

**Town of Garner  
Town Council Meeting Minutes  
August 1, 2016**

The Council met in regular session at 7:00 p.m. in the Garner Police Department Training Room located at 912 7<sup>th</sup> Avenue.

**CALL MEETING TO ORDER/ROLL CALL:** Mayor Ronnie Williams

**PLEDGE OF ALLEGIANCE:** Council Member Buck Kennedy

**INVOCATION:** Council Member Buck Kennedy

**PETITIONS AND COMMENTS**

Leni Crook expressed concern regarding morning traffic congestion on Aversboro Road and unsafe conditions when drivers use the Walgreens parking lot as a cut-through.

**ADOPTION OF AGENDA**

Motion: Marshburn  
Second: Johns  
Vote: Unanimous

**PRESENTATIONS**

Recognize the 2016 Garner 8U All Star Baseball Team as the National PONY Baseball Champions.

**CONSENT**

Minutes from the January 19, May 2, May 17 Council Meetings and the May 18 Budget Work Session.

Action: Adopt Minutes

**PRCR Position Reclassification**

Presenter: Sonya Shaw

PRCR is recommending an upgrade of the position of Recreation Administration Specialist, Grade 20, to Athletics Program Supervisor, Grade 23. Associated fees total \$5,741, of which the PRCR department will assume. No additional funding is requested.

Action: Approve Position Reclassification

**Employee Policy Manual Review**

Presenter: BD Sechler, Human Resources Director

Annual review and update of current policies as well as implementation of several new policies.

Action: Approve Modified and New Policies

## **Stop Sign Installation**

Presenter: Tony Chalk, Town Engineer

The Engineering Department is recommending approval to erect a stop sign as a traffic control measure at N. Greenfield Parkway and Green Trace Court.

Action: Approve Installation

Motion: Kennedy  
Second: Singleton  
Vote: Unanimous

## **PUBLIC HEARINGS**

### **Special Use Site Plan SUP-SP-16-06, Carillon Assisted Living**

Presenter: Jenny Saldi, Senior Planner

Mayor Williams announced this public hearing was a quasi-judicial hearing to consider a Special Use Site Plan and asked the Town Attorney to explain the procedures to be followed in this hearing. The Clerk administered the Affirmation of Oath to the following: Jenny Saldi, Brad Bass, Tony Chalk, JoAnn Rey, Robert Steenson, and Janet Cunningham.

Mayor Williams asked Council to disclose any ex parte communications regarding this project. Hearing none, Mayor Williams opened the public hearing and asked Jenny Saldi to provide the staff report.

Tony M. Tate Landscape Architecture is requesting special use site plan approval for an assisted living facility located at 2015 Aversboro Road. This project will consist of a one-story, 35,900 sq. ft. building with 84 beds. Landscape buffers for this 5.42 acre tract will be met with a combination of existing and proposed landscaping. Existing landscaping within the median will be protected during construction and the developer has agreed not to clear-cut the lot along Aversboro Road. The buffer adjacent to residences will remain undisturbed except for the two utility crossings. The developer has agreed to upsize the street trees along Minglewood Drive. Parking requirements are based on number of employees and number of beds; 36 spaces (2 accessible) are required and the developer is providing 48 spaces (4 accessible). This project is subject to water quality and quantity requirements and the Fire Inspector reviewed and approved the fire protection plan as proposed. Water service is proposed from Minglewood Drive and the sewer main will be extended to provide service to this project. Street access for this project will be via a new driveway off Minglewood Drive. A second point of access will be provided when the parcel along Aversboro Road develops. The developer has agreed to request a temporary construction entrance from NCDOT off Aversboro Road. The median was redesigned to allow solid waste and emergency vehicles to make turns in and out of the site. The Planning Commission reviewed this application at their July 11, 2016 meeting and unanimously voted to recommend approval with 7 site specific conditions.

Council Member Singleton recommended no landscaping at the ends of the median as drivers may drive over the area and destroy the landscaping.

