



TOWN OF FUQUAY-VARINA
BOARD OF COMMISSIONERS REGULAR MEETING
NOVEMBER 2, 2020

CALL TO ORDER

Mayor John W. Byrne (physically present) called the regular meeting of the Fuquay-Varina Board of Commissioners to order on November 2, 2020 at 7:00 p.m. This meeting was conducted using the Zoom media platform due to state mandates for social distancing and mass gatherings to prevent the spread of the COVID-19 Novel Coronavirus.

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

Commissioners Absent: Larry Smith (medical absence)

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 Harris provided the invocation and Commissioner Wunsch led the Pledge of Allegiance.

Virtual Meeting Protocol and Instructions

Mayor Byrne asked Town Manager Mitchell to review the meeting protocol for public participation as it relates to this virtual meeting. Town Manager Mitchell stated that all attendees that have joined the meeting tonight, have joined muted. There is both a public comment period near the beginning of the meeting and two public hearings; therefore, there will be multiple times for the public to address the Town Board. If the public does wish to address the Town Board related to the public hearing items, they should wait for that portion

of the meeting. If the public wishes to address the Town Board they will need to notify the Town host (IT Director Scott Clark) that they wish to speak. Town Manager Mitchell advised that if someone from the public is joining the meeting online and wishes to speak, they will need to press the "raise hand" button in the Zoom application. If they are joining the meeting via telephone, they will need to press star 9 (*9) to raise their hand. After an individual has raised their hand, they will enter a queue. When the public comment period begins Mayor Byrne will ask the Town host to recognize individuals to speak by calling out their name or the last four digits of their telephone number. Individuals will be unmuted at that time and allowed to address the Town Board at that time. Town Manager Mitchell stated that those speaking should 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 who wish to speak can be heard in a timely manner. Once an individual has finished addressing the Town Board they will be muted for the remainder of the meeting.

APPROVAL OF THE MINUTES

The October 20, 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 Gardner
MOTION RESULT: Passed Unanimously (4-0)

PRESENTATIONS

Note: Due to technical difficulties, this item was considered after Agenda Item 6A.

Agenda Item No. 4.A HNTPP Clubhouse Renovation Update - Presentation

Purpose – To provide an update on the Hilltop Needmore Town Park and Preserve Clubhouse floor plan design options.

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.

FY21 appropriates \$691,950 for the design and renovation of the former clubhouse building; objectives include bringing the clubhouse up to current code, providing ADA accessibility, provide additional programmable/rentable space and to provide an exterior restroom for park users. Key elements of the design include a warming kitchen, event space, restrooms, office, and storage. Management and staff recommend "Option A" that provides cost savings, larger storage area and is more conducive for event and programming opportunities.

Discussion – Mayor Pro Tem Massengill asked what amount the Town would be charging to rent the space once renovated. Town Manager Mitchell stated that was unable to provide a recommendation at this time, but that staff would be researching to make sure whatever the recommended charge is that it be competitive with other town facility rentals and rentals of public facilities in the surrounding area. Mayor Pro Tem Massengill questioned if the estimated cost of renovation was too high. Town Manager Mitchell replied that until we receive bids, the number presented are just estimates however he still believes it to be important to make the facility usable and productive. Commissioner Gardner asked if the Town would allow alcohol to be served at the facility. Town Manager Mitchell responded that it would be a policy decision for the Town Board to discuss in the future as the space is closer to being ready for public use. Mayor Byrne, Commissioner Harris, and Commissioner Wunsch all spoke about design features that they felt made sense for the future use of the space.

Recommendation – No Action Required - Seeking general feedback prior to finalizing construction drawings.

The Town Board agreed by unanimous consensus on design “Option A” as presented and recommended.

PUBLIC COMMENTS:

There were no public comments for the November 2, 2020 Town Board meeting.

ITEMS TABLED FROM PREVIOUS MEETING:

Note: Due to technical difficulties, this item was considered prior to Agenda Item 4A.

