



TOWN OF FUQUAY-VARINA
BOARD OF COMMISSIONERS REGULAR MEETING
FEBRUARY 18, 2020

CALL TO ORDER

Mayor John W. Byrne called the regular meeting of the Fuquay-Varina Board of Commissioners to order on February 18, 2020 at 7:01 p.m.

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

Commissioners Absent: Marilyn Gardner (excused – death in the family)

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

INVOCATION AND PLEDGE OF ALLEGIANCE

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

APPROVAL OF THE MINUTES

The February 3, 2020 minutes of the regularly scheduled meeting of Town Board of Commissioners were presented and recommended for approval.

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

PRESENTATIONS

Agenda Item No. 4A Presentation - Sustainability - Lincoln Heights Elementary School 4th and 5th Grade Students - (Byrne/Mitchell/Megan Jackson - Environmental Inquiry Teacher at Lincoln Heights Elementary School)

Mayor Byrne recognized fourth and fifth graders from Lincoln Heights Elementary School. They have been studying marine debris in conjunction with a research project led by a Ph.D. candidate at NC State, Jenna Hartley. Two groups made presentations on ways that local restaurants and stores can become more sustainable. The first group presented information on the detrimental use of plastic drinking straws, and the second group presented information on the detrimental use of plastic bags. Students handed out whiteboards and markers to the Town Board and asked them to write down answers from a series of questions related to the decomposition of certain plastics in the landfill. The students informed the Town Board that it takes anywhere from 10 years to 500 years for certain plastics and styrofoam to decompose in the landfill and expressed the importance of keeping such debris from littering our roadways and out of lakes and oceans to preserve marine life. They also referred to recent legislation that was introduced to Congress - the "Break Free From Plastic Pollution Act". This legislation would ban certain single-use plastic products that are not recyclable and place a fee on remaining carryout plastic bags. The students reported that last year's 2nd graders sent letters to various Fuquay-Varina and Holly Springs restaurants asking they adopt a policy to consider using straws by request only and if used, to only use biodegradable straws. The students reported that most restaurants have complied with this request. The students encouraged citizens and restaurants to use the slogan "A Dash More Fantastic – We Use Less Plastic", and to consider ways to reduce and eliminate these types of plastic products. Mayor Byrne and members of the Town Board commended the students for their presentation and for bringing this matter to their attention.

PUBLIC COMMENTS:

No one chose to speak during the public comment period of the meeting.

ITEMS TABLED FROM PREVIOUS MEETING:

Agenda Item No. 6.A: Voluntary Annexation Petition - Mills and Holleman Property - 3121 and 3232 James Slaughter and 1800 Bass Lake Road, Fuquay-Varina - PINs 0668420610, 0668338441 and 0668224658 - ANX-2019-13

Purpose – To consider a petition for voluntary annexation of property owned by Benjamin J. Slaughter, Trustee under the Lynn S. Mills Revocable Trust and Edythe Holleman, located at 3121 and 3232 James Slaughter Road and at 1800 Bass Lake Road, containing a total of 130.056 acres.

Staff Comments – Town Manager Mitchell entered the agenda abstract and supporting documents for this agenda item into the official record of the Town. He then made the following remarks. The property contains a total of approximately 130.056 acres and will have road access through 3121 and 3232 James Slaughter Road and 1800 Bass Lake Road. The property is non-contiguous to the Town's corporate limits where water and sewer is available. At the December 17, 2019 meeting, the Town Board instructed the Town Clerk to investigate the sufficiency of the applicant's petition for voluntary annexation and the Town Clerk certified at that time the petition was sufficient and meets the requirements prescribed by the North Carolina General Statutes. Prior to the January 6, 2020 Town Board meeting, the petitioner requested consideration of both the annexation and zoning cases for the subject properties be tabled until the January 21, 2020 Town Board meeting. Prior to the January 21, 2020 Town Board meeting, the petitioner again requested to table the annexation and zoning map amendment petitions for this property to February 3, 2020. Before the February 3, 2020 Town Board meeting, the petitioner requested the annexation and zoning map amendment petitions for this property be further tabled to the February 18, 2020 Town Board meeting. The Town Board took action to open and continue the public hearing and table consideration at each of these meetings.

