



Fuquay-Varina Town Board Meeting

October 18, 2022

J. Blake Massengill, Mayor
Larry Smith, Mayor Pro-Tem
William H. Harris, Commissioner
Marilyn B. Gardner, Commissioner
Tracy Watson, Commissioner
Bryan Haynes, 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, October 18, 2022, 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, Tracy (Watson) Cook, and Bryan Haynes. Also in attendance were Assistant Town Manager Mark Matthews, Assistant Town Manager Jim Seymour, Town Clerk Rose Rich, Town Attorney James Adcock, and IT Director Scott Clark. Town Manager Adam Mitchell was absent due to excused scheduled time-off.

CALL TO ORDER

Mayor Massengill called the meeting to order at 7:02 pm.

INVOCATION AND PLEDGE

Mayor Pro-Tem Smith provided the invocation and Deputy Fire Chief Jim Jones led the Pledge of Allegiance.

VIRTUAL MEETING PROTOCOL

Assistant Town Manager Mark Matthews 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 October 3, 2022, minutes of the Town Board of Commissioners regularly scheduled meeting.

MOTION: Mayor Pro-Tem Smith

SECOND: Commissioner Cook

MOTION RESULTS: Passed Unanimously (5-0)

PRESENTATIONS

4A Fire Department - Wake County Diversity Hiring Process - Public Introduction of Fire Recruits

Purpose – To present an overview of the recruitment process initiative used to hire the nine firefighters brought on board in anticipation of the opening of Fire Station #4. Presenting were Trinija Martin, Wake County Deputy Director of Human Resources and Darrell Alford, Wake County Fire Services Director.

Staff Comments – Deputy Fire Chief Jim Jones 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.

Earlier in 2022, Wake County Fire Services requested funding from the American Rescue Plan Act to strengthen the Fire Tax Districts and their municipal partners’ ability to recruit firefighter candidates, with an emphasis on Diversity & Inclusion. Wake County’s ARPA Review Team supported the request and elevated the project forward to the Wake County Board of Commissioners.

At the regular meeting of the Wake County Board of Commissioners on October 18, the ARPA funding request for the Fire Tax District was approved in the amount of \$2.3-million and allocated as needed in compliance with the project through December of 2024. This approval allows Wake County to reimburse the county departments and their municipal partners for the new personnel using the approved ARPA funding.

The project required Wake County Fire Services and its municipal partners to focus on new recruitment strategies that targeted all individuals with a heart to serve in the fire service arena. This included working with Wake Tech, Wake County Public School System, and Community Based Organizations on engagement opportunities where fire service personnel of all backgrounds, race, and gender would speak to interested applicants.

This project also involved working with Wake Technical Community College and the Wake County Fire Services staff to evaluate and “re-tool” how Fire & EMT classes for the 2022 Fall Academy beginning in October would be designed and delivered. In addition, identify how removing traditional barriers could make this opportunity viable to more candidates. County and municipal staff believe a fire department that resembles its community in demographic makeup is more capable of providing effective service and more respected by the community they serve. A workforce of diversity & inclusion provides improved understanding of those a person works for, with, and around.

Deputy Fire Chief Jim Jones introduced Darrell Alford, Director of Fire and Emergency Management and Trinija Martin, Wake County Deputy Director of Human Resources who presented a review of the September 21 presentation to the Fire Commission. The presentation focused on current Fire Department recruitment strategies and how they can be improved, the changing culture within the departments to grow diversity, equity and inclusion, the involvement of external and internal stakeholders to affect change and the establishment of a paid academy. They also provided detailed information on recent diversity firefighter recruitment initiatives, team planning, and the application process for new hires for this program.

Deputy Fire Chief Jim Jones the introduced the nine new Firefighter Recruits are as follows:

Makayla Burns – Goldston, NC

David Georgetti – Willow Spring (Fuquay-Varina High School Graduate)

Andrew Grobe – Fuquay-Varina (Holly Springs High School Graduate)

Jennifer Hayes – Fayetteville, NC (Navy Veteran)

Tasia Maddox – Fayetteville, NC

Dylan Nokes – Chapel Hill, NC

Andrew Spain – Garner, NC

Joe Thieme – Raleigh, NC

Landon Thompson – Raleigh, NC

Mayor Massengill stated that he had the honor of introducing the 9 fire new recruits at the recent groundbreaking ceremony for Fire Station #4. He stated that he believes that Town of Fuquay-Varina got the best of the recruits out of the 1,000 applicants that applied.

Commissioner Harris asked if the national data base considered volunteer fire departments.

Darrell Alford stated that the process was broken down by career and volunteers. Commissioner Harris also asked if there was a target goal as far as diversity was concerned. Trinija Martin stated that the target goal was 10%. She stated that the overall goal far exceeded the goal individually when individual agencies were looked at.

Mayor Massengill thanked Darrell Alford and Trinija Martin for their presentation and he asked when the last day at the academy would be for the 9 recruits. Deputy Fire Chief Jim Jones stated the academy would be ending in middle of June of 2023. Mayor Massengill again welcomed the new 9 recruits to Fuquay-Varina.

