



TOWN OF FUQUAY-VARINA
BOARD OF COMMISSIONERS REGULAR MEETING
JUNE 1, 2020

CALL TO ORDER

Mayor John W. Byrne (physically present) called the regular meeting of the Fuquay-Varina Board of Commissioners to order on June 1, 2020 at 7:00 p.m. This meeting was conducted using the Zoom media platform due to state mandates for social distancing in an effort to prevent the spread of the COVID-19 Novel Coronavirus.

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

Commissioners Absent: None

Others Physically Present: Town Manager Adam Mitchell
IT Director Scott Clark

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

INVOCATION AND PLEDGE OF ALLEGIANCE

Commissioner Smith provided the invocation and Mayor Pro-Tem Massengill led the Pledge of Allegiance.

Virtual Meeting Protocol and Instructions

Mayor Byrne asked Town Manager Mitchell to read aloud the virtual meeting protocol and instructions for public participation. Town Manager Mitchell stated that anyone wishing to participate in the meeting would need to either join using the Zoom media application or call into the Zoom meeting with the provided list of phone numbers on the Town's website. Once joined, their microphones will be muted by the meeting host

(IT Director Scott Clark). Town Manager Mitchell advised that there is a public comment period, and several public hearings are scheduled for tonight's meeting. The only time that the public will be able to address the Town Board will be during the public comments period at the beginning of the meeting and during the public hearings. Mayor Byrne will announce when the public is allowed to speak and when the Town Board is ready to receive comments. If someone from the public wishes to speak they will need to notify the Town's meeting host by pressing the "raise hand" button in the Zoom application or by pressing star 9 (*9) on their phone keypad. Town Manager Mitchell stated that after someone from the public has raised their hand, they will be entered into a queue. When it is time for someone from the public to speak Mayor Byrne will ask the meeting host to recognize individuals by calling out their name or the last four digits of their phone number. Individuals will be unmuted at this time and allowed to speak. Town Manager Mitchell advised that the Town asks that individuals begin their comments by stating their name and address for the public record. The public is asked to keep all comments to three minutes so that all can be heard in a timely manner. Once an individual has finished addressing the Board they will be muted for the remainder of the meeting.

APPROVAL OF THE MINUTES

The May 19, 2020 minutes of the regularly scheduled meeting of Town Board of Commissioners were presented and recommended for approval.

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

PRESENTATIONS

Agenda Item No. 4A There are no presentations for the June 1, 2020 Town Board meeting.

PUBLIC COMMENT:

There were no public comments at the June 1, 2020 Town Board meeting.

ITEMS TABLED FROM PREVIOUS MEETING:

Agenda Item No. 6.A: There were no items tabled from a previous meeting for the June 1, 2020 Town Board meeting.

PUBLIC HEARINGS:

Agenda Item No. 7.A: FY 2020-2021 Operating Budget and Five-Year Operating and Capital Plan

Purpose – To consider adoption of the Manager's recommended FY 2020-2021 operating budget (budget ordinance and fee schedule) and Five-Year Operating and Capital Plan for the Town of Fuquay-Varina.

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 FY2020-2021 budget.

On April 23, 2020 the Governing Board heard a presentation from the Town Manager regarding the proposed FY 2020-2021 operating budget. At this budget work session, the Town Manager presented a balanced budget and five-year operating and capital plan, and he led the discussion about the impacts of growth on human capital needs, facilities, and the prioritization of infrastructure projects. At the May 4, 2020 Town Board meeting, the Town Manager provided an in-depth presentation of the proposed FY 2020-2021 operating budget, in addition to presentations regarding the Town's Five Year Operating and Capital Plan. It was reported to the Governing Board at that meeting that a public hearing would be scheduled for the June 1, 2020 Town Board meeting as it relates to the proposed FY 2020-2021 Operating Budget. For consideration, along with the agenda abstract, was the FY 2020-2021 Proposed Operating Budget, which includes the Budget Message, the Budget Ordinance, the Fee Schedule, the line item budget by department and fund, and the Proposed FY 2020-2021 Budget Presentation as reviewed at the May 4, 2020 Town Board meeting. Additionally, provided was the Five Year Operating and Capital Plan that was also reviewed at the May 4, 2020 Town Board Meeting. Town Manager Mitchell then reviewed a number of slides that displayed trends in tax value, fund balance, percentages of expenditures to tax revenue, and revenues/expenses for the five-year planning period.

Public Hearing – The public hearing was opened. No one chose to speak in favor or opposition to the 2020-2021 operating budget and five-year operating and capital plan.

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

Recommendation – Adopt the FY 2020-2021 Operating Budget, to include the Budget Ordinance, Fee Schedule, and Five-Year Operating and Capital Plan as presented and recommended.

MOTION: Mayor Pro-Tem Massengill

SECOND: Commissioner Smith

MOTION RESULTS: Passed Unanimously (5-0)

Ordinance No. N-20-12

Agenda Item No. 7.B: Voluntary Annexation Petition - Gala Construction, LLC - 908 Flat Stone Drive - PIN 0655396079 - ANX-2020-06

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 Gala Construction, LLC - 908 Flat Stone Drive, containing a total of approximately 1.347 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 approximately 1.347 acres with road access at 908 Flat Stone Drive. The property is non-contiguous to the Town's corporate limits. Water is available, but sewer is not yet available to the property. The petitioner signed an annexation agreement that will not obligate the Town to provide sewer or garbage services. At the May 19, 2020 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 that the petition was sufficient and meets the requirements prescribed by the North Carolina General Statutes. The Town Board also adopted a resolution setting a public hearing for the June 1, 2020 Town Board meeting.

Public Hearing – The public hearing was opened. No one chose to speak in favor or opposition to the request.

Discussion – Commissioner Smith asked why the Town is not providing garbage service for the petitioner. Town Manager Mitchell stated that the subject property is in an established subdivision and it is not feasible to provide garbage service until all properties within the subdivision are annexed.

Recommendation – Adopt the annexation ordinance to extend the corporate limits of the Town of Fuquay-Varina to include property owned by Gala Construction, LLC - 908 Flat Stone Drive (ANX-2020-06) and to approve the Declaration of Annexation Agreement as presented and recommended.