Public Hearing – The public hearing was opened. No one spoke in favor of the annexation petition (ANX-2019-13). Annie Moxley, 5024 Westminster Lane, expressed opposition of the annexation petition, expressing concern about increased traffic on Westminster Lane. No one else chose to speak in opposition to the annexation petition. The hearing was closed.

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

Recommendation – Adopt the annexation ordinance to extend the corporate limits of the Town of Fuquay-Varina to include property owned by Benjamin J. Slaughter, Trustee under the Lynn S. Mills Revocable Trust and Edythe Holleman - (ANX-2019-13) as requested and recommended.

MOTION: Mayor Pro-Tem Massengill
SECOND: Commissioner Wunsch
MOTION RESULTS: Passed Unanimously (4-0)

Ordinance No. N-20-03

Agenda Item No. 6.B: Zoning Map Amendment - WithersRavenel - 3232 and 3121 James Slaughter Road and 1800 Bass Lake Road - PINs 0668420610, 0668224658, and 0668338441 - REZ-2019-19

Purpose – To consider a requested zoning map amendment for a total of 126.33 acres, located at 3232 and 3121 James Slaughter Road and 1800 Bass Lake Road, from the Wake County R-30 and R-40 Zoning Districts to the Residential Mixed-Use (RMU), Neighborhood Mixed-Use (NMU) and Urban Mixed-Use (UMU) Zoning Districts.

Staff Comments – Town Manager Mitchell entered the agenda abstract and supporting documents for this agenda item into the official record of the Town. He then provided general information about the subject property and made the following remarks:

The subject properties are located along and have access to Bass Lake Road and James Slaughter Road. The 2035 Community Transportation Plan (CTP) classifies Bass Lake Road as a 110-foot right-of-way. This thoroughfare is identified as a four-lane, median-divided road with side-paths and a carrying capacity of 36,600 Average Daily Trips (ADT). Currently, it is a two-lane road with a carrying capacity of 12,300 ADT. According to 2017 NCDOT traffic counts, the nearby intersection of Bass Lake Road and Sunset Lake Road east of the subject properties indicted a volume of 8,900 ADT. Future development of the subject properties will require dedication of half of the required 110-foot right-of-way and construction of half of the identified cross section, consistent with the CTP.

James Slaughter Road is classified as an 80-foot right-of-way in the CTP. This street is identified as a three-lane, median-divided road with turn lanes and sidepaths, with a carrying capacity of 13,300 ADT. It is currently a two-lane road with a carrying capacity of 12,300 ADT. 2015 NCDOT traffic counts near the intersection of Bass Lake Road and James Slaughter Road indicate a volume of 8,300 ADT; more recent traffic counts are not available. Future development of the subject properties will require dedication of the required 80-foot right-of-way and construction of the entirety of the identified cross section, consistent with the CTP.

The CTP includes several collector streets by extension of the existing stub street White Rail Drive from the south at the subject properties. Future development will require compliance with collector street provisions in accordance with the CTP. The local street network identified in the master plan provides stub streets at appropriate locations to be extended with future developments of adjacent properties.

The master plan proposed modified 55-foot and 20-foot right-of-way street types within the project area. The 20-foot right-of-way is a rear lane, commonly known as an alley. The master plan proposes the realignment of James Slaughter Road to “square up” the intersection with Bass Lake Road. This realignment is intended to improve the safety of turning movements at the intersection. Consistent with NCDOT standards, the intersection is proposed to align with Westminster Lane. The installation of traffic control devices to discourage through traffic along Westminster Lane will be completed prior to the reopening of James Slaughter Road, in an effort to mitigate cut-through traffic via the Saddle Run subdivision. Additionally, the master plan proposes an off-site

improvement to Herbert Akins Road and Bass Lake Road intersection, the extent of which is to be determined by the results of the Traffic Impact Analysis. If the improvement project is deemed infeasible, the Town, pending approval by the Board of Commissioners, will accept a payment-in-lieu for 125% of the estimated cost of the project, to be used to complete the project in the future.

