

**Town of Garner
Town Council Meeting Minutes
February 6, 2017**

The Council will meet in regular session at 7:00 p.m. in the Garner Police Department Training Room located at 912 7th Avenue.

CALL MEETING TO ORDER/ROLL CALL

Mayor Ronnie Williams, Mayor Pro Tem Kathy Behringer, Council Member Jackie Johns, Council Member Buck Kennedy, Council Member Ken Marshburn, Council Member Gra Singleton arrived at 7:30 p.m.

Staff Present: Rodney Dickerson-Town Manager, John Hodges, Asst. Town Manager-Development Services, Matt Roylance-Asst. Town Manager-Operations, Tony Chalk-Town Engineer, Rick Mercier-Communications Manager, Jeff Triezenberg-Interim Planning Director, David Bamford-Senior Planner, Jenny Saldi-Senior Planner, Forrest Jones-Public Works Director, William E. Anderson-Town Attorney, Stella Gibson-Town Clerk.

PLEDGE OF ALLEGIANCE: Council Member Buck Kennedy

INVOCATION: Council Member Buck Kennedy

PETITIONS AND COMMENTS

Tim Montgomery, representing the Grow Garner Responsibly Committee, presented a petition signed by over 500 individuals in the Aversboro and Buffalo Road corridor. The petition requested a high level overlay study to learn the impact of current and future development along the corridor, specifically the estimated total number of vehicles traveling along the roads once the YMCA is complete as well as other traffic generated by recent area development. Emphasis was placed on maintaining the aesthetics along the corridor as it connects to residential neighborhoods, businesses, White Deer Park, Lake Benson, Veteran's Memorial, Library, and Town Hall. A request was made to discuss this matter with Council at a future meeting.

Eva Maletz expressed concern regarding the amount of school traffic along Springview Trail and the intersection of Coldwater and Forest Ridge. There is also a question as to who is responsible for maintaining the road as sections are maintained by NCDOT and sections maintained by the Town. Ms. Maletz stated she has witnessed drug traffic in the area when school is in session. Ms. Maletz also mentioned an altercation with a neighbor.

ADOPTION OF AGENDA

Motion: Kennedy
Second: Johns
Vote: Unanimous

Mr. Dickerson introduced Matt Roylance, Assistant Town Manager of Operations. Mr. Roylance has many years of municipal experience; most recently as the Deputy Director of Parks, Recreation and Open Space for Wake County. Council welcomed Matt to the team.

PRESENTATIONS

Recognition Retirement of Donna Huff

Presenter: Rodney Dickerson, Town Manager

Mr. Dickerson and Mr. Jones recognized Donna Huff, Public Works Administrative Support Specialist, for 16 ½ years of dedicated service.

Presentation of the Dream in Action Award by the MLK Celebration Committee

Presenter: Elmo Vance

Mr. Vance presented the Dream in Action of Award to: Community of Hope Ministries – Amy White, Hope Ministries – Tom Lamota, and March Madness Basketball Game-Jane House. Each of the recipients were given an opportunity to speak on behalf of their organizations.

Ms. White stated in addition to providing after-school care, crisis assistance, summer garden, cooking classes, and carpentry services for those in need in the community, 171,474 meals were provided.

Mr. Lamota stated Hope Ministries (Garner United Methodist Church), along with 10 other support churches, provides homeless outreach services. They have been in the area for 11 years and provide food, clothing, showers, and support for the homeless.

Ms. House stated the March madness basketball game began with one special needs student and has become a highly anticipated and supported event for the students and the community. The next game is scheduled for March 3rd.

Mr. Dwight Rodgers thanked the Town Council for their support of the MLK celebration.

CONSENT

Council Meeting Minutes

Presenter: Stella Gibson, Town Clerk

Regular Council Meeting Minutes from January 17, 2017.

Action: Adopt Minutes

Annexation Petitions ANX-16-08, Bannister Trust Property, ANX-16-09, Benton WTP Reservoir, and ANX-16-10, Clifford Road Subdivision

Presenter: David Bamford, Senior Planner

Set public hearing of March 6, 2017 for satellite annexations of a 2.88 acre parcel on Maxwell Drive, a 40.62 acre tract on New Bethel Church Road, and a 46.7 acre parcel on Clifford Road.

Action: Adopt Resolution (2017) 2313

Motion: Johns
Second: Marshburn
Vote: Unanimous

PUBLIC HEARINGS

Mayor Williams stated the next two hearings were to consider conditional use rezoning applications and quasi-judicial hearings for conditional use permit applications and asked the Town Attorney to explain the procedures to be followed in these hearings. The Town Attorney administered the Affirmation of Oath to the following: Jeff Triezenberg, Jenny Saldi, David Bamford, Tony Chalk, Rich Barta, Dave Neill, Stephen Freeman, Ken Thompson, Lyle Overcash, Marty Bizzell, and Ana Wadsworth.

Mayor Williams asked the Council to disclose any ex parte communications regarding these projects. Hearing none, he moved forward with the applications.

Conditional Use Rezoning and Conditional Use Site Plan, CUD-Z-16-12 C-192 and CUP-SP-16-33, Direct Distributors

Presenter: David Bamford & Jenny Saldi, Senior Planners

This request is to rezone approximately 8.27 acres on Partlo Street from Office and Institutional (O&I C158) to Office and Institutional (O&I C192) for an addition to the permitted uses to include medical offices; banking and/or financial institutions. A companion conditional use site plan request for approval for additional parking is accompanying this rezoning request.

Mayor Williams opened the public hearing and asked David Bamford and Jenny Saldi to provide the staff reports.

