

**Town of Garner
Town Council Meeting Minutes
May 16, 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:

Present: Mayor Ronnie Williams, Council Member Buck Kennedy, Council Member Ken Marshburn and Council Member Gra Singleton. Mayor Pro Tem Kathy Behringer and Council Member Johns were absent.

Staff Present: Rodney Dickerson-Town Manager, Matt Roylance-Asst. Town Manager-Operations, John Hodges-Asst. Town Manager-Development Services, Brandon Zuidema-Police Chief, Forrest Jones-Public Works Director, Tony Chalk-Town Engineer, David Bamford-Senior Planner, Rick Mercier-Communications Manager, William E. Anderson-Town Attorney, and Stella Gibson-Town Clerk.

PLEDGE OF ALLEGIANCE: Council Member Ken Marshburn

INVOCATION: Council Member Ken Marshburn invited Dr. Jeffrey Robinson, Senior Pastor at Juniper Level Missionary Baptist Church to deliver the invocation.

PETITIONS AND COMMENTS

Ms. Paula Page, who lives on Perdue Street, reported a problem with feral cats in her neighborhood, several break-in attempts at her home, a downed tree and litter on Old Garner Road, and areas near the Weston Ridge subdivision where debris is being dumped.

Mr. Joseph Hayes, who lives on Treybridge Lane, expressed concern over the speed limit on New Bethel Road. He requested the speed limit be lowered from 55 mph to 45 mph and for signage at the blind curve to his subdivision, Sutton Springs.

ADOPTION OF AGENDA

Mr. Dickerson advised Council of a date correction to Ordinance (2017) 2321, Right of Way Closing on Purser Drive, from July 5 to July 6, 2017.

Mr. Anderson requested to add a Closed Session pursuant to N.C. General Statutes 143-318.11(a)(1) and 143-318.11(a)(3).

Motion: Marshburn
Second: Singleton
Vote: Unanimous

PRESENTATIONS

Recognition of CALEA Re-Accreditation and Proclamation recognizing Police Week.

Presentation of Commission on Accreditation for Law Enforcement Agencies (CALEA) re-accreditation certificate by Apex Police Department Chief John Lettney to Chief Brandon Zuidema. Also presentation of Proclamation recognizing May 15-21, 2017 as Police Week.

Proclamation recognizing National Put on Purple Day for Lupus Awareness.

Presentation of Proclamation recognizing May 19, 2017 as National Put on Purple Day for Lupus Awareness.

Proclamation recognizing National Public Works Week.

Presentation of Proclamation recognizing May 21-27, 2017 as National Public Works Week.

CONSENT

Council Meeting Minutes

Presenter: Stella Gibson, Town Clerk

Council Meeting Minutes from the April 17, 2017 Special Meeting, April 18, 2017 and May 1, 2017 Regular Meetings and Closed Session Minutes from April 17, 2017 and April 18, 2017.

Action: Adopt Minutes

Annexation Petition ANX-17-02, Preakness Place

Presenter: David Bamford, Senior Planner

Resolution to set Public Hearing for contiguous annexation of 16.12 acres on New Rand Road.

Action: Adopt Resolution (2017) 2320

Road Closing SC-17-01, Purser Drive

Presenter: David Bamford, Senior Planner

Resolution to set Public Hearing for closure of Purser Drive between 902 Purser Drive and 100 Rupert Road.

Action: Adopt Resolution (2017) 2321

Motion: Kennedy
Second: Singleton
Vote: Unanimous

PUBLIC HEARINGS

NEW/OLD BUSINESS

Main Street Streetscape Improvements Project – Design Services

Presenter: Tony Chalk, Town Engineer

Mr. Chalk stated this project will include the design services for the Downtown Main Street Streetscape Project and will include design of the parking lot on the property which was previously purchased, curb and gutter, drainage improvements to Rand Mill Road, lighting improvements, street enhancements (planters, benches, etc.) and a trash collection area for downtown businesses. The total budget for the project is \$325,000. In addition to the project budget, a grant of \$25,000 will be applied to the project.