Council Member Marshburn expressed concern with the amount of traffic this project and the YMCA project will generate in the area as traffic coming out of the shopping center is already problematic.

Mr. Tate stated he was speaking on behalf of Carillon Assisted Living which operates 18-20 of these facilities throughout North Carolina. This facility is for the elderly who need assistance with their daily life. Staff works off peak hour shifts and would not contribute to traffic back-ups.

Mr. Tate stated he had met with the Board of Directors of the Village at Aversboro and tried to address their concerns with plan modifications. The small parcel in front of the proposed building will not be cleared until such time as the property is developed. The trees on Minglewood Drive will be upsized and a construction entrance Aversboro has been agreed to. He stated this facility will be a great neighbor to Garner.

Mr. Steenson stated Carillon Assisted Living's average resident is a woman in her 80's who has difficulty with mobility, medication management, dressing and personal care; no medical care is provided. This type of facility does not generate noise or pollution. He added that in Garner, approximately 3,582 individuals aged 75+ who could use this facility and the number is expected to grow 25% over the next 5 years. Carillon Assisted Living owns and operates all of their facilities.

Mr. Roberts, site designer for the project, was present to answer any questions.

Ms. Rey stated she is a resident of the Heather Woods subdivision having moved there 9 years ago. In that time, she has witnessed the development in and around Aversboro Drive and Timber Drive and the increased traffic it created and the displacement of wildlife. With 2 large projects being constructed simultaneously in the area (Carillon Assisted Living and the YMCA), she is concerned what impacts these will have on traffic conditions. She also stated she was not opposed to development.

Ms. Cunningham expressed concern regarding the sharing of sewer lines with this project. Mr. Roberts stated the City of Raleigh has a service truck that stays in the area and routinely cleans the lines to prevent issues. A grease trap was required and the City of Raleigh approved the site plan as part of the approval process.

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

Council Member Marshburn stated there is a definite need for this type of facility in the Garner area and this facility would go a long way towards assisting with this need. He also stated it appeared the developer has worked well to address the neighbor concerns and did not feel the project would significantly affect traffic in the area.

Action: Approve SUP-SP-16-06 subject to 7 site specific conditions: 1) Prior to issuance of a building permit, a cut-off light fixture, for mounting to the building, shall be submitted to Staff for approval; 2) Off-site sanitary sewer easement shall be acquired prior to submittal of Construction Drawings to the City of Raleigh; 3) Prior to issuance of a building permit, details of the required swale adjacent to the Town property and Lot 97 Heather Wood shall be approved by the Engineering Department; 4) Prior to issuance of a Certificate of Occupancy, any landscaping damaged within the Minglewood median, during construction of this project, shall be replaced by the Developer; 5) Prior to issuance of a Certificate of Occupancy, the 25 foot perimeter buffer adjacent to Lots 95 and 96 of Heather Woods shall be cleared of dead vegetation; 6) The project Landscape Architect and Town Staff shall work together to identify the trees to be saved within the undeveloped lot adjacent to Aversboro Road; 7) Prior to issuance of a building permit, the redesign of median widening shall be approved by the Engineering Department.

Motion: Marshburn  
Second: Kennedy  
Vote: Unanimous

**Authorization to Amend Fire Prevention and Protection Ordinance**

Presenter: Tony Beasley, Inspections Director

Amend Chapter 4- Fire Prevention and Protection Ordinance to add a section concerning Third Party Fire Protection and Control, Inspection, Testing and Maintenance Reporting and to clarify those authorized to bring enforcement action.

