

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

The Council met 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

PLEDGE OF ALLEGIANCE: Council Member Gra Singleton

INVOCATION: Council Member Gra Singleton

PETITIONS AND COMMENTS

ADOPTION OF AGENDA

Motion: Johns
Second: Marshburn
Vote: Unanimous

PRESENTATIONS

CONSENT

Installation of Stop Signs

Presenter: Tony Chalk, Town Engineer

The Engineering Department is recommending approval to erect 4 stop signs as traffic control measures within the developments of The Landing at Heather Park and the Sutton Springs subdivision.

Action: Authorize Placement of Signs

Ordinance Amending FY 2016/2017 Operating Budget

Presenter: Pam Wortham, Finance Director

This amendment includes appropriation of \$20,000 from General Fund Unassigned Fund Balance for the second payment of the commitment from the Council to the YMCA capital campaign, an increase in the budgeted revenues and expenditure accounts by \$8,669 to recognize insurance proceeds received to repair three police vehicles, appropriation of \$10,878 from the General Fund Unassigned Fund Balance for expenditures for a grant from the Triangle J Area Agency on Aging for the Senior Center, and appropriation of \$31,953 of additional revenue and \$36,623 of General Fund Unassigned Fund Balance to cover increased costs of youth and athletics programs.

Action: Adopt Ordinance (2017) 3847

Resolution Authorizing Town Clerk to Investigate the Sufficiency of Annexation Petitions

Presenter: Jeff Triezenberg, Interim Planning Director

This Resolution provides cause for the Town Clerk to investigate the sufficiency of any annexation petition upon its receipt, to verify receipt of any applicable evidence and to certify the results of said investigation at an upcoming available meeting of the Town Council.

Action: Adopt Resolution (2017) 2316

Motion: Marshburn
Second: Behringer
Vote: Unanimous

PUBLIC HEARINGS

Annexation Petition ANX-16-08, Bannister Trust Property

Presenter: Jeff Triezenberg, Interim Planning Director

Satellite annexation of a 2.8 acre parcel located at 725 Maxwell Drive.

Mayor Williams opened the public hearing and asked Mr. Triezenberg to provide the staff report.

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

Action: Adopt Ordinance (2017) 3848

Motion: Kennedy
Second: Singleton
Vote: Unanimous

Annexation Petition ANX-16-09, Benton WTP Reservoir

Presenter: Jeff Triezenberg, Interim Planning Director

Satellite annexation of a 40.62 acre tract located on New Bethel Church Road.

Mayor Williams opened the public hearing and asked Mr. Triezenberg to provide the staff report.

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

Action: Adopt Ordinance (2017) 3849

Motion: Singleton
Second: Johns
Vote: Unanimous

Annexation Petition ANX-16-10, Clifford Road Subdivision

Presenter: Jeff Triezenberg, Interim Planning Director

Satellite annexation of a 46.7 acre parcel located on Clifford Road.

Mayor Williams opened the public hearing and asked Mr. Triezenberg to provide the staff report.

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

Action: Adopt Ordinance (2017) 3850

Motion: Marshburn
Second: Behringer
Vote: Unanimous

Extraterritorial Jurisdiction Amendment

Presenter: Jeff Triezenberg, Interim Planning Director

This public hearing is for the consideration of accepting the Wake County Board of Commissioner's decision to authorize the amendment of the Town of Garner's ETJ. The authorization includes the relinquishment of approximately 454 acres effective March 6, 2017; as well as the addition of approximately 6,285 acres effective March 16, 2017. The Town Council authorized this request of the County via Resolution (2016) 2297 adopted on July 19, 2016.

Mayor Williams opened the public hearing and asked Mr. Triezenberg to provide the staff report.

Mr. Sonny Bannister stated he has property in the Highway 401 area and asked what the process will be for permitting during the interim 60 days. Mr. Triezenberg stated residents will be required to submit permits to the Town of Garner, but no final approvals will be granted until the process is complete. Mr. Bannister asked about the vision for property located near Simpkins Road and Mr. Triezenberg responded this area will be evaluated during the Comprehensive Plan process; a draft of which will be issued in the next 6 weeks or so.

Mr. Barnett Pickett, 5616 Raynor Road, asked about zoning. Mr. Triezenberg responded the Town plans to keep the County's zoning as close to what it currently is based on Garner's zoning structure.

Ms. Bobby Hinton Clemmons, 2021 Auburn Road, stated her mother owns property near Highway 70 and asked if that property will end up being rezoned to commercial. Mr. Triezenberg responded this area was unique as it is a residential district that allows other uses to be entertained. The goal is not to have non-conforming lots.