Public Hearing – The public hearing was opened. Brendie Vega, Director of Planning for WithersRavenel spoke in favor of the proposed zoning map amendment, as a representative of Baker Residential on the project. She thanked management and town staff for working with the developer and expressed that they have had an additional meeting with the neighbors and have met with NCDOT and Town Engineering to identify the best option to mitigate cut through traffic. The residents of Saddle Run, at the meeting, indicated they were willing to accept inconvenience in exchange for mitigating cut through traffic.

Diane Bomba, 2216 Belvinwood Drive, also spoke in favor of the zoning map amendment. She appreciated the responsiveness of the developer and local builder, and believes it is a good project. She stated that she likes the walkability but does not like the Town requirement for vehicular connectivity. John Bomba of 2216 Belvinwood Drive also spoke in favor, agreeing with Diane Bomba and noting that he wished the Town did not require extension of stub streets and instead required only pedestrian connectivity between neighborhoods.

Seeing no other speakers wishing to speak in favor of the zoning map amendment, the Mayor asked for speakers in opposition to the proposed zoning map amendment. Thomas Hines, 5436 Lafayette Drive, stated that he was not opposed to the RMU portion of the zoning because the surrounding area is all single family. He is opposed to NMU, as he believes that townhomes and apartments do not fit in with the area and his neighborhood. He was particularly opposed to UMU and commercial zoning and does not believe the Town needs commercial zoning today or in the future. He also stated that he believed the Town form based requirements are requiring too much commercial in the community, and that commercial is required with every residential project.

Kyley Schmidt, 2820 White Rail Drive, distributed a petition as a handout and stated that she had obtained 833 signatures in opposition to the development. She appreciated moving the building lots away from Whitehurst subdivision and the inclusion of civic space but does not like the density of the neighborhood.

Cynthia Reynolds, 5017 Northgreen Drive, indicated she shared similar concerns with those that already spoke. She believes if traffic is diverted into her neighborhood it will present safety concerns. Saddle Run is a unique equestrian neighborhood that lacks trails or sidewalks, and that residents respect horses but some people scare horses on purpose. The NC Horse Council agrees with her and encourages the Town to explore options to protect the safety of this community. She would like a solution that allows emergency vehicles to travel through the neighborhood but no other drivers.

Susan Barnard, 5436 Lafayette Drive, lives in Saddle Run, expressed concerns about density, and would like the Board to consider that this property used to be used for riding horses and the area is losing stables.

Kelly Griffin, 2928 Herbert Akins Road, indicated she was not opposed to the development but that it should not be denser to what is already in the area. She also expressed concern about traffic congestion.

Michael Wilson, 111 Sunset Bluffs Drive, indicated he did not believe there was demand for higher density housing or commercial in the Fuquay-Varina area.

Seeing no other speakers, the Mayor closed the public hearing.

Discussion – Mayor Pro-Tem Massengill asked what the goal of constructing the proposed temporary cul-de-sac located on James Slaughter Road near its current intersection with Bass Lake Road. Town Manager Mitchell stated that the temporary cul-de-sacs have been placed on the plan so that existing parcels that are not a part of the proposed development would still have access to their properties until the time their property is redeveloped.

Mayor Pro-Tem Massengill then asked what would consist of the 30 ft. perimeter buffer located along the southern portion of the project site. Planning Director Pam Davison stated that it would be a Type III landscaped buffer including evergreens, deciduous vegetation, and shrubs. Mayor Pro-Tem Massengill further sought clarification on the allowable uses and design standards in the specific zoning districts, and additional clarification was provided by Planning Director Davison.