Assistant Town Manager Matthews thanked Wake County Fire Service for bringing the initiative forward. He stated that this initiative will make a difference throughout the county, and he wanted to commend all the Fire Chiefs especially Fire Chief Tony Mauldin who was a steadfast champion of this initiative. He stated that Fire Chief Mauldin recognized and vocally understood the importance of recruiting and retaining the best and the brightest, as well as organizational and cultural effects. He also thanked Human Resources Director Wendy Moody and her staff for their efforts in this process.

Commissioner Gardner reported that she saw a segment in the local news story about this program and how the paid training made it possible for a particular family member to participate in the training who otherwise would not have been afforded the opportunity. She commended all who made this effort possible.

PUBLIC COMMENTS

5A Krista Abshure, of Abshure Realty at 201 S. Main Street, Robyn Morrison of Pints Ice Cream and Beer at 512 Broad Street, Kelly Quiring of Revelry Barber & Shave Shop at 101 S. Main Street, Ken O’Berry of Vicious Fishes Brewery and Tap Kitchen at 132 S. Fuquay Avenue, Justin Crawford owner of a warehouse at 131 Northeast Way, Keri Zollo Ennis of Carolina Monogram at 715 N. Main Street and Jon Pierce of Mason Jar at 305 S. Main Street and 341 Broad Street all spoke in favor to the proposed Social Districts Ordinance. They all expressed their support of the ordinance stating that it would create more foot traffic, which will encourage other businesses to locate downtown.

ITEMS PREVIOUSLY TABLED

6A There were no items previously tabled for the October 18, 2022 Town Board meeting.

PUBLIC HEARINGS

7A Public Hearing - Extension of 2015 General Obligation Bonds

Purpose – To hold a public hearing and consider approval of an extension of time of the Town's authority to issue General Obligation Bonds originally approved by the voters during the 2015 Municipal Election.

Staff Comments – Finance Director JoAnne Crabtree entered the agenda abstract and supporting documents for this agenda item into the official record of the Town. She then provided information about the agenda item by making the following remarks.

At a referendum held on November 3, 2015, the voters of the Town of Fuquay-Varina authorized the issuance of Town General Obligation (GO) Bonds for a variety of purposes in the maximum aggregate amount of \$26,000,000. The Town has not yet issued \$2 million of Wastewater GO Bonds, \$3 million of Water GO Bonds and \$3.65 million in Transportation GO Bonds totaling \$8.650 million.

The recommended action is to extend the Town’s authority to issue these bonds until November 2025. GO bond authorization expires 7 years after approval, but may be extended to 10 years with Local Government Commission and governing body approval. No further extensions are available under the law. The Local Government Commission has approved the extension, but this action by Town Board (after the public hearing) is necessary to complete the process. This action does not bind the Town Board to issue any or all of these bonds, or to finance any particular projects but does provide the Town the flexibility to utilize GO Bonds as a financing tool for eligible projects. This action is common practice by local governments in North Carolina, as GO Bonds generally provide the opportunity to finance projects at the lowest available interest rate. For these reasons management and staff recommend approval.

The Town currently has authorized but unissued general obligation bonds that were approved on November 3, 2015 for the following purposes and amounts:

Wastewater	\$2,000,000
Water	\$3,000,000
Transportation	\$3,650,000

Public Hearing – The public hearing was opened. No one chose to speak in favor of, or in opposition to the proposed extension of 2015 General Obligation Bonds. The public hearing was closed.

Discussion – Mayor Massengill stated that the Town has a lot of projects coming up in the next three years and this extension gives the Town another three years to borrow money the cheapest way to help finance the roads and sewer projects.

Recommendation – Approve the order extending the Town's authority to issue the remaining 2015 General Obligation Bonds as presented and recommended.

Resolution No. 22-1775

MOTION: Commissioner Haynes
SECOND: Mayor Pro-Tem Smith
MOTION RESULTS: Passed Unanimously (5-0)

CONSENT AGENDA

- 8A. Special Event Permit, Amplified Sound Permit, and Temporary Street Closure Request - BBQ Blues & Brews - Saturday, Nov 12, 2022 - 12:00 pm to 4:00 pm - 405 East Broad Street

Purpose – To consider Special Event Permit, Amplified Sound Permit, and Temporary Street Closure Request for the BBQ Blues & Brews Festival scheduled for Saturday, Nov 12, 2022.

Recommendation – Approve a Special Event Permit, Amplified Sound Permit, and Temporary Street Closure Request for the BBQ Blues & Brews Festival scheduled for Saturday, Nov 12, 2022, as presented and recommended.

- 8B. Special Event and Amplified Sound Permit - Lincoln Heights Elementary School PTA - Family Fun Run - Thursday, November 3, 2022

Purpose – To consider approval of a Special Event and Amplified Sound Permit for the Lincoln Heights Elementary School PTA, Family Fun Run being held on Thursday, November 3, 2022.

Recommendation – Approve a Special Event Permit and Amplified Sound Permit for the Lincoln Heights Elementary School Fun Run Event scheduled for Thursday, November 3, 2022, as presented and recommended.

- 8C. Voluntary Annexation Petition - New Providence Baptist Church - 4813 & 4807 Hilltop Needmore Road - PINs 0678545736 & 0678549709 - ANX-2022-10

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 November 7, 2022, following the receipt of the petition for voluntary annexation of property owned by New Providence Baptist Church containing a total of approximately 19.733 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 November 7, 2022, for property owned by New Providence Baptist Church - ANX-2022-10, as presented and recommended.

Resolution No. 22-1776

Resolution No. 22-1777

8D Voluntary Annexation Petition - 6910 & 0 Kennebec Road - PINs 0687028436 & 0687120232 - ANX-2022-11

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 November 7, 2022, following the receipt of the petition for voluntary annexation of property owned by Christine Cutter containing a total of 4.127 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 November 7, 2022, for property owned by Christine Cutter - ANX-2022-11, as presented and recommended.

Resolution No. 22-1778

Resolution No. 22-1779

8E Surplus - Streets Department Equipment

Purpose – To consider surplusizing several pieces of equipment within the Streets Department.

Recommendation – Surplus the Streets Department's John Deere 5105 Tractor, Z830A Zero Turn Mower, and Tack Trailer, and to authorize the sale of these items on GovDeals.

8F Resolution - Abatement Assessment - 411 Cherry Street

Purpose – To consider a resolution assessing the cost of a Town abatement of a nuisance for 411 Cherry St, PIN 0656792838.

Recommendation – Approve a resolution to apply the cost of Town nuisance abatement as a lien against 411 Cherry Street - PIN 0656792838.

Resolution No. 22-1780

8G Resolution - HL-0041 South Judd/South Main Intersection Operational Improvements
Condemnation

Purpose – To consider adoption of a resolution instructing the Town Attorney to begin condemnation proceedings for a temporary construction easement on 931 S Judd Parkway SE as needed for the S. Judd Parkway and S. Main Improvement Project (LAPP Project No. HL-0041 and State Project No. SM-5705S).

Recommendation – Approve the resolution instructing the Town Attorney to begin condemnation proceedings for a temporary construction easement on 931 S Judd Parkway SE as needed for the S. Judd Parkway and S. Main Improvement Project (LAPP Project No. HL-0041 and State Project No. SM-5705S).

Resolution No. 22-1781

8H On-Call - Engineering Services Firm Selection

Purpose – To consider entering into a two-year agreement with four engineering firms for on-call preliminary engineering services.

Recommendation – Approve the selection of engineering firms Kimley-Horn, SEPI, AMT, and Mott MacDonald for Engineering On-Call services and authorize the Town Manager to enter into a two-year on-call preliminary engineering services agreement with the recommended engineering firms in the form of an agreement acceptable to the Town Attorney.

8I Fee in Lieu Agreement - Amendment No. 1 - WakeMed - Fuquay-Varina Parkway Fee-in-Lieu

Purpose – To consider a request, via an amendment to an existing Fee-in-Lieu Agreement with WakeMed, to coordinate the payment of the roadway fee-in-lieu, for the portion of the Fuquay-Varina Parkway that will not be constructed, with the Certificate of Occupancy for the development of the WakeMed Medical Office Building (MOB).

Recommendation – Approve an amendment to the existing WakeMed Fee in Lieu Agreement to coordinate payment of the roadway fee-in-lieu, for the portion of the Fuquay-Varina Parkway that will not be constructed, with the Certificate of Occupancy for the WakeMed Medical Office Building (MOB) as presented and recommended.

8J Budget Amendment - Recognize Insurance Proceeds - Police Department - Vehicle Repairs Unit #225 and Unit #150 - BA-23-20 - \$4,512

Purpose – To consider a budget amendment that recognizes insurance proceeds/restitution for repairs to the Fuquay-Varina Police Department for Vehicle Unit # 225 and Unit # 150, totaling \$4,512.

Recommendation – Approve Budget Amendment BA-23-20 presented and recommended.

8K Budget Amendment - Federal Forfeiture Funds - Police Department - BA-23-21 - \$55,000

Purpose – To consider a budget amendment to appropriate seizure funds for the purpose of Police vest and uniform expenditures.

Recommendation – Approve BA-23-21 as presented and recommended.

Commissioner Harris requested to remove this item from the Consent Agenda for discussion.

A motion was made to approve Consent Agenda items 8A-8J. Item 8K was removed for further discussion.

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

ITEMS REMOVED FROM CONSENT

9A (Consent Agenda Item 8K.) Budget Amendment - Federal Forfeiture Funds - Police Department - BA-23-21 - \$55,000

Purpose – To consider a budget amendment to appropriate seizure funds for the purpose of Police vest and uniform expenditures.

Discussion – Commissioner Harris asked if the funds were coming from the county government or from federal government. Chief Brandon Medina reported that the funds are coming from federal government. Commissioner Harris asked if this was a one time funding for the Town. Chief Brandon Medina stated that since the Town does not have a task force officer assigned to this specific unit it will just be funds the Town has now unless a prior case is settled at the federal level. Commissioner Harris asked if the funds are typically asset forfeiture funds. Chief Brandon Medina stated that the funds are typically asset forfeiture funds.

Recommendation – Approve BA-23-21 in the amount of \$55,000 as presented and recommended.

A motion was made to approve Consent Agenda item 8K.

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

ADMINISTRATIVE REPORTS

10A Fuquay-Varina Downtown Social Districts

Purpose – To create the Fuquay-Varina Downtown Social Districts and operational plan in downtown Fuquay-Varina.