Ms. Marjorie Williams, 2728 E. Garner Road, asked that with zoning possibly changing, would it all take place at one time and Mr. Triezenberg responded that it would take place at one time but not all parcels will have the same zoning.

Mr. Singleton stated for clarification, the Town cannot rezone property after this initial re-classification unless the applicant or purchaser of the property makes a request to do so.

Mr. Issa Shaikh, 2505 & 2605 Simpkins Road, asked if the Town would issue permits for sewer for areas considered for the ETJ areas and Mr. Triezenberg responded final approval would come from the Town. However, the Town contracts with the County for sediment erosion control and water/sewer is provided

by the City of Raleigh. The City of Raleigh looks at water/sewer lines system-wide and may recommend major improvements to their system. However, if a private property owner wants to run lines to their home, they would incur the cost of installation (if the City of Raleigh would allow).

Ms. Laverne Cramer, 4629 Dusty Road, expressed concern regarding traffic on Old Garner Road and if there would be a post office in the area, and if connection to water/sewer would be required. She also stated there are elderly and disabled people who live there who have difficulty getting out. Mr. Dickerson replied typically if your well/septic are functioning properly you can keep them. If they fail, the resident can petition to have it repaired or they may be required to pay for the extension to their property. Ms. Cramer asked if they were to connect, could they be allowed to make payments for the cost. Mr. Dickerson stated he didn't believe it worked that way, and Ms. Cramer should contact the City of Raleigh.

Council Member Marshburn advised Ms. Cramer to contact her U.S. Congressman regarding the request for a post office.

Council Member Kennedy asked if Dusty Road was state maintained and Ms. Cramer stated it was a private road and each resident was responsible for their own frontage.

Mr. Harris Falk, 4152 Battlefield Drive, asked where to get shed permits and Mr. Triezenberg responded permits will be issued by the Town. Mr. Falk also asked if they would be allowed to keep their community well and Council Member Kennedy responded no changes will be made to the water system unless they request it. No changes will be made to public services as well; residents should continue to contact the Sheriff's office and the Garner Volunteer Fire Department as needed.

Council Member Kennedy stated every municipality has concerns about how to grow its borders. The ETJ process is an attempt by the Town to assist with that process; it's not an annexation.

Mayor Pro Tem Behringer asked where to direct Ms. Cramer to for assistance. Mr. Dickerson responded Ms. Cramer should petition NCDOT to make Dusty Road a state road. Unfortunately, the road would need to be brought up to code first.

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

Action: Adopt Ordinance (2017) 3851

Motion: Marshburn
Second: Johns
Vote: Unanimous

NEW/OLD BUSINESS

Ordinance to Establish a Petty Cash Fund

Presenter: Pam Wortham, Finance Director

The NC General Assembly amended G.S. 159-28 to allow the use of a petty cash account "if the local government has adopted an ordinance authorizing the use of cash, and specifying the limits of the use of cash." The Local Government Commission made us aware of this requirement recently. The Town has

outstanding petty cash funds, and this does not change those amounts. This brings us into compliance with the amended law.

Action: Adopt Ordinance (2017) 3852

Motion: Kennedy
Second: Singleton
Vote: Unanimous

Town Hall Furniture Bid

Presenter: Tony Chalk, Town Engineer

Bids have been received for the furniture package for Town Hall. Staff has evaluated the products proposed by the low bidder, Institutional Interiors, and finds them to be acceptable. Upon award of the bid, the supplier will refine quantities and finalize product selection.

Motion: Singleton
Second: Marshburn
Vote: Unanimous

Action: Award Bid to Institutional Interiors for \$146,519.19

Mr. Chalk asked Council for flexibility of 10% above/below the bid amount to allow for modifications made during final selections.

Motion: Singleton
Second: Johns
Vote: Unanimous

COMMITTEE REPORTS

MANAGER REPORTS

- garner info
- Building & Permit Report
- Development Map
- Reports from Council Retreat

ATTORNEY REPORTS

COUNCIL REPORTS

Marshburn

- Stated it was good to see concrete sidewalks being poured on Buffalo Road.

- Go Triangle seeking public input on transit plan and encouraged fellow Council Members to participate.
- Stated he was proud of the Town and the employees who participated in Read Across America Day.

Behringer

- Asked to set a date for discussion of the Manager's review; consensus of Council for March 28th.

Singleton

- Reported a Public Works Committee meeting was scheduled for March 28 at 8:30 a.m. in the Training Room.

Johns and Kennedy had nothing to report.

ADJOURNMENT: 8:18 p.m.