



TOWN OF FUQUAY-VARINA  
BOARD OF COMMISSIONERS REGULAR MEETING  
APRIL 02, 2018

CALL TO ORDER

Mayor John W. Byrne called the regular meeting of the Fuquay-Varina Board of Commissioners to order on April 02, 2018 at 7:00 p.m.

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

Commissioners Absent: None

Others Present: Assistant Town Manager Mark Matthews  
Town Clerk Rose Rich  
Town Attorney Mark Cumalander

*Town Manager Adam Mitchell was absent, away on vacation.*

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INVOCATION AND PLEDGE OF ALLEGIANCE

Town Attorney Mark Cumalander provided the invocation and Commissioner Gardner led the Pledge of Allegiance.

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APPROVAL OF THE MINUTES

The March 20, 2018, minutes of the regularly scheduled Town Board of Commissioners meeting, were presented for approval.

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

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PRESENTATIONS

There were no presentations for the April 2, 2018, Town Board meeting.

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PUBLIC COMMENTS:

There were no comments from the public.

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ITEMS TABLED FROM PREVIOUS MEETING:

There were no items tabled from previous meeting.

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PUBLIC HEARINGS:

Agenda Item No. 7.A: Voluntary Annexation Petition - Robert Crabtree Builder, Inc. - 1508 Holland Road - PIN 0666915728 - ANX-2018-03

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 Robert Crabtree Builder, Inc. located at 1508 Holland Road (PIN 0666915728) containing approximately 3.654 acres, and to approve the Declaration of Annexation and Agreement signed by the petitioner.

Staff Comments – Assistant Town Manager Matthews entered the agenda abstract and supporting documents for this agenda item into the official record of the Town. He then provided general information about the subject property with respect to property location and value. He further advised that public water and sewer is available to serve the subject property.

Public Hearing – The public hearing was opened. Mr. Wayne Mauldin of Mauldin-Watkins Surveying, PA (1301 Broad Street) spoke in favor of the voluntary annexation petition on behalf of the petitioner. He stated that when the petitioner purchased the property he discovered that it was not in the

Town's jurisdiction due to errors in the mapping. No one chose to speak in opposition to the proposed petition for annexation. The public hearing was then closed.

Board Member Discussion – Commissioner Adcock asked about the use for the property for this annexation. Mr. Mauldin stated that the petitioner plans to construct three single family houses on the 3.654 acre tract.

Recommendation – Adopt the annexation ordinance to extend the corporate limits of the Town of Fuquay-Varina to include property owned by Robert Crabtree Builder, Inc. (ANX-2018-03) and to approve the Declaration of Annexation Agreement as presented and recommended.

MOTION: Mayor Pro-Tem Massengill  
SECOND: Commissioner Adcock  
MOTION RESULT: Passed Unanimously (5-0) **Ordinance No. N-18-10**

Agenda Item No. 7.B: Zoning Map Amendment - Mauldin-Watkins  
Surveying PA - 1508 Holland Rd - PIN 0666915728  
- REZ-2018-01

Purpose – To consider a requested zoning map amendment for a total of 3.011 acres, located at 1508 Holland Rd, from the Wake County Highway Commercial (HC) Zoning District to the Residential Agricultural (RA) Zoning District.

Staff Comments – Assistant Town Manager Matthews entered the agenda abstract and supporting documents for this agenda item into the official record of the Town. He then provided general information about the subject property with respect to current zoning, surrounding land use, the Town's Land Use Plan, utilities, transportation, the required neighborhood meeting, and staff recommendation.

Public Hearing – The public hearing was opened. Mr. Wayne Mauldin spoke in favor of the zoning map amendment on behalf of the petition. No one chose to speak in opposition to the proposed zoning map amendment. The public hearing was closed.