Staff Comments – Economic Development Director Tiffany McNeill entered the agenda abstract and supporting documents for this agenda item into the official record of the Town. She then provided information about the agenda item by making the following remarks.

Municipal leaders continue brainstorming creative ways to create vibrant downtowns while boosting their local economy and providing unique cultural experiences for their 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 as many communities recover from the COVID-19 pandemic.

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 are only allowed to 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.

A local government must develop and distribute uniform signage indicating that a non-ABC permittee businesses is included in the social district and allows alcoholic beverages on its premises when it is active. A non-permittee participating in the social district and allowing alcohol on their premises must always display the uniform sign when the social district is active. A customer cannot bring an alcoholic beverage into a non-permittee business that does not display the uniform social district sign.

Alcoholic beverages that are sold for consumption in the social district may only be sold in a container that meets all the following requirements:

- The container identifies the ABC permittee from which the alcoholic beverage was purchased.
- The container displays the Fuquay-Varina Downtown Social District logo.
- The container is not made of glass.
- The container displays, in no less than 12-point font, the statement, "Drink Responsibly Be 21."
- The container cannot hold more than 16 fluid ounces.

The sale and delivery of alcohol in a social district are subject to the same limitations as sales and deliveries of alcohol in North Carolina, where no more than two malt beverages or wine drinks at

one time to a single patron and no more than one mixed beverage or spirituous liquor drink at one time to a single patron.

Town staff researched social districts throughout the state of North Carolina. Municipalities that have adopted the program include Greensboro, Hickory, Kannapolis, Monroe, Newton, Norwood, Salisbury, Sylva, and Raleigh. Those currently evaluating the program for adoption include Albemarle, Charlotte, Durham, High Point, New Bern, 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, and 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 are 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. People can carry a drink from one permitted establishment into another if the permitted establishment allows it.
- 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.

It is anticipated that the Fuquay-Varina Social Districts will be a valuable tool in increasing the economic activity and vibrancy of downtown Fuquay-Varina. The following are anticipated benefits of the social district ordinance:

- Encourages economic vitality in the community.
- Enhances exposure to cultural experiences for residents and visitors.
- Increases foot traffic and revenue for retailers.
- A business attraction for businesses interested in locating in social districts.
- Opportunity to host more special events in DC-1.

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 the next couple of 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.

The cost for the new Social Districts' signage indicating the districts' boundaries will be required. In addition, there will be costs associated with printing social district stickers and administrative applications to the North Carolina Alcoholic Beverage Control Commission.

Discussion – Mayor Massengill asked what thought process went into what location would or would not be included in the social districts. Downtown Manager Dawn Russell stated that areas with retail and breweries closest to the retail locations.

Mayor Massengill asked about the process for obtaining an ABC Permit. Police Chief Brandon Medina stated that once the Town Board has approved the Ordinance for Social Districts, the Police Department would contact the ABC Board to let them know that the Town is implementing the Social Districts Ordinance. He stated that most of the paperwork from the businesses are already on file with them. Mayor Massengill asked if the Town had previous trouble with a business would they be excluded. Chief Brandon Medina reported that since he has been employed with the Town the last six months, he has been in contact directly and indirectly with the ABC Commission to get a feel of what businesses would be considered. He stated that based on the information that he received there were no actual businesses that would not be excluded. Mayor Massengill asked if there was a business that was having trouble who would be the one to take their license. Chief Brandon Medina stated the Police Department works in connection with the Wake County ABC Board as well as the State Alcohol Law Enforcement (ALE) agency to get guidance on how to handle non-compliant businesses, and they would also get their assistance to enforce an investigation for that business. He reported that normally the Police Department relies on the business owners to contact the Police Department and address issues as they arise. Mayor Massengill asked how the hours of 10:00 am to 10:00 pm were decided. Police Chief Brandon Medina stated that of the 17 municipalities that they contacted that was the timeframe that a lot of the municipalities were using.

Commissioner Cook asked how the Social District would be marked so that citizens would know where the districts are. Economic Development Director Tiffany McNeill stated that at every entrance of the Social District there would be signage indicating that they have entered a Social District and when leaving there will be signage also that would indicate that you are no longer in the Social District.

Commissioner Cook ask if this would put a strain on the Police Department to help with the patrol of the Social District. Police Chief Medina stated that the plan would be to just see how it operates day to day and capture data from that. He reported that he would evaluate what happens daily and weekly and then report back to staff to let them know what areas they are having issues with. He stated that the feedback he has received from other jurisdictions has been good and they are going to monitor how it goes and then they can have conversations about increasing police staff is necessary.

Commissioner Cook reported that she had been in contact with another council member at another town that has this Social District and the main concern they were seeing was the consistency of the hours. She also stated that she visited a festival that had Social Districts and stated that it was interesting, but it worked well. Police Chief Brandon Medina reported that when he reached out to the 17 municipalities regarding this issue to see if there were any potential crimes that had been linked back to Social Districts. He stated that none of the jurisdictions had reported any of crimes occurring that caused major concerns.