MOTION: Commissioner Smith

SECOND: Commissioner Gardner

MOTION RESULTS: Passed Unanimously (5-0)

Ordinance No. N-20-13

Agenda Item No. 7.C: Zoning Map Amendment - Gala Construction - 418 Washington Street - PIN 0656794319 - REZ-2020-02

Purpose – To consider a requested zoning map amendment for a total of 0.344 acres, located at 418 Washington Street, from the Residential Medium Density (RMD) Zoning District to the Town Center Residential (TCR) Zoning District.

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 property totals 0.344 acres, is located in the Town's corporate limits and is currently the site of a single-family home. The zoning map amendment petition requests approval of the Town Center Residential (TCR) Zoning District. A residential density of 10 dwelling units per acre is permitted within the TCR Zoning District, which is intended to provide for a variety of residential development types and is applicable only within the Judd Parkway Loop. The TCR Zoning District requires submittal of a master plan; however, proposed developments totaling four (4) lots or fewer are permitted to submit a plot plan in-lieu of the required master plan. This zoning map amendment requests the subdivision of one (1) lot into two (2) lots, and as such, a plot plan has been submitted. The plot plan includes a notes section that details site-specific provisions for development of the subject property as it relates to design elements and community character. The provisions are as follows:

1. One street tree will be installed in the front yard of each house;
2. Front door to include partial glass and transom (New Lot 50 Only);
3. Front elevation to have siding/shutter & shake accents (New Lot 50 Only);

The subject properties are located in the southern end of the Lincoln Heights neighborhood. Surrounding properties are a mix of uses including other single-family residences to the north, south, and east, the Lincoln Heights Elementary School to the west, as well as industrial warehouses to the southwest.

The 2035 Community Vision Land Use Plan (LUP) calls for the Town Center Residential (TCR) Classification at the subject properties. The LUP's Recommendation, LU.4 — Encourage Infill Development & Redevelopment Inside Town Limits, incentivizes infill development and redevelopment projects inside Town limits as a way to reinvest in the existing downtowns and neighborhoods. The requested zoning district is consistent with the 2035 LUP.

Public water and sewer utilities are available to serve the subject property. The subject properties are located on and have access to Washington Street, which is classified as a local street by the Town's 2035 Community Transportation Plan (CTP).

A neighborhood meeting was held by the petitioner on February 5, 2020 at the Fuquay-Varina Community Center, located at 820 S Main St. Town staff takes no position as to the content of the meeting report.

Management and staff recommend approval of the proposed zoning map amendment, subject to the petitioner consenting to add a condition stating that "vinyl siding is not permitted, except for use as windows, decorative elements, and trim". The purpose of this recommendation is to yield the best look and durability for the home and neighborhood over time. Vinyl is less dense and durable than many other home facade products and subject to not holding up as well to heat and cold cycles. It degrades and becomes brittle and less impact resistant over time. Higher quality finishes are in the best interest of the public in that they enhance neighborhoods and promote higher quality development and protect the value of existing properties.

Town Manager Mitchell advised that subject to this revision being made, the petition is consistent with the 2035 Community Vision Land Use Plan and is reasonable and in the best interest of the public for the following reasons:

1. The requested zoning map amendment for Town Center Residential is consistent with the 2035 Community Vision Land Use Plan (LUP) Classification of Town Center Residential.
2. The requested zoning district supports infill development and reinvestment in downtown neighborhoods per the 2035 LUP's Recommendation LU.4 — Encourage Infill Development & Redevelopment Inside Town Limits.
3. The requested zoning district is complementary to residential uses in the general vicinity.
4. The plot plan specifics identified by the petitioner promote community character and provide compatibility to the surrounding neighborhood.

Town Manager Mitchell advised that this case was originally scheduled to be heard at the March 16, 2020 Planning Board meeting, but due to social distancing protocols enacted by the Town, the meeting was cancelled, and all cases delayed until the next scheduled meeting. This case was re-advertised in accordance with North Carolina General Statutes. At the May 18, 2020 regular meeting, the Planning Board unanimously voted to recommend approval, finding it reasonable and in the best interest of the public for the reasons identified by staff. The Planning Board supported staff's recommendation to add the vinyl restriction condition. The petitioner was not willing to add it upon recommendation, preferring instead that it be considered at the June 1st Town Board meeting.

Public Hearing – The public hearing was opened. Jason Galarneau, P.O. Box 488, Holly Springs, (the petitioner/developer for the project) spoke in favor of the request. He stated that he was in favor of the project; however, he was not in favor of Town staff's recommendation of adding a condition that "vinyl siding is not permitted with exception to windows, decorative elements and trim." He stated the condition is detrimental to the homes being built in the Lincoln Heights area because it adds almost \$5,000 to the homes making it less affordable, it disincentives builders and developers from developing projects in Lincoln Heights area using the TCR zoning, and further the condition adds an expense to the homeowner for maintenance. He offered that a typical power washing for vinyl is about \$200 per year versus a new paint job that would likely cost as much as \$4,000 and would be needed on a six to eight-year cycle. No one chose to speak in opposition to the proposed zoning map amendment for REZ-2020-02.

Discussion – Commissioner Smith stated that he has been very pleased with the recent enhanced aesthetics of the neighborhood and he agrees that requiring no vinyl siding as a condition would drive up the cost for maintenance for the homeowner. For that reason, he stated that he is in favor of the proposed zoning map amendment with exception to the requirement for no vinyl siding. Mayor Pro-Tem Massengill then recommended that the developer be allowed to find and offer a high-quality vinyl or compromise, with accents on the front with brick and stone. Commissioner Harris referred to the staff's comments regarding the poor quality of vinyl over time, and he stated that staff's recommendation is in the overall best interest of the neighborhood. Commissioner Wunch stated that a possible 2% increase as referenced by the petitioner, financed over thirty years would be a better product for the neighborhood, and he agreed with Commissioner Harris, unless there is a compromise that can be found. Town Manager Mitchell stated that if the petitioner is not willing or wanting to offer up the condition of no vinyl siding, the Town Board has the option to deny the petition, table consideration of the zoning map amendment to allow staff and the developer to discuss a middle ground solution, or approve the zoning map amendment petition without the staff recommended condition.

Mayor Byrne then recognized the petitioner to address the issue at that time. Mr. Galarneau stated that he spoke with the owner of the property and they are willing to offer the condition of no vinyl siding and use a higher quality cement-based siding for the project.