Mayor Pro-Tem Massengill also expressed concerns about Road A that is designated as a stub street that if developed would have the road constructed over a pond on the property owned by the Griffins. He stated should the property adjacent to the stub street be developed, it would be cost prohibitive because of the pond (that was recently filled), and he recommended placing the stub street further east of the property. Engineering Director Tracy Stephenson stated that this is the best opportunity to connect to Herbert Akins Road once the Bass Lake intersection is realigned. Based on NCDOT spacing requirements another location would not be viable. Town Manager Mitchell stated the purpose of the stub street would be to eventually realign Bass Lake Road, but that is not in the foreseeable future.

Mayor Pro-Tem Massengill recommended that the developer make road improvements in front of the two properties along Bass Lake Road that are not part of the project allowing for enhanced continuous road improvements along Bass Lake Road. Mayor-Pro Tem Massengill asked what type of guarantees or conditions have been put into place to prevent through traffic from the realigned James Slaughter Road onto Westminster Lane. He recommends that concrete medians be required to be put in place to force traffic going north on James Slaughter Road to make either a left or right turn at the intersection and to prohibit this traffic from entering into the Saddle Run subdivision via Westminster Lane. Town Manager Mitchell stated that this issue has been studied extensively at this intersection as well as the intersection of Westminster Lane and Sunset Lake Road. He stated that the developers are committed to installing traffic control devices that will mitigate the issue, and NCDOT

would have to approve the method. Planning Director Davison offered that the condition states that *"There shall be an installation of traffic control devices that will discourage the south bound movement from Westminster south of Bass Lake Road to James Slaughter, and the north bound movement from James Slaughter Road north of Bass Lake to Westminster Road. NCDOT and the Town of Fuquay-Varina will review the different alternative movements and approve one for installation by the applicant, prior to the opening of the realigned James Slaughter Road."*

Mayor Pro-Tem Massengill recommended that the word "discourage" be replaced with the word "prohibit" in the condition that was read. He also wanted language to be added to the condition that would allow access of emergency vehicles into the subdivision. He also recommends that the developer commit to make improvements to the intersection of Bass Lake and Sunset Lake Roads, whatever the traffic impact analysis says is necessary based on the impact of the proposed subdivision. He recommends that if the impact analysis determines that no improvements are made, then the project should not proceed forward or some improvement should be offered.

Commissioner Wunsch agreed. Commissioner Harris stated that he had no comments regarding the matter. Commissioner Smith stated that Mayor Pro-Tem's questions and comments addressed a lot of his concerns.

Mayor Byrne gave the developer an opportunity to address the concerns and proposed revisions to master plan conditions discussed by members of the Town Board. Brad Whitehurst with Baker Residential asked for clarity on the points to be addressed. Town Manager Mitchell offered that the language be amended in the master plan to eliminate the word "discourage" and add the word "prohibit" in item 12.2 under additional conditions. The second point would be that the master plan guarantees emergency service access with NCDOT approval. The third point would be to commit to make improvements to the intersection of Sunset Lake Road and Bass Lake Road and the fourth point would be to make road improvements in front of the two small parcels along Bass Lake, or to have a payment-in-lieu agreement if sufficient right-of-way cannot be acquired. Brendie Vega stated that Needmore Ruritan Club had expressed that they did not want to lose their handicap parking along Bass Lake Road for road improvements. Brad Whitehurst stated that the developers could possibly agree to points one and two and would have to work with NCDOT on if point three and point four is also feasible. He stated that the developers are ok with tabling the matter to work out these issues.

Recommendation – Approve REZ-2019-19, a zoning map amendment located at 3232 and 3121 James Slaughter Road and 1800 Bass Lake Road, from the Wake County R-30 and R-40 Zoning Districts to the Residential Mixed-Use (RMU), Neighborhood Mixed-Use (NMU) and Urban Mixed-Use (UMU) Zoning Districts.

Based on Town Board discussion, the Town Board did not approve the originally recommended motion. Instead Mayor Pro-Tem Massengill moved to table consideration of the zoning map amendment until the March 17, 2020 Town Board meeting so that the developer and Town staff have time to work through the issues and concerns addressed by the Town Board.