Commissioner Gardner asked if staff spoke to municipalities regarding social districts that were similar to the Town of Fuquay-Varina. She also wanted to know about how the Social District would be linked to any family events, such as the Candy Hop, Downtown Trick or Treat and Christmas Tree Lighting events. Police Chief Medina stated that the one of jurisdictions that he spoke with stated that any town event would be the priority of that day and the Social Districts would not interfere. He stated that it would be the family oriented event that would take precedence over anything else. All of this would be communicated to the citizens. Assistant Town Manager Jim Seymour stated that staff had spoken with the City of Hickory which is geographically the size of Fuquay-Varina, and the City of Salisbury that has a Social District similar to Fuquay-Varina and the City of Greenville that has two districts like Fuquay-Varina. He stated that Hickory's Social District is more like what is being proposed for the Town of Fuquay-Varina and it has been in operation for a while and is functioning well.

Mayor Massengill asked if the Town was having a family event would Social Districts be closed for the event. Assistant Town Manager Seymour stated that anytime there is a special event permit that would take place within the actual Social District while operating, the criteria or parameters of the special event would supersede the Social District. He reported that if you had an event in

the Social District that did not allow alcohol it would have to be honored. He stated that is the way Hickory and Salisbury are doing it. Mayor Massengill asked if during Celebrate Fuquay event, would alcohol be permitted. Assistant Town Manager Jim Seymour reported that since that is a Town event it would be up to the Town to decide if alcohol would or would not be permitted.

Commissioner Gardner asked if the Town has a lot of establishments that are serving alcohol at 2:00 am on Sunday mornings. Economic Development Director Tiffany McNeill reported that is the North Carolina general statute which is not being proposed for the Town of Fuquay-Varina. What is being proposed for Social Districts for the Town of Fuquay-Varina is to operate between the hours of 10:00 am – 10:00 pm. Assistant Town Manager Mark Matthews stated that the hours of 7:00 am – 2:00 am are the hours that alcohol can be sold by state law.

Commissioner Haynes thanked staff for all their hard work on this ordinance. He reported that he has also spoken to other commissioners at other towns and that this was not a one night vote and that it took a few meetings to discuss. He stated that he sees this as an educational curve for citizens and business owners. He asked if staff had heard anything on the misuse of cups and people going to their car and putting alcohol in their cups. Police Chief Medina stated that he would like to have a “TEAMS” meeting with all the jurisdictions that have Social Districts to share information and concerns that they are having. He stated that it would not be any different than when an individual is leaving their residence after consuming alcohol and they make that decision to get behind the wheel of a vehicle. He stated there will be growing pains and learning curves as you always have with people coming up with different ways to disguise alcohol. He stated that it is going to take information sharing and working with businesses to have that good dialogue on what is going on or could potentially happen.

Commissioner Haynes asked how this is going to be perceived by other businesses when citizens bring alcohol from other businesses into their establishment. He stated that he is concerned from an economic side because individuals sometimes will nurse an alcoholic beverage and go from establishment to establishment and not purchase anything while in that establishment.

Economic Development Director Tiffany McNeill stated that the Town’s ordinance states that you are not taking a cup from “Brewery A” to “Brewery B” unless Brewery B allows it.

Commissioner Gardner asked what keeps individuals from getting into their cars that is parked in the district. Police Chief Medina stated that the Police Department would have to do proactive policing. He reported that the Police Department has encountered people drinking alcohol in parking lots and gas stations and the Police Department will have to be proactively seen. He stated that his department is working on something now that will allow the officers to be more visible and educating the public and businesses will help them to know the expectations.

Assistant Town Manager Seymour reported that when staff did the research there were a lot of the businesses that indicated that this ordinance would be a team effort. The businesses understand that this is a privilege to be able to have this district. They will also act as the eyes and ears on the ground to make sure if something is going wrong that they will be the ones to call the Police Department because if there are a lot of issues that occur in the district there is a possibility that the Social District would not exist. He stated that the municipality establishes the districts, there is still a lot of public outreach that should occur before the district goes into operation and staff is very critical in collaborating with the business to make sure that this turns out to be a successful endeavor. Mayor Massengill stated that business collaboration is where two or three businesses come together to have an event and have people to walk across the street to three different locations or even adjacent to each other because a band is playing or there is a fundraiser event.

Mayor Pro-Tem Smith stated that he understands that staff has done their research and he does not want what he is going to say to be misconstrued. He stated that him being a former Police Chief and now a commissioner he has seen where alcohol could not leave the businesses to having beer gardens and now this. He stated that he remembers that the town worked through that exercise, then worked through expanded patios, then worked through sidewalk café, and then worked through what we are doing now with events being allowed in tents with open consumption of alcohol at an event. He stated that he sees the benefit for businesses, but his issue is how many citizens that are not involved in downtown business are even aware of this being discussed tonight. He reported that he really likes what he is hearing and the amount of detail that staff has done to figure out how to make this work, but he questions possible public actions like vandalism, public urination and vomiting on the sidewalks that could occur as like some he has witnessed in his 40 years as a Police Officer/Police Chief. He stated that he would like to see this item tabled at least one meeting just to give citizens the chance to have any input

they may like to have and to give him time to get his questions answered. He stated that he wants to make sure that this is the best decision for the Town as a whole.