Action: Adopt Ordinance (2016) 3824

Motion: Kennedy  
Second: Singleton  
Vote: Unanimous

## **NEW/OLD BUSINESS**

## **COMMITTEE REPORTS**

## **MANAGER REPORTS**

- garner info
- The Connect Conference scheduled for Thursday, August 4. A meet and greet to welcome Town Manager Rodney Dickerson will be held during the late afternoon reception.
- An agreement has been negotiated with CASL and contracts should be signed soon.
- Provided a copy of the Town of Garner Budget in Brief which is an overview of the Town's operating budget, initiatives and investments, bond projects, and the impact of the 1.5-cent property tax. This document will be placed on the Town's website, placed on social media and be included with the September utility bills.

## **ATTORNEY REPORTS**

- Reported the closing for the Meadowbrook Country Club was completed today and the deed has been recorded at the Register of Deeds.

## **COUNCIL REPORTS**

Council Member Marshburn

- Stated the Budget in Brief document was very informative.
- Reported the portion of the greenway at White Deer Park where force main work was performed has been restored and looks nice.
- Expressed thanks to John Hodges for pursuing funding through the Transportation Alternatives Program to assist with upgrading the intersections of Timber Drive-Vandora Springs and Timber Drive-Woodland Road to make them ADA compliant.
- Asked to be placed first on the Garner 101 Agenda scheduled for August 11<sup>th</sup>.
- Reported discussing commonality between municipalities with the Town Manager of Ocean Isle Beach.

Mayor Pro Tem Behringer

- Commended Economic Development Director Joseph Stallings for his good work and recognized the recent spotlight article in the Triangle Business Journal.
- Thanked the Public Works Department for their work on Garner Road and reported two other addresses with tall grass – 206 and 320 Garner Road.
- Reported branches that need to be picked up at the corner of Avery Street and West Garner Road.
- Reported a recent theft that occurred in North Garner during the day when supplies were stolen from the truck of an air conditioning contractor.

Council Member Johns

- Asked residents to check on their elderly neighbors during this hot weather.

#### Council Member Singleton

- Suggested Council take a photo of the Budget in Brief document on their smart phone for easy accessibility.
- Requested a status of the Town Hall project. Mr. Chalk stated currently this project is 2 ½ weeks ahead of schedule and should be opened in May/June 2017.
- Requested a status of the Garner Recreation Center project. Mr. Chalk stated contracts are being signed this week and a notice to proceed will follow. A groundbreaking ceremony should be scheduled in the next 2-3 weeks.
- Reported installation of the sidewalk on Buffaloe Road looks good and is moving forward at a steady pace.

#### Council Member Kennedy

- Asked for Council support of the removal of the landscaping at the intersection of 7<sup>th</sup> Avenue and Aversboro Road that blocks the view of Town Hall.
- Asked if it was feasible to move the overhead power lines at Town Hall underground as part of the construction process. Mr. Chalk will discuss this matter with Duke Energy and provide a cost estimate to Council at a future meeting.
- Asked the status of the rezoning on the Buffaloe Road property. Mr. Bass advised this project is scheduled to be heard by Council at the September 6<sup>th</sup> meeting.
- Asked who would be responsible for initiating the closing the golf course when it's time for the lease to terminate. Mr. Dickerson advised this procedure had not been discussed with the lessee but they are aware the Council is being gracious to allow the golf course to continue utilizing the property.
- Stated Council is aware of the issues raised regarding increased traffic as a result of the Clifford Road subdivision and have authorized staff to engage a transportation consultant to determine the best way and cost to improve the intersections of Ackerman, Hebron Church, and White Oak. When that is received it will help determine the best way to move forward. He also stated he would like to extend the scope of work to look at the design and activities in the area of Hebron Church and New Bethel to determine what DOT would require and then provide that information to developers.
- Reported he will not be attending the Comprehensive Plan Steering Committee meeting next Tuesday.
- Asked about process for repeat offenders who do not mow their grass and Mr. Beasley explained this is addressed in the Town's Chronic Violator Ordinance.

#### **ADJOURNMENT** – 8:46 p.m.

Motion: Behringer  
Second: Johns  
Vote: Unanimous

Respectfully Submitted,  
Stella Gibson, Town Clerk