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## OTHER BUSINESS

### A. Manager's Report – gave a brief report on the following:

- Reported that the National Night Out Against Crime was a success and wanted to recognize Chief Fahnestock for her hard work.
- Reported that Mayor Byrne, Finance Director Crabtree and he had a conference call with the auditor and for the 5<sup>th</sup> year in a row the Town received the Government Finance Officer's Award of Excellence in Financial Reporting.
- Reported that the Town has received bids for the Fuquay Mineral Spring Park Stream Restoration Project and those bids were presently being evaluated.
- Reported that the Town has received bids for the Purfoy Road/Old Honeycutt Road Intersection Project and those bids were presently being evaluated.
- Reported that the majority of the NW Judd Parkway right of way has been cleared.
- Reported that the Engineering Department is working to get funds released for the Park-Depot Greenway Project.
- Reported that the 9/11 Day of Remembrance will be held at the Art Center this year.
- Reported that the Police Department Barbershop Rap Session was a huge success, great conversation and relationship building.
- Reported that Mayor Byrne, Planning Director Smith, Assistant Town Manager Matthews, Senior Planner Nishawala and Planner II Stafford attend the Wake County Board of Commissioner ETJ work session. There will be a public hearing on September 3<sup>rd</sup> and then a decision will be made on September 16<sup>th</sup> regarding the matter.
- Reported that Jay and he attended a meeting with Harnett Country on future water capacity.
- Reported that the Fleming Loop Park parking lot lights have been installed and four fields have been sodded.
- Reported that Parks & Recreation fall sports registration is up by 15%
- Reported that the Arts Center is in the final stages of season programming
- Reported that the Inspections Department activity is trending upwards.
- Reported that the IT Department is installing/relocating infrastructure for the new Town Hall building.
- Reported that plans are being made for new Town Hall ribbon cutting/open house ceremony
- Reported that Planning Director Smith will be attending the UNC School of Government Municipal Administration Course this year.



- *Reported that Assistant Town Manager Matthews has been accepted into the ICMA Leadership Program and received a scholarship to cover his tuition.*
  - *Reported that Police Officer Lt. Brett Walsh will be attending the Local Government Federal Credit Union Leadership Fellowship Program which is also paid for via a scholarship.*
  - *Reported that Mayor Byrne, Economic Director Seymour and he, along with Dr. Scott Ralls President of Wake Tech, met with members of the Big 4 to discuss how Wake Tech can help with their workforce training and recruitment.*
  - *Town Manager Mitchell presented a short video clip that was recently produced to promote the Fuquay-Varina Arts Center.*
- B. Coffee with a Cop - Vitamin Shoppe - 1241 N. Main Street - Thursday, August 22, 2019 - 9:30 am - 11:30 am
- C. Painting with the "PoPo" - Wednesday, August 28, 2019 - 9:00 am - 11:00 am - Crazy Glaze - 1322 N. Main Street
- D. FM2FV Concert - Embers - Thursday September 5, 2019 - 6:30 pm - 9:30 pm - Centennial Park
- E. 9/11 National Day of Service and Remembrance - Wednesday September 11, 2019 - 8:30 am - 10:00 am - Fuquay-Varina Arts Center
- F. Coffee with a Cop - Starbucks - 1380 N. Main Street - Friday, September 20, 2019 - 8:00 am - 10:00 am
- G. Zoning Map Amendment - 511 Main LLC - 511 S Main Street - PIN 0656956305 - REZ-2019-16 - (Mitchell/Matthews/Smith) - (FIRST READING)
- H. Zoning Map Amendment - First Capital Investments, LLC - 8900 Purfoy Road - PIN 0665568827 - REZ-2019-17 - (Mitchell/Matthews/Smith) - (FIRST READING)
- I. Zoning Map Amendment - McKim and Creed - 3528 Wiltree Drive - PIN 0668979833 - REZ-2018-28 - (Mitchell/Matthews/Smith) - (FIRST READING)
- J. Town Code Amendment - Town of Fuquay-Varina - Land Development Ordinance (LDO) Amendment #10 - CTA-2019-02 - (Mitchell/Matthews/Smith) - (FIRST READING)

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TOWN BOARD MEMBER COMMENTS

Mayor Pro-Tem Massengill provided no additional comments.

Commissioner Smith stated he enjoyed the National Night Out event and he also attended the Millionaire Makers Speed Networking event.

Commissioner Harris provided no additional comments.

Commissioner Wunsch stated he also enjoyed the National Night Out event and stated that it gets better every year.

Commissioner Gardner stated she was excited about the Piedmont Pottery Ribbon Cutting last week and she enjoys all of the programming that the Arts Center is offering.

Mayor Byrne stated that he attended an event at Pints Ice Cream & Beer celebrating their one-year anniversary.

Mayor Byrne also recognized Qisoundra Flowers who is a candidate for Commissioner for the Town of Fuquay-Varina. Ms. Flowers greeted the Town Board and stated that she looks forward to working with the Town in whatever capacity needed, despite the results of the election.

Mayor Byrne gave the following report on past and upcoming events as follows:

**Past Events**

- 8/6 – Meeting with Auditors
- 8/6 - National Night Out Against Crime – Police Station
- 8/10 – Barbershop Rap Session – Extraordinary Cuts

**Upcoming Events**

- 8/21 – Police Swearing in
- 8/22 – Coffee with a Cop – Vitamin Shoppe
- 8/28 – South Lakes Elementary Ground Breaking – 8:30 am
- 8/28 – Painting with the PoPo – Crazy Glaze
- 8/29 – Duke Energy Community Leaders Breakfast

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

A motion to hold a closed session meeting at 8:07 p.m.

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

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ADJOURN

A motion was made to adjourn the meeting at 8:22 p.m.

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

Adopted this the 3<sup>rd</sup> day of September 2019 in Fuquay-Varina, North Carolina.

FUQUAY-VARINA, NORTH CAROLINA

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John W. Byrne, Mayor

ATTEST:

(TOWN SEAL)

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Rose H. Rich, Town Clerk