Recommendation – Approve REZ-2020-02, a zoning map amendment at 418 Washington St, from the Residential Medium Density (RMD) Zoning District to the Town Center Residential (TCR) Zoning District, subject to the petitioner consenting to add a condition stating that vinyl siding is not permitted, except for use as windows, decorative elements, and trim, as recommended by management and staff. The proposed amendment with the added condition 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 Smith
MOTION RESULTS: Passed Unanimously (5-0)

Agenda Item No. 7.D: Zoning Map Amendment - Mauldin-Watkins Surveying, PA
- 507 S Main Street - PIN 0656956413 - REZ-2020-03

Purpose – To consider a requested zoning map amendment for a total of 0.552 acres, located at 507 S Main Street, from the Office & Institutional (O&I) Zoning District to the Town Center Residential (TCR) Zoning District, and the corresponding land use plan amendment from Downtown (DT) to Town Center Residential (TCR).

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 property totals 0.552 acres and is located in the Town's corporate limits. The property is currently used as a single-family residence; however, the current zoning on the property of Office & Institutional (O&I) renders single-family residential as a nonconforming use, as defined by the Town's Land Development Ordinance (LDO). The property owner wishes to install an accessory structure at the subject property, indicated on the attached plot plan as "proposed garage". The current nonconforming use prohibits installation of an accessory structure. The requested zoning district will both render the existing single-family residential home as a permitted use and will permit the installation of an accessory structure. The zoning map amendment petition requests approval of the Town Center Residential (TCR) Zoning District.

A residential density of 10 units per acre is permitted within the TCR Zoning District, which is intended to provide for residential development of varying types to support the downtown center districts and is applicable only within the Judd Parkway loop. The TCR Zoning District requires submittal of a master plan; however, proposed developments totaling four (4) lots or fewer are permitted to submit a plot plan in lieu of the required master plan. This zoning map amendment requests one (1) lot, and as such, a plot plan has been submitted. The plot plan includes a note section that details site-specific provisions for development of the subject property as it relates to design elements and community character. The note is as follows:

1. Siding on front of garage to be hardi-plank

The surrounding property mainly consists of residential properties that make up the older neighborhoods that surround the downtown. Fuquay Mineral Spring Park is located to the northwest of the property. The 2035 Community Vision Land Use Plan (LUP) calls for the Downtown (DT) Classification at the subject property. Although the requested zoning district is not consistent with the 2035 LUP's classification, the petitioner has included a land use plan amendment request along with this zoning map petition.

The subject property is located on and has access to S Main Street, which is classified as a 60-foot right-of-way by the Town's 2035 Community Transportation Plan (CTP). This street is identified as a two-lane road with sidewalks.

A neighborhood meeting was held by the petitioner on October 16, 2019 at 1301 Broad Street, and the meeting report is attached. Town staff takes no position to its content.

The subject property is located within the Downtown (DT) Classification as designated by the 2035 Community Vision Land Use Plan (LUP). As previously described, this classification is incompatible with the petitioner's request of TCR. The petitioner is requesting an amendment to the 2035 LUP that classifies the subject property as Town Center Residential (TCR), which is better suited to accommodate the proposed use of single-family residential within the Town Center Residential Zoning District. This amendment also supports the LUP's Recommendation, LU.4 — Encourage Infill Development & Redevelopment Inside Town Limits which incentivizes infill development and redevelopment projects inside Town limits as a way to reinvest in the existing downtown and neighborhoods. As such, the requested land use plan

amendment is consistent with the 2035 LUP and its vision. The land use plan amendment, if approved, would allow for the site to be developed in a more consistent and appropriate manner as it relates to the proposed use and surrounding area.

Management and staff recommend approval of the proposed zoning map amendment and accompanying LUP amendment. It is reasonable and in the best interest of the public for the following reasons:

1. Although the requested zoning map amendment is not consistent with the 2035 Community Vision Land Use Plan designation of Downtown, the requested land use plan amendment to designate the subject property as Town Center Residential would allow for the existing residential use to continue without furthering the nonconformity.
2. The requested zoning district supports infill development and reinvestment in downtown neighborhoods per the 2035 LUP's recommendation LU.4 — Encourage Infill Development & Redevelopment Inside Town Limits.
3. The requested zoning district is complementary to residential and institutional uses in the general vicinity.
4. The plot plan specifics identified by the petitioner promote community character and provide compatibility to the surrounding neighborhood.

This case was originally scheduled to be heard at the March 16, 2020 Planning Board meeting, but due to social distancing protocols enacted by the Town, the meeting was cancelled, and all cases delayed until the next available meeting. This case was re-advertised in accordance with North Carolina General Statutes. At the May 18, 2020 regular meeting, the Planning Board unanimously voted to recommend approval, finding it reasonable and in the best interest of the public for the reasons identified by staff.

Public Hearing – The public hearing was opened. Wayne Maudlin of Mauldin-Watkins Surveying, 1301 Broad Street, spoke in favor to the request on behalf of the property owner. No one chose to speak in opposition to the proposed zoning map amendment for REZ-2020-03. The public hearing was closed.

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

Recommendation – Approve REZ-2020-03, a zoning map amendment at 507 S Main Street, from the Office & Institutional (O&I) Zoning District to the Town Center Residential (TCR) Zoning District, and the corresponding land use plan amendment from Downtown (DT) to Town Center Residential (TCR). The proposed amendment, with the corresponding Land Use Plan amendment, is consistent with the 2035 Community Vision Land Use Plan and reasonable and in the best interest of the public for the reasons identified by management and staff.

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

Agenda Item No. 7.E: Zoning Map Amendment - Town of Fuquay-Varina - 4621, 0, & 0 Shady Greens Drive, 5211, 0, & 0 Johnson Pond Road, 5532, 0 & 0 Brushy Meadows Drive, & 4501 Hilltop Needmore Road - PINs 0678852120, 0678779060, 0678942571, 0678677840, 0678638704, 0678750952, 0678831336, 0678634917, 0678642032, & 0678846531 - REZ-2020-04

Purpose – To consider a requested zoning map amendment for a total of 142.8 acres, located at 4621, 0, & 0 Shady Greens Drive, 5211, 0, & 0 Johnson Pond Road, 5532, 0 & 0 Brushy Meadows Drive, & 4501 Hilltop Needmore Road, from the Residential Agricultural (RA) Zoning District to the Office & Institutional Conditional Zoning District (O&I-CZD), and the corresponding land use plan amendment from Small-Lot Residential (SLR) to Civic and Institutional (CIV).