Commissioner Harris stated that he struggles with the proposal because he is the past chairman of the Fuquay-Varina Citizens Against Drugs, he is part of the Fuquay-Varina Coalition that looks at underaged drinking and he worked 30 years with the Department of Health and Human Services where he was the drug education school instructor. He stated that he knows the devastation that can happen with alcohol. He expressed concerns about how this is going to complement our historic theme. He stated that the Town has worked for several years on its historic value and preservation of Fuquay-Varina. He stated that the question is how this will impact the overall image of downtown in regards to what we as a board have done to make it walkable, and amendable to families. He stated that alcohol affects people in different ways, and we just don't know how it is going to affect each and everyone and his responsibility to the town is to promote a healthy community and a healthy community means looking at issues that may impede health. He stated that economic vibrancy of a community is tied more than just the socialization aspect and there are other jewels and opportunities within a community to promote thriving businesses. He reported that businesses through creativity can continue to thrive and grow even in times like these. He stated that it does not necessarily have to be dedicated to a particular Social District like what is being proposed tonight. He stated that this is a good idea but these kind of ideas overshadow what is being discussed and the community where we have thrived to have a certain image around family values. He stated that the Town needs to hear from the citizens at large in regard to their impression of what is being proposed, how it will be done and if this is the right thing that needs to be done for the community. He recommends that the Town use "Let's Talk F-V" to receive dialogue from our citizens on the matter.

Commissioner Haynes stated that the one thing he heard tonight from businesses was foot traffic. He stated that it is the responsibility of the Town Board to find ways to increase that foot traffic in our downtown areas.

Assistant Town Manager Seymour stated that one of the conversations at last year's Town Board Retreat was how the Town was going to increase foot traffic in downtown and one of the items that was discussed was the Social Districts.

Commissioner Cook thanked all the business owners for coming out and speaking on this proposal. She stated that there has been a lot of talk online from residents on this proposal. She stated that Raleigh and other towns have passed this type of proposal. She thanked staff for all their hard work and the detail that went into this proposal. She stated that she had done her research and that this will be evolving, and she was ready to approve the Social District Ordinance tonight.

Commissioner Gardner stated that she is ready to make a motion to table action on the matter but wanted to make sure that staff was clear on what they needed to do and the information that the Board needed from them. Commissioner Harris asked if the proposed ordinance could be put out on Let's Talk FV for 30 days.

Assistant Town Manager Seymour requested that this item be tabled to a specific date. He stated that 30 days would be November 22, 2022, Town Board meeting. He then asked for clear direction from the Town Board of what their expectations are from staff and what information they wanted staff to bring back to them. Mayor Massengill stated that if Board members have questions, they are to get with staff and have conversations regarding their concerns and be ready to take a vote on November 22, 2022.

Commissioner Gardner would like for the Downtown Fuquay-Varina Board to have an opportunity to look at this proposal and see if they have any questions or concerns.

Mayor Massengill asked if the FVDA would be able to meet within the next 30 days to discuss this proposal. Downtown Manager Dawn Russell stated yes, they could meet for this purpose.

Commissioner Gardner thanked everyone for their hard work that went into the proposal.

Recommendation – Motion was made to table the item until the November 22, 2022, Town Board meeting.

MOTION: Commissioner Gardner
SECOND: Commissioner Harris
MOTION RESULTS: Passed (4-0) (*Commissioner Cook voted in opposition to the motion.*)

10B Consultant Selection - Downtown Generational Plan

Purpose – To consider approval of professional consulting firm McAdams to perform professional services for the Downtown Generational Plan.

Staff Comments – Economic Development Director Tiffany McNeill entered the agenda abstract and supporting documents for this agenda item into the official record of the Town. She then provided information about the agenda item by making the following remarks.

The Town of Fuquay-Varina Board of Commissioners has authorized funding for a qualified consultant to conduct a comprehensive downtown generational plan. This downtown generational plan is intended to be a blueprint for additional investment in downtown development specific to housing, commercial/retail development, cultural arts, landscaping, and recreation amenities. The plan should recommend changes to the built environment that should be made over the course of the next several decades while considering current demographic profiles, economic conditions, and community goals. In addition, the plan should examine local, national, and international downtown development trends that will impact development patterns throughout downtown Fuquay-Varina.

The downtown generational plan will consist of but is not limited to the following:

1. Serve as a blueprint for downtown planning efforts to advance the downtown's economic and physical success over the next several decades.
2. To attract and retain businesses, residents, and visitors downtown while ensuring that the uniqueness and authenticity of Downtown Fuquay-Varina are maintained.
3. Understand the right blend of new development, redevelopment, rehabilitation, and infill development opportunities.

4. Creating a unified downtown vision to include a comprehensive strategic implementation strategy to ensure the continued development and redevelopment of Fuquay-Varina and good quality, mixed-use design with a balance in each block. The master plan will be a referenced document by the community and serve as a policy guide in decision-making for local government officials.
5. Build consensus among engaged stakeholders, including property owners, residents, businesses, developers, and elected officials.
6. Identify downtown's historical significance and recommend empowering historic preservation in conjunction with new, modern forms of downtown infill development projects.
7. Focus on key initiatives to assist the Town in making a strategic public investment in infrastructure while leveraging new, private sector investment that creates robust mixed-use and infill development opportunities.