MOTION: Mayor Pro-Tem Massengill
SECOND: Commissioner Wunsch
MOTION RESULTS: Passed Unanimously (4-0)

PUBLIC HEARINGS:

Agenda Item No. 7.A: Voluntary Annexation Petition - Jonathan Blake and Heather Crews Massengill Property - 8109 Woodcrest Court - PIN 0667892212 - ANX-2019-21

Purpose – To consider adopting an annexation ordinance extending the corporate limits of the Town of Fuquay-Varina following receipt of a petition for voluntary annexation of property owned by Jonathan Blake and Heather Crews Massengill located at 8109 Woodcrest Court, PIN 0667892212, containing 1.275 acres.

Staff Comments – Town Manager Mitchell entered the agenda abstract and supporting documents for this agenda item into the official record of the Town. He then provided general information about the voluntary annexation petition and made the following remarks. The property contains a total of approximately 1.275 acres and has road access at 8109 Woodcrest Court. The property is contiguous to the Town's corporate limits where water and sewer is available to the property. At the January 21, 2020 meeting the Town Board instructed the Town Clerk to investigate the sufficiency of the voluntary annexation petition for property owned by Jonathan Blake Massengill and Heather Crews Massengill, located at 8109 Woodcrest Court, and at that time the Town Clerk certified that the petition was sufficient and meets the requirements prescribed by law. In addition, North Carolina General Statutes requires that a notice of the public hearing be advertised in a local news publication 10 days prior to the date of the public hearing, however this inadvertently did not occur. At the February 3, 2020 meeting, the Town Board adopted a new resolution scheduling the public hearing for the February 18, 2020 meeting in order to meet requirements for legally advertising the annexation petition.

Request for Recusal:

Mayor Pro-Tem Massengill requested that the Town Board recuse him from all discussions and actions on this matter due to a personal financial interest.

Motion to Recuse

MOTION: Commissioner Smith
SECOND: Commissioner Harris
MOTION RESULT: Passed Unanimously (3-0)

Public Hearing – The public hearing was opened. Wayne Maudlin of Mauldin-Watkins Surveying, 1301 Broad Street, spoke in favor of the annexation petition. No one chose to speak in opposition to the proposed voluntary annexation petition for ANX-2019-21.

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

Recommendation – Adopt the annexation ordinance to extend the corporate limits of the Town of Fuquay-Varina to include property owned by Jonathan Blake and Heather Crews Massengill (ANX-2019-21) as presented and recommended.

MOTION: Commissioner Wunsch

SECOND: Commissioner Harris

MOTION RESULTS: Passed Unanimously (3-0)

Ordinance No. N-20-04

Agenda Item No. 7.B: Voluntary Annexation Petition - Mincey Property, 6208 & 6212 Johnson Pond Road - PIN 0677280622 & 0677186533 - ANX-2019-20

Purpose – To consider an annexation ordinance extending the corporate limits of the Town of Fuquay-Varina following receipt of a petition for voluntary annexation of property owned by Whitt S. Mincey and Clara F. Mincey located at 6208 & 6212 Johnson Pond Road, containing a total of approximately 21.827 acres, PIN's 0677280622 and 0677186533.

Staff Comments – Town Manager Mitchell entered the agenda abstract and supporting documents for this agenda item into the official record of the Town. He then provided general information about the voluntary annexation petition and made the following remarks. The property contains approximately 21.827 acres with road access located at 6208 and 6212 Johnson Pond Road. The property is non-contiguous to the Town's corporate limits where water and sewer is available to the property. At the January 21, 2020 meeting the Town Board instructed the Town Clerk to investigate the sufficiency of the voluntary annexation petition for property owned by Whitt S. Mincey, Jr. and Clara F. Whitt, located at 6208 and 6212 Johnson Pond Road, and at that time the Town Clerk certified that the petition was sufficient and meets the requirements prescribed by law. In addition, North Carolina General Statutes requires that a notice of the public hearing be advertised in a local news publication 10 days prior to the date of the public hearing, however this inadvertently did not occur. At the February 3, 2020 meeting the Town Board adopted a new resolution scheduling the public hearing for the February 18, 2020 meeting in order to meet requirements for legally advertising the annexation petition.

Public Hearing – The public hearing was opened. No one chose to speak in favor of, or in opposition to the proposed voluntary annexation petition for ANX-2019-20.

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

Recommendation – Adopt the annexation ordinance to extend the corporate limits of the Town of Fuquay-Varina to include property owned by Whitt S. Mincey, Jr. and Clara F. Mincey (ANX-2019-20) as presented and recommended.

MOTION: Commissioner Harris
SECOND: Commissioner Smith
MOTION RESULTS: Passed Unanimously (4-0)

Ordinance No. N-20-05

Agenda Item No. 7.C: Fiscal Year 2020-2021 Budget – Public Input Hearing

Purpose – To receive comments from the public regarding matters related to the development of the Town's Fiscal Year 2020-2021 Recommended Budget.

Staff Comments – Town Manager Mitchell entered the agenda abstract and supporting documents for this agenda item into the official record of the Town. He advised that The Town of Fuquay-Varina staff is in the beginning stages of developing a draft operating and capital budget for the Fiscal Year 2020-2021. As is customary for the Town of Fuquay-Varina, a public hearing is scheduled at the beginning of the budget process to afford the citizens and stakeholders of the community an opportunity to provide input as it relates to development of the annual budget. The public is encouraged to offer input regarding projects, priorities, level of service, and fees. The intent is for the Governing Board to consider the information provided and afford the Board the opportunity to provide direction to staff as it pertains to the formulation of the annual budget plan.

Public Hearing – The public hearing was opened. Steve Kish, Chairman of the Fuquay-Varina Active Adult Task Force, 719 Silk Tree Trace, stated that he was happy to hear the Town is exploring the design of a senior center. He requested if a feasibility study is not going to be conducted for a Senior Center, that any funds not used for a feasibility study be used for future planning and design of a Senior Center. Diane Bomba, 2216 Belvinwood Drive urged the Town Board to increase their focus on greenways. With no others wishing to speak, the public hearing was closed.

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

Recommendation – The purpose of this hearing is to receive public comment in advance of developing the FY 2020-2021 Recommended Budget, no action is required.

CONSENT AGENDA

Agenda Item No. 8.A: Facade Grant Funding Request - David Michel, Jr. -
Property Manager - 106 Raleigh Street

Purpose – To consider approval for a facade grant funding request for David Michel Jr., located at 106 Raleigh Street.

Recommendation – Approve the façade grant funding request and application submitted by David Michel Jr. located at 106 Raleigh Street in an amount up to \$2,200.45 as presented and recommended.

Agenda Item No. 8.B: Facade Grant Funding Request - The Abshure Realty Group - 201 S Main Street –

Purpose – To consider approval of a façade grant funding request for The Abshure Realty Group located at 201 S Main Street.

Recommendation – Approve the façade grant funding request and application submitted by The Abshure Realty Group located at 201 S Main Street in an amount up to \$1,751.45 as presented and recommended.

Agenda Item No. 8.C: Facade Grant Funding Request - Fuquay-Varina Downtown Association, Inc. - 108 Raleigh Street

Purpose – To consider approval of a façade grant funding request for the Fuquay-Varina Downtown Association, Inc. located at 108 Raleigh Street.

Recommendation – Approve the façade grant funding request and application submitted by the Fuquay-Varina Downtown Association, Inc. located at 108 Raleigh Street in an amount up to \$1,384.88 as presented and recommended.

Agenda Item No. 8.D: Budget Amendment - Recognize Insurance Proceeds - Replacement Truck - Public Utilities - \$30,467 - (BA-20-17)

Purpose – To consider recognizing funds from insurance proceeds due to fire damage sustained by a town vehicle.

Recommendation – Approve Budget Amendment BA-20-17 as presented and recommended.

Agenda Item No. 8.E: Budget Amendment - Cost of November 5, 2019 Municipal Election - BA-20-18

Purpose – To consider a budget amendment in the amount of \$20,000 to cover the additional cost of the November 5th, 2019 municipal election.

Recommendation – Approve budget amendment BA-20-18 in the amount of \$20,000 to cover the additional cost of the November 5th, 2019 municipal election as presented and recommended.

Agenda Item No. 8.F: Pay Grade and Position Classification Schedule Amendment

Purpose – To consider the adoption of a revised pay grade and position classification schedule for FY 2020 for an Assistant Parks & Grounds Superintendent.

Recommendation – Adopt the revised pay grade and position classification schedule as presented and recommended.

Agenda Item No. 8.G: Voluntary Annexation Petition - Todd and LeAnne Callahan - 2516 Fleming Road - PIN 0646852807 - ANX-2020-02

Purpose – To consider the adoption of a resolution instructing the Town Clerk to investigate an annexation petition and to adopt a resolution setting a public hearing for March 2, 2020, following the receipt of a petition for voluntary annexation of property owned by Todd M. and LeAnne B. Callahan located at 2516 Fleming Road, containing a total of approximately 1.560 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 March 2, 2020, for property owned by Todd M. and LeAnne B. Callahan (ANX-2020-02) as presented and recommended.

Resolution No. 20-1653
Resolution No. 20-1654

Agenda Item No. 8.H: Contract Approval - FY 2019-2020 Audit - Cherry Bekaert, LLP

Purpose – To approve year two of a three year awarded audit contract with Cherry Bekaert, LLP.

Recommendation – Approve and authorize management to execute the audit contract for year two of the three year awarded contract with Cherry Bekaert, LLP as presented and recommended.

A motion was made to approve Items 8A-8H on the Consent.

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

ITEMS REMOVED FROM CONSENT AGENDA

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

ADMINISTRATIVE REPORTS

Agenda Item No. 10A: There were no Administrative reports for the February 18, 2020 Town Board meeting.

OTHER BUSINESS

A. Town Manager's Report – a brief report on the following was provided:

- *Reported that bids for the James A. Campbell restrooms came in above what was budgeted (\$85,000). The low bid was \$211,266 and the other was \$243,743. He stated that he would reject the bids and possibly rebid it with another project.*
- *Reported that the Wake County Public School System Facilities Committee has come up with a couple recommendations for naming options for the proposed school (E-44) that will be adjacent to the Hilltop Needmore Town Park and Preserve. The proposed names are as follows: Terrible Creek Elementary School, Hilltop Needmore Elementary, or North Fuquay-Varina Elementary School. The Town Board instructed Town Manager to go back to Wake County and let them know that they would prefer Hilltop Needmore Elementary. A motion was made by Mayor Pro-Tem Massengill and seconded by Commissioner Wunsch to name it Hilltop-Needmore Road Elementary School as the first option or Hilltop Needmore Elementary School as the second option. The Board voted unanimously in favor of the motion.*
- *Reported that the Police Department renovations are coming along and looks to be on schedule for late spring/early summer.*
- *Reported on the new hiring of Nathan Phillips as a Water Meter Technician.*
- *Reported that the most recent Barbershop Rap Session was a success.*
- *Reported that the most recent Coffee with a Cop was a success.*
- *Reported that Hilltop Needmore Town Park and Preserve grand opening was a success and was well attended.*
- *Reported that Management and Fire Department leaders have been meeting with Wake County regarding the fire services contract.*
- *Reported on the new hiring of Brett Lambert as a Plan Reviewer in the Inspections Department.*
- *Reported that Public Information Officer, Susan Weis has returned to work this week after being on medical leave.*

- *Reported that management and staff are planning the grand opening for Fleming Loop Park and were seeking dates that the Town Board preferred, either March 3rd or 5th at 6:30 pm.*
- B. Willow Lakes Town Park – Project Update – Town Manager Mitchell advised that pursuant to the Interlocal Agreement between the Town and the Wake County Public School System, that the Town would be reimbursing the County \$388,804 for work performed as part of the school system’s contract for the construction of South Lakes Elementary School that also improved the Town park site. He advised that the project budget was established for \$582,072, and therefore the balance (\$168,768) will be used to hopefully turf and irrigate the multipurpose fields along with possibly installing a comfort station in the future.
- C. Financial Quarterly Report – 2nd Quarter FY 2020
- D. Coffee with a Cop – Panera Bread - Monday, March 2, 2020 - 9:30 - 11:30 am
- E. State of the Town Address – March 2, 2020 - Town Hall Board Room - 6:30 pm
- F. Town Code Amendment - Pulte Home Company - Large-Scale Ground Signs - CTA-2019-09 - (Mitchell/Seymour/Davison) - FIRST READING
- G. Town Code Amendment - Town of Fuquay-Varina - Form-Based Zoning Districts - CTA-2020-02 - (Mitchell/Seymour/Davison) - FIRST READING

TOWN BOARD MEMBER COMMENTS

Mayor Pro-Tem Massengill stated he enjoyed the Hilltop Needmore Town Park & Preserve grand opening, and that several people have been using the park since its opening. He also stated that he looks forward to attending the upcoming Fireman’s Banquet.

Commissioner Smith stated that he has used Hilltop Needmore Town Park and Preserve trails and that he has seen many people using it. He stated he is looking forward to the Fire Department Banquet. He also enjoyed the last Coffee with a Cop event.

Commissioner Harris agreed with comments made about the park and he stated that he had no further comments.

Commissioner Wunsch stated that the Grand Opening of Hilltop Needmore Town Park and Preserve had an amazing turnout. He stated that his parents have told him that the park has been packed. It is a red-letter day here in Fuquay-Varina!

Mayor Byrne stated that Hilltop Needmore Town Park and Preserve will be used a lot, and that the citizens are enjoying the walking trails that are away from the highway and the noise. He stated that staff is doing an amazing job at keeping the park clean.

Mayor Byrne gave the following report on past and upcoming events that he attended or plans to attend as follows:

Past Events

- 2/6 – Centennial Board Authority meeting
- 2/8 – Barbershop Rap Session at Extraordinary from 9:00 – 11:00 am – Topic “How does the media impact our view of other races”
- 2/8 – Grand opening of Hilltop Needmore Park & Reserve – 2:30 pm
- 2/10 – Coffee with a Cop – McDonalds at 9:30 am
- 2/12 – Chamber of Commerce – Remembering Barb Hance
- 2/13 – Meet with Bill Tomlinson regarding blasting at a nearby construction site.

Upcoming Events

- 2/19 – CAMPO meeting
- 2/22 – Fire Department Banquet
- 3/2 – Coffee with a Cop – Panera Bread – 9:30 – 11:30
- 3/2 – State of the Town Address – 6:30 pm

CLOSED SESSION

Pursuant to N.C.G.S §143-318.11(a)(3) – Attorney/Client Privilege.

A motion was made to go into a closed session meeting at 9:47 p.m.

MOTION: Mayor Pro-Tem Massengill
SECOND: Commissioner Wunsch
MOTION RESULT: Passed Unanimously (4-0)

Prior to entering closed session, an attorney representing the landowner for the Atwater Station project requested that the Town Board reconsider their action on the annexation petition (ANX-2019-13) voted on and adopted earlier in the meeting so that the matter would track with the rezoning petition (REZ-2019-19) that was tabled. Town Attorney Adcock stated that the Town Board could not reverse their action to de-annex the property, that would be a matter of the North Carolina General Assembly. Town Manager Mitchell added that there are still 60 days to resolve matters pertaining to application of town zoning to the property. No action was taken by the Town Board on this request.

CLOSED SESSION – There were no reports from the Closed Session meeting to be reported out.

ADJOURN

A motion was made to adjourn the meeting at 10:21 p.m.

MOTION: Mayor Pro-Tem Massengill
SECOND: Commissioner Wunsch
MOTION RESULT: Passed Unanimously (4-0)

Adopted this the 2nd day of March 2020 in Fuquay-Varina, North Carolina.

FUQUAY-VARINA, NORTH CAROLINA

John W. Byrne, Mayor

ATTEST:

(TOWN SEAL)

Rose H. Rich, Town Clerk