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 total 142.8 acres, located in the Town's extraterritorial jurisdiction (ETJ) and are the site of the Hilltop Needmore Town Park and Preserve.

The zoning map amendment petition requests approval of the Office and Institutional Conditional Zoning District (OI-CZD). This zoning district is intended to permit public uses, as well as professional and general office and institutional uses with public utilities.

Surrounding properties are primarily residential, but additionally recreational, as the subject properties were formerly the Crooked Creek golf course. More specifically, single-family residential structures occupy the adjacent properties throughout the subject properties. A lot owned by Wake County Board of Education, in the center of the subject properties, is currently under consideration for annexation and rezoning as part of REZ-2020-05 and ANX-2020-05. To the north of the subject properties lie undeveloped forestland.

The 2035 Community Vision Land Use Plan (LUP) calls for the Small-Lot Residential (SLR) Classification at the subject properties. The SLR Classification calls for property dedicated primarily for neighborhoods of single-family detached housing of uniform density. Although the requested zoning district is not consistent with the 2035 LUP classification, the Town has included a Land Use Plan Amendment along with this zoning map petition.

The Town and/or other development partners will be extending water and sewer utilities with future development of the subject properties.

The subject properties are located along Hilltop Needmore Road and have access to the following local streets throughout the Crooked Creek neighborhood: Brushy Meadows Drive, Shady Greens Drive, Johnson Pond Road, Gomar Lane, Helen Drive, and Crooked Bluff Lane. All of these streets, with the exception of Hilltop Needmore Road, are classified as local streets by the Town's 2035 Community Transportation Plan

(CTP), but are not maintained by the Town. Hilltop Needmore Road is classified as a 110-foot right-of-way by the Town's 2035 Community Transportation Plan (CTP). This street is identified as a four-lane median-divided road with sidepaths.

The petitioner held a neighborhood meeting on April 22, 2020 via web meeting, and the meeting report is attached. As the Town is the petitioner, Town planning staff and management conducted the neighborhood meeting.

The 2035 Community Vision Land Use Plan (LUP) calls for the Small-Lot Residential (SLR) Classification at the subject properties; however, the petitioner is requesting a land use plan amendment to the Civic and Institutional (CIV) Classification. As previously described, this classification is incompatible with the petitioner's request of OI-CZD. The petitioner is requesting an amendment to the 2035 LUP that classifies the subject property as Civic and Institutional (CIV), which is better suited to accommodate the proposed use of the Town park and preserve, as well as any future public use facilities. This amendment also supports the LUP's Recommendation, NE.1 — Create an Interconnected Network of Green Spaces which encourages the forming of a "big picture green print" and invest in growing and committing land to greens spaces for public enjoyment. Additionally, this amendment supports PR.1 - Build Parks & Preserve Open Space for the same reasons. As such, the requested Land Use Plan amendment is consistent with the 2035 LUP and its vision. The Land Use Plan amendment, if approved, would allow for the site to be developed in a more consistent and appropriate manner as it relates to the proposed use and surrounding area.

Management and staff recommend approval of the proposed zoning amendment and corresponding Land Use Plan amendment. Both are consistent with the 2035 Community Vision Land Use Plan and reasonable and in the best interest of the public for the following reasons:

1. Although the requested zoning map amendment is not consistent with the 2035 Community Vision Land Use Plan classification of Small-Lot Residential, the petitioner has opted to request a change of the Land Use Plan to Civic and Institutional, which would allow for the continued growth of the Town parks, appropriate to the proposed public uses and location.
2. The requested zoning map amendment is consistent with the 2035 Community Vision Land Use Plan's recommendations NE.1 — Create an Interconnected Network of Green Spaces and PR.1 - Build Parks and Maintain Open Space.
3. The requested zoning map amendment would better conform to the surrounding uses and provide for the ability to better develop the property for public use.

At the May 18, 2020 regular meeting, the Planning Board unanimously voted to recommend approval, finding it reasonable and in the best interest of the public for the reasons identified by staff.

Public Hearing – The public hearing was opened. Catherine Tynan, 5524 Johnson Pond Road, asked how much of this property would be the town park and how much would be the school. Town Manager Mitchell stated that all the property for this zoning map amendment is property that is restricted for a public purpose and thus far has only been identified as a park, and none is related to the WCPSS property that is slated

for a new elementary school. There were no comments in opposition to the zoning map amendment for REZ-2020-04.

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

Recommendation – Approve REZ-2020-04, a zoning map amendment at 4621, 0, & 0 Shady Greens Drive, 5211, 0, & 0 Johnson Pond Road, 5532, 0 & 0 Brushy Meadows Drive, & 4501 Hilltop Needmore Road, from the Residential Agricultural (RA) Zoning District to the Office & Institutional Conditional Zoning District (O&I-CZD), and the corresponding land use plan amendment from Small-Lot Residential (SLR) to Civic and Institutional (CIV). The proposed zoning map amendment, with corresponding land use plan amendment, is consistent with the 2035 Community Vision Land Use Plan and both are reasonable and in the best interest of the public for the reasons identified by management and staff.

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

Agenda Item No. 7.F: Voluntary Annexation Petition - Hilltop Needmore Town Park and Preserve - PIN's 0678852120, 0678779060, 0678942571, 0678677840, 0678638704, 0678750952, 0678831336, 0678634917, 0678642032 and 0678846531 located at 4621, 0 and 0 Shady Green Drive, 5211, 0 and 0 Johnson Pond Road, 5532, 0 and 0 Brushy Meadows Drive and 4501 Hilltop Needmore Road - ANX-2020-04

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 the Town of Fuquay-Varina (Hilltop Needmore Town Park and Preserve) containing a total of approximately 148.027 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 property and made the following remarks.

The property contains approximately 148.027 acres with road access on 4621, 0 and 0 Shady Greens Drive, 5211, 0 and 0 Johnson Pond Road, 5532, 0 and 0 Brushy Meadows Drive and 4501 Hilltop Needmore Road. The property is non-contiguous to the Town's corporate limits. Water and sewer are available to serve the property. During the May 19, 2020 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. The Town Board also adopted a resolution setting a public hearing for the June 1, 2020 Town Board meeting.