Action: Authorize Execution of Agreement with Kimley-Horn & Associates for \$65,500

Motion: Kennedy
Second: Singleton
Vote: Unanimous

Council Member Singleton requested additional information on the proposed lighting changes. Mr. Hodges explained the current lights are ill placed and have different pole styles. The goal is to provide continuity from the Recreation Center on Montague Street to Rand Mill Road. Replacement or relocation of the poles may be necessary based on the lighting plan from Duke Energy. In addition, the Town is converting lighting over to LEDs and it may not be possible to convert the existing lights. Mr. Chalk added that lighting will be provided from the south side of the street.

Main Street Streetscape Improvements Project – Surveying

Presenter: Tony Chalk, Town Engineer

Mr. Chalk stated this agreement with RWK is to provide surveying services as part of the Main Street Streetscape Improvements Project.

Action: Authorize Execution of Agreement with RWK for \$2,200

Motion: Singleton
Second: Marshburn
Vote: Unanimous

COMMITTEE REPORTS

MANAGER REPORTS

- Mr. Hodges provided an update on the issue of standing water at 981 Lawndale Street. Staff worked with the City of Raleigh in the past to determine the water on site was not treated water. Mr. Chalk added the Town is not aware of any water pipes on the property, but there could be. It appears the water is from a natural spring. A notice was sent to the property owner last week regarding tall

grass and mosquito control. At this time, the Town is constrained by what we are able to do as this is a private matter between two adjacent property owners and may require legal intervention. Mr. Chalk volunteered to reach out to the property owner and discuss options. Staff will provide updates to Council as the situation progresses.

- garner info
- Finance Report
- Building & Permit Report
- Town Hall Updates – Mr. Hodges advised Council the suggestions for the decorative panels are being incorporated into the design as well as the minor edits. These will be sent to Council when complete.
- Mr. Chalk advised construction of the new Town Hall is moving quickly. A punch list has already been generated for the second floor; the first floor punch list should be generated this week. Work on the exterior of the building is almost complete then work on landscaping can begin. The next stage is to walk 7th Avenue and Aversboro to determine patching needs. Mr. Kennedy stated he supported altering the grading and landscaping plans to keep line of sights clean and obstructed. Construction of the low retaining wall should be completed today. Mr. Dickerson added that approximately 70 to 80 feet of curb and gutter will need to be replaced along the parking lot adjacent to the library. This is not currently part of the project, however staff will be placing on a Work Session agenda for discussion.
- The Infrastructure Symposium sponsored by the League of Municipalities scheduled for May 18, 2017.
- Budget Work Session scheduled for May 24, 2017 at 8:00 a.m.

ATTORNEY REPORTS

COUNCIL REPORTS

Kennedy

- Asked for an update on the Highway 50 site. Mr. Anderson advised the outcome of the recent mediation required the property owner to remove the soil placed in the floodway; which they have done. Secondly, they were required to hire an engineer and file a site plan for placing dirt in the flood plain. The site contains a stream with a 50' riparian buffer on both sides. The next court appearance is scheduled for next week. Mr. Anderson added the site is zoned residential and the Town is unaware of any proposed development on the property.
- Asked how the Town can address re-occurring, more frequent issues related to tall grass, abandoned vehicles, etc. which devalue property and are a nuisance to neighbors. Mr. Anderson responded the Town needs stronger enforcement from the authority we already have. Currently, this is handled on a complaint basis. Mr. Dickerson added this topic will be discussed during the next Law and Finance Committee meeting.

Marshburn

- Asked for an update on the Recreation Center. Mr. Chalk advised steel should be on site in two weeks. Once the footings and steel are in, the underground conduit and slab pour will occur. Work continues on the retaining wall. A construction schedule will be shared with Council when available.
- Attended the Marjorie Barefoot Education Awards and the Law Enforcement Banquet.

Singleton

- Asked staff to follow-up on why the tree issue reported by Ms. Page earlier took 4 months to resolve.

CLOSED SESSION

Pursuant to N.C. General Statutes 143-318-11(a)(1) “to consult with the Town Attorney where there is a need to have confidential discussion with the Attorney other than regarding specific litigation” and N.C. General Statutes 143-318-11(a)(3) “to discuss litigation and specifically the case of CDI v. Town of Garner and ADW Architects.”

Motion: Marshburn
Second: Kennedy
Vote: Unanimous

RETURN TO REGULAR SESSION AND ADJOURNMENT: 9:31 p.m.