



TOWN OF FUQUAY-VARINA
BOARD OF COMMISSIONERS REGULAR MEETING
AUGUST 21, 2018

CALL TO ORDER

Mayor John W. Byrne called the regular meeting of the Fuquay-Varina Board of Commissioners to order on August 21, 2018 at 7:00 p.m.

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

Commissioners Absent: None

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

INVOCATION AND PLEDGE OF ALLEGIANCE

Commissioner Wunsch provided the invocation and Alexander Miller and Devin Van Slyke with Boy Scout Troop 444 led the Pledge of Allegiance.

APPROVAL OF THE MINUTES

The August 6, 2018, minutes of the regularly scheduled Town Board of Commissioners meeting, were presented for approval.

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

PRESENTATIONS

Agenda Item No. 4.A: GoTriangle - Wake Transit Update

Mary Kate Morookian with GoTriangle provided an update regarding Wake Transit Plan. She stated that the updated plan will change our region with technology that will make it easier for people to use transit by increasing frequent bus service, every 15 minutes or better, and it will improve links between colleges, universities, employment centers, medical facilities, dense residential area, RDU Airport and downtowns. The plan will also include connecting bus service to places in the county where it does not currently exist such as Rolesville and Holly Springs, and it will improve the customer experience with better stops and waiting areas, and more park-and-ride locations. Apex will get new service to the Regional Transit Center, where connections can be made to Chapel Hill and Durham. Service from Knightdale to Raleigh will expand to all day with new connections from the East Raleigh Transit Center. Morrisville's service will also expand to serve the new Wake Tech campus at RTP. For FY 2022-2023 Fuquay-Varina Express (FRX) will continue to have hourly service during peak periods and stops at the Wake Tech Campus at 9101 Fayetteville Road. Along with these routes will be relevant capital investments for FRX to include signed parking, ways to purchase tickets, enhanced ADA access, signage, maps and information, lighting, bench/shelter and bike parking. Mrs. Morookian also stated that there will be funding opportunities for Towns to provide supplemental transit service in areas where the service does not currently exist or needs improvement. There will be funds available to Towns for market analysis to investigate and determine areas in need of bus services.

Mayor Byrne stated that it would be good to have the bus route that connects Apex, Cary, Morrisville and Holly Spring to be connected to Fuquay-Varina to provide the opportunity for riders to go to Wake Tech and connect to RTP. Mrs. Morookian stated that as the service continues, they will observe how the demand is for that area and make needed connections as recommended.

Mrs. Morookian further reported that the Wake Transit Plan also includes about 20 miles of bus rapid transit (BRT) using dedicated bus lanes, priority signaling at intersections, stations instead of stops, and frequent service seven days a week. Commissioner Adcock stated that he is no longer hearing much about light rail as part of the plan, and that he would like for Fuquay-Varina be included in the BRT plan as well. Mrs. Morookian stated that the commuter rail is part of the plan to be built in 2027, and that dedicated lanes would be needed for BRT in the Fuquay-Varina area.

Town Manager Mitchell recognized Mrs. Kathy Cox who is a frequent rider and advocate of the Fuquay-Varina Express bus route. Mrs. Cox recommended

that Wake Technical Community College and the Town partner to provide a stop at Wake Tech by encouraging the Wake Tech bus to stop at the park and ride lots and encourage the students to use the park and ride lots.

Town Manager Mitchell then introduced Mr. Adam Howell of CAMPO. Mr. Howell stated that as the administrator of TPAC – Wake County Planning Advisory Committee, he has worked closely with Assistant Town Manager Mark Matthews and other Town staff on the needs of Fuquay-Varina as it relates to the transit plan. He stated that he will collaborate with Mrs. Morookian to relay the concerns heard at tonight’s to the consultants to see how to address the concerns.

Town Manager Mitchell expressed the importance to the Town to advance the stop at Wake Tech to a time sooner than 2022-2023. He asked Mrs. Morookian if there was anything the Town needed to be doing to assist with that effort. Mrs. Morookian advised that Go Triangle and CAMPO evaluate input from the public and encouraging public input on the subject of a stop at Wake Tech will help the evaluation of determining if the advancement of the stop is warranted.

Agenda Item No. 4.B: Police Department Recruitment Video

Town Manager Mitchell and Police Chief Fahnstock presented the Police Department Recruitment video. Police Chief Fahnstock stated that the Police Department worked with Amazing Studios and that the video will be used to recruit top talent to the Town’s Police Department. The video may be viewed by visiting www.MyFVPD.org and via the Town’s social media accounts. After viewing the video, the Mayor and members of the Town Board made positive remarks regarding the new recruitment tool that showcased the different facets of the Police Department. The Mayor and Board also recognized members of the Police Department who were in attendance.

PUBLIC COMMENTS:

There were no public comments received.

ITEMS TABLED FROM PREVIOUS MEETING:

There were no items tabled from previous meeting for the August 21, 2018 Town Board meeting.

PUBLIC HEARINGS:

Agenda Item No. 7.A: Voluntary Annexation Petition - Dan Ryan Builders - Avery Crossing - 1301 Phelps West Road - PIN 0656166615 - ANX-2018-13

Purpose – To consider an annexation ordinance extending the corporate limits of the Town of Fuquay-Varina, following the receipt of a petition for voluntary annexation of property owned by Dan Ryan Builders, located at 1301 Phelps West Road, PIN 0656166615, containing approximately 19.39 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 subject property citing that public water and sewer is available to serve the property and the Town Clerk has certified the voluntary annexation petition as being sufficient and meeting the requirements prescribed by statute.

Public Hearing – The public hearing was opened. Mr. David Arnold with The Nau Company, spoke in favor of the voluntary annexation petition. No one chose to speak in opposition to the voluntary annexation petition. The public hearing was closed.

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 Dan Ryan Builders (ANX-2018-13) located at 1301 Phelps West Road (ANX-2018-13) as presented and recommended.

MOTION: Commissioner Wunsch
SECOND: Mayor Pro-Tem Massengill
MOTION RESULT: Passed Unanimously (5-0) **Ordinance No. N-18-39**

Agenda Item No. 7.B: Voluntary Annexation Petition - Town of Fuquay-Varina (Business Park) - 1599 Dash Drive - PIN 0666669612 - ANX-2018-14

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, located at 1599 Dash Drive, PIN 0666669612, containing 33.10 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 subject property citing that public water and sewer is available to serve the property and the Town Clerk has certified the voluntary annexation petition as being sufficient and meeting the requirements prescribed by statute.

Public Hearing – The public hearing was opened. Town Manager Mitchell advised that the Town of Fuquay-Varina is in favor of the voluntary annexation petition. No one chose to speak in opposition to the voluntary annexation petition. The public hearing was closed.

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

Recommendation – Adopt an annexation ordinance to extend the corporate limits of the Town of Fuquay-Varina to include property owned by the Town of Fuquay-Varina located at 1599 Dash Drive (ANX-2018-14) as presented and recommended.

MOTION: Commissioner Gardner
SECOND: Mayor Pro-Tem Massengill
MOTION RESULT: Passed Unanimously (5-0) **Ordinance No. N-18-40**

CONSENT AGENDA

There were no Consent Agenda items for the August 21, 2018 Town Board meeting.

ADMINISTRATIVE REPORTS

Agenda Item No. 10.A: Site Plan Approval - Mixed-Use Development - The Village at Marquee Station Phase IV - SP-2018-03

Purpose – To consider a site plan within a mixed-use development submitted by John A. Edwards and Company, called the Village at Marquee Station Phase IV, located at 2021 North Main 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 details on The Village at Marquee Station Phase IV site plan to include that public water and sewer is available to serve the project, vehicular access is provided via a public street entrance onto Audition Drive, and the site plan meets all Town requirements.

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

Recommendation – Approve the site plan, The Village at Marquee Station Phase IV (SP-2018-03) located at 2021 North Main Street as presented and recommended.

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

Agenda Item No. 10.B: Contract Award – 2018 Resurfacing Contract

Purpose – To consider award of the 2018 Fuquay-Varina Resurfacing Project to Barnhill Contracting in the amount of \$639,279.27.

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 contract award to Barnhill Contracting. Town Manager Mitchell stated that the Town combined two years of project scope since the previous effort to bid one year of scope in FY 18 yielded less than favorable bids that were in excess of the Town’s budget. He advised that the Town received favorable bids with a larger scope and that Barnhill Contracting was the low bidder at nearly \$160,000 less than the Town’s budget of \$800,000. Town Manager Mitchell recommended that the Town Board authorize him to execute an agreement with Barnhill Contracting that permits an increase in scope of work to maximize the value of Powell Bill allocation when pricing is favorable.

Board Discussion – Mayor Byrne stated that he thought it was a good idea to increase the scope and authorize the Town Manager to execute the contract so that the Town could take advantage of the favorable bid from Barnhill Contracting.

Recommendation – Award the 2018 Fuquay-Varina Resurfacing Project to Barnhill Contracting in the amount of \$639,279.27, subject to Town Attorney review as to form and authorize the Town Manager to amend the contract to include additional work up to the Town's budget of \$800,000.

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

Agenda Item No. 10.C: Supplemental Agreement – NE Judd Parkway
Additional Funding From NCDOT Resurfacing Funds

Purpose – To consider a Supplemental Amendment (Agreement ID #8169) to the NE Judd Intersection Project in the amount of \$276,000 for additional pavement work to be completed as part of the NE Judd Parkway/N Main Street Intersection Improvements.

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 supplemental agreement to include informing the Board that the Town had negotiating funding from NCDOT and CAMPO in the total amount of \$276,000 to advance the resurfacing of Judd Parkway between N. Main Street and Old Honeycutt Road. He cited the poor existing condition of the road and the fact that the Town will not have to add any additional funding to get the work completed.

Board Discussion – The entire Board agreed that this was a great job done by the Town staff to move the resurfacing work forward and there was no additional discussion from members of the Town Board regarding this matter.

Recommendation – Approve the Supplemental Amendment for the NE Judd Intersection Project in the amount of \$276,000 as presented, subject to Town Attorney review as to form.

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

Agenda Item No. 10.D: Resolution - Authorizing Upset Bid Process - Portion
of 525 N Main Street

Purpose – To consider a resolution authorizing an upset bid process for sale of property owned by the Town of Fuquay-Varina to Ting Internet.

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 on the resolution citing that Ting Internet has offered to purchase a portion (0.23 acres) of property located at 525 N. Main Street from the Town for \$150,000. Town Manager Mitchell reported that Ting Internet proposes to house their fiber network centralized office from this

location. He then recommended that the Board authorize the upset bid process to allow the potential sale of the property to proceed.

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

Recommendation – Adopt the proposed resolution as presented and authorize the Town Manager to execute the sale of Town owned property upon the completion of the upset bid period pursuant to N.C. Gen. Stat. 160A-269. The resolution has been reviewed by the Town Attorney as to form and content and is in the interest of the public.

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

Resolution No. 18-1553

OTHER BUSINESS

A. Manager's Report

- *The Arts Center continues to make progress – working closely with the project manager and contractor to address issues.*
- *Fleming Loop Park Improvements – making good progress; mass grading to begin soon.*
- *Terrible Creek WWTP – making good progress – will plan a ribbon cutting ceremony in late fall.*
- *Road projects are making good progress – waiting on Norfolk Southern Railroad to give notice on the temporary closure of the railroad crossing on Judd Parkway between N. Main Street and Broad Street. Digital information signs will be installed at various locations 10 days in advance of the road closing to inform the public.*
- *NCDOT completed a field assessment for acceptance of NE & SW Judd Parkway. The recommendation from NCDOT staff will be scheduled for NCDOT Board of Transportation consideration in the coming months.*
- *Staff for the State Board overseeing Sedimentation and Erosion Control failed to include complete documents submitted by the Town into the agenda for the Sedimentation & Erosion Control Board meeting held mid-August. The Town's application to manage and oversee its program was tabled and the Town has requested that they hold a special meeting to handle the issue.*
- *Gateway signs for Fuquay-Varina High School "Home of 4-A State Champions" have been delivered, and Town will schedule a time for coaches to come to the meeting for a presentation before they are installed.*

- B. Food Truck Rodeo - Sunday August 26, 2018 - 1:00 - 4:00 pm - Centennial Park - Live Music from the Band Magic Pipers
- C. FM2FV Concert - Smile - Thursday September 6, 2018 - 6:30 - 9:30 pm - Centennial Park
- D. 9/11 National Day of Service and Remembrance - September 11, 2018 - 8:30 am - 10:00 am - Community Center
- E. ETJ Expansion Community Information Meetings - Thursday, September 13, 2018 - 5:30-7:30 pm - Fuquay-Varina Public Service Center and Friday, September 14, 2018 - 5:30-7:30 pm - Fuquay-Varina Community Center
- F. Zoning Map Amendment - Gala Construction - 500 W Academy Street - PIN 0656772831 - REZ-2018-08 - (FIRST READING) - (Mitchell/Matthews/Smith)
- G. Zoning Map Amendment - Gala Construction - 220 and 228 Bridge Street - PINs 0656790100 and 0656699194 - REZ-2018-09 - (FIRST READING) - (Mitchell/Matthews/Smith)

TOWN BOARD MEMBER COMMENTS

Mayor Pro-Tem Massengill stated that he thought the Police Department recruitment video was excellent and thanked the Chief and the police department staff for their efforts.

Commissioner Adcock had no further comments.

Commissioner Harris stated that the Police Department Open House on August 7, 2018 for "National Night Out" was well done and he had the opportunity to talk with officers on the Special Response Team.

Commissioner Wunsch stated that in May he will be able to receive this MPA after 5 years. He thanked the Town staff for letting him intern with Planning and Human Resources departments.

Commissioner Gardner stated she enjoyed the National Night Out event. She also attended (at the Raleigh Convention Center) the Visitor's Bureau event where Destination 2028, a report on tourism, was provided. She also stated that the Police Department recruitment video was awesome, and she thanked the Police Department and Amazing Studios for such great work.

Mayor Byrne reminded the public that Products Road will be open to move traffic once the intersection of Main and Judd Parkway is closed. He stated that he recently attended the Church Security seminar hosted by the Police Department at the Public Service Center, and Benny Moore's Unsung Heroes Banquet. He stated that he was excited about the progress on the new Arts Center facility, and he expressed his condolences for the loss of Jimmy Ashworth, whose funeral will be tomorrow.

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) (5) - Property Acquisition

A motion was made to enter a closed session meeting at 8:45 p.m.

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

The Town Board returned to open session at 10:03 p.m. with nothing to report out of closed session.

ADJOURN

A motion was made to adjourn the meeting at 10:03 p.m.

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

Adopted this the 4th day of September 2018 in Fuquay-Varina, North Carolina.

FUQUAY-VARINA, NORTH CAROLINA

John W. Byrne, Mayor

ATTEST:

(TOWN SEAL)

Rose H. Rich, Town Clerk