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

Recommendation – Approve REZ-2018-01, a zoning map amendment at 1508 Holland Rd, from the Wake County Highway Commercial (HC) Zoning District to the Residential Agricultural (RA) Zoning District. The proposed amendment is consistent with the 2035 Community Vision Land Use Plan and is reasonable and in the best interest of the public for the reasons identified by management and staff.

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

Agenda Item No. 7.C: Voluntary Annexation Petition - Tingen Broadwell Family, LLC and Cairo, LLC (Meadow Bluffs) - 6021 Johnson Pond Road - 0678309792, portion of 0677399240, and portion of 0677299412 - ANX-2018-05

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 Tingen Broadwell Family, LLC and Cairo, LLC located at 6021 Johnson Pond Road, containing a total of approximately 97.93 acres.

Staff Comments – Assistant Town Manager Matthews entered the agenda abstract and supporting documents for this agenda item into the official record of the Town. He then provided general information about the subject property with respect to property location and value. He further advised that public water and sewer is available to serve the subject property.

Public Hearing – The public hearing was opened. Mr. Wayne Mauldin of Mauldin-Watkins Surveying, PA (1301 Broad Street) spoke in favor of the annexation petition on behalf of the property owners. No one chose to speak in opposition to the proposed petition for annexation.

Request for Recusal – Mayor Pro-Tem Massengill requested to be recused from any discussion or action regarding ANX-2018-05 due to a personal financial interest.

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

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

Recommendation – Adopt the annexation ordinance to extend the corporate limits of the Town of Fuquay-Varina to include property owned by Tingen Broadwell Family, LLC and Cairo, LLC (ANX-2018-05) as presented and recommended.

MOTION: Commissioner Adcock  
SECOND: Commissioner Wunsch  
MOTION RESULT: Passed Unanimously (4-0) **Ordinance No. N-18-11**

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CONSENT AGENDA

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

Agenda Item No. 8.A: Temporary Road Closure, No Parking Designations for Various Streets/Neighborhoods, Temporary Waiver of Town of Fuquay-Varina LDO Article N, Parking, Loading & Lighting Design Standards, Section 9-1653 Off Street Parking Standards, Temporary Waiver of Town of Fuquay-Varina Code of Ordinances, Time Specific Parking Lots and Parking Spaces Ordinances, and Temporary Waiver of Part 8 Offenses, Chapter 7, Other General Nuisances, Section 8-7001 Unreasonably Loud Noises and 8-7002 (3) Noises Expressly Prohibited/Use of Amplified Sound Until 10 p.m. Freedom Balloon Festival - May 25-28, 2018

Purpose – To consider adoption of an ordinance declaring road closure and no parking temporarily during the Freedom Balloon Festival, May 25-28, 2018. In addition, the Town Board will consider temporary waiver of enforcement of certain Town ordinances related to front yard parking, time specific public parking, and prohibited use of amplified sound during the festival from May 25-28, 2018.

Recommendation – Adopt an ordinance declaring a temporary road closure and no parking designation for various streets/neighborhoods during the Freedom Balloon Festival (May 25-28, 2018) to include a temporary waiver of Town of Fuquay-Varina LDO Article N, Parking, Loading & Lighting Design Standards, Section 9-1653 Off Street Parking Standards, Subsection (e) Residential Use of Off-Street Parking: (2) Parking Outside the Vehicle Surface Area and (3) Parking in Front Yard Prohibited, a Temporary Waiver of Town of Fuquay-Varina Code of Ordinances, Time Specific Parking Lots and Parking Spaces Ordinances and a Temporary Waiver of Part 8 Offenses, Chapter 7, Other General Nuisances, Section 8-7001 Unreasonably Loud Noises and 8-7002 (3) Noises Expressly Prohibited/Use of Amplified Sound Until 10 p.m. as recommended and presented by management and staff.

**Ordinance No. M-18-03**

Agenda Item No. 8B: Budget Amendment - Recognizing Funds - Police Department - Trevor Nelson Addiction Relief Fund Donations for the Police Department's Narcan Program - BA-2018-30- \$4,550.00

Purpose – To consider the adoption of a budget amendment that recognizes the funds in the amount of \$4,550.00 from the Trevor Nelson Addiction Relief Fund for the Fuquay-Varina Police Department's Narcan Program.

Recommendation – Approve Budget Amendment BA-2018-30 as presented and recommended.

Agenda Item No. 8C: Temporary Use and Closure of Town Property – Growers Market of Fuquay-Varina – Saturdays from April 21 – September 1, 2018

Purpose –To consider a temporary closure and use of the Town’s Centennial Park for the Growers Market of Fuquay-Varina to host the outdoor farmers market every Saturday (with the exception of May 26) from April 21 through September 1, 2018.

Recommendation – Approve a temporary use and closure of Town property for the outdoor farmers market sponsored by the Growers Market of Fuquay-Varina, scheduled for every Saturday (with the exception of May 26) beginning April 21 through September 1, 2018 as presented and recommended.

Agenda Item No. 8D: Temporary Street Closure – Food Truck Rodeo – Downtown Development – April 8, 2018

Purpose – To consider a temporary street closure for the Downtown Food Truck Rodeo event scheduled for Sunday, April 8, 2018.

Recommendation – Approve a temporary street closure for the Downtown Food Truck Rodeo scheduled for Sunday, April 8, 2018 as presented and recommended.

Agenda Item No. 8E: Temporary Street Closure – Dinner on Depot – Fuquay-Varina Downtown Association – April 14, 2018

Purpose – To consider a temporary street closure on Depot Street for the 2018 Dinner on Depot Event scheduled for Saturday April 14, 2018.

Recommendation – Approve a temporary street closure for the 2018 Dinner on Depot Event scheduled for Saturday April 14, 2018 as presented.

Agenda Item No. 8F: Temporary Street Closure – First Baptist Church of Fuquay-Varina – Family and Friends Weekend Event N. West Street – April 28, 2018

Purpose – To consider a temporary street closure for the First Baptist Church of Fuquay-Varina to host a family and friends event on Saturday April 28, 2018 from 9:00 am to 5:00 pm at 105 N. West Street.

Recommendation – Approve a temporary street closure request from First Baptist Church of Fuquay-Varina for N. West Street on April 28, 2018 as presented and recommended.

Agenda Item No. 8G: Temporary Street Closure – The Mill Market – The Mill – May 12, 2018

Purpose – The purpose of this agenda item is to consider a temporary street closure for Depot Street for The Mill Market event to be held on May 12, 2018 from 8:00 am to 5:00 pm.

Recommendation – Approve a temporary street closure for the Mill Market Event scheduled for Saturday May 12, 2018 as presented.

Agenda Item No. 8H: Voluntary Annexation Petition - Patricia B. Edwards Property - 3712 Air Park Road - PIN 0688323474 - ANX-2018-07

Purpose – To consider the adoption of a resolution instructing the Town Clerk to investigate an annexation petition and to adopt a resolution setting a public hearing for April 17, 2018, following the receipt of a petition for voluntary annexation of property owned by Patricia B. Edwards located at 3712 Air Park Road (PIN 0688323474) containing 0.70 acres.

Recommendation – Adopt a 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 April 17, 2018 for property owned by Patricia B. Edwards Property (ANX-2018-07) as presented and recommended.

**Resolution No. 18-1526**  
**Resolution No. 18-1527**

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

MOTION: Commissioner Wunsch  
SECOND: Commissioner Gardner  
MOTION RESULT: Passed Unanimously (5-0)

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ADMINISTRATIVE REPORTS

Agenda Item No. 10.A: Project Ordinance and Subrecipient Agreement - Wake County - Burton Street Water Line - \$146,000

Purpose – To consider adoption of a project ordinance and approval of a Community Development Block Grant (CDBG) subrecipient agreement with Wake County to complete the Burton Street Water Line Replacement.

Staff Comments – Assistant Town Manager Matthews entered the agenda abstract and supporting documents for this agenda item into the official record of the Town. He then advised that the funding is available on a 77/23 basis (77% CDBG funding, 23% Town funding) to complete the replacement of the existing 2" water line in Burton Street with a 6" water main.

Board Discussion – Mayor Pro-Tem Massengill stated that this project will greatly alleviate water pressure issues in this area. Commissioner Harris stated that it would be good to see more projects like this throughout Town.

Recommendation – Adopt a project ordinance for the Burton Street Water Line project, and approve the subrecipient agreement as presented and recommended, subject to the Town Attorney's approval as to form.

**Ordinance No. N-18-13**

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

Agenda Item No. 10.B: Contract Award - Hollins Construction - Northeast and Southwest Judd Parkway Maintenance Work - \$91,733.00

Purpose – To consider award of contract to Hollins Construction in the amount of \$91,733.00 for maintenance and minor repair work along Northeast and Southwest Judd Parkway to support NCDOT acceptance.

Staff Comments – Assistant Town Manager Matthews entered the agenda abstract and supporting documents for this agenda item into the official record of the Town. He advised that in order to satisfy the punch list necessary for NCDOT to accept ownership and maintenance of both NE Judd Parkway and SW Judd Parkway, management is recommending awarding a contract to Hollins Construction in the amount of \$91,733 to perform scope of work.

Board Discussion – There was no discussion from members of the Town Board as it relates to this matter.

Recommendation – Authorize award of a contract and for the Town Manager to execute a contract with Hollins Construction in the amount of \$91,733.00 as presented and recommended, subject to Town Attorney review as to form.



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

Agenda Item No. 10.C: Supplemental Agreement - Recognize Additional \$1,000,000 in LAPP Funding - Northeast Judd Parkway and Main Street Intersection Project

Purpose – To consider entering into a supplemental agreement with NCDOT for an additional \$1,000,000 in LAPP funding (*Project U-5927A Agreement ID 7850*).

Staff Comments – Assistant Town Manager Matthews entered the agenda abstract and supporting documents for this agenda item into the official record of the Town.

Board Discussion – Commissioner Adcock asked about the total amount of grants funds received for this project. Town Manager Matthews stated that a total of \$3.1 million was received for this project. Mayor Byrne stated that only two towns in Wake County received funding from CAMPO for road improvement projects and that was Town of Fuquay-Varina and the Town of Cary. He commended Engineering Director Tracy Stephenson, Town Manager Mitchell and Assistant Town Manager Matthews for working closely with staff at CAMPO to secure this funding.

Recommendation – Authorize the Town Manager to execute the Supplemental Agreement with NCDOT for additional LAPP funding in the amount of \$1,000,000 subject to Town Attorney review as to form and approve the project ordinance amendment as recommended.

**Ordinance No. N-18-12**

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

Agenda Item No. 10.D: Town Code Amendment - Appendix I: Traffic § 130; Four-way Stops - Designating the Intersection of S. Fuquay Avenue and E. Vance Street as a Four Way Stop

Purpose – To consider removal of the existing traffic signal at the intersection of S. Fuquay Avenue and E. Vance Street, and adopt an ordinance to designate the intersection as a four-way stop upon removal of the traffic signal.

Staff Comments – Assistant Town Manager Matthews entered the agenda abstract and supporting documents for this agenda item into the official record of the Town. He then advised that the Town is working with Duke Energy to remove overhead electric wires and wood poles from around the Arts Center

on Fuquay Avenue and Vance Street. He stated that in order to fully accomplish the scope of work that the traffic signals at the intersection of Vance and S. Fuquay Avenue would have to be removed. Assistant Manager Matthews advised that the Town conducted traffic counts and NCDOT has authorized removal of the traffic signals pending Town Board endorsement.

Board Discussion – Commissioner Adcock recommended that the Town erect fancy posts for the stop signs. He also recommends placing the word “stop” on the road at that intersection. Assistant Town Manager Mitchell stated that town staff will evaluate pole options. Commissioner Gardner also recommended that special crosswalks be added at the intersection.

Recommendation – Concur with the removal of the existing traffic signal at the intersection of S. Fuquay Avenue and E. Vance Street, and adopt the ordinance to designate the intersection as a four-way stop upon removal of the traffic signal as recommended and presented.

**Ordinance No. M-18-04**

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

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OTHER BUSINESS

A. Manager’s Report

- > Reported that the Inspections Department issued 73 new single-family permits in March
- > Reported that the Sunset Lake Road & Main St. intersection improvements project is substantially complete and that cones will be removed in the near future.
- > Reported that the Public Utilities Department is busy managing the Terrible Creek WWTP expansion project as well as several water line projects throughout town.
- > Reported that the Parks & Recreation Department is continuing a record year with Youth Sports registrations.
- > Reported that the Planning Department has been reviewing numerous plans for current and prospective projects.
- > Reported that the Information Technology Department has been managing a fiber project and preparing to connect all Town facilities to fiber in the next couple of weeks.

B. Project Status Report – (April 2018)

C. Update – State of the Town 2018 Video – Statistical Report – 3,300 more views than last year

- D. Discussion of Budget Workshop Dates – *Tentatively set for April 24<sup>th</sup> & May 1<sup>st</sup>*
- E. Food Truck Rodeo - April 8, 2018 - 1:00 - 4:00 pm - Centennial Park - Live Music from the Band Crush
- F. FM2FV Concert - Jim Quick and the Coastline Band - Thursday, April 12, 2018 - 6:30 - 9:30 pm - Centennial Park
- G. Teen Day – Saturday, April 14, 2018 – 10:00 – 1:00 pm – Falcon Park
- H. Law and Finance Committee - Organizations Requesting Funding - April 17, 2018 - 5:00 pm - Town Hall Board Room
- I. Coffee with a Cop - Jus Enuf Home Cookin - 736 N. Main Street - Tuesday, April 24, 2018 - 9:30 am - 11:30 am
- J. National Day of Prayer – Town Hall – May 3, 2018

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TOWN BOARD MEMBER COMMENTS

Mayor Pro-Tem Massengill thanked those who participated in the Fuquay-Varina Junior Woman’s Club fashion show.

Commissioner Adcock had no further comments.

Commissioner Harris had no further comments.

Commissioner Wunsch stated that he was excited to see the basketball goal project completed by JD Minor. He reported that he spoke at the Downtown Rotary Club last week and discussed their participation in some community projects.

Commissioner Gardner had no further comments.

Mayor Byrne reported on the following events:

**Past Events**

3/21 – Had a CAMPO Meeting

3/26 – Met with Chamber of Commerce Government Affairs Committee

**Up Coming Events**

4/7 – Speaking at Bazzel Creek Missionary Baptist Church Ground Breaking Ceremony

4/13 – Meeting with Steering Committee Wake County Health

4/14 – Dinner on Depot Street

3/16 – Meeting with Wake County Mayor’s Association

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CLOSED SESSION – Pursuant to N.C.G.S. §143-318.11(a)(3) – Attorney/Client Privilege and pursuant to N.C.G.S. §143-318-11(a)(4) Economic Development.

A motion was made to enter a closed session meeting at 7:57 p.m.

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

OPEN SESSION – There was nothing to report out from the Closed Session meeting.

ADJOURN

A motion was made to adjourn the meeting at 8:20 p.m.

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

Adopted this the 17th day of April 2018 in Fuquay-Varina, North Carolina.

FUQUAY-VARINA, NORTH CAROLINA

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John W. Byrne, Mayor

ATTEST:

(TOWN SEAL)

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Rose H. Rich, Town Clerk