The Town solicited Request for Qualifications (RFQs) for consultants to perform a Downtown Generational Plan in August 2022. A copy of the Request for Qualifications is provided for reference.

The Town received seven RFQ responses on September 22, 2022. A Town Staff and Fuquay-Varina Downtown Association (FVDA) RFQ Selection Committee reviewed and rated the seven RFQ responses and interviewed three top candidates. The RFQ submitted by consulting firm McAdams demonstrated extensive relevant project experience, including a skilled and qualified project team, a history of successful, related projects, and a deep understanding of our community and downtown generational plan outcomes. In the event that Town staff is unable to negotiate an agreed upon scope and fee with the preferred consultant McAdams, Town staff will move forward and negotiate scope and fee with the second choice firm, Design Collective.

The RFQ Selection Committee selected the professional consulting firm McAdams, which has relevant experience working on downtown master plans and economic development projects. The firm has completed similar projects for the following communities throughout North Carolina: Pinehurst, Clayton, Salisbury, Greenville, and Cary. McAdams also has experience working with the private sector development community, which will prove important when seeking guidance on infrastructure and infill projects. The downtown generational plan is

expected to be completed within 12 to 14 months. Town management and staff anticipate bringing a negotiated scope and fee with terms to a future Town Board meeting. The FY 2023 Town of Fuquay-Varina budget includes funding for the Downtown Generational Plan.

Town management and staff anticipate bringing a negotiated scope and fee with terms to a future Town Board meeting. The FY 2023 Town of Fuquay-Varina budget includes funding for the Downtown Generational Plan.

Discussion – Mayor Massengill asked that Economic Development Director Tiffany McNeill to inform the consultant of the importance of getting this done as soon as possible. He asked if this plan would help the Town decide on what direction it would like to go in the downtown area. Economic Development Director Tiffany McNeill stated that it will be a blueprint to help shape what the Town would like to see as a vision and where we want to grow decades from now and not just in the next five years.

Commissioner Gardner stated that it was an exciting time for Downtown.

Mayor Pro-Tem Smith asked if the Town was going to build the Town around the Social Districts. Economic Development Director McNeill stated that the generational plan is geared more towards landscaping, design, mixed use development and infrastructure. She does not see it involving plans based on Social Districts.

Recommendation – Designate McAdams as the best-qualified and preferred firm and Design Collective as the next ranked preferred firm to perform the Downtown Generational Plan and authorize the Town Manager or designee to negotiate scope and fee, subject to the Town Attorney review as to form.

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

OTHER BUSINESS

11A Manager's Report

Assistant Town Manager Mark Matthews gave the following updates:

- Economic Development - Small Business Connect Event, Thursday, October 27 at the FV Arts Center.
- Planning - Kathy Carlisle, Development Liaison staff starts work on Monday.
- Public Utilities - Mike Wagner, Public Utilities Director attended Wake Water Partnership meeting as the Town's representative. The Wake Water Partnership was created in 2016 to act as an advisory board to identify new water related opportunities and challenges that impact the County.
- Fire Department Open House – well attended, with lots of great activities and fire safety information for our community.
- The Sanitation Department promoted Scott Hammel to the new Street Supervisor position. The street department hired Street Maintenance Workers Matthew Healy, Anthony Williams, and Kyle Norris.
- Parks, Recreation, and Cultural Resources – Haunted Trail event had 1,089 members of the public enjoy the family fright, and 1,128 came out for full fright.
- Winter Sports registration just concluded with a 35.6% increase over winter 2021. We are able to accommodate this growth this year with the additional gym space lease of Willow Spring HS, so winter sports are held at Council Gym, the Community Center, Fuquay-Varina HS, and Willow Springs HS.
- Arts Center – had a sold out theatre for the Stranger – A Billy Joel Tribute on October 14. Upcoming performances: Jazz Night on Friday Oct 21, and pre-eminent dance company Chicago Dance Crash Oct 29.
- The first field trip offering is sold out, but plenty of tickets remain for the evening performance of Sugar Skull, a musical performance about Day of the Dead on November 4.
 - Sugar Skull is a touring bilingual/bicultural musical for young audiences and families that uses traditional regional music and dance from Mexico to tell the story of twelve-year-old Vita Flores. Vita thinks her family has gone loco planning a celebration for deceased loved ones. Why throw a party for the dead? But when a spirited candy skeleton suddenly springs to life, Vita finds herself on a magical, musical journey to unravel the true meaning of Día de los Muertos.

Commissioner Cook asked if a tree would be replanted in the place of the diseased tree that was taken down at Falcon Park. Assistant Town Manager Matthews stated that Chris Newsom in our Parks & Recreation Department is working to secure a suitable tree like an oak tree and should be planted within the next month. Commissioner Haynes asked for updated information from Tree City USA. Assistant Town Manager Mark Mathews stated that he would bring an update on that back to the Town Board.

11B Quarterly Report – 1st Quarter FY 2023

11C Town of Fuquay-Varina - 2022 Christmas Ornament Presentation – Communication Director Susan Weis presented the 2022 Christmas Ornament and stated that it would be available for purchase online tomorrow.

11D FM2FV Concert - Jim Quick & Coastline Band - Thursday October 20, 2022 - 6:30 pm - 9:30 pm - Centennial Park

11E Small Business Connect - FV Arts Center - Thursday, October 27, 2022 - 8:30 am - 12:00 pm

11F FV Downtown Association - Downtown Trick or Treat - Downtown Fuquay - Friday, October 28, 2022 - 2:00 pm - 5:00 pm

11G Coffee with a Cop - Bojangles - 1400 N. Main Street - Tuesday, November 1, 2022 - 9:00 am - 10:30 am

11H FVDA BBQ, Blues and Brews - Saturday, November 12, 2022 - 12:00 pm - 4:00 pm - 405 East Broad Street

11I Town Code Amendment - Town of Fuquay-Varina - Land Development Ordinance (LDO) Amendment #21 - CTA-2022-07 - (Davison/Mitchell/Seymour) - FIRST READING

BOARD MEMBER COMMENTS

Commissioner Gardner stated that it was a red letter day in Fuquay-Varina with all that was discussed tonight especially the Generational Plan. She was excited to see the new Fire Department recruits tonight.

Commissioner Harris – No comments

Commissioner Haynes thanked Assistant Town Manager Jim Seymour for assisting him with the Club Scout Pack 75 tour of Town Hall. He also thanked Parks and Recreation for all their hard work on the Haunted Trail setup, and he stated that he received several emails and phone calls on how great the event was. He reported that he attended the Fuquay-Varina High School first collegiate choir showcase and he hosted the Winston Salem State University with a home cooked meal. He reported that the Grower's Market this Saturday is having a fall pop up event from 9:00 am - 1:00 pm. He also reported that he will be reaching out to the Board to invite them to the Pine Acres Community Center 60th Anniversary Open House event. He then expressed his excitement to see all the smiles on the faces of the new Fire Fighters recruits and thank staff for their hard work that they do each day to make their jobs easier.

Commissioner Cook stated that she plans to attend Sugar Skull musical performance at the Arts Center on November 4th. She reported that Military Missions in Action will be having a car show at Mason Jar Lager on November 6th for their fundraiser. She stated that there will be a shred event on November 12th in the Chamber of Commerce parking lot, and they will be taking food donations to help Pine Acres with their Thanksgiving food distribution. She reported that there is a ribbon cutting on October 25th for a new business in town called "Mommas Gonna Snap" which is a photography business.

Mayor Pro-Tem Smith stated that there is a ribbon cutting ceremony tomorrow for the reopening of Staples that he plans to attend. He then thanked the Fire Department for the Open House event and stated it might have been the best one yet.

Mayor Massengill stated that the Hometown Hero event is next week at Heister Chevrolet, and he hopes everyone can attend. He reported that the last concert for the fall will be this Thursday night and invited everyone to come out and enjoy. He reported that youth fall sports are coming to end and they had a record turn out this year. He also reported that he will be attending some meetings this week and next

week with CAMPO regarding transportation planning and some new projects and he will report back to the Town Board on those meetings.

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

Past Events

- 10/4 – Coffee with a Cop – The Retreat
- 10/4 – Chamber Ribbon Cutting – The Gyro Spot
- 10/6 – FM2FV Concert - Smile
- 10/7 – Law Enforcement Torch Run Event
- 10/11 – FVDA Board Meeting
- 10/11 – Chamber Small Business
- 10/15 – Fire Department Open House
- 10/15 – Haunted Trail
- 10/17 – Wake County Mayor's Association Meeting

Upcoming Events

- 10/19 – Chamber Board Meeting
- 10/19 – CAMPO Meeting
- 10/19 – Chamber Ribbon Cutting - Staples
- 10/21 – FM2FV Concert
- 10/25 – Hometown Hero
- 10/26 – Meet and Greet Carolina Garden Folks
- 10/27 – FV Small Business Connect
- 10/28 – Lunch with Ballentine Elementary School
- 10/28 – Downtown Trick or Treat
- 11/1 – Coffee with A Cop
- 11/2 – Lunch with Herbert Akins Elementary School
- 11/3 – FVDA Nominating Committee Meeting
- 11/3 – Teachers Mini Grants Award Reception

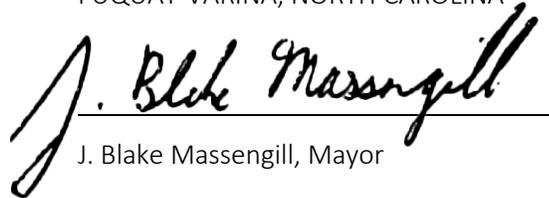
ADJOURNMENT

A motion was made to adjourn the meeting at 9:24 p.m.

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

The minutes from the October 18, 2022, Town Board of Commissioners regularly scheduled meeting are adopted this 7th day of November in the year 2022 in Fuquay-Varina, North Carolina.

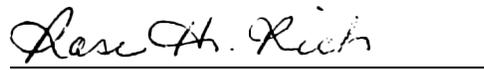
FUQUAY-VARINA, NORTH CAROLINA



J. Blake Massengill, Mayor

ATTEST

(TOWN SEAL)



Rose H. Rich, Town Clerk