Agenda Item No. 6.A: Zoning Map Amendment & Land Use Plan Amendment - Carolina Land Group, LLC - 1408, 1409, 1420, 1501, 1520, 1524, 0, & 0 Rogers Road - PINs 0665245656, 0665341690, 0665144948, 0665148249, 0665142122, 0665258696, 0665340146, and a portion of 0665049250 - REZ-2020-14 - ITEM TO BE TABLED

Purpose – To continue the public hearing to the November 17, 2020 Town Board meeting for a requested zoning map amendment for a total of 105.41 acres, located at 1408, 1409, 1420, 1501, 1520, 1524, 0, & 0 Rogers Road, from the Residential Agricultural (RA) Zoning District to the Residential Medium Density Conditional Zoning District (RMD-CZD), and the corresponding land use plan amendment from Small-Lot Residential (SLR), Large-Lot Residential (LLR), and Mixed Density Residential (MDR) to Small-Lot Residential (SLR) and Mixed Density Residential (MDR).

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.

Prior to the November 2, 2020 Town Board meeting, the petitioner requested to table the zoning map and land use plan amendments to the November 17, 2020 Town Board meeting to further evaluate matters related to future development of the property. Management and staff support continuing the public hearing and tabling consideration to the November 17, 2020 regular meeting, per the petitioner's request.

Public Hearing – Mayor Byrne asked if anyone wished to speak in favor of, or in opposition to the proposed zoning map and land use plan amendments. No one chose to speak in favor of or in opposition to the petition for REZ-2020-14.

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

Recommendation – Continue the public hearing and table consideration to the November 17, 2020 meeting for REZ-2020-14 a zoning map amendment at 1408, 1409, 1420, 1501, 1520, 1524, 0, & 0 Rogers Road, from the Residential Agricultural (RA) Zoning District to the Residential Medium Density Conditional Zoning District (RMD-CZD), and the corresponding land use plan amendment from Small-Lot Residential (SLR), Large-Lot Residential (LLR), and Mixed Density Residential (MDR) to Small-Lot Residential (SLR) and Mixed Density Residential (MDR), as requested by the petitioner.

MOTION: Commissioner Gardner
SECOND: Commissioner Wunsch
MOTION RESULTS: Passed Unanimously (4-0)

PUBLIC HEARINGS:

Agenda Item No. 7.A: Voluntary Annexation Petition - Elevate FV2, LLC (The Crossings)
- 400 Castlepointe Drive - PIN 0667416905 - ANX-2020-12

Purpose – To consider the adoption of 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 Elevate FV2, LLC located at 400 Castlepointe Drive, containing a total of approximately 10.91 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 10.91 acres with road access located at Castlepointe Drive. The property is contiguous to the Town's corporate limits, where water and sewer are available to the property. A Master Plan for a form-based mixed-use development was approved as part REZ-2019-15. A Major Subdivision Plan (for infrastructure only) and a Site Plan

for the multi-family portion of the development is currently in review. Town acceptance of the infrastructure, which is required before the site plan for the multi-family parcels can be approved, will include the construction of the roadway network interior to the site and the required off-site improvements along Judd Parkway.

Public Hearing – Mayor Byrne asked if anyone wished to speak in favor of, or in opposition to the proposed annexation petition. No one chose to speak in favor of, or in opposition to annexation petition ANX-2020-12.

Discussion – Mayor Pro Tem Massengill asked if the annexation would create a scenario where the developer could circumvent road improvement responsibilities. Town Manager Mitchell stated that the property was being subdivided but that the approved master plan requires that Judd Parkway road improvements be made as a part of Phase 1 platting.

Recommendation – Adopt the annexation ordinance to extend the corporate limits of the Town of Fuquay-Varina to include property owned by Elevate FV2, LLC (ANX-2020-12) as presented and recommended.

MOTION: Mayor Pro-Tem Massengill
SECOND: Commissioner Wunsch
MOTION RESULTS: Passed Unanimously (4-0) **Ordinance No. N-20-27**

CONSENT AGENDA

Agenda Item No. 8.A: There were no consent agenda items for the November 2, 2020 Town Board meeting.

ADMINISTRATIVE REPORTS

Agenda Item No. 10.A: Preliminary Subdivision Plat - Maelyn Ridge - SUB-PR-2020-08

Purpose – To consider a preliminary subdivision plat submitted by Bass, Nixon & Kennedy, Inc., called Maelyn Ridge Subdivision, located at 805 Coley Farm Road.

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 agenda item and made the following remarks.

The submitted preliminary subdivision, Maelyn Ridge, is located at 805 Coley Farm Road, on 8.43 acres in the Residential Medium Density Conditional Zoning District (RMD-CZD) with the following conditions regarding the site-specific standards of the subject property:

- 1) Vinyl siding is not permitted. Vinyl windows, decorative elements, and trim are permitted.
- 2) Anti-monotony: No unit shall be constructed with an exterior elevation or color palette that is identical to the unit on either side or across the street.
- 3) Right-Of-Way (ROW) Visibility: Any side or rear facade visible from an existing public ROW shall have a covered or enclosed porch, and/or decorative trim or shutters around all windows.
- 4) Garage Doors: Garage doors shall contain windows, decorative details and/or carriage style adornments.
- 5) Porch: All homes shall include a covered porch with decorative posts, to include a minimum of 24 inches massing at the base constructed of masonry material.
- 6) Glazing: Each unit shall have a front door with a minimum of 25% glazing, transom, and/or door sidelights.

The preliminary subdivision plat proposes 27 residential lots meeting the standards for open space subdivision developments. The minimum lot size permitted is 8,000 square feet. The minimum provided is 8,065 square feet with the average lot size of 8,981 square feet. Following the 10% open space requirement for subdivision developments, a minimum of 0.84 acres of overall open space with 0.17 acres of common green area is required. There are 1.25 acres of overall open space with 0.28 acres of common green area provided. Vehicular access to the project area is provided via a connection to Coley Farm Road, a continuation of Glenwyck Court from the adjacent Broadwell Trace Subdivision and a proposed stub street to the north of the project. Coley Farm Road is classified by the 2035 Community Transportation Plan (CTP) as a portion of the future Fuquay-Varina Parkway and therefore is a 120-foot right-of-way. The future Fuquay-Varina Parkway is identified as a four (4) lane, median-divided road with side paths, with a carrying capacity of 36,600 average daily trips (ADT). Coley Farm Road is currently two (2) lanes with a capacity of 18,300 ADT. 2017 NCDOT traffic counts on Coley Farm Road indicate a volume of 1,100 ADT. 2019 traffic counts are not available currently. This development will be responsible for half of the future right-of-way dedication and construction. Glenwyck Court, which is classified as a local street by the 2035 CTP, is an extension of an existing stub road in the adjacent Broadwell Trace subdivision. Public water and sewer are available to serve the subject properties and will be installed by the developer. The proposed preliminary subdivision plat meets all Town requirements, as such management and staff recommend approval. At the October 19th, 2020 regular meeting, the Planning Board found the subdivision plat consistent with Town requirements and voted unanimously to recommend approval. At the Planning Board meeting, an inconsistency in the common green area provided was identified, showing the common green area incorrectly as 0.23 acres on the site summary table and as 0.28 acres on the same page's site layout. Since the October 19th, 2020 Planning Board meeting, revised plans were submitted correcting the inconsistency and clarifying the proposed common green to be 0.28 acres.

Discussion – There was no discussion from the Town Board regarding the preliminary subdivision plat for SUB-PR-2020-08.

Recommendation – Approve the Maelyn Ridge preliminary subdivision plat SUB-PR-2020-08, as presented and recommended.

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

Agenda Item No. 10.B: Town Code Amendment - Part 6 Licensing & Regulation, Chapter 1 Businesses and Trades, Article G Criminal History Checks, 6-1092 Criminal History Checks for Various Town Employment Applicants, Business Applicants and Town Permit Applicants

Purpose – To consider an amendment to the Town Code of Ordinances that modifies Part 6 Licensing & Regulation, Chapter 1 Businesses and Trades, Article G Criminal History Checks, 6-1092 Criminal History Checks for Various Town Employment Applicants, Business Applicants and Town Permit Applicants as it pertains to criminal history checks conducted by the Police Department for Town Permit applicants and ABC Local Opinion Forms.

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 agenda item and made the following remarks.

Following a recent NCSBI/DCI audit, it has been requested of the town to make an amendment to its Code of Ordinances that provides technical corrections and updates the listing of categories of applicants in the Town Code of Ordinances, Criminal History Check/Town Permit Applicants Section to meet state criminal history check requirements by the NC State Bureau of Investigations/Department of Criminal Information and Identification. These criminal history checks are conducted through the Police Department when applications are received for various Town permits and/or ABC local opinion forms. The requested amendment meets statutory requirements, ensures public safety, and reduces liability. The following proposed changes to Town Code of Ordinances 6-1092, section (a), align with current State guidelines: "This section as adopted by the Town Board of Commissioners is to set out procedures for conducting criminal history checks through NCSBI/DCI on persons applying for permits or licenses for adult establishments, dance halls/dance rooms or businesses, game/pool hall establishments, ABC License/ABC Local Opinion Forms, precious metal businesses, massage parlors, and/or as a pawn broker, wrecker driver, canvasser, peddler, solicitor, or itinerant merchant. This section is adopted pursuant to the authority vested in the Town by the General Assembly of the State in G.S. 160A-11 and 160A-12". Specifically, pool hall establishments, ABC License/ABC local opinion forms, precious metal businesses, wrecker drivers, and solicitors are added to list of applicants subject to the provisions of this section. These revisions are in response to meeting guidelines pertaining specifically to statutory authority for criminal history access by municipalities (as conducted by the Chief of Police as designated by the Town Manager) as required by NC State Bureau of Investigations/Department of Criminal Information and Identification. Based upon an evaluation of the current ordinance and recommendations by the Chief of Police to ensure compliance to NCSBI/DCIN regulations, management and staff recommend adopting the changes to Town Ordinance 6-1062 as presented.

Discussion – There was no discussion from members of the Town Board regarding the proposed ordinance amendment.

Recommendation – Adopt the amendment to the Town Code of Ordinances, Part 6 Licensing & Regulation, Chapter 1 Businesses and Trades, Article G Criminal History Checks, 6-1092 Criminal History Checks for Various Town Employment Applicants, Business Applicants and Town Permit Applicants as presented and recommended.

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

Ordinance No. M-20-05

Agenda Item No. 10.C: Purchase of 2021 Spartan 100' Rear Mount Platform Aerial Ladder Truck (Replacement of Ladder 1 - 2001 Pierce) through Atlantic Coast Fire Trucks - Sourcewell Category SA-11 Contract

Purpose – To consider approval of the purchase of a 2021 Spartan 100' Rear Mount Platform Aerial Ladder Truck from Atlantic Coast Fire Trucks in the amount of \$1,264,000.

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 agenda item and made the following remarks.

Beginning in March 2020, a truck committee within the Fire Department began work to develop a set of specifications for the replacement of a Unit 118 a 2001 Pierce 100' Rear Mount Platform Aerial Ladder Truck. The committee has worked through several drafts with Atlantic Coast Fire Trucks and received the final documents on October 19, 2020 on a 2021 Spartan 100' Rear Mount Platform Aerial Ladder Truck. This apparatus will be purchased through Sourcewell, which is a cooperative bidding agency approved by the State.

The following were provided for Town Board review in the agenda materials.

- 1) Sourcewell letter defining the contract price
- 2) Letter from Atlantic Coast Fire Trucks, the local dealer for Spartan Motors, detailing the financial specifics
- 3) A copy of the Acceptance of Proposal
- 4) Truck Specifications
- 5) Truck Drawing

Management and staff recommend purchase for a 2021 Spartan 100' Rear Mount Platform Aerial Ladder Truck through Sourcewell Category SA-11 from Atlantic Coast Fire Trucks in the amount of \$1,264,000.

Discussion – Mayor Byrne stated that the purchase of the new fire equipment will help keep the Town's fire rating in good standing, which in turn decreases the costs of insurance for our citizens. He stated that the Town's current fire rating is a "2" which is exceptional for a town of our size.

Recommendation – Approve the purchase of a 2021 Spartan 100' Rear Mount Platform Aerial Ladder Truck in the amount of \$1,264,000 from Atlantic Coast Fire Trucks as presented and recommended.

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

OTHER BUSINESS

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

- Arts Center: Reported on a successful Halloween Scavenger Hunt. There were 784 cards passed out from the Arts Center. Kudos to the Art Center and Downtown Revitalization staff. The Nutcracker production is being filmed around town. You can now register online for family photos at the Historic Mineral Spring Park.
- Parks & Recreation: Reported on receiving 21 submittals for the Community Center North/Senior Center design.
- Finance Department: Reported on still working with the auditors to finalize the Town's financial reports.
- Public Works Department: Reported on beginning the collection of loose leaves.
- Information Technology Department: Reported on working on the Fleming Loop fiber splicing and equipment installation project. Staff is also working on the server infrastructure upgrades.
- Engineering Department: Reported that Norfolk Southern Railroad is on site and working on the NW Judd Parkway project. Mayor Byrne played a key role with CAMPO in the LAPP application process for this cycle. The Town has been invited by FEMA to proceed in the grant funding for the HNTPP Dam Project.
- Public Utilities Department: Reported that the final two public hearings for the Interbasin Transfer were held in Fayetteville and Cary.
- Inspections Department: Reported that the Town set a new record for single family permits for the month of October at 135 single family permits, exceeding the record of 94 permits set this past August.
- Police Department: Reported on a successful Popup Halloween Event at the Police Station. They gave out 250 bicycle helmets that they received from NCDOT. They also are shooting a film to promote recruitment.

B. Project Status Report – November 2020

C. Strategic Plan Discussion - (Mitchell/Matthews)

Town Manager Mitchell reported that there was a tie in voting for the preferred draft vision statement of the Town as follows:

Vision Statement

Fuquay-Varina is a compassionate and dynamic community where quality of life and opportunity take focus while diversity and inclusion shape our identity between the crossroads of our past and our future.

or

Fuquay-Varina celebrates our diverse and caring community while offering economic opportunity, sense of place, and a superior quality of life for all residents.

Town Manager Mitchell recommended a more concise and combined version of the two vision statements as follows:

Fuquay-Varina is a dynamic, inclusive, and caring community that offers economic opportunity, sense of place, and an unmatched quality of life.

*Commissioner Harris recommended that the Town Manager's recommended vision statement include a phrase that refers to the Town "**providing exceptional services**" to its citizens. The Town Board agreed.*

Town Manager Mitchell then advised that there was a clear preference for a draft mission statement as follows:

Mission Statement

The Town of Fuquay-Varina will improve quality of life by developing and maintaining robust infrastructure, committing to environmental and fiscal sustainability, fostering economic and cultural opportunities, and delivering exceptional municipal services, all while continuing to be a dash more.

Mayor Byrne recommended that the words "safety and security" be added to the mission statement. The Town Board agreed.

Core Values

The Town Board agreed on the following core values to be incorporated into the strategic plan as follows:

- Effective Government and Governance
- Fiscal Strength
- Safety and Security

- Economic Vitality
- Preserving Character and Identity
- Quality of Life

Town Manager Mitchell then reviewed next steps in the strategic plan development process as follows:

Next Steps

- Staff to develop draft Core Value Statements
- Staff to develop proposed Core Value objectives and initiatives.
- Staff to develop draft departmental strategic plans and performance measures
- Board to review, modify, and provide direction for complete Organization Strategic Plan (Town Board Planning Retreat)
- Management to prepare final Strategic Plan
- Adoption

D. Virtual Public Presentation and Q&A - Hilltop Needmore Elementary School/Town Community-Senior Center Master Plan - Monday November 9, 2020 - 6:00 pm

TOWN BOARD MEMBER COMMENTS

Mayor Pro-Tem Massengill attended two ribbon cuttings last week, Aspen Dental and Gold's Gym. He thanked both companies for the investment made in the Town.

Commissioner Smith was absent due to knee replacement surgery.

Commissioner Harris had no comments.

Commissioner Wunsch stated that his family members enjoyed the scavenger hunt. He also mentioned ideas that may be possible to celebrate the holidays despite COVID.

Commissioner Gardner stated that Diana Thomas will be retiring and closing Joyful Sounds after many years of serving the community.

Mayor Byrne stated that he is saddened to hear that Joyful Sounds and The Chocolate Fix will be closing. He encouraged everyone to vote tomorrow in the General Election. He then reviewed other meetings that he attended in the previous week as well as upcoming events as follows:

Past Events

- 10/21 – Operation Medicine Drop Off at the Police Station – 401 Old Honeycutt Road
- 10/21 – CAMPO Meeting
- 10/22 – Chamber Ribbon Cutting – Aspen Dental
- 10/23 – Chamber Grand Opening & Ribbon Cutting – Gold's Gym

Upcoming Events

- 11/5 – FAA Zoom Call – RDU Airport Changes
- 11/10 – Dominion Energy Event
- 11/14 - Alnoor Islamic Center Open House
- 11/16 – Wake County Mayor's Association Meeting

ADJOURN

A motion was then made to adjourn the meeting at 8:52 p.m.

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

Adopted this the 17th day of November 2020 in Fuquay-Varina, North Carolina.

FUQUAY-VARINA, NORTH CAROLINA

John W. Byrne, Mayor

ATTEST:

(TOWN SEAL)

Rose H. Rich, Town Clerk