Mr. Bizzell, representing Direct Distributors, stated the owners have interest in renting the second floor of the building. However, at this time, there are no plans to have banking or financial institutions at this site.

Hearing no further comments, Mayor Williams closed the public hearing and called for a motion.

Action: Adopt Ordinance (2017) 3843

Motion: Kennedy
Second: Singleton
Vote: Unanimous

Action: Approve CUP-SP-16-33 subject to 3 standard conditions

Motion: Kennedy
Second: Singleton
Vote: Unanimous

Conditional Use Rezoning and Conditional Use Site Plan CUD-Z-16-13 (C193) and CUP-SP-16-34, Abberly Montane

Presenter: David Bamford & Jenny Saldi, Senior Planners

Request to rezone 19.61 acres at the end of Timber Drive East, south of White Oak Crossing from Mixed Use District 1 (MXD-1) and Residential 40 (R-40) to Multi-family 2 (MF-2 C193). A companion conditional use site plan request for approval of an apartment complex is accompanying this rezoning request.

Mayor Williams opened the public hearing and asked David Bamford and Jenny Saldi to provide the staff reports.

Mr. Freeman stated the roundabout on Adeline Way will provide full access to residents. No access will be available on Salt Hill Road. The project will have its own on-site leasing staff independent of the existing Adeline Apartments.

Ms. Wadsworth stated the roundabout could be pushed further in towards the site as construction plans for the road will be submitted separately. What was presented in the submittal were preliminary designs.

Mr. Barta stated the road will be built out to 4-lanes and eventually fall under NCDOT.

Mr. Ketchum stated he noticed a large amount of debris from the apartments and that instead of apartments that individual ownership be considered.

Lucy Walker expressed concern regarding traffic that might come down Salt Hill Road to get access to the apartments and using Salt Hill Road as a construction entrance. Mr. Neill assured her that the applicant would not object to limiting the construction to areas other than Salt Hill Road. Ms. Wadsworth stated options would be considered to limit resident traffic on Salt Hill Road.

Council Member Singleton suggested a more permanent barricade on Salt Hill Road could alleviate the situation.

Hearing no further comments, Mayor Williams closed the public hearing and called for a motion.

Action: Adopt Ordinance (2017) 3844

Motion: Kennedy
Second: Johns
Vote: Unanimous

Action: Approve CUP-SP-16-34 subject to 7 site specific conditions:

1. Prior to issuance of a building permit, the required petition for annexation shall be submitted.
2. Prior to issuance of a building permit, fire flow calculations shall be submitted to the Inspections Department for their review and approval.
3. The developer shall be responsible for any additional road improvements required by NCDOT.
4. Prior to the issuance of a building permit for construction of the project, funding in the amount needed for NCDOT required road improvement to the existing segment of Timber Drive East from White Oak Road to the point where it currently terminates, southeast of

Adeline Way, as determined by the project engineer and approved by the Town of Garner, shall be escrowed in a manner acceptable to the Town of Garner. The entity doing the required road improvements shall be entitled to withdraw funds from the escrow as work on the road is completed except that the Town of Garner may retain ten percent (10%) of the total cost of the road improvements until such time as NCDOT confirms the road condition is acceptable to NCDOT and a formal application for acceptance of the above-described portion of Timber Drive east for maintenance has been filed with NCDOT.

5. Prior to the issuance of the certificate of occupancy for garage parking structures, the existing segment of Timber Drive East from White Oak Road to the point where it currently terminates, southeast of Adeline Way, shall be accepted for maintenance by NCDOT.
6. No construction traffic shall be permitted on Salt Hill Road.
7. The Applicant shall work with Staff for a design to prevent vehicles from circumventing the gate on Salt Hill Road.

Motion: Singleton
Second: Johns
Vote: Unanimous

NEW/OLD BUSINESS

General Use Rezoning Z-16-04, 1016 Maxwell Drive

Presenter: David Bamford, Senior Planner

Applicant has modified his original rezoning application request from Residential 40 (R40) to Residential 9 (R9) general use. R-9 is a single-family zoning district that allows a higher density than R-40.

Action: Adopt Ordinance (2017) 3845

Motion: Kennedy
Second: Marshburn
Vote: Unanimous

COMMITTEE REPORTS

MANAGER REPORTS

- garner info
- Building & Permit Report
- Mr. Dickerson provided information relating to the logistics of the Planning Retreat (parking on ground level off of Jones Street, breakfast will be provided at 8:00 a.m. and the meeting starts at 8:30 a.m.). Council was also reminded to bring their Retreat materials to the meeting.

ATTORNEY REPORTS

COUNCIL REPORTS

Mayor Pro Tem Behringer and Council Member Johns had nothing to report.

Council Member Marshburn

- Asked if Johnny Whitfield had left his position at the News & Observer and Mr. Mercier confirmed that he had taken a position as editor for the Roxboro community paper. At this time, there is no news on his replacement. Mr. Mercier also stated the Town may want to meet with representatives of the newspaper.
- Reminded Council of the Teacup Gin performance at the GPAC this Saturday.

Council Member Singleton

- Stated the streetlights have improved along New Bethel and Hebron Church at the high school.

Council Member Kennedy

- Reported inviting Robert Massengill, City of Raleigh Public Utilities Director, to join Council for lunch during the Retreat. No presentation will be given, but this is a good opportunity for Mr. Massengill to meet each of the Council and discuss general issues for providing service to Garner.
- Stated he is looking forward to the Retreat.

ADJOURNMENT: 9:46 p.m.

Respectfully Submitted,
Stella Gibson