

TOWN OF GARNER



TOWN COUNCIL MEETING

August 6, 2018
7:00 P.M.

Garner Town Hall
900 7th Avenue
Garner, NC 27529

**Town of Garner
Town Council Agenda
August 6, 2018**

Dinner will be served for town officials in the Conference Room at 6:15 p.m.

The Council will meet in regular session at 7:00 p.m. in the Garner Town Hall located at 900 7th Avenue.

- A. CALL MEETING TO ORDER/ROLL CALL: Mayor Ronnie Williams

The Council will call for a brief recess at 9:00 p.m.

- B. PLEDGE OF ALLEGIANCE: Council Member Jackie Johns

- C. INVOCATION: Council Member Jackie Johns

- D. PETITIONS AND COMMENTS

This portion of the meeting is to receive comments from the public on items not included in this agenda. Citizens should sign up with the Town Clerk to speak prior to the start of the meeting. The Board is interested in hearing your concerns, but may not take action or deliberate on subject matter brought up during the Petitions and Comments segment. Topics requiring further investigation will be referred to the appropriate town officials or staff and may be scheduled for a future agenda.

- E. ADOPTION OF AGENDA

- F. PRESENTATIONS

- G. CONSENT

All items on the Consent Agenda are considered routine, to be enacted by one motion and without discussion. If a member of the governing body requests discussion of an item, the item will be removed from the Consent Agenda and considered separately.

- 1. Council Meeting Minutes Page 5
Presenter: Stella Gibson, Town Clerk

Adopt minutes from the May 23 special meeting, June 19, June 26 and July 2 regular meetings and closed session minutes from July 19, 2018.

Action: Adopt Minutes

2. Resolution Declaring Unpaid Nuisance Abatements as Liens Page 32
Presenter: Pam Wortham, Finance Director

Resolution declaring certain delinquent nuisance abatements as a lien on property. This resolution authorizes Wake County to add these abatement costs to Wake County property tax bills.

Action: Adopt Resolution (2018) 2356

3. Conflict of Interest Policy Page 35
Presenter: William E. Anderson, Town Attorney

Conflict of interest policies are often used in the corporate world. They particularly relate to contracting, purchasing, and self-dealing. The Town of Garner will be required to have one to enter into a local funding agreement with NCDOT.

Action: Adopt Policy

4. Resolution to Acquire Interest in Real Property - New Rand Road Page 42
Presenter: William E. Anderson, Town Attorney

Proposed roadway improvements on New Rand Road will require some additional right-of-way, drainage easements and temporary construction easements.

Action: Adopt Resolution (2018)

5. Town of Garner v Christopher McGinnis Page 54
Presenter: William E. Anderson, Town Attorney

Suit has been filed to enforce the UDO with reference to retail sales and inventory storage at 4408 Jessup Drive, Garner, NC.

Action: Ratify Filing of Lawsuit

6. Property Purchase, 1316 Buffaloe Road Page 55
Presenter: John Hodges, Asst. Town Manager-Economic Development

The owners of the property at 1316 Buffaloe Road have agreed to sell a one-acre portion of their lot to be used for a possible greenway connection. The purchase price is \$50,000.

Action: Authorize Purchase of Property

H. PUBLIC HEARINGS

1. Conditional Use Permit CUP-SB-16-08, Jameson Page 56
Presenter: David Bamford, Planning Services Manager

Request for conditional use subdivision approval for a 39-lot residential subdivision located at 1001 Maxwell Drive.

Action: Approve CUP-SB-16-08

2. Special Use Permit SUP-SP-18-03, Kaze Page 77
Presenter: David Bamford, Planning Services Manager

Request for special use site plan approval for a restaurant located at 1251 Timber Drive East.

Action: Approve SUP-SP-18-03

3. Annexation Petition ANX-18-04, Bryan Road Page 88
Presenter: David Bamford, Planning Services Manager

Request for satellite annexation of .925 acres located at 7400 Bryan Road.

Action: Adopt Ordinance (2018) 3924

4. Annexation Petition ANX-18-05, Withers Road Page 93
Presenter: David Bamford

Request for contiguous annexation of 1.607 acres located at 907 Withers Road.

Action: Adopt Ordinance (2018) 3923

I. NEW/OLD BUSINESS

1. NC DEQ Grant Application Page 98
Presenter: Tony Chalk, Town Engineer

Request to authorize applying for a CDBG grant to help mitigate the public health risk created by contaminated wells in the Auburn community.

Action: Authorize Staff to Apply for Grant

J. COMMITTEE REPORTS

K. MANAGER REPORTS

1. garner info
2. Building & Permit Report

L. ATTORNEY REPORTS

M. COUNCIL REPORTS

N. ADJOURNMENT

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: August 6, 2018		
Subject: Council Meeting Minutes		
Location on Agenda: Consent		
Department: Administration		
Contact: Stella Gibson, Town Clerk		
Presenter: Stella Gibson, Town Clerk		
Brief Summary: Adopt minutes from the May 23 special meeting, June 19, June 26 and July 2 regular meetings and closed session minutes from July 19, 2018.		
Recommended Motion and/or Requested Action: Adopt Minutes		
Detailed Notes:		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations: N/A		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	SG	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

**Town of Garner
Town Council Special Meeting Minutes
May 23, 2018**

The Council met in a special session at 8:30 a.m. in the Town Hall Training Room located at 900 7th Avenue, Garner.

CALL MEETING TO ORDER/ROLL CALL: Mayor Ronnie Williams

Present: Mayor Ronnie Williams, Mayor ProTem Ken Marshburn, Council Member Kathy Behringer, Council Member Jackie Johns, Council Member Buck Kennedy, Council Member Gra Singleton

Staff Present: Rodney Dickerson-Town Manager, Matt Roylance-Asst. Town Manager-Operations, John Hodges-Asst. Town Manager, Joe Stallings-Economic Development Director, Pam Wortham-Finance Director, Rick Mercier-Communications Manager, Forrest Jones-Public Works Director, BD Sechler-Human Resources Director, Brandon Zuidema-Police Chief, Lori Smith-Police Lieutenant, Tony Beasley-Inspections Director, Rob Smith-PRCR Asst. Director, Mike Franks-Budget & Special Projects Manager, Stella Gibson-Town Clerk

Mayor Williams called the meeting to order at 8:39 a.m.

Mr. Dickerson opened the meeting and asked Mr. Franks to provide an overview of the recommended FY2018/2019 budget.

Budget Highlights

Total Recommended Budget: \$34,898,432

- Increase of \$1,696,954 (5.1%) over FY2017/2018 Adopted Budget
- Base Revenue Increase of \$1,192,380
- Use of other Financing Sources Increase of \$504,574

Property tax Recommended to remain unchanged at 53.25 cents per \$100 of assessed valuation

\$289,587 increase in transfer to Revenue Savings Plan

\$285,706 increase in group insurance (existing employees and retirees only)

\$201,039 increase in other normal salary adjustments (salaries, FICA, and retirement)

Revenue Highlights

Increase in Town-wide assessed property value of \$151.9 million

Increase of \$250,000 in Building Permit Fees

Increase of \$466,875 in Sales Tax

Increase of \$250,000 in Interest Income

Decrease of \$728,480 in Permits and Fees as the Town is no longer collecting water and sewer capacity fees and sewer acreage fees

Decision Packages Funded - \$668,014

\$100,000 - Unified Development Ordinance
\$25,000 - Rebuilding Together of the Triangle
\$24,600 - Finance Department Technology Requirements
\$23,200 - Police Department Grant Match Requirements
\$14,173 - City of Raleigh Utility Bill Assistance Program
\$8,000 - Part-time Pay Adjustments
\$84,607 - Public Works - Street Supervisor (six months)
\$74,679 Public Works Right-of-Way Supervisor (six months)
\$96,557 - Parks, Recreation and Cultural Resources – Recreation Superintendent (12 months)
\$33,467 - Parks, Recreation and Cultural Resources Recreation Specialist (6 months)
\$114,574 - Police Department School Resource Officer (11 months)
\$69,157 - Police Department Training Officer (partial year)

Position costs listed for additional positions include equipment and operational expenses

Decision Packages Not Funded - \$1,075,691

\$46,815 - Asset Management and Work Order Software in Public Works
\$38,850 – Information Technology Wi-Fi in Parks
\$22,679 – Police Digital Evidence Management System
\$21,524 – Police Mobile Field Force Equipment
\$21,000 - Halogen Learning Module in HR
\$15,525 – Police Active Shooter Vests
\$10,000 - COHORT training in Police
\$9,000 – Police Ballistic Helmets
\$5,964 – Police Ambidextrous Rifle Charging Handle
\$5,880 - Police Internal Messaging System
\$5,000 - Enhance It's Showtime Performance Series in Parks
\$97,692 – Engineering Construction Inspector
\$76,259 – Fire Services Administration Battalion Chief
\$86,048 – Human Resources Risk Manager
\$70,686 – Inspections Full-Time Code Compliance Officer
\$94,049 – PRCR Park Planner
\$105,916 – Police Community Liaison Officer
\$182,288 – Police Patrol Officers (2)
\$69,301 – Public Works Building Maintenance Technician
\$91,215 – Public Works Parks and Grounds Athletic Supervisor

Budgeted Personnel Benefits - \$16,468,191

\$10,303,729 - Salaries
\$753,703 - Temporary Salaries
\$161,511 - Longevity
\$895,459 - FICA
\$1,372,202 - Retirement
\$2,225,020 - Group Insurance
\$86,865 - Overtime

\$2,300 - Temp-Overtime
\$263,354 - LEO Separation Pay
\$404,048 - Retiree Healthcare

Total General Purpose Debt Service - \$3,717,729

\$504,893 - 2013 Refinancing of 2006 Capital Projects
\$402,248 - Public Improvements 2010
\$653,947 - 2017 Refinancing of 2011 Capital/Capacity
\$555,775 - General Obligation 2014
\$1,079,387 - General Obligation 2015
\$160,774 - Vehicles/Equipment FY15/16
\$182,583 - Vehicles/Equipment FY16/17
\$178,122 - Vehicles/Equipment FY17/18

Unassigned Fund Balance Projection - \$18.546M

The FY2018/2019 budget includes \$971,241 in appropriations from unassigned general fund balance for the following one-time capital purchases:

\$417,701 - Vehicle and equipment replacements
\$209,200 - Replacement of various IT equipment
\$220,340 - Replacement of self-contained breathing apparatus (SCBA) for GVFR
\$100,000 - Second installment of three to update the United Development Ordinance
\$50,000 - One-time mandatory computer aided dispatch (CAD) upgrade

In addition to the Town's unassigned general fund balance, the recommended budget also includes appropriations from other fund balances:

\$438,740 - Powell Bill fund balance will be used to fund five pieces of equipment identified in the VERT process
\$428,893 - Water and Sewer balance will be used to make the FY2018/2019 appropriation to capital reserves for capacity fee debt service
\$45,000 - Storm water Infrastructure will be used for FY2018/2019 retention pond maintenance
\$1,148,257 - Bond Debt Capital Reserve Funds will be used for FY2018/2019 debt service

Total FY2018/2019 Vehicle and Equipment Replacements (VERT) - \$836,266

Police Department - \$331,882
\$118,534 - Unmarked Chargers (4)
\$213,348 - Marked Chargers (5)
Public Works - \$504,384
\$48,265 - Landscape Truck
\$55,853 Wood Chipper*
\$38,820 - Truck
\$10,000 - JD Gator
\$206,798 - Wheel Loader*
\$69,648 - Asphalt Patch Unit*
\$11,000 - Zero Turn Mower
\$64,000 - Trucks (2)

*eligible for Powell Bill funds

Multi-Year Planning Efforts

Staff established a multi-year operating fund to facilitate the funding of projects that will span multiple fiscal years (current projects include the Unified Ordinance in Planning and Comprehensive Master Plan in Parks). Included in this budget:

Information Technology Requirements

\$95,200 - Police Laptops

\$70,000 - Server Storage Area Network

\$32,000 - Desktop Server Storage Area Network Maintenance and Support

\$12,000 - Back-up Device (Police)

Capital Improvement Plan

As part of the FY2018/2019 budget process, staff began the process of identifying key Capital Improvement Plan requirements. The process for FY2020 will begin late/summer and will be presented as part of the Council's retreat.

Garner Volunteer Fire-Rescue, Inc.

Town Base Request Total - \$5,514,745

One-Time Purchase Requests - \$478,593

- SCBA
- Ventilation System
- Active Shooter Bags
- Defibrillators
- Thermal Imaging Camera

Total Requested Amount - \$5,993,338

Of the additional items requested, the Town did not fund the Administration Battalion Chief position (\$76,259)

Subsidized Programs

Funded Programs

\$1,000 - American Legion

\$14,173 - City of Raleigh Utility Bill Assistance

\$7,259 - Community of Hope

\$3,898 - Garner Area Ministries

\$10,000 - Garner Educational Foundation

\$1,699 - Garner Magnet High Marching Band

\$3,000 - Garner Police Athletic Activities League

\$3,000 - INTERACT – Family Violence Prevention Center

\$3,939 - Resources for Seniors
YMCA Capital Campaign Pledge - \$20,000
Total Subsidized Programs - \$68,004

Mayor ProTem Marshburn requested to reconsider funding the helmets ballistic vests for the Police Department and increased funding for GPAC performances.

Council Member Singleton asked about funding for the annual Street Resurfacing project. Mr. Chalk advised a paving condition survey was performed in-house 5 years ago and felt the useful life of the survey had been met. The survey provided different rankings and identified what each street needed. Town staff identified approximately two miles of Town streets scheduled for the 2018 Street Resurfacing Project but because the costs were above the engineer's estimate, the budgeted amount would only resurface 1.8 miles. Those streets scheduled to be resurfaced this year, but are not funded, would be added to the top of next year's list. Council Member Singleton expressed the importance of repaving streets and the need to have a dedicated source of funding which increases incrementally each year.

Council Member Singleton suggested adding additional funding in the FY2017/2018 budget and pursue acquiring a consultant to perform a paving condition survey in FY2018/2019. Council Member Singleton recommended increasing the FY2018/2019 allocation to \$750K to \$800K (\$50K for the survey consultant and \$25K for additional patching).

Council was supportive of this suggestion.

Council discussed increasing the vehicle tax from \$15 to \$30 and allocate these funds for road patching and resurfacing. Council consensus to support the increase.

Council consensus to remove the Mayor's Coalition from the Council's recommended budget.

Mr. Dickerson stated staff will follow-up on Council's requests and provide an update at the next meeting.

ADJOURNMENT: 3:43 p.m.

**Town of Garner
Town Council Meeting Minutes
June 19, 2018**

The Council met in regular session at 7:00 p.m. in the Garner Town Hall located at 900 7th Avenue.

CALL MEETING TO ORDER/ROLL CALL: Mayor Ronnie Williams

Present: Mayor Ronnie Williams, Mayor ProTem Ken Marshburn, Council Member Kathy Behringer, Council Member Jackie Johns, Council Member Gra Singleton. Council Member Buck Kennedy was absent.

Staff Present: Rodney Dickerson-Town Manager, John Hodges-Asst. Town Manager, Joe Stallings - Economic Development Director, Jeff Triezenberg-Planning Director, Het Patel-Senior Planner, David Bamford-Planning Services Manager, Pam Wortham-Finance Director, Rick Mercier-Communications Manager, Tony Beasley-Inspections, Joe Stallings-Economic Development Director, Mike Franks-Budget & Special Projects Manager, Thad Anderson-Interim Attorney, Stella Gibson-Town Clerk

PLEDGE OF ALLEGIANCE: Council Member Singleton

INVOCATION: Council Member Singleton

PETITIONS AND COMMENTS

ADOPTION OF AGENDA

Motion: Johns
Second: Behringer
Vote: 5:0

PRESENTATIONS

CONSENT

Council Meeting Minutes

Presenter: Stella Gibson, Town Clerk

Adopt minutes from the May 22, May 29, and June 4, 2018 regular meetings and closed session minutes from May 22 and 29, 2018 closed sessions.

Action: Adopt Minutes

Extension of Town Attorney Agreement – FY2018/2019

Presenter: Rodney Dickerson, Town Manager

Annual contract extension for legal services in FY2018/2019. No changes have been made since last year.

Action: Authorize Execution of Contract

Ordinance Amending FY2017/2018 Operating Budget

Presenter: Pam Wortham, Finance Director

Request to utilize building permit fees collected in excess of what was budgeted to provide two vehicles for the Inspections Department.

Action: Adopt Ordinance (2018) 3915

Recognition of Disposable Property

Presenter: Brandon Zuidema, Police Chief

Resolution to recognize service weapon and badge of Officer William Hinson as disposable property, so that they can be awarded to him in recognition of his retirement from the Town after almost 18 years of dedicated service.

Action: Adopt Resolution (2018) 2352

Ordinance Amending FY2017/2018 Operating Budget (Police Department Holiday Bank Pay-Out)

Presenter: Pam Wortham, Finance Director

Request to move funds from other departments to payout holiday leave accrued by sworn officers prior to December 31, 2017. This equates to \$57,005 in salary costs, and \$11,914 in matching fringe benefits.

Action: Adopt Ordinance (2018) 3917

Motion: Marshburn
Second: Johns
Vote: 5:0

PUBLIC HEARINGS

Garner Forward Comprehensive & Transportation Plans

Presenter: David Bamford, Planning Services Manager and Scott Lane, Stantec

Mayor Williams opened the public hearing and asked Mr. Bamford to present an update of the Garner Forward Comprehensive & Transportation Plans. Staff and the consultant gave a brief presentation of both plans. Mr. Scott provided a brief overview of what's been done up until this point.

Bill Morris of Morris & Associates asked Council to consider including the following statements:

- Consider impacts to neighborhoods and the business community and major employers.
- The implementation strategies shall consider the effects of transportation improvements on travel safety and mobility, commerce, employment and existing major employers, development patterns, and the visual appeal of Garner.

Mayor Williams closed the public hearing and called for a motion.

Action: Mayor ProTem Marshburn made a motion to adopt the Garner Forward Comprehensive & Transportation Plans and include Mr. Morris' statements.

Motion: Marshburn
Second: Behringer
Vote: 4:1 (Singleton)

Council Member Singleton voted nay.

Council Member Singleton stated the zoning classifications were good and made them easier to understand. A master plan was needed to catch-up on sidewalks. He would like to see more greenways. Although opportunity sites are intriguing, the only land the Town owns is downtown. Additional funds will be needed to purchase more property. Due to the proposed bus stop at North Station additional property will need to be purchased in that location. The Town is behind on paving streets and improving and repairing existing infrastructure. He added he was not against bike lanes, but to add them to already narrow roads would cause accidents. He stated he thought some of the concepts were good, but changes were needed. He had doubts about the concepts in the long term.

FY2018/2019 Economic Development Budget Hearing

Presenter: Mike Franks, Budget & Special Projects Manager

Mr. Franks stated this Public Hearing was being held for the purpose of complying with the requirements of North Carolina General Statute 158-7.1 which requires a public hearing for all economic development expenditures.

Action: Receive Comments

NEW/OLD BUSINESS

FY2018/2019 Recommended Budget

Presenter: Mike Franks, Budget & Special Projects Manager

Mr. Franks presented the proposed FY 2018/2019 Budget Ordinance which reflects changes made to the original recommended budget that were presented to Council at the June 4, 2018 public budget hearing. The FY 2018/2019 Fee Schedule was also included for adoption.

Action: Adopt Ordinance (2018) 3916

Motion: Marshburn
Second: Behringer
Vote: 4:1 (Kennedy)

Council Member Kennedy voted nay.

Council Member Kennedy stated the Town is in a good financial condition and the budget is balanced as required by law, however he is concerned about the potential impact to the Town's bond rating. Council Member Kennedy added when the proposed budget is presented to Council for discussion, it is presented with three options: accept the recommendation, reject use of fund balance and raise taxes, or reduce/eliminate certain expenditures to balance the budget. He stated using fund balance is the easiest way, but he does not believe it is a good policy especially since it's been done that way for the past several years. He stated citizens deserve a more rigorous approach.

Mr. Dickerson stated the Town's bond rating is AA2, the second highest from the top rating.

White Oak/Hebron Church/Ackerman Intersection Improvements (Preferred Alternative Selection)

Presenter: Het Patel, Senior Planner

Mr. Patel presented a summary of project activities to date including: an update on then public open house meetings and the feedback received on the two (2) preferred alternatives: #3 - partial dual lane roundabouts or #7 - realignment of intersections. He also presented the benefits and concerns for each alternative.

Council Member Singleton asked for consideration of making the merger lane of the north bound White Oak Road to extend past the driveway of the mini-mart. He expressed concern of having traffic merge at a place where the goal is to keep the traffic moving.

Action: Select Preferred Alternative of #3, Partial Dual Lane Roundabouts

Motion: Behringer
Second: Singleton
Vote: 5:0

Amended CDBG Cooperation Agreement

Presenter: Jeff Triezenberg, Planning Director

Mr. Triezenberg stated over the years, the CDBG program has assisted the Town in constructing sidewalks, enhance parks and recreation facilities. The Wake County Attorney's office has determined that amended agreements need to be re-authorized for Federal Fiscal Year 2019. The last agreement was formally signed and entered into in 2006 and have been auto-renewed in years since.

Action: Authorize Execution of Agreement

Motion: Kennedy
Second: Marshburn
Vote: 5:0

Human Resources Committee Nomination to Various Town Boards and Commissions

Presenter: Ken Marshburn, Mayor ProTem

Mayor ProTem Marshburn stated the Human Resources Committee of the Town Council held meetings to discuss and conduct interviews and recommend appointments to the Planning Commission, Parks

Recreation and Cultural Resources Advisory Committee, Senior Citizens Advisory Committee and the Veterans Advisory Committee.

Action: Appoint nominees to Committees/Boards

Motion: Marshburn
Second Johns
Vote: 5:0

COMMITTEE REPORTS

MANAGER REPORTS

- garner info
- Building & Permit Report
- Finance Report
- Tour of Rec Center postponed

ATTORNEY REPORTS

COUNCIL REPORTS

Marshburn

- Reported the building at North Point Aversboro Road was being vandalized. Mr. Triezenberg responded the owner of the property is in the process of demolishing the existing structure and building a new multi-story facility.

Behringer

- Asked for an update on Google Fiber. Mr. Dickerson responded he had not heard from them in the past year. He added it was his understanding they are looking at other alternatives vs putting fiber in the ground. Installation in other communities did not go as smoothly as what they thought it would. We were informed they would serve the communities they originally said they would.
- Asked for an update on sidewalks/greenways from Lakemoor to Lake Benson Park. Mr. Dickerson responded the consultant is still working on a plan and at this time there is no timetable when the greenway will be done. An assessment of costs and route alternatives is being prepared. He will ask staff to meet with the consultant for an update.
- Reported quite a bit of trash on Garner Road and asked if removing the trash was scheduled on a regular basis. Mr. Dickerson responded trash pick-up follows the mowing cycle.

Singleton

- Reported he continues to receive citizen complaints of tall grass and thanked staff for their work to minimize this type of problem.

Kennedy

- Asked if staff had benchmarking results on the Timber Drive East bridge. Mr. Hodges responded staff completed a series of measurements of which he will provide to Council. Mr. Dickerson added NCDOT believes the movement is in the road and not in the bridge.

Williams

- Asked for an update on moving the Depot. Mr. Dickerson stated this item is still being researched and staff will come back with an update.

Council Member Johns had nothing to report.

CLOSED SESSION

Pursuant to N.C. General Statutes 143-318.11(a)(4) "to discuss economic development."

Motion: Kennedy
Second: Marshburn
Vote: 5:0

RETURN TO REGULAR SESSION AND ADJOURNMENT: 9:25 p.m.

DRAFT

**Town of Garner
Council Work Session Minutes
June 26, 2018**

The Council met in a Work Session at 6:00 p.m. in the Council Chambers located at 900 7th Avenue.

CALL MEETING TO ORDER/ROLL CALL

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

Staff Present: Rodney Dickerson-Town Manager, Pam Wortham-Finance Director, Jeff Triezenberg-Planning Director, Tony Chalk-Town Engineer, Thad Anderson-Interim Town Attorney, Brandon Zuidema-Police Chief, BD Sechler-Human Resources Director, Mari Howe-Downtown Development Manager and Rebecca Schlichter-Deputy Town Clerk.

ADOPTION OF AGENDA

Motion: Marshburn
Second: Johns
Vote: 5:0

REPORTS/DISCUSSION

Benefits Study Presentation

Presenter: BD Sechler, Human Resources Director

Lee Weisiger of Gallagher Consulting provided an understanding of the benefits survey process and the results/findings.

Project Overview

Gallagher's HR and Compensation Consulting Practice, a division of Gallagher Benefit Services, Inc., was engaged by the Town of Garner to conduct a benefit survey and developed this report. The scope of this engagement included the following objectives:

- Identify peer towns and cities as comparators
- Design a custom benefits survey instrument for data collection
- Conduct a benefit survey using a custom survey of peers
- Present final report to the Town of Garner management team

Methodology

Gallagher talked with Human Resources to craft a compensation philosophy and survey comparator group around which the custom survey work was sent to.

The following approach was used in this study:

- Reviewed Town of Garner's benefit program
- Conducted a custom survey targeted at the specific organizations of relevance to the Town of Garner
- Performed the following steps:
 - Developed a survey data collection package, with completion instructions and data collection tools for each target participant. The custom survey collected participants' organizational information as well as benefits data related to Health and Wellness, Leave and Careers, and Retirement and Disability.
 - Crafted a draft cover letter requesting assistance to be sent to participants from TOG prior to the launch of the survey
 - Served as the third-party responsible for data confidentiality, data analysis and the preparation of a summary report
 - Distributed survey to the eleven (11) target participants identified by TOG
 - The participants represented public entities in the surrounding Raleigh MSA and other similarly sized North Carolina municipalities
 - Collected participant survey data over the course of three (3) weeks between February and March 2018
 - Over the course of the three weeks, Gallagher contacted the participants several times requesting participation
 - Analyzed the data from the seven (7) participating entities and applied the data to the market analytics.
 - Provided copies of the summary report to the participants
- Created and reviewed report to discuss findings

Using a Total Rewards Approach

When you consider total compensation in terms of total rewards, the added value is remarkable. Total rewards is everything of value resulting from the relationship with the employer, including all monetary and non-monetary considerations.

- Total rewards focuses on five specific components:
 - (1) Compensation

- (2) Benefits
 - (3) Work experience
 - (4) Performance and recognition
 - (5) Development and career opportunities
- Goal of using a total rewards approach is for motivation to drive organizational success. Employees working for a total rewards employer tend to be more motivated, productive, and happy.

Using a total reward approach may allow the Town of Garner the right mix of salary and benefits. The summary table (table B page 9) shows the Town of Garner is competitive with market in terms of benefits. If TOG combines salary, benefits, and the other total rewards components, it may become very competitive to its market and competitors.

Benefit Survey Participants

Table A below lists the survey participants. If a section was left blank, the participant did not provide the information.

Overall, the comparison group was much larger than TOG. The Town of Garner (TOG) is below the 50th percentile (market median) for full-time equivalents, annual operating budget, fiscal year payroll, and annual cost of benefits. But TOG is 6.69% above the 75th percentile for benefits as a percent of total payroll.

Table A.

Organization Name	Full Time Equivalent Employees (FTEs)	Annual Operating Budget	Fiscal Year Payroll	Annual Cost of Benefits	Benefits as a % of Total Payroll	Reason for Inclusion
Town of Cornelius	113	\$23,899,414	\$5,862,082	\$1,172,416	20.00%	Example of a smaller than Garner municipality
Town of Fuquay-Varina	243	\$30,000,000	\$11,500,000	\$4,037,866	23.30%	Local direct competitors for labor
Town of Morrisville	175	\$34,964,000	\$16,529,200	\$4,070,000	24.62%	Local direct competitors for labor
City of Asheboro	331	\$42,643,308	\$16,093,403	\$6,168,419	38.33%	Potential next step regarding growth
Town of Holly Springs	295	\$50,000,000	\$17,791,587	\$5,575,790	31.34%	Local direct competitors for labor
Town of Wake Forest	163	\$65,023,200	\$16,958,545	\$4,796,490	28.28%	Local direct competitors for labor
City of Hickory, NC	658	\$95,696,964	\$27,889,271			Potential long-term growth/size for Garner
25 th Percentile	169	\$32,482,000	\$13,796,702	\$4,045,900	23.63%	
50 th Percentile (median)	243	\$42,643,308	\$16,529,200	\$4,433,245	26.45%	
75 th Percentile	313	\$57,511,600	\$17,375,066	\$5,380,965	30.58%	






Average:	282.57	\$48,889,555	\$16,089,155	\$4,303,496	27.65%
Town of Garner	170	\$33,200,000	\$9,978,917	\$3,661,264	36.69%

Non-respondents (4): Town of Apex, Goldsboro, Town of Clayton and City of Burlington

Benefit Survey Results- Summary

Table B below summarizes the results from the benefits survey. Overall, the Town of Garner is at or above market for benefits, which is very competitive since the peer group of participants is somewhat larger than TOG.

Table B.

Benefit Area	Market Comparison	Comments
Benefits Costs as a % of Payroll	 Above Market	Overall, TOG is above market. TOG is very competitive with the benefit costs as a percent of payroll. TOG's benefits are 36.69% of payroll which are 6.69% higher than the 75th percentile (30.58%) and 10.24% higher than market (26.45%).
Pay Practices (including longevity)	 At Market	Overall, TOG is competitive with market. TOG is very competitive with longevity pay for employees hired before Sept 8, 2009 but falls below market for new hires. TOG offers no longevity to new hires while market offers different longevity amounts to the same group. TOG is very competitive by projecting about a 3.0% salary increase while market is projecting a 2.71% salary increase.
Health and Wellness (including retiree health)	 At Market	Overall, TOG is competitive with market. TOG is competitive with market in employer contributions for employee-only (100%) and retiree healthcare benefits. TOG only offers 1 health plan option and the market average is 1.29. TOG also doesn't offer as many wellness programs or informal benefits to its full-time employees as the market.
Paid Leave and Career Development	 Above Market	Overall, TOG is above market. TOG is very competitive for vacation (especially employees with tenure of 6 or more years) and carryover vacation days. TOG is competitive with holidays and bereavement days but is behind market for not offer a floating holiday (with the exception of police).
Retirement and Disability	 At Market	Overall, TOG is competitive with market. For 401k plans, both market and TOG match 5% and vest immediately. For defined benefit plans (state retirement plan) for law enforcement, town contribution of 8.25% with a 5 year vesting period. For the defined benefit

		plan (state retirement plan) for general employees, town contribution of 7.56% with a 5 year vesting period. Staff contribution into state retirement plan is 6%
--	--	--

Section 1- General Pay and Benefits Practices

Overall, the Town of Garner is competitive with market and its general pay practices.

- Very competitive with longevity pay for employees who were hired prior to the September 8, 2009 policy. For hires after 2009, not having longevity pay can be a competitive disadvantage.
- Falls behind market because it does not offer any longevity pay to new hires.
 - About 71% of the market continues to offer some longevity benefit to new hires
 - Provide a few hundred dollars at each tenure level.
- Very competitive with the market by projecting a 3.0% salary increase

The market is projecting a 2.71% salary increase (custom survey question 2c).

Section 2- Health and Wellness

Overall, the Town of Garner is at market for health and wellness programs.

Health

- Offers health and dental insurance to its part-time employees, depending on hours worked,
 - Competitors do not.
- Does not offer the same benefits to its full-time employees as the market such as:
 - Vision,
 - Medical and dependent FSA offered,
 - Defined contribution health plans
 - Programs that allow employees to take a fixed amount of money to shop for their own insurance off a selection the employer provides
 - Indicated that it only offers dental and indemnity plans.
- About 85% of the market offers a Preferred Provider Organization (PPO) health plan.
- In line with market by offering only one health plan options (average is 1.29).
- Very competitive in retiree healthcare benefits for those hired prior to May 1, 2011
 - At market for those hired after May 1, 2011.

Wellness Programs

- Does not have as many wellness programs options that the market offers such as:
 - Example: Health assessment profiles
 - See table 5a of the report for the complete list.
 - About 85% of market does not offer a limit towards these programs.

- Is in line with market in terms of informal wellness benefits
 - Offers many of the same informal benefits as the majority of the market.

Section 3- Paid Leave and Career Development

Overall, the Town of Garner is at market for paid leave and career development.

Paid Leave

- Competitive with market for the number of holidays (12 days) and bereavement days (3 days)
 - Behind market for number of personal days (also known as a floating holiday)
 - The market average for personal days is 1
- Very competitive to market for:
 - Vacation days, especially for employees with tenure of six or more years, and
 - Carryover vacation days offering a maximum of 288 hours (36 days)
 - The market average is 105 hours (13 days). TOG is at market for exempt employees' comp time

Career Development

- Five of six respondents say they are using a career ladder approach to career development. Town of Garner also utilizes a career ladder approach for managing career development. (Police and Inspections Departments)

Section 4- Retirement, Disability, and Life Insurance

The Town of Garner is competitive with market in employee contributions to their programs.

- All competitors offer a retirement plan to full-time employees and the employees contribute 6%. (Mandated by NC Legislature)
- Competitive with market for retirement plan type.
 - All competitors offer a 401(k) with most matching 5%.
 - All competitors also offer a defined benefits plan for both general and law enforcement employees with the average employer contribution at 7.56% and 8.25%, respectively, vesting at 5 years. (Mandated by NC Legislature)

The Town of Garner is slightly below market for its part-time employees.

- About 30% of competitors offer retirement benefits to part-time employees.
 - Most of the market does not offer much in terms of disability benefits for full or part-time employees.

Next Steps

1. Review mix of benefits and ensure they are aligned with needs and desires of current staff demographics. Make changes if needed.
2. Consider creating a total rewards approach to compensating and rewarding employees.
3. Options for Consideration

Short-Term Implementation

- Paid Parental Leave
- Flexibility in setting new hire vacation accrual rates
- Add Prudential 457 retirement plan
- PD Only – return to 5% pay increase for specialized positions
- PD Only – reduce the amount of time required for career progression from 4 years to 3 years

Study/Research Further

- Reinstating longevity pay
- Increase cap on comp time allowed
- Count holiday hours as work time for purposes of comp time
- Add vision plan
- Increase town contribution to 401k based on years of service
- Increase town contribution to educational reimbursement
- Free staff PR&CR programming
- Garner resident rate for staff on PR&CR programming
- Paid community/service/civic leave time

Considered But Not Viable

- Condensed summer work schedule
- Double value of town paid life insurance
- Reinstated retiree health care
- Town paid memberships to gyms/health clubs
- Broaden/widen grade ranges

Mr. Sechler presented on the Police Department Pay & Benefits Executive Summary.

Purpose & Scope

- Developed in conjunction with the Town-wide benefits survey conducted by Gallagher
- More detailed and specific to the unique pay and benefits aspects of the police department
- Completed “in-house” by the Chief of Police and HR Director

Municipalities Participating

- Town of Apex
- Town of Morrisville
- Town of Wake Forest
- Town of Holly Springs

- Town of Fuquay-Varina
- Town of Clayton (Declined to Participate)

Summary of Survey Results

- Overall, Garner PD pay & benefits are competitive with local competition for labor
- Cost of health care premiums continues to be a concern for retention & attraction
- Lack of longevity pay, and retiree health care continues to be a concern for retention
- Range maximums for many Garner police positions are lower than other municipalities maximums for similar positions

Recommendations for Consideration

- Continue to explore ways to reduce health care premiums
- Research options to reimplement longevity pay
- Return to pre-2011 promotion increase levels for specialty position of 5%
- Reduce the eligibility for career progression steps from 4 years to 3 years

Action: Council consensus to give Council time to review and bring their recommendations to July 2nd Council Meeting.

Request for Sewer Extension – Purser Drive

Presenter: Rodney Dickerson, Town Manager

Mr. Vic Byrd a property owner on Purser Drive presented a request to extend sewer to properties on Purser Drive.

Action: Proceed with pursuing assessable sewer extension.

Motion: Kennedy
 Second: Marshburn
 Vote 5:0

UDO-18-01 - CBD Amendments

Presenter: Jeff Triezenberg, Planning Director

The Planning Department and the Downtown Garner Association have been working together to discuss possible changes to the Unified Development Ordinance. Mr. Triezenberg reviewed the changes presented for consideration.

Mr. Kennedy requested that notices were sent to all in CBD.

Action: Set public hearing for July 17, 2018

Motion: Marshburn
 Second: Singleton
 Vote 5:0

Modification to DHIC Agreement

Presenter: Rodney Dickerson, Town Manager

Mr. Dickerson stated DHIC, the developer of Pennington Grove, has asked to be released from their commitment to not seek tax exemption for phase 1 of their project, which has been completed. In keeping with the intent of the original commitment, DHIC will pay a fee-in-lieu of taxes to the Town annually. DHIC reaffirms its commitment to not seek tax exemption for phase 2 of their project, which is in the planning stages.

Action: Authorize Execution of Agreement

Motion: Singleton
Second: Behringer
Vote: 5:0

Uniform Guidance Procurement Policy

Presenter: Pam Wortham, Finance Director

Ms. Wortham explained Federal guidelines require the Town to incorporate a Uniform Guidance Procurement Policy for use when spending federal funds. This guidance is included in the Towns purchasing policy under Section 501.5 "Procurement Policy When Using Federal Funds".

Mr. Kennedy requested staff consider amending these requirements at a later date to put in professional liability insurance and limitation of liability.

Action: Adopt Policy 501 - Procurement Policy & Procedure Statement and allow staff to update with Federal guidelines

Motion: Singleton
Second: Behringer
Vote: 5:0

Ordinance Amending FY2017/2018 Operating (Body Worn Camera Grant)

Presenter: Pam Wortham, Finance Director

Ms. Wortham reviewed the matching requirements for the body-worn camera grant, along with the multi-year reporting of the grant, requires establishing a federal grant fund. This was a two-part request. First, staff asked to establish a grant project through the Grant Project Ordinance, which also established the budget. Second, staff had a budget amendment out of the general fund in the Police Department to transfer the funds to the grant project. The total grant for this project is \$83,320, and the matching amount to be budgeted is \$83,670.

Action: Adopt Ordinance (2018) 3918

Motion: Kennedy
Second: Johns
Vote: 5:0

Action: Adopt Ordinance (2018) 3919

Motion: Kennedy
Second: Behringer
Vote: 5:0

Ordinance Amending FY2017/2018 Operating Budget (Multi-Year Funding)

Presenter: Pam Wortham, Finance Director

Ms. Wortham explained this amendment allowed Finance to move funds for multi-year operating items into a fund established for that purpose. The unexpended funds for vehicle purchases (\$20,625) for FY 2018, the Parks and Rec Comprehensive Plan (\$37,000), and the Unified Development Ordinance (\$50,000) will be transferred to a multi-year capital reserve fund for expenditure in future years.

Action: Adopt Ordinance (2018) 3920

Motion: Kennedy
Second: Johns
Vote: 5:0

MANAGER REPORTS

- Recreation Center update – Current project completion date is October 5, 2018
- Council Recreation Center Tour – Wednesday, July 18th at 10:00 a.m.
- Edward Jones – Open House-June 28th 5:00-7:00 p.m.
- Town of Garner Fireworks – July 3rd

COUNCIL REPORTS

Kennedy

- Reported receiving correspondence from Green brier neighborhood concerning a resident selling large amounts of used furniture online. Staff is investigating.
- Reported that he and Council Member Behringer met with Oak City Academy about the process of opening in Capital Church.
- During the budget process and review Council saw that the Town started out the year budgeting \$587,000 of fund balance and the Town appropriated \$1,587,000. Council Member Kennedy requested a list of where that money went.
- Requested staff be mindful of singling out Police Department as he does not want to develop two different groups of employees.

Singleton

- Reported article in the News & Observer concerning cost of housing in the area.

- Requested staff look at future November retreat date. He is concerned as new members are elected in November and the timing might not work.

Behringer

- Questioned staff on the status of the lot beside GPAC. Mr. Chalk reported that it is part of the recreation project.
- Questioned the Habitat for Humanity home application the Town received over a year ago.
- The Capital Church is the site for the Global Leadership Conference this year.

Marshburn

- Expressed concern with noise at the project on Vandora West. Staff reported the complaint has been addressed with the project superintendent.

ADJOURNMENT: 9:00 p.m.

Motion: Singleton
Second: Behringer
Vote: 5:0

DRAFT

**Town of Garner
Town Council Meeting Minutes
July 2, 2018**

The Council met in regular session at 7:00 p.m. in the Garner Town Hall located at 900 7th Avenue.

CALL MEETING TO ORDER/ROLL CALL: Mayor Ronnie Williams

PLEDGE OF ALLEGIANCE: Mayor Ronnie Williams

Present: Mayor Ronnie Williams, Mayor ProTem Ken Marshburn, Council Member Kathy Behringer, Council Member Jackie Johns, Council Member Buck Kennedy, and Council Member Gra Singleton.

Staff Present: Rodney Dickerson-Town Manager, John Hodges-Asst. Town Manager, Joe Stallings - Economic Development Director, Jeff Triezenberg-Planning Director, Het Patel-Senior Planner, David Bamford-Planning Services Manager, Pam Wortham-Finance Director, Rick Mercier-Communications Manager, Tony Beasley-Inspections, Mike Franks-Budget & Special Projects Manager, William E. Anderson-Attorney, Stella Gibson-Town Clerk

INVOCATION: Mayor Ronnie Williams invited Reverend Elmo Vance to deliver the invocation.

PETITIONS AND COMMENTS

Dennis Hazel and Elaine Jenkins expressed concern regarding a resident on Jessup Drive in the Greenbrier Estates Subdivision operating an illegal business out of his home. They indicated there are numerous trailers parked on the property which are being used to store furniture items for sale. Mr. Dickerson advised staff has issued a notice of violation to remove the trailers being used as part of the commercial enterprise and to cease all business activity on the site. Staff spoke with the property owner who disagreed with the violation and intended to appeal to the Board of Adjustment. If the complainant files his appeal, the Council will hear the matter at a future meeting.

ADOPTION OF AGENDA

Motion: Kennedy
Second: Johns
Vote: 5:0

PRESENTATIONS

CONSENT

Governmental Relations Services Agreement FY2018/2019

Presenter: Rodney Dickerson, Town Manager

Mr. Sam Bridges has been retained to represent the Town and its interests at the General Assembly, CAMPO, and other governmental agencies.

Action: Authorize Execution of Agreement

Motion: Singleton
Second: Kennedy
Vote: 5:0

PUBLIC HEARINGS

Special Use Permit SUP SP 18-01, Project Axis

Presenter: Jeff Triezenberg, Planning Director

Mr. Anderson explained the procedures to be followed during the hearing. The Town Clerk administered the Affirmation of Oath to the following: Het Patel, Jeff Triezenberg, Ralph Carson, Brett Hanna, Scott Martin, Travis Braswell, Tucker McKenzie, Kaitlyn Rhonehouse, Larry Murphy, Elmo Vance, Bruce Andrews, and Savanna Lapinskes.

Mr. Anderson then asked the Council to disclose any exparte communications regarding this project.

Hearing none, Mr. Anderson opened the public hearing and asked Mr. Triezenberg to provide the staff report. Those present representing the project addressed comments, questions, and concerns to include hours of operation, traffic impacts and flows, storm water, and the impact to underground well water and the timeline of the project. If approved, this project will begin clearing and demolition of the existing building as soon as possible, with an estimated completion date of September 2019.

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

Action: Approve SUP-SP-18-01

Motion: Singleton
Second: Buck
Vote: 5:0

Conditional Use Rezoning CUD-Z-18-02 (C201) & Special Use Permit SUP-SP-18-03, Sommerville Park

Presenter: Het Patel, Senior Planner and Alison Jones, Planner II

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

Mr. Patel explained this request is for conditional use rezoning from Office and Institutional (O&I) to Service Business with conditions (SB C201). The proposed use for the site is light industrial flex space business center. A companion conditional use site plan for three buildings with a total square footage of 28,800 sq. ft. accompanies this rezoning request. The site is located at the intersection of Old Stage Road and Sommerville Park Road.

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

Action: Adopt Ordinance (2018) 3921

Motion: Kennedy
Second: Singleton
Vote: 5:0

- Action: Approve SUP-SP-18-03 with four site specific conditions:
- a. Prior to issuance of a building permit, a petition for annexation shall be submitted to the Planning Department.
 - b. the developer will be the responsible party for any improvements as required by NCDOT.
 - c. Prior to issuance of a building permit, construction drawing approval for public water main extension shall be required.
 - d. Prior to issuance of a building permit, approval from the State of North Carolina shall be required for the private pump station.

Motion: Marshburn
Second: Behringer
Vote: 5:0

NEW/OLD BUSINESS

General use Rezoning Z-18-02, 5200 Old Stage Road

Presenter: Het Patel, Senior Planner

Mr. Patel explained this request is to change zoning for 1.0 +/- acres from Residential 20 (R-20) to Residential 40 (R-40) General Use. The site is located at 5200 Old Stage Road. The Planning Commission recommended approval of this request at their June 11, 2018 meeting.

Action: Adopt Ordinance (2018) 3922

Motion: Singleton
Second: Kennedy
Vote: 5:0

Hazmat Agreement with City of Raleigh

Presenter: Mike Franks, Budget and Special Projects Manager

Mr. Franks explained the Town of Garner and the City of Raleigh are establishing a service level agreement regarding the delivery of hazardous materials response team services. Previously, Wake County facilitated this agreement between the City of Raleigh and local municipalities. Moving forward, the City of Raleigh is establishing agreements directly with municipalities.

Action: Authorize Execution of Agreement

Motion: Behringer
Second: Marshburn
Vote: 5:0

COMMITTEE REPORTS

MANAGER REPORTS

- garner info
- Contact has been made with the residents and contractor at Vandora west and made them aware of concerns, noise levels, etc.
- Advisory Board Appreciation Dinner scheduled for July 19 at 6:30 p.m.
- Reminder of July 3rd activities.

ATTORNEY REPORTS

COUNCIL REPORTS

Mr. Kennedy

- Council Member Kennedy requested a follow-up of the benefits survey presentation. He would like to see a professional development scale or ladder extended to all departments similar to the one used by the Police Department. In addition, he felt it would be beneficial to determine the tax base of some of the communities used in the survey for comparisons (this would give a measure of wealth per population and another reference to do comparisons to the numbers presented on the spreadsheet). He also asked that the amount spent on benefits be compared apples to apples and asked that the numbers be double-checked.
- Invited Council to submit the names of individuals they felt would be interested in serving on an adhoc appearance committee to John Hodges.
- Currently the commercial trash dumpster at the YMCA is being serviced between 6:00 a.m. – 6:30 a.m. and is affecting the residents in the area. He asked if staff could contact the YMCA to see if the pick-up time could be altered.

Behringer

- Reported tall grass at 310 & 402 West Garner Road.
- Asked for a greater understanding of the benefits, specifically the disparity for salaries paid and other municipalities of similar size.
- Advised the Global Leadership Summit will be held in August at the Capital Church.

Marshburn

- Complimented staff on appearance of Lake Benson Park.

Council Members Singleton and Johns had nothing to report.

ADJOURNMENT: 9:34 p.m.

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: August 6, 2018		
Subject: Resolution Declaring Unpaid Nuisance Abatements as Liens		
Location on Agenda: Consent		
Department: Finance		
Contact: Pam Wortham, Finance Director		
Presenter: Pam Wortham, Finance Director		
Brief Summary: Resolution declaring certain delinquent nuisance abatements as a lien on property. This resolution authorizes Wake County to add these abatement costs to Wake County property tax bills.		
Recommended Motion and/or Requested Action: Adopt Resolution (2018) 2356		
Detailed Notes:		
Funding Source: N/A		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations: N/A		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	PW	
Finance Director:	PW	
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

Return to:
Stella Gibson
Town of Garner
900 7th Avenue
Garner, NC 27529

RESOLUTION NO. (2018) 2356

A RESOLUTION ASSESSING THE COST OF ABATEMENT AGAINST THE PROPERTY ON WHICH THE NUISANCE EXISTED

WHEREAS, the Town Council of the Town of Garner, pursuant to Chapter 160A of the North Carolina General Statutes and Chapter 6, Section 23 of the Town Code of the Town of Garner Ordinances has the authority to prevent, abate and declare unlawful nuisances and to make the cost of said abatement a lien against the premises where the nuisances existed, said liens to be collected in the nature of property taxes; and,

WHEREAS, the Town of Garner has abated nuisances on the below referenced properties in accordance with the Town Code referred to and has been unable to recover the abatement costs from the stated property owners; and,

WHEREAS, pursuant to North Carolina General Statutes 160A-193 the costs of the abatement involved with the abatement as well as the expenses of the action are a lien on the premises in the nature of a tax, which pursuant to North Carolina General Statutes 105-365.1 can be collected by a tax collector using the remedies provided by law;

NOW, THEREFORE BE IT RESOLVED THAT THE TOWN COUNCIL OF THE TOWN OF GARNER hereby confirms the cost of the abatement of the nuisances set out herein, pursuant to the General Statutes above referenced, confirms the same as liens against the premises, and requests the Wake County Tax Collector to collect the same in the nature of unpaid taxes:

<u>LOCATION</u>	<u>PROPERTY OWNER(S)</u>	<u>REAL ESTATE ID</u>	<u>COST</u>
227 Dullis CR	Louella Turner	243092	\$ 150.69
320 W. Garner RD	Willie Woods Heirs	79561	656.12
2035 Ford Gates DR	M. Saeed Phipps Sonia Phipps	157778	259.26
111 Johnson ST	Patsy Lowe	42846	230.32
113 Johnson ST	Patsy Lowe	42847	230.32
1502 Meadowbrook DR	David Penny	51547	230.32
1317 Sycamore	Perry Jenkins	35430	165.16
703 Vandora AVE	Richard Davis Anne Davis	19481	338.89
903 Wade AVE	Judy Logan	67687	650.18
212 Weston RD	Broad Street Funding Trust PREV. OWN. Thomas Wells	75556	165.16

This resolution shall become effective upon adoption, recorded at the Wake County Registry and a copy thereof forwarded to the Tax Collector for Wake County.

Duly adopted this the 6th day of August, 2018.

(Town Seal)

Ronnie S. Williams, Mayor

ATTEST:

Stella L. Gibson, Town Clerk

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: August 6, 2018			
Subject: Conflict of Interest Policy			
Location on Agenda: Consent			
Department: Legislative			
Contact: William E. Anderson, Town Attorney			
Presenter: Thad Anderson, Interim Town Attorney			
Brief Summary: Conflict of interest policies are often used in the corporate world. They particularly relate to contracting, purchasing, and self-dealing. The Town of Garner will be required to have one to enter into a local funding agreement with NCDOT.			
Recommended Motion and/or Requested Action: Approve Conflict of Interest Policy			
Detailed Notes: 			
Funding Source: 			
Cost:	One Time:	Annual:	No Cost: X
Manager's Comments and Recommendations: N/A			
Attachments Yes: No: <input checked="" type="radio"/>			
Agenda Form Reviewed by:	Initials:	Comments:	
Department Head:	WEA		
Finance Director:			
Town Attorney:			
Town Manager:	RD		
Town Clerk:			

TOWN OF GARNER

Conflict of Interest Statement

I. Conflict Resulting in Financial Gain

A. **Definitions.** For purposes of this section, the following definitions shall apply:

1. **Business Entity** means any business, proprietorship, firm, partnership, persons in representative or fiduciary capacity, association, venture, trust or corporation which is organized for financial gain or for profit.
2. **Town Official** means the Town Manager, Assistant Town Manager, Town Council, Town Attorney and Department Heads.
3. **Immediate Household** means the Town Official, his/her spouse, and all dependent children of the Town Official.
4. **Interest** means direct or indirect pecuniary or material benefit accruing to a Town Official as a result of a contract or transaction that is or may be subject of an official act or action by or with the Town. For purposes of this article, a Town Official shall be deemed to have an interest in the: (1) affairs of any person in his/her immediate household as such term is defined in this section, (2) any business entity in which the Town Official is an officer or director, (3) any business entity in which an excess of five percent (5%) of the stock of or legal beneficial ownership of is controlled or owned directly or indirectly by the Town Official, (4) any non-profit organization on which the Town Manager or any member of the Town Council currently serves as an officer, director, or board member.
5. **Official act or action** means any legislative, administrative, appointive, or discretionary act of any Town Official.

B. Standards of Conduct

1. **Scope.** All Town Officials as defined in this article shall be subject to and abide by the following standards of conduct.
2. **Interest in Contract or Agreement.** No Town Official herein defined shall have or thereafter acquire an interest in any contract or agreement with the Town. This section does not prevent employment contracts between the Town Official and the Town.
3. **Use of Official Position.** No Town Official shall use his or her official position or the Town's facilities for his or her private gain. In addition, Town Officials shall not misuse their status in such a way as to require, expect, or accept favors from subordinate employees.
4. **Disclosure of Information.** No Town Official shall use or disclose confidential information gained in the course of or by reason of his official position for purposes of advancing (1) his or her financial or personal interest, (2) a business entity in which he or she is an owner in part or in whole, an officer or director, (3) the financial or personal interest of a member of his or her immediate household or that of any other person.

5. **Incompatible Service.** No Town Official shall engage in or accept private employment or render service to private or public interest when such employment or service is incompatible with the proper discharge of official duties or would tend to impair independence of judgment or action in the performance of official duties unless otherwise permitted by law and unless disclosure is made as provided in this article. Before accepting private employment, the Town Official should consider whether such employment should not represent himself or herself as an employee or agent of the Town of Garner.
6. **Gifts.** No Town Official shall directly or indirectly solicit any gift or accept or receive any gift having a value of Fifty Dollars (\$50.00) or more whether in the form of money, services loaned, travel, entertainment, hospitality, thing or promise or any other form under circumstances in which it could reasonably be inferred that the gift was intended to influence him or her or could reasonably be expected to influence him or her in the performance of official duties or is intended as a reward for any official action on his or her part. Legitimate political contributions shall not be considered as gifts under the provisions of this paragraph.
7. **Special Treatment.** No Town Official shall grant any special consideration, treatment or advantage to any citizen or public or private entity beyond that which is available to every other citizen or entity.

C. Disclosure of Interest in Legislative Action

The Town Manager or any member of the Town Council who has an interest in the official act or action before the Board shall publicly disclose on the record of the Board the nature and extent of such interest and shall withdraw from any consideration of the matter if excused by the Town Council pursuant to the adopted Rules & Procedures of the Town Council.

D. General Disclosure – Town Clerk to Prescribe Form and Fees

1. All Town Officials as herein defined shall file with the Town Clerk on the 1st day of July, a statement containing the following information:
 - (1) The identity by name and address of any business entity of which he or she, or any members of his or her immediate household, is an owner, officer or director and percentage of interest or ownership, if applicable. Additionally, the Town Official and spouse shall give the name of their employer, or if self-employed, state the nature of their work.
 - (2) The identity by location and address of all real property located in Garner owned by the Town Official or any member of his or her immediate household, including an option to purchase or lease for ten years or more other than personal residence.
 - (3) The identity by name and address of any non-profit organization which was the subject of some official act or action of the Town within the past year and on which the Town Official or spouse serves as an officer, director or board member. In addition, the Town Official should provide names of other board members of any entity on which the Town Official serves.

2. The statements required by this section shall be filed on a form prescribed by the Town Clerk and are public records available for inspection and copying by any person during normal business hours. The Town Clerk shall charge the Town's prescribed fee for the copying of statements. Town Officials are responsible for updating this disclosure statement any time there is any change in the Town Official's ownership or status as defined by this section.

E. Investigations Instigated by the Town Council, Town Manager or Any Other Person

1. The Town Council may direct the Town Attorney to investigate any apparent violation of this article as it applies to any member of the Town Council, or Town Manager, and to report the findings of the investigation to the Town Council.
2. The Town Manager may direct the Town Attorney to investigate any apparent violation of this article as it applies to Assistant Town Manager or Department Heads and to report the findings of the investigation to the Town Manager.
3. The Town Council may direct the Town Manager to investigate any apparent violation of this article by the Town Attorney and to report the findings of the investigation to the Town Council.
4. Any person who believes that a violation of this article has occurred may file a complaint in writing with the Town Council when the Town Council, Town Manager, or Town Attorney are the subjects of the complaint, or with the Town Manager when the Assistant Town Manager or Department Heads are the subjects of the complaint and may thereafter proceed as provided in paragraph 1 through 3 of this section.

F. Sanctions by Town Manager and Town Council, Rights of the Accused at Hearings

1. If the Town Manager, after receipt of an investigation, has cause to believe a violation has occurred, a hearing shall be scheduled on the matter. The hearing shall be conducted in accordance with Personnel provisions of the North Carolina General Statutes and Town personnel ordinance. The Town Official who is charged with the violation shall have the right to present evidence, cross-examine witnesses, including the complainants(s), and be represented by counsel at the hearing. If after such hearing and review of all the evidence the Town Manager finds that a violation of this article has occurred, he or she shall take whatever lawful disciplinary action he deems appropriate, including but not limited to reprimand, suspension, demotion, or termination.
2. If the Town Council, after receipt of an investigation, has cause to believe a violation has occurred, the Council shall schedule a hearing on the matter, said hearing may be held as an Executive Session. The Town Official who is charged with the violation shall have the right to present evidence, cross-examine witnesses, including the complainants(s), and be represented by counsel at the hearing. If upon the conclusion of the hearing, the majority of the vote of the Council finds a violation has occurred, the Council may adopt a resolution of censure that shall be placed as a matter of record in the minutes of an official Town Council meeting.

G. Advisory Opinions

When a Town Official has doubt as to the applicability of any provision of this article to a particular situation or to the definition of terms used in this article, he/she may apply to the Town Attorney for an advisory opinion and he or she shall issue an opinion in writing and file same with either the Town Council or Town Manager. The Town Official shall have the opportunity to present his or her interpretation of the facts at issue and of the application of provisions of this article before such advisory opinion is made. In addition, the Town Official shall publicly disclose to the Town Council or Town Manager the facts of issue in a particular situation and shall rely upon any resolution adopted by the Town Council or Town Manager regarding that particular situation.

DISCLOSURE OF INTERESTS STATEMENT

(To be filled with the Town Clerk on or before July 1st)

Name: _____

Address: _____

Employer: _____

Nature of Work: _____

Names of other adult persons in your immediate household and their employer(s). If self-employed, state nature of work.

Name	Employer	Nature of Work

List the name and address of any business entity in which you or any member of your immediate household is an owner, officer or director and state the percentage of interest or ownership, if applicable.

Entity	Address	%Interest/Ownership	Person w/Interest

State the names and addresses of any non-profit organizations in which you or your spouse is an officer, director or board member.

Organization	Address	Position	By Whom

Identify by location and address all real property located in Garner owned by you or any member of your immediate household, including any options to purchase or lease for 10 or more years.

Property	Location	Owner

(Use an additional sheet if needed for any answers to above questions.)

CERTIFICATION

The above information is an inclusive account of the business, organizational, and real estate interest by me (the employee) or any member of my immediate household. I understand that this statement must be filed in the Office of the Town Clerk, 900 7th Avenue, Garner, NC 27529, on or before July 1st of each year. I further understand that this statement constitutes a public record and is available for public inspection.

_____	_____
Date	Signature

State of North Carolina
Wake County

I, _____, a Notary Public for Wake County

and the State of North Carolina do hereby certify that _____

personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the _____ day of _____, 20_____.

Notary Public

SEAL

Printed Name of Notary Public

My commission expires:

_____, 20_____.

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: August 6, 2018			
Subject: Resolution to Acquire Interest in Real Property - New Rand Road			
Location on Agenda: Consent			
Department: Legislative			
Contact: William E. Anderson, Town Attorney			
Presenter: Thad Anderson, Interim Town Attorney			
Brief Summary: Proposed roadway improvements on New Rand Road will require some additional right-of-way, drainage easements and temporary construction easements.			
Recommended Motion and/or Requested Action: Adopt Resolution (2018) 2357			
Detailed Notes:			
Funding Source:			
Cost: ~\$47,000	One Time: <input checked="" type="radio"/>	Annual: <input type="radio"/>	No Cost: <input type="radio"/>
Manager's Comments and Recommendations: N/A			
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>			
Agenda Form Reviewed by:	Initials:	Comments:	
Department Head:	WEA		
Finance Director:			
Town Attorney:			
Town Manager:	RD		
Town Clerk:			

RESOLUTION NO. (2018) 2357

A RESOLUTION OF INTENT TO ACQUIRE RIGHTS-OF-WAY AND
EASEMENTS NEEDED FOR CONSTRUCTION OF ROADWAY IMPROVEMENTS
ON NEW RAND ROAD, BY NEGOTIATED PURCHASE IF POSSIBLE
OR BY EMINENT DOMAIN WHERE REQUIRED

WHEREAS, the Town Council of the Town of Garner is undertaking the construction of certain roadway improvements on New Rand Road, and it is necessary and in the public interest to acquire the rights-of-way, permanent drainage easements, and temporary construction easements described below, by negotiated purchase at the following prices if possible, or by eminent domain if necessary:

WHEREAS, if the Town has not acquired all necessary rights-of-way and easements by the date determined necessary by the Project Engineer and Town Attorney, the Town will acquire the remaining easements from the list set forth below by eminent domain as appropriate, and the Town Attorney is authorized and directed to initiate such proceedings to acquire the following real property interest for the following purposes and compensation:

1. Property Address: 211 New Rand Road, Garner, NC 27529

To acquire a permanent drainage easement consisting of 95.6 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711803255

Owner(s): Barney B. & Nancy T. Linthicum

Permanent Drainage Easement: (95.6 sq. ft.) \$ 74.82

2. Property Address: 212 New Rand Road, Garner, NC 27529

To acquire a temporary construction easement consisting of 234.7 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711709360

Owner(s): Alice S. Holder

Temporary Construction Easement: (234.7 sq. ft.) \$ 92.37

3. Property Address: 0 NewRand Road, Garner, NC 27529

To acquire a temporary construction easement consisting of 635.2 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711709375

Owner(s): Lillie I. Sanders

Temporary Construction Easement: (635.2 sq. ft.) \$ 257.33

4. Property Address: 209 New Rand Road, Garner, NC 27529

To acquire a permanent drainage easement consisting of 888 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711803341

Owner(s): Barney B. & Nancy T. Linthicum

Permanent Drainage Easement: (888 sq. ft.) \$1,318.69

5. Property Address: 0 New Rand Road, Garner, NC 27529

To acquire a temporary construction easement consisting of 815 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711709490

Owner(s): Lillie I. Sanders

Temporary Construction Easement: (815 sq. ft.) \$ 303.40

6. Property Address: 207 New Rand Road, Garner, NC 27529

To acquire right-of-way consisting of 533 square feet, a permanent drainage easement consisting of 849.6 square feet, a temporary construction easement consisting of 292.9 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711804420

Owner(s): Barney B. & Nancy T. Linthicum

Right-of-way:	(533 sq. ft.)	\$1,583.04
Permanent Drainage Easement:	(849.6 sq. ft.)	\$1,261.68
Temporary Construction Easement:	(292.9 sq. ft.)	\$ 173.99
	Total:	\$3,018.71

7. Property Address: 200 New Rand Road, Garner, NC 27529

To acquire a temporary construction easement consisting of 2,084.5 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711800592

Owner(s): Wake County Board of Alcoholic Control

Temporary Construction Easement: (2,084.5 sq. ft.) Donation requested.

8. Property Address: 205 New Rand Road, Garner, NC 27529

To acquire right-of-way consisting of 609.1 square feet, and a temporary construction easement consisting 460.2 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711803476

Owner(s): Barney B. Linthicum, Jr.

Right-of-way:	(609.1 sq. ft.)	\$ 1,271.18
Temporary Construction Easement:	(460.2sq. ft.)	\$ 192.09
	Total:	\$ 1,463.27

9. Property Address: 203 New Rand Road, Garner, NC 27529

To acquire right-of-way consisting of 1,336.6 square feet, a permanent drainage easement consisting of 720.8 square feet, a temporary construction easement consisting of 752.8 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711803521

Owner(s): Barney B. & Nancy T. Linthicum

Right-of-way	(1,136.6 sq. ft.)	\$ 2,525.10
Permanent Drainage Easement:	(720.8 sq. ft.)	\$ 800.68
Temporary Construction Easement:	(752.8 sq. ft.)	<u>\$ 334.49</u>
Total:		\$ 3,660.27

10. Property Address: 123 New Rand Road, Garner, NC 27529

To acquire right-of-way consisting of 808.9 square feet, and a temporary construction easement consisting 1,225.5 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711804749

Owner(s): Clifton L. Collins & Carolyn C. Winters

Right-of-way:	(808.9 sq. ft.)	\$ 3,203.20
Temporary Construction Easement:	(1,225.5 sq. ft.)	<u>\$ 970.58</u>
Total:		\$ 4,173.78

11. Property Address: 124 New Rand Road, Garner, NC 27529

To acquire right-of-way consisting of 396.4 square feet, and a temporary construction easement consisting 1,387.1 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711800993

Owner(s): Elizabeth & Donald L. Spells

Right-of-way:	(396.4 sq. ft.)	\$ 390.51
Temporary Construction Easement:	(1,387.1 sq. ft.)	<u>\$ 273.30</u>
Total:		\$ 663.81

12. Property Address: 121 New Rand Road, Garner, NC 27529

To acquire right-of-way consisting of 361.7 square feet, a permanent drainage easement consisting of 446.8 square feet, a temporary construction easement consisting of 3,081.8 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711804827

Owner(s): The Capps Group Inc. and Covenant Real Estate, LLC

Right-of-way	(361.7 sq. ft.)	\$ 1,432.33
Permanent Drainage Easement:	(446.8 sq. ft.)	\$ 884.66
Temporary Construction Easement:	(3,081.8 sq. ft.)	<u>\$ 2,440.79</u>
	Total:	\$ 4,757.79

13. Property Address: 120 New Rand Road, Garner, NC 27529

To acquire right-of-way consisting of 228.8 square feet, and a temporary construction easement consisting 600.5 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711802933

Owner(s): Willie L. Ruffin

Right-of-way:	(228.8 sq. ft.)	\$ 1,116.16
Temporary Construction Easement:	(600.5 sq. ft.)	<u>\$ 585.89</u>
	Total:	\$ 1,702.05

14. Property Address: 118 New Rand Road, Garner, NC 27529

To acquire right-of-way consisting of 228.8 square feet, and a temporary construction easement consisting 600.5 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711801974

Owner(s): Debulon E. Bell

Right-of-way:	(58.1 sq. ft.)	\$ 283.43
Temporary Construction Easement:	(206.9 sq. ft.)	<u>\$ 201.87</u>
	Total:	\$ 485.30

15. Property Address: 122 New Rand Road, Garner, NC 27529

To acquire right-of-way consisting of 550.6 square feet, a permanent drainage easement consisting of 812.7 square feet, a temporary construction easement consisting of 420.7 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711812020

Owner(s): Debulon E. Bell

Right-of-way:	(550.6 sq. ft.)	\$ 1,161.52
Permanent Drainage Easement	(812.7 sq. ft.)	\$ 857.21
Temporary Construction Easement:	(420.7 sq. ft.)	\$ 177.50
	Total:	\$ 2,196.23

16. Property Address: 119 New Rand Road, Garner, NC 27529

To acquire right-of-way consisting of 282.2 square feet, a permanent drainage easement consisting of 1,547 square feet, a temporary construction easement consisting of 1,067 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711804948

Owner(s): H & L Properties, Inc.

Right-of-way:	(282.2 sq. ft.)	\$ 841.93
Permanent Drainage Easement	(1,547 sq. ft.)	\$ 2,307.71
Temporary Construction Easement:	(1,067 sq. ft.)	\$ 636.67
	Total:	\$ 3,786.31

17. Property Address: 116 New Rand Road, Garner, NC 27529

To acquire right-of-way consisting of 241.1 square feet, and a temporary construction easement consisting 330.4 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711812100

Owner(s): Lula Leach Heirs

Right-of-way:	(241.1 sq. ft.)	\$ 818.20
Temporary Construction Easement:	(330.4 sq. ft.)	\$ 224.25
	Total:	\$ 1,042.45

18. Property Address: 117 New Rand Road, Garner, NC 27529

To acquire right-of-way consisting of 162 square feet, and a temporary construction easement consisting 556.2 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711814045

Owner(s): L.T.B. Rental Properties LLC

Right-of-way:	(162 sq. ft.)	\$ 568.62
Temporary Construction Easement:	(556.2 sq. ft.)	\$ <u>390.45</u>
Total:		\$ 959.07

19. Property Address: 115 New Rand Road, Garner, NC 27529

To acquire a temporary construction easement consisting of 380.5 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711814140

Owner(s): Thomas Leach, Jr. Heirs

Temporary Construction Easement:	(380.5 sq. ft.)	\$ 267.12
----------------------------------	-----------------	-----------

20. Property Address: 114 New Rand Road, Garner, NC 27529

To acquire right-of-way consisting of 119.5 square feet, and a temporary construction easement consisting 357.6 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711812125

Owner(s): James M. Bryant

Right-of-way:	(119.5 sq. ft.)	\$ 405.54
Temporary Construction Easement:	(357.6 sq. ft.)	\$ <u>242.71</u>
Total:		\$ 648.25

21. Property Address: 0 New Rand Road, Garner, NC 27529

To acquire a temporary construction easement consisting of 152.2 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711814143

Owner(s): Larry T. & Kimberly C. Bennett

Temporary Construction Easement:	(152.2 sq. ft.)	\$ 106.83
----------------------------------	-----------------	-----------

22. Property Address: 112 New Rand Road, Garner, NC 27529

To acquire right-of-way consisting of 22.3 square feet, and a temporary construction easement consisting 1,836.3 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711812261

Owner(s): S. D. Adams

Right-of-way:	(22.3 sq. ft.)	\$ 66.95
---------------	----------------	----------

Temporary Construction Easement:	(1,836.3 sq. ft.)	\$ <u>1,102.53</u>
----------------------------------	-------------------	--------------------

Total:		\$ 1,169.48
--------	--	-------------

23. Property Address: 0 New Rand Road, Garner, NC 27529

To acquire a temporary construction easement consisting of 842.0 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711814156

Owner(s): Larry T. & Kimberly C. Bennett

Temporary Construction Easement:	(842.0 sq. ft.)	\$ 591.10
----------------------------------	-----------------	-----------

24. Property Address: 100 Rand Park Drive, Garner, NC 27529

To acquire a permanent drainage easement consisting of 596.60 square feet, a temporary construction easement consisting 1,765.5 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711816088

Owner(s): L.T.B. Rental Properties LLC

Permanent Drainage Easement:	(596.60 sq. ft.)	\$ 898.90
Temporary Construction Easement:	(1,765.5 sq. ft.)	<u>\$ 1,059.30</u>
Total:		\$ 1,954.20

25. Property Address: 110 New Rand Road, Garner, NC 27529

To acquire a temporary construction easement consisting of 1548.0 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711813300

Owner(s): Green Path Road Associates, LLC

Temporary Construction Easement:	(1548.0 sq. ft.)	\$ 805.51
----------------------------------	------------------	-----------

26. Property Address: 225 US 70 Hwy East, Garner, NC 27529

To acquire a temporary construction easement consisting of 437.3 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711819283

Owner(s): State of North Carolina

Temporary Construction Easement:	(437.3 sq. ft.)	Donation requested.
----------------------------------	-----------------	---------------------

27. Property Address: 0 New Rand Road, Garner, NC 27529

To acquire a temporary construction easement consisting of 217.1 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711814353

Owner(s): Helen P. Yeargan Heirs

Temporary Construction Easement:	(217.1 sq. ft.)	\$ 3.05
----------------------------------	-----------------	---------

28. Property Address: 106 New Rand Road, Garner, NC 27529

To acquire a temporary construction easement consisting of 1,156.3 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711813416

Owner(s): John R. Sanders

Temporary Construction Easement: (1,156.3 sq. ft.) \$ 915.77

29. Property Address: 103 New Rand Road, Garner, NC 27529

To acquire a temporary construction easement consisting of 1,257.9 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711816553

Owner(s): Garner Ice House LLC

Temporary Construction Easement: (1,257.9 sq. ft.) \$ 883.04

30. Property Address: 104 New Rand Road, Garner, NC 27529

To acquire a temporary construction easement consisting of 1,569.9 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711813653

Owner(s): Walter J. & Cheryl M. Edge

Temporary Construction Easement: (1569.9 sq. ft.) \$1,243.38

31. Property Address: 514 E. Main Street, Garner, NC 27529

To acquire a temporary construction easement consisting of 606.4 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711813766

Owner(s): Bible Holiness Church of Garner, Inc.

Temporary Construction Easement: (606.4 sq. ft.) \$ 611.24

32. Property Address: 305 E. Garner Road, Garner, NC 27529

To acquire a temporary construction easement consisting of 1,523.6 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711822548

Owner(s): Chadwick Apartments Inc.

Temporary Construction Easement: (1523.6 sq. ft.) \$ 573.62

33. Property Address: 315 E. Garner Road, Garner, NC 27529

To acquire right-of-way consisting of 3,827.6 square feet, and a temporary construction easement consisting 1,766.2 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711824370

Owner(s): Hayes Chapel Christian Church

Right-of-way: (3,827.6 sq. ft.) \$ 3,045.21

Temporary Construction Easement: (1,766.2 sq. ft.) \$ 281.04

Total: \$ 3,326.25

34. Property Address: 401 E. Garner Road, Garner, NC 27529

To acquire a temporary construction easement consisting of 566.4 square feet as shown on survey map by Kimley-Horn and Associates, Inc., dated 6/1/2018 on file at the Garner Town Hall;

PIN #: 1711826180

Owner(s): William B. Miles & Alice S. Houston

Temporary Construction Easement: (566.4 sq. ft.) \$ 84.84

THIS RESOLUTION. adopted this 6th day of August, 2018.

ATTEST: _____
Stella L. Gibson, Town Clerk

Ronnie S. Williams, Mayor

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: August 6, 2018		
Subject: Town of Garner v Christopher McGinnis		
Location on Agenda: Consent		
Department: Legislative		
Contact: William E. Anderson, Town Attorney		
Presenter: Thad Anderson, Interim Town Attorney		
Brief Summary: Suit has been filed to enforce the UDO with reference to retail sales and inventory storage at 4408 Jessup Drive, Garner, NC.		
Recommended Motion and/or Requested Action: Ratify Filing of Lawsuit		
Detailed Notes:		
Funding Source:		
Cost: Court Costs	One Time: <input checked="" type="radio"/>	Annual: <input type="radio"/> No Cost: <input type="radio"/>
Manager's Comments and Recommendations: N/A		
Attachments Yes: <input type="radio"/> No: <input checked="" type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	WEA	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: August 6, 2018		
Subject: Purchase of Property at 1316 Buffalo Road		
Location on Agenda: Consent		
Department: Town Manager's Office		
Contact: John Hodges, Assistant Town Manager - Development Services		
Presenter: John Hodges, Assistant Town Manager - Development Services		
<p>Brief Summary:</p> <p>The owners of the property at 1316 Buffalo Road have agreed to sell a one-acre portion of their lot to be used for a possible greenway connection. The purchase price is \$50,000.</p>		
<p>Recommended Motion and/or Requested Action:</p> <p>Authorize purchase and action by Town Manager and Attorney to complete closing.</p>		
<p>Detailed Notes:</p>		
<p>Funding Source:</p> <p>Parks and Recreational Bond Funds - Greenway Project</p>		
Cost: \$50,000	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
<p>Manager's Comments and Recommendations:</p> <p>Property acquisition could fit into long-range greenway plan to connect residents to parks and connectivity to a more extensive system.</p>		
<p>Attachments Yes: No: <input checked="" type="radio"/></p>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JMH	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: August 6, 2018		
Subject: CUP-SB-16-08, Jameson		
Location on Agenda: Public Hearings		
Department: Planning		
Contact: Jeff Triezenberg, Planning Director		
Presenter: Jeff Triezenberg, Planning Director		
Brief Summary: This conditional use major subdivision (CUP-SB-16-08) has been submitted for the development of a 38-lot single-family detached home subdivision (approximately 2.8 dwelling units/acre) with public water & sewer. This 13.4-acre site is currently zoned Single-Family Residential 9 Conditional Use (R-9 C-153) on Maxwell Drive, which allows for single-family detached household living as a use by right subject to specific use standards and the issuance of a conditional use permit.		
Recommended Motion and/or Requested Action: See Section VI of the attached Staff Report for Motion Worksheet		
Detailed Notes: See attached Staff Report		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations: N/A		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JT	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

Planning Department Staff Report

TO: Honorable Mayor Williams and Members of the Town Council

FROM: Jeff Triezenberg, AICP, GISP; Planning Director

SUBJECT: *CUP-SB-16-08 – Jameson*

DATE: August 6, 2018

I. PROJECT AT A GLANCE

Project Number(s): CUP-SB-16-08

Applicant: caaEngineers, Inc. on behalf of Homestead Developers, LLC

Owner(s): Homestead Developers, LLC

General Description -

Project Area & Location: 13.4 +/- acres on the south side of Maxwell Drive, east of Smith Elementary School and north of Homemont subdivision.

Wake Count PIN(s): 1701-34-7069

Current Zoning: Single-Family Residential 9 Conditional Use (R-9 C-153)

Requested Zoning: n/a

Proposed Use: Single-Family Detached

Key Meeting Dates -

Planning Commission: July 9, 2018

Public Hearing: August 6, 2018

II. BACKGROUND / REQUEST SUMMARY

This conditional use major subdivision (CUP-SB-16-08) has been submitted for the development of a 38-lot single-family detached home subdivision (approximately 2.8 dwelling units/acre) with public water & sewer.

This 13.4-acre site is currently zoned Single-Family Residential 9 Conditional Use (R-9 C-153) on Maxwell Drive, which allows for single-family detached household living as a use by right subject to specific use standards and the issuance of a conditional use permit. The Commission is being asked to confirm the staff's findings that the site plan as submitted and further revised is now consistent with the requirements of the Town's Unified Development Ordinance (UDO).



III. SUBDIVISION PLAN PROJECT DATA

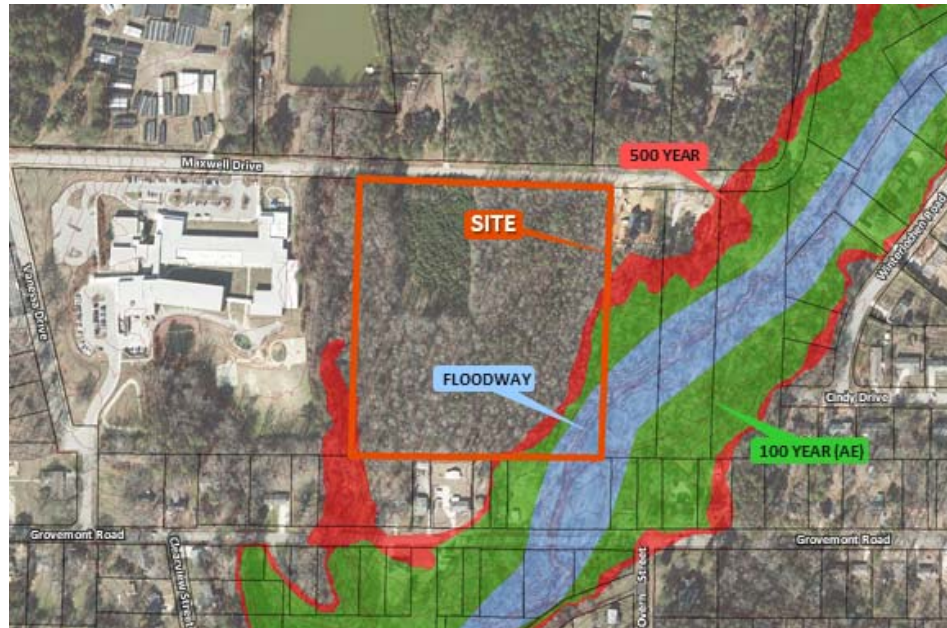
Acreeage:	13.4 +/- acres
Number of Lots:	Permitted: 64 Proposed: 38
Minimum Lot Size:	9,000 square feet; reduction allowed to 7,200 square feet (-20%) when adjacent to a conservation or riparian buffer per Section 6.1.B.

Setbacks: The setbacks for the individual residences must meet the standards for R-9 development. Setbacks are shown in conformance on the plan. Setbacks are as follows – Front, 25 feet; Rear, 20 Feet; Corner Side, 20 feet; and Side, 6 feet with a minimum of 15 feet total.

Landscape and Buffer Requirements: The plan as proposed meets the requirements of the Landscape Ordinance.

- **Tree Cover:** Requirement of 12% is met with existing vegetation within Neuse River Buffers and floodplains.
- **Street Buffers:** No street buffer is required; however, an enhanced streetscape has been voluntarily provided along Maxwell Drive.
- **Street Trees:** Provided throughout the subdivision as required - one spaced on average every 40 linear feet.
- **Perimeter Buffers:** Under typical circumstances a 35' perimeter buffer would be required adjacent to the school. However, given the presence of a 100' total Neuse River Riparian Buffer along the entire western border of the property, the Director has permitted a deviation subject to a determination that the objectives underlying this standard can be met without strict adherence to them. No other perimeter buffers required.

Environmental Features: This site does contain a FEMA designated floodplain and associated Garner Conservation Buffer along the southeast corner. There are no planned encroachments into the floodplain. There site slopes from the north central area of the site both to the southwest and southeast.



Parks and Open Space:

Open Space –

- Required: 10% (1.34 acres)
- Proposed: 19.25% (2.58 acres)

Open space to be owned and maintained by the homeowner's association for the subdivision.

Parks – The Parks, Recreation and Cultural Resources Department has recommended a fee-in-lieu of parkland dedication for this project. The current rate for single family homes is \$1,147 per dwelling unit.

Infrastructure:

Stormwater Management - This project is subject to nitrogen and water quantity requirements. The developer is proposing a wet pond to handle detention of the 1, 10 and 25-year storm events along with reducing nitrogen and treating for 85% TSS. Payment to a private mitigation bank will also be required to bring the overall project into compliance with the Neuse Rules.

Water/Sewer – Public water and sewer mains already serve the project and will be extended to provide service for the individual parcels. Construction drawing approval from the City of Raleigh shall be required prior to final plat recordation.



Transportation/Access – Two street entrances, spaced at 400 feet apart, will be provided off Maxwell Drive so as not to create a cul-de-sac that would otherwise exceed maximum length requirements. Both entrances have been preliminarily approved by NCDOT. These entrances will not be signalized. Sidewalks have been provided as required and will connect to Smith Elementary School.

The plan shows widening of Maxwell Drive to a collector street standard, including curb, gutter and sidewalk.

- Fire Protection:** The Inspections Department, in conjunction with the Fire Department, has reviewed the plan for fire protection and given their approval.
- Parking:** On-street parallel parking is proposed for the mail kiosk. Residential parking is met with a combination of driveway and garage spaces.
- Mail Kiosk:** The applicant has preliminary approval from the Postmaster for the location of the mail kiosk.
- Lighting:** Street lighting will be provided by Duke Energy. A street lighting plan is required prior to Construction Document approval.

IV. SUBDIVISION PLAN CONFORMITY WITH ADOPTED TOWN PLANS AND POLICIES

2010 Garner Transportation Plan:

The 2018 Garner Forward Transportation plan does not have any updated recommendations for Maxwell Drive, except for the completion of sidewalks which is being provided. Otherwise, the road functions as a two-lane collector and is being widened accordingly. With the proposed improvements along Maxwell Drive for the frontage of the site, the plans may be considered consistent with the recommendations of the 2010 Garner Transportation Plan and the 2018 Garner Forward Transportation Plan.

Parks & Recreation, Open Space & Greenways Master Plan:

A review of the Parks and Recreation, Open Space and Greenways Master Plan revealed no plan recommendations in the project area; therefore, this project, as proposed with a fee-in-lieu of parkland dedication, may be considered to be in conformance with the Parks & Recreation, Open Space & Greenways Master Plan.

Unified Development Ordinance Regulations:

After sufficient review and plan revisions, staff finds that this project, as now proposed, is in conformance with the regulations of the Unified Development Ordinance.

V. RECOMMENDED MOTION

The Planning Commission reviewed this request at their July 9, 2018 meeting and on a unanimous vote, confirmed staff's findings in Section IV of this report that CUP-SB-16-08, Jameson, is in conformity with applicable adopted town plans and policies so long as the following conditions are met:

1. Prior to the issuance of any Certificate of Occupancy, the developer shall be responsible for any road improvements as required by NCDOT and agreed to by the Town of Garner;
2. Prior to first final plat recordation, documentation establishing a Homeowner's Association and Restrictive Covenants shall be submitted to the Town of Garner Planning Department;
3. Prior to Construction Drawing approval, a petition for voluntary satellite annexation shall be submitted to the Town of Garner Planning Department; and
4. Prior to the issuance of each building permit, a fee-in-lieu of parkland dedication shall be paid to the Town of Garner.

VI. COUNCIL MOTION WORKSHEET

CONDITIONAL USE PERMIT ACTION WORKSHEET

Approve: I move that the Council accept the staff statements regarding plan consistency in Section IV of this report as our own and find the application meets the 10 permit criteria in Section 3.14.D. and therefore approve CUP-SB-16-08, Jameson, as presented with the standard three (3) conditions and the four (4) identified project specific conditions.

Optional (conditions – mark, fill in and read all that applies): ...and including the following reasonable conditions necessary to address the impacts of the proposed development on:

___ adjoining property,

___ the existing natural and man-made features of the site,

___ off-site and on-site traffic flow,

___ public utilities,

___ such other public services or goals of the Comprehensive Growth Plan or the Transportation Plan that may be negatively impacted by the proposed development
(enumerate plan services/goals):

Condition #1:

Condition #2:

Condition #3, (etc.):

or

Deny: I move that the Council find the application does not meet one or more of the criteria in Section 3.14.D. for granting a special use permit,

(Check and read all that apply – include stated reason/evidence)

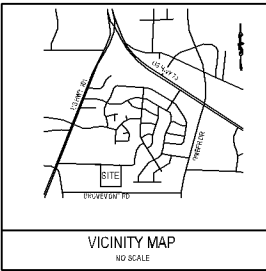
___ 1. The proposed use will endanger the public health or safety
because/as evidenced by _____;

- ___ 2. The proposed use will substantially injure the value of adjoining or abutting property;
because/as evidenced by _____;
- ___ 3. The proposed use does not comply with all applicable provisions of this UDO;
because/as evidenced by _____;
- ___ 4. If completed as proposed, the development will not comply with all requirements of this section;
because/as evidenced by _____;
- ___ 5. The proposed use will not be compatible with the proximate area in which it is to be located;
because/as evidenced by _____;
- ___ 6. The proposed use is inconsistent with the Transportation Plan, other relevant adopted plans and policies, and the stated purpose and intent of this UDO (the fact that the use is permitted under certain circumstances in the zoning district creates a rebuttable presumption that the proposed use is in harmony with the intent of the UDO as relates to the general zoning plan);
because/as evidenced by _____;
- ___ 7. The proposed use is incompatible with adjacent uses in terms of building scale, site design, buffering and screening, operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);
because/as evidenced by _____;
- ___ 8. Any significant adverse impacts resulting from the use will not be mitigated or offset, including impacts on the natural environment;
because/as evidenced by _____;
- ___ 9. The public safety, transportation and utility facilities and services will not be available to serve the subject property while maintaining sufficient levels of service for existing development;
because/as evidenced by _____;
- ___ 10. Adequate assurances of continuing maintenance have not been provided;
because/as evidenced by _____;

and therefore, deny Conditional Use Permit for Jameson – CUP-SB-16-08.

Preliminary Subdivision Plans

Jameson



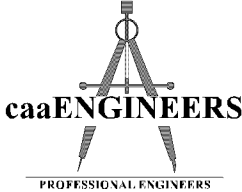
Maxwell Drive
Garner, Wake County, North Carolina

Homestead Developers, LLC

2709 Branston Drive
Apex, NC 27539
919-818-0198

NOTE:

PLANS ARE NOT FOR CONSTRUCTION. THESE PLANS ARE PRELIMINARY AND ARE SUBMITTED FOR REVIEW AND APPROVAL ONLY.



caaENGINEERS, Inc.
Professional Engineers

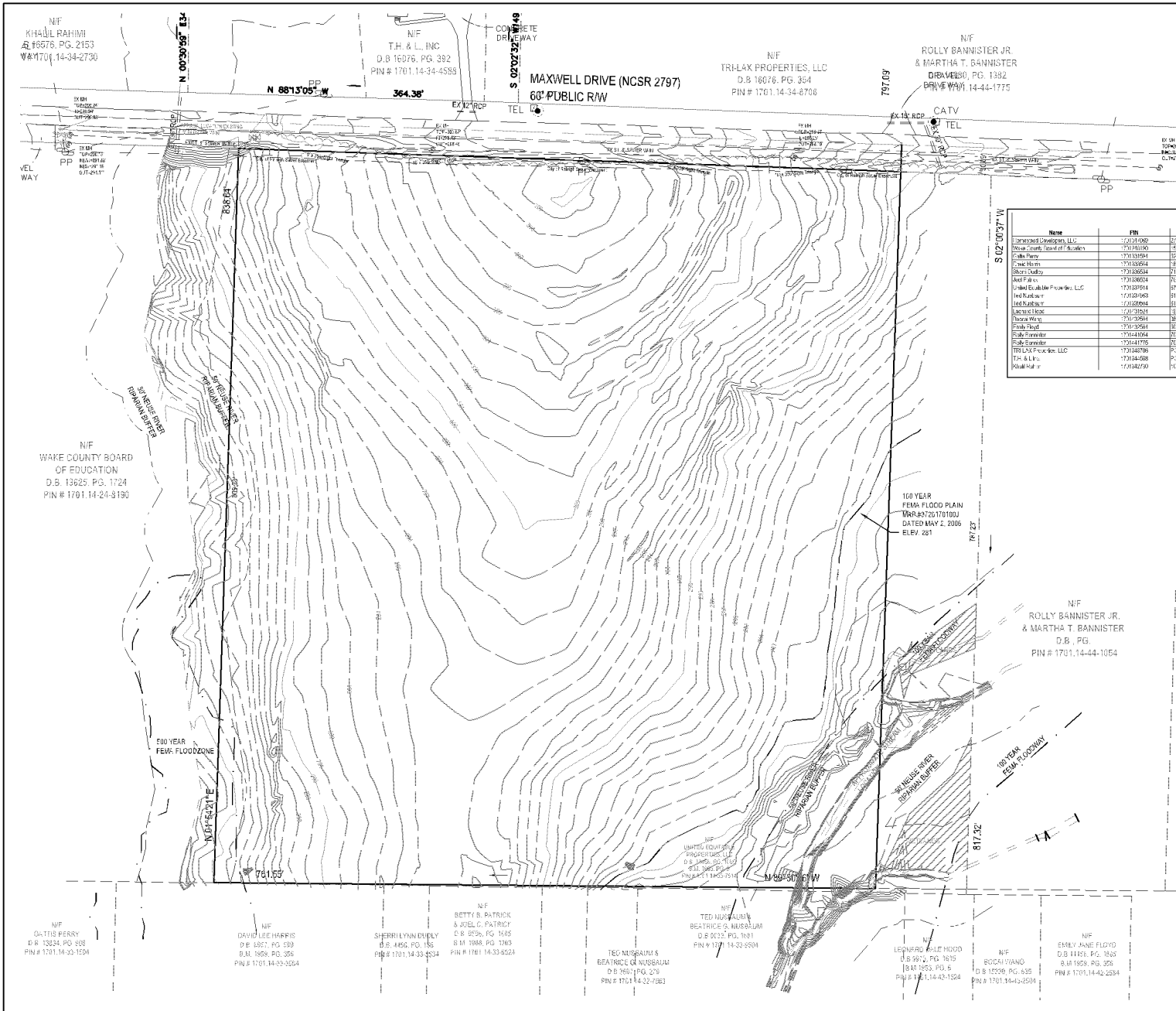
1233 Heritage Links Drive
Wake Forest, North Carolina 27587
919-625-6755
© caaENGINEERS, Inc. All Rights Reserved
C-2151

SHEET	DESCRIPTION
C0	Cover Sheet
C1	Existing Conditions
C2	Site Plan
C3	Utility Plan
C4	Grading Plan
C5	Open Space
C6	Road 1
C7	Road 2
D1	Standard Details
L100	Landscape Plan
L200	Landscape Details

Copyright 2015
00210 000000 000000, Inc. All Rights Reserved.

1. These plans are copyright of the drafter and shall be returned to the drafter with the original drawings.
2. All drawings are the property of caaENGINEERS, Inc.
3. All drawings are the property of caaENGINEERS, Inc.
4. The Engineer assumes no responsibility for use of these drawings for any purpose other than that for which they were prepared.
5. These plans were prepared by caaENGINEERS, Inc. under the supervision of a Professional Engineer.
6. The Engineer is not responsible for any errors or omissions in these drawings or for any consequences that may result from their use.

CUP-SB-16-08



NIF
KHALIL RAHIMI
D.B. 18676, PG. 2153
PIN # 1701.14-34-2736

NIF
T.H. & L. INC
D.B. 16076, PG. 392
PIN # 1701.14-34-4558

NIF
TRI-LAX PROPERTIES, LLC
D.B. 18676, PG. 354
PIN # 1701.14-34-8708

NIF
ROLLY BANNISTER JR.
& MARTHA T. BANNISTER
DRAMA200, PG. 1382
DRIVEWAY 14-44-1775

NIF
WAKE COUNTY BOARD
OF EDUCATION
D.B. 13625, PG. 1724
PIN # 1701.14-24-9190

NIF
CATHY PERRY
D.B. 13634, PG. 300
PIN # 1701.14-23-1504

NIF
DAVID LEE HARRIS
D.B. 18521, PG. 239
D.M. 1856, PG. 355
PIN # 1701.14-03-2654

NIF
BETTY B. PATRICK
& JOEL C. PATRICK
D.B. 1858, PG. 1005
D.M. 1988, PG. 1063
PIN # 1701.14-33-4234

NIF
TED MUSBAUM &
BEATRICE G. MUSBAUM
D.B. 1857, PG. 270
PIN # 1701.14-22-1383

NIF
TED MUSBAUM
& BEATRICE G. MUSBAUM
D.B. 90232, PG. 1681
PIN # 1701.14-22-9584

NIF
LEONARD EARLE HODD
D.B. 1870, PG. 1615
D.M. 1855, PG. 6
PIN # 1701.14-42-1524

NIF
SOCALY WANG
D.B. 19299, PG. 355
PIN # 1701.14-44-2524

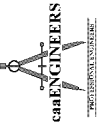
NIF
EMILY ANNE FLOYD
D.B. 11458, PG. 1835
D.M. 1858, PG. 355
PIN # 1701.14-42-2854

ADJACENT PROPERTY OWNERS

Name	FBI	Address	Deed Book	Page	Acres	GIS Area	Land Use
SEARCHED DEVELOPMENT, LLC	170120190	2726 Laurelton Way, Fern, NC 27836	01752	0381	112	R-1	Vacant
WAKE COUNTY BOARD OF EDUCATION	170126100	1501 Book Station Road, Cary, NC 27513	01756	0381	26	R-1	Yard
CLARK PERRY	170131984	1631 Shepleywood Lane, Raleigh, NC 27603	01931	0338	6.35	3-17	Vacant
CHAD HENNESSEY	170133054	1818 North Dixie Drive, Cary, NC 27513	02007	0382	8.25	3-20	Residential
SHIRLEY GIBNEY	170132654	713 Government Road, Raleigh, NC 27609	04458	0338	2.26	3-25	Residential
ANDREW J. HARRIS	170128824	714 Government Road, Raleigh, NC 27609	04026	0338	2.26	3-25	Residential
SEARCHED DEVELOPMENT, LLC	170125194	1818 Shepleywood Lane, Cary, NC 27513	01188	0386	8.25	3-20	Residential
TED MUSBAUM	170129185	1818 Government Road, Raleigh, NC 27609	03807	0325	15.24	3-23	Residential
TED MUSBAUM	170129294	1818 Government Road, Raleigh, NC 27609	03840	0381	15.24	3-25	Vacant
SEARCHED DEVELOPMENT, LLC	170129294	1818 Government Road, Raleigh, NC 27609	03840	0381	15.24	3-27	Vacant
THOMAS WANG	170129361	1891 Charles Drive, Raleigh, NC 27601	01516	0338	5.30	3-25	Residential
FRANK ZIEMER	170129261	1818 Government Road, Raleigh, NC 27609	01182	0382	8.25	3-20	Residential
FRANK ZIEMER	170124104	714 Shepleywood Lane, Cary, NC 27513	01182	0382	8.25	3-20	Vacant
FRANK ZIEMER	170124175	713 Maxwell Drive, Raleigh, NC 27603	01456	0392	6.46	3-24	Residential
TRI-LAX PROPERTIES, LLC	170130798	P.O. Box 267, Cary, NC 27513	01839	0384	6.6	3-18	Vacant
T.H. & L. INC.	170134458	P.O. Box 267, Cary, NC 27513	01839	0384	6.6	3-18	Residential
KHALIL RAHIMI	170134270	1114 Maxwell Drive, Raleigh, NC 27603	01848	02102	6.46	3-24	Residential



caaeNGINEERS, Inc.
Professional Engineer
1235 Heritage Links Drive
Wake Forest, North Carolina 27587
919-623-4735
www.caaengineers.com, Inc. all rights reserved
C-2151



DATE	DESCRIPTION	BY
1/1/2024	REVISION 1: CORRECTED	JK
1/1/2024	FINAL	JK
1/1/2024	ISSUED	JK
1/1/2024	APPVED	JK
1/1/2024	DATE	JK
1/1/2024	DATE	JK
1/1/2024	DATE	JK
1/1/2024	DATE	JK
1/1/2024	DATE	JK
1/1/2024	DATE	JK
1/1/2024	DATE	JK

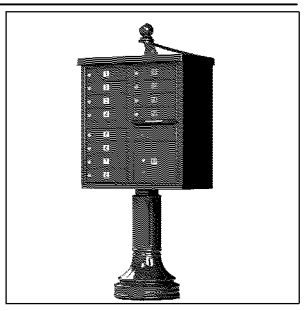