Public Hearing – The public hearing was opened. No one chose to speak in favor of, or in opposition to the request. The public hearing was closed.

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

Recommendation – Adopt the annexation ordinance to extend the corporate limits of the Town of Fuquay-Varina to include property owned by the Town of Fuquay-Varina (Hilltop Needmore Town Park and Preserve) ANX-2020-04 as presented and recommended.

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

Ordinance No. N-20-14

Agenda Item No. 7.G: Zoning Map Amendment - Glenda Toppe, Glenda S Toppe and Associates - 4551 Hilltop Needmore Road - PINs 0678749253 - REZ-2020-05

Purpose –To consider a requested zoning map amendment for a total of 21.0 acres, located at 4551 Hilltop Needmore Road, from the Residential Agricultural (RA) Zoning District to the Office & Institutional Conditional Zoning District (O&I-CZD), and the corresponding land use plan amendment from Civic and Institutional (CIV), Small-Lot Residential (SLR), and Open Space (OS) to Civic and Institutional (CIV).

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 property totals 21.0 acres, located in the Town’s extraterritorial jurisdiction, and is the site of the former Crooked Creek golf course. The zoning map amendment petition requests approval of the Office & Institutional Conditional Zoning District (O&I-CZD). This zoning district is intended to permit public uses, as well as professional and general office and institutional uses with public utilities.

Surrounding properties are primarily residential, but additionally recreational, as a large portion of the subject property is bordered by the Hilltop Needmore Town Park and Preserve. More specifically, single-family residential structures occupy the properties to the south and west, and the Park lies to the immediate east and north, across Hilltop Needmore Road.

Management and staff recommend approval of the proposed zoning amendment and corresponding Land Use Plan amendment. Both are consistent with the 2035 Community Vision Land Use Plan and reasonable and in the best interest of the public for the following reasons:

1. Although the requested zoning map amendment is not consistent with the 2035 Community Vision Land Use Plan classification of Small-Lot Residential, and Open Space, the petitioner has opted to request a change of the Land Use Plan to Civic and Institutional, which would allow for the implementation of the Board of Education’s master plan.

2. The requested zoning map amendment is consistent with the 2035 Community Vision Land Use Plan's recommendations CF.3 – Safeguard Our Access to Quality Education and PR.1 – Build Parks and Maintain Open Space.
3. The requested zoning map amendment would better conform to the surrounding uses and provide a reasonable transition to the subject property from the adjacent residential neighborhoods.

At the May 18, 2020 regular meeting, the Planning Board unanimously voted to recommend approval, finding it reasonable and in the best interest of the public for the reasons identified by staff.

Public Hearing – The public hearing was opened. Glenda Toppe, of Glenda S. Toppe and Associates, 4139 Gardenlake Drive, Raleigh, in favor of the proposed zoning map amendment. Also, Betty Parker, Senior Director with Wake County Public School System spoke in favor to the request and she expressed her excitement in anticipation of the Town's masterplan for the park portion of the property.

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

Recommendation – Approve REZ-2020-05, a zoning map amendment at 4551 Hilltop Needmore Road, from the Residential Agricultural (RA) Zoning District to the Office & Institutional Conditional Zoning District (O&I-CZD), and the corresponding land use plan amendment from Civic and Institutional (CIV), Small-Lot Residential (SLR), and Open Space (OS) to Civic and Institutional (CIV). The proposed zoning map amendment, with corresponding land use plan amendment, is consistent with the 2035 Community Vision Land Use Plan and both are reasonable and in the best interest of the public for the reasons identified by management and staff.

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

Agenda Item No. 7.H: Voluntary Annexation Petition - Hilltop Needmore Road Elementary School (E-44) - 4551 Hilltop Needmore Road PIN 0678749253 - ANX-2020-05

Purpose – To consider the adoption of an annexation ordinance for Hilltop Needmore Road Elementary School (E-44) property, extending the corporate limits of the Town of Fuquay-Varina following receipt of a petition for voluntary annexation of the property owned by Wake County Board of Education/Wake County Public School System located at 4551 Hilltop Needmore Road containing a total of approximately 21.929 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 property and made the following remarks.

The property contains approximately 21.929 acres with road access on 4551 Hilltop Needmore Road. The property is non-contiguous to the Town's corporate limits. Water and sewer is available to the property. At the May 19, 2020 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. The Town Board also adopted a resolution setting a public hearing for the June 1, 2020 Town Board meeting.

Public Hearing – The public hearing was opened. No one chose to speak in favor of, or in opposition to the proposed annexation petition for ANX-2020-05. The public hearing was closed.

Discussion – There was no discussion from the Town Board.

Recommendation – Adopt the annexation ordinance to extend the corporate limits of the Town of Fuquay-Varina to include property owned by Wake County Board of Education/Wake County Public School System - 4551 Hilltop Needmore Road (ANX-2020-05) as presented and recommended.

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

Ordinance No. N-20-15

Agenda Item No. 7.1: Town Code Amendment - Town of Fuquay-Varina - Land Development Ordinance (LDO) Amendment #11 - CTA-2020-03

Purpose – To consider a proposed text amendment to the Town Code of Ordinances, Part 9 Land Development Ordinance, Amendment #11 that addresses several areas for improvement.

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 proposed text amendment and made the following remarks.

Town staff and the community have gained significant experience using the Land Development Ordinance (LDO) since its adoption in December 2016 and a better understanding of its intent and proper function. As a result, this amendment seeks to harness that experience in the form of clarifications and technical corrections to the LDO's language. The proposed changes are as follows:

Section 1, Article B:

- o Language on maintenance of nonresidential structures has been changed to condense the section on the maintenance of methods of ingress and egress and now prohibits the use of boarding as a means of repair. The term "Evidence of Vacancy" has also been added as a description of the state a building may be in that would give it the appearance of being vacant. This definition has

been added to the LDO and will be described in further detail later in this report.

- A grammatical cleanup of this section is also included.

Section 2, Article D:

- The term "townhome" has been replaced with the term "townhouse" in this section for continuity of terminology. In all other instances throughout the LDO, the term "townhouse" is used in references to townhome-style development.

Section 3, Article F:

- References to Section 9-1902 have been removed from this section and throughout the rest of the LDO due to its combination with Section 9-1901. This change is described in further detail later in the report.
- Language prohibiting the locating of mobile restaurants (food trucks) along NC 42 Hwy, NC 55 Hwy, US Hwy 401 and any portion of Judd Parkway has been added to this section, in an effort to prevent traffic being impeded along the Town's major thoroughfares.
- Language prohibiting mobile restaurants from locating in parking spaces in private parking lots has been removed to encourage mobile restaurants to locate off a public road.
- An exception has been added to allow mobile restaurants in residential zoning districts on commonly owned property. This is in response to a significant amount of interest from the public to allow food trucks in neighborhoods and at residential community functions.
- Language has been added to the section regarding mixed-use development that mixing of uses vertically is strongly encouraged, with the first floor being generally reserved for non-residential uses and the upper floors being for residential uses.
- Language has been added to clarify that the 1,500-foot separation requirement between multi-family uses does not include vertical mixed-use buildings, where the first floor is non-residential and all upper floors are residential.
- The section regarding non-through streets and cul-de-sacs has been amended to correct the word "non-for" to "non-through".
- Language regarding the allowable number of accessory uses per zoning lot has been amended for both the corporate limits and the ETJ. The allowable number of accessory structures in the corporate limits is now dependent on the size of the zoning lot, and the restriction on number of accessory structures allowed in the ETJ has been removed altogether.

Section 4, Article J:

- The term "Street Lights" in the title of this Section has been corrected to read "Streetlights".
- Language in this section has been amended to remove the reference to Part 4, Chapter 1, Article A, Section 4-1002, (4) as this does not reference a section of the LDO and does not specify which document it makes reference to, leading to user confusion. Reference made to the Town's Standard Specifications & Construction Details is sufficient.

Section 5, Article L:

- Language pertaining to the forfeiture of noncompliant signs has been moved to the front of the section for visibility and ease of use.
- The term "off-premises" has been corrected to "off-premises" throughout the section.
- Language pertaining to how many temporary off-premises signs may be permitted at one time has been changed from four (4) to eight (8) in an effort to allow businesses more flexibility in the hopes that compliance is improved.
- A typographical error has been corrected in the section that pertains to signs on vehicles, hereby removing a double negative.
- The location requirements of yard signs have been clarified to state that yard signs shall only be allowed on private property, with permission of the property owner, and are not intended to replace permanent signage.

Section 6, Article N:

- The table Parking Bay Dimensional Standards has been amended to correct and clarify the requirements for angled parking. A table and figure have been added to further outline the dimensions expected for angled parking modules.

Section 7, Article O:

- Language in this section has been amended to correct a reference to another section of the LDO which was previously incorrectly titled. - A typographical error has been made to this section to remove an extra word.

Section 8, Article Q:

- Language in this section has been amended to define additional types of administrative changes that are allowable without requiring the petitioner to seek board approval. This proposed change will allow staff to streamline the process for minor changes to preliminary major subdivision plans that would otherwise be required to go back before the Planning Board and Board of Commissioners for consideration.

Section 9, Article S:

- Article S which contains the definitions of terms used throughout the LDO, currently has two sections of definitions, 1901 and 1902. Section 1901 is entitled "General Definitions" and Section 1902 is entitled "Use Classifications". This separation of sections has proven to be unwieldy and causes user confusion. It is often the case that a user searches section 1901 for a term and not finding it, assumes it is undefined by the LDO, not realizing there is a separate section. Therefore, these sections are proposed to be combined to create one thorough definitions section in order to promote ease of use.
- A general grammatical and spelling error cleanup has also been performed on the entirety of the Article.
- The term "Evidence of Vacancy" has been added and defined.

Section 10, Appendix B:

- Language has been added to the form-base streets section to indicate that six inches of curb should be included in the calculation of the assembly width. Previously, the inclusion of curb width was not provided for in the form-based section, leading to confusion.

- o The form-based pre-approved assemblies have undergone a major overhaul and clean up. Prior to this amendment, the pre-approved assemblies were not user friendly and often incorrect leading to modification in almost every application. This amendment hopes to clean up those details and provide for ease of use.

Management and staff recommend approval of the proposed town code amendment. It is reasonable and in the best interest of the public, as it improves upon the Land Development Ordinance's intent to modernize, provide sustainability, and allows for ease of use and enforcement, specifically with regard to the Town's current standards. At the May 18, 2020 regular meeting, the Planning Board unanimously voted to recommend approval, finding it reasonable and in the best interest of the public for the reason identified by staff.

Public Hearing – (At 8:57 pm, Mayor Byrne briefly left the meeting room and Mayor Pro-Tem Massengill presided.) The public hearing was opened. No one chose to speak in favor of, or in opposition to the request. The public hearing was closed.

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

Recommendation – Approve CTA-2020-03 Amendment #11, an amendment to the Town Code of Ordinances, Part 9 Land Development Ordinance, as presented and recommended by Town management and staff. The text amendment improves upon the Land Development Ordinance and is reasonable and in the best interest of the public for the reasons identified by management and staff.

MOTION: Commissioner Harris
 SECOND: Commissioner Wunsch
 MOTION RESULTS: Passed Unanimously (5-0) **Ordinance No. PZ-20-04**

(Mayor Byrne returned to the meeting room at 8:58 pm and resumed presiding over the meeting.)

Agenda Item No. 7.J: Community Transportation Plan Amendment - Town of Fuquay-Varina - NC 42 Hwy Extension - CTA-2020-04

Purpose – To consider a proposed amendment to the Community Transportation Plan, that addresses an area for improvement.

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 Community Transportation Plan (CTP) amendment and made the following remarks.

The Community Transportation Plan is the adopted ordinance by which transportation needs for all citizens are identified. The CTP seeks to establish the desired vision of the community and identifies the steps to achieving it. The Fuquay-Varina 2035 Community Transportation Plan is a living document, meant to be revisited and amended as necessary as the community moves forward in growth. The Town is

proposing an amendment of a portion of the NC 42 Hwy, from S NC 55 Hwy at Five Points to the junction of the future realignment, a length of roughly two-thirds of a mile. This proposal is in response to the U-5751 project that the North Carolina Department of Transportation (NCDOT) is currently developing that realigns this section of NC 42 Hwy. After this project is complete (programmed for construction in 2024) four-lanes would no longer be needed for this segment. Any turn lane movements would be dictated by TIA results specific to proposed development or as required by NCDOT. The Town proposes to downgrade the cross-section of this portion of NC 42 Hwy from a four-lane median divided road with sidepaths to its current designation as a two-lane road with sidewalk and sidepath. This would require any future development to dedicate right-of-way, install curb and gutter, and install either sidewalk and/or sidepath as appropriate for the location. Management and staff recommend approval of CTA-2019-04, a proposed amendment to the 2035 Community Transportation Plan. It is reasonable and in the best interest of the public, as it improves upon the 2035 Community Transportation Plan's intent to plan for the future of transportation and growth in the Town. At the May 18, 2020 regular meeting, the Planning Board unanimously voted to recommend approval, finding it reasonable and in the best interest of the public for the reasons identified by staff.

Public Hearing – The public hearing was opened. No one chose to speak in favor of, or in opposition to the proposed amendment for CTA-2020-04. The public hearing was closed.

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

Recommendation – Approve CTA-2020-04, an amendment to the Community Transportation Plan, as presented and recommended by Town staff. The amendment improves upon the Community Transportation Plan and is reasonable and in the best interest of the public for the reasons identified by management and staff.

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

CONSENT AGENDA

Agenda Item No. 8.A: Order to Levy and Collect Taxes - Wake County

Purpose – To consider a resolution authorizing Wake County to levy and collect the real and personal property taxes on behalf of the Town of Fuquay-Varina for the FY 2020-2021 budget year.

Recommendation – Adopt the resolution authorizing the Wake County Revenue Administrator to levy and collect real and personal property taxes on behalf of the Town of Fuquay-Varina for the FY 2020-2021 budget year. **Resolution No. 20-1665**

Agenda Item No. 8B: Budget Amendment - Arts Center Sound Equipment - \$15,000 - BA-20-24

Purpose – To consider the appropriation of Capital Reserve Funds from the Naming Rights fees received for the purchase of 1/2 of the cost of new sound equipment in the Arts Center.

Recommendation – Approve the budget amendment (BA-20-24) as recommended and presented from Capital Reserve Funds from Naming Rights fees for 1/2 of the cost of new sound equipment in the Arts Center.

Agenda Item No. 8C: Budget Amendment - Appropriating Tax Revenue - Western Wake Crisis Ministry Contribution - \$10,000 - BA-20-27

Purpose – To consider approval of a budget amendment that appropriates tax revenue received over previously budgeted amounts for the Western Wake Crisis Ministry in the amount of \$10,000.00 as requested by the Board during the May 19, 2020 Board meeting.

Recommendation – Approve Budget amendment BA 20-27 as presented and recommended.

Agenda Item No. 8D: Municipal Fire Protection Agreement - Wake County - One-Year Extension

Purpose – To approve a one-year extension of the Municipal Fire Protection Agreement between the Town of Fuquay-Varina and Wake County.

Recommendation – Approve the one-year extension of the Municipal Fire Protection Agreement between the Town of Fuquay-Varina and Wake County as recommended and presented.

Agenda Item No. 8E: Bank Account - Health Flexible Spending Program

Purpose – To consider authorization to open a bank account with The Bancorp Bank for management of the Town's flexible benefits program.

Recommendation – Approve the opening of a bank account with The Bancorp Bank for the settling of card transactions of the flexible spending program beginning in the new fiscal year and authorizing the Finance Director to execute all documents.

A motion was made to approve all items (A through E) on the Consent agenda.

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

ADMINISTRATIVE REPORTS

Agenda Item No. 10A: Preliminary Subdivision Plat Amendment - Persimmon Woods, Amendment #1 - SUB-PA-2020-02

Purpose – To consider a preliminary subdivision plat amendment submitted by Curry Engineering named Persimmon Woods, located at 1908 W Academy Street.

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 regarding the matter and made the following remarks.

The submitted preliminary subdivision, Persimmon Woods, is located at 1908 W Academy Street on 8.62 acres in the Residential Agriculture Conditional Zoning District (RA-CZD), with conditions as follows:

1. Vinyl siding is not permitted; however, vinyl windows, decorative elements, and trim are permitted.
2. Garage doors shall have either windows, decorative details, or carriage style adornments.
3. All residences shall have a crawl space or have a raised foundation which at a minimum rises at least 20 inches from average grade across the front of the house to the finished floor level at the front door.
4. Any side or rear elevations of units that can be seen from the right-of-way shall have trim around windows.

The preliminary subdivision plat proposes 12 residential lots meeting the standards for conventional subdivision developments. The minimum lot size permitted is 20,000 square feet, and the minimum provided is 21,651 square feet. The average lot size is 27,793 square feet. The proposed preliminary subdivision plat amendment meets all Town requirements, as such staff and management recommend approval. The preliminary plat has been amended to modify the total acreage, the number of lots and the internal street network, decreasing the project acreage from 11.83 acres to 8.62 acres, the number of lots from 16 to 12, and the removal of a proposed stub street to the west. The decrease of project acreage and the number of lots has resulted from the developer's decision to reduce the scale of the project from its originally approved preliminary plat in 2018. Properties to the west have access to Barefoot Road, so the stub street was not required. At the May 18, 2020 regular meeting, the Planning Board found the subdivision plat consistent with Town requirements and voted unanimously to recommend approval.

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

Recommendation – Recommend approval of the Persimmon Woods preliminary subdivision plat amendment, SUB-PA-2020-02, as presented and recommended.

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

Agenda Item No. 10B: Preliminary Subdivision Plat - Walmart Outparcel - SUB-PR-2020-06

Purpose – To consider a preliminary subdivision plat submitted by Curry Engineering, named Walmart Outparcel Subdivision, located at 1051 E Broad Street.

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 regarding the matter and made the following remarks.

The submitted preliminary subdivision, Walmart Outparcel Subdivision, is located 1051 E Broad Street, on 1.14 acres in the General Commercial District (GC). The preliminary subdivision plat proposes one non-residential lot meeting the standards for a conventional subdivision in a non-residential district. The parent tract is 19.87 acres or 865,537 square feet and the proposed subdivided outparcel lot is 1.14 acres, or 49,658 square feet. The subdivision will require the extension of the public sanitary sewer system to serve the lot. At the May 18, 2020 regular meeting, the Planning Board found the subdivision plat consistent with Town requirements and voted unanimously to recommend approval subject to obtaining an Administrative Adjustment to reduce the required parking by 10%. Since the Planning Board meeting, an Administrative Adjustment to reduce the number of parking spaces in the existing shopping center by 10% was submitted and approved on May 19, 2020.

Discussion – Mayor Pro-Tem Massengill asked if staff has the plans for what type of business will be placed there. Town Manager Mitchell stated that that information has not been disclosed as of yet.

Recommendation – Recommend approval of the Walmart Outparcel preliminary subdivision plat SUB-PR-2020-06, located at 1051 E Broad Street, as presented, and recommended.

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

Agenda Item No. 10C: Contract Award, Project Ordinance, and Budget Amendment - South Lakes Greenway Improvements - BA-2020-25 - \$50,000

Purpose – To consider award of the South Lakes Greenway Trail Improvements Project to Moffat Pipe, approval of budget amendment BA-2020-25 and establishment of a project ordinance.

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 regarding the proposal and made the following remarks.

The South Lakes Greenway is located in the South Lakes subdivision and stretches from NC 55 to the dam in the subdivision. Repairs to the South Lakes Greenway Trail will consist of removing and replacing rotted decking and joists. These rotted components have led to structural failings along several sections of the boardwalk, and there appear to be locations where the piling was not adequately built and is deteriorating or sinking in the wetlands. When all of the rotted decking and joists have been removed, several piles will need to be evaluated for potential replacement. Once any identified failing or deficient piles have been replaced, the joists and the decking will be rebuilt. The South Lakes Greenway was constructed by the developer of South Lakes and dedicated to the Town for public use and maintenance. At the time the greenway was built, the Town did not yet have greenway design and construction standards within the Town's Standard Specifications and Construction Details. Town greenway standards were adopted in 2017 in conjunction with adoption of the 2035 Community Transportation Plan, and this project will bring the South Lakes Greenway up to this standard consistent with the currently under construction Park Depot Greenway Trail. Management and staff recommend moving forward with this repair due to safety concerns, and further deterioration of the boardwalk and bridges will likely require future closure of significant portions of the South Lakes Greenway for safety reasons. In addition, aligning repairs with the Park Depot Greenway Project will allow the Town to minimize the loss of use of the trail during construction, and achieve cost savings made possible by a currently mobilized contractor performing a similar project in the immediate vicinity. Moffat Pipe was previously awarded the Park Depot Greenway Project and is currently mobilized on site. The Town has had favorable experience working Moffat Pipe to date. A budget amendment in the amount of \$50,000 is needed to award the project. Town staff has identified a surplus of revenue in Recreation Unit Fees in the current fiscal year and recommends appropriating this overage to support the cost of improvements to the South Lakes Greenway Trail.

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

Recommendation – Approve budget amendment BA-20-25 in the amount of \$50,000, establish a Project Ordinance, and authorize the Town Manager to enter into contract for the South Lakes Greenway Trail Improvements as presented and recommended, subject to Town Attorney review as to form.

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

Ordinance No. N-20-16

OTHER BUSINESS

- A. Town Manager's Report – a brief report on the following was provided:
- Reported that the Inspections Department broke another record by having 89 single family permits issued last month.
 - Reported that the Community Center and the Arts Center reopened today.
 - Reported that Governor Cooper has extended the utilities cut off fee restriction for another 2 months.
 - Reported that the Police Department move to their new offices has been delayed due to a fresh air intake system that is not available right now due to COVID-19.
 - Reported that he attended the first day (virtually) of the NCLM 2020 Vision conference.
- B. Project Status Report – June 2020

TOWN BOARD MEMBER COMMENTS

Mayor Pro-Tem Massengill stated that he was thankful for the peaceful protest that took place on Sunday here in Fuquay-Varina. He also wanted to thank Scott and the IT Department for all that they have done to have four virtual Town Board meetings.

Commissioner Smith echoed comments made by Mayor Pro-Tem Massengill, but he missed the in-person Town Board meetings with citizens. He commended the entire management staff and IT Department for smooth virtual meetings.

Commissioner Harris read from a recent post of comments that he made on FaceBook as follows: *"The tragic events that have occurred in recent days are deeply disturbing. There has been loss of life, careers, property and for some people, the idea of hope in America. People have taken to the streets in protest, some peacefully and some violently with both actions sending a message. I am so saddened by the mounting frustration, anger and rage felt by so many people who want their voices heard. It is during times like these we are challenged to refocus and draw upon the qualities that can keep us connected. It is our sense of community and belief in the profound strength of the goodness of the human spirit that somehow keeps us connected. It is through staying connected to the highest ideals of respecting and valuing each other that we as a community will be invincible. Let's keep looking up."*

Commissioner Wunsch thanked everyone for their efforts in having a peaceful protest this past Sunday in Fuquay-Varina. The sun still shines bright in Fuquay-Varina.

Commissioner Gardner echoed the comments made by Mayor Pro-Tem Massengill regarding the IT Department. She also stated that National League of Cities Weed and Seed program that was introduced by Commissioner Harris helped to lay a foundation to build trust between our citizens and our Police Department, along with

the more recent Barber Shop Rap Sessions. She stated that it was important that we continue to engage and maintain the level of trust with the citizens.

Mayor Byrne also congratulated the FVHS Senior's on their graduation and stated that he is proud of the banner that was installed on the side of the Town Hall building to honor them. He expressed his gratitude for a peaceful protest that took place on Sunday here in Fuquay-Varina. He also stated that when asked, he was happy to report to News & Observer that the Town of Fuquay-Varina had no need for issuing a curfew amid the national unrest in the country. He also expressed his gratitude for the relationship between our citizens and the Police Department. He then reviewed other meetings that he attended in the previous week as well as upcoming events as follows:

Past Events

5/20 – Centennial Authority Meeting
5/20 – CAMPO Meeting

Upcoming Events

6/4 – Centennial Authority Meeting
6/15 – Wake County Mayor's Association Meeting

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

A motion to hold a closed session meeting at 9:34 p.m.

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

RETURN TO OPEN SESSION

The Town Board returned to Open Session with nothing to report out at 9:56 p.m.

ADJOURN

A motion was made to adjourn the meeting at 9:57 p.m.

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

Adopted this the 16th day of June 2020 in Fuquay-Varina, North Carolina.

FUQUAY-VARINA, NORTH CAROLINA

John W. Byrne, Mayor

ATTEST:

(TOWN SEAL)

Rose H. Rich, Town Clerk

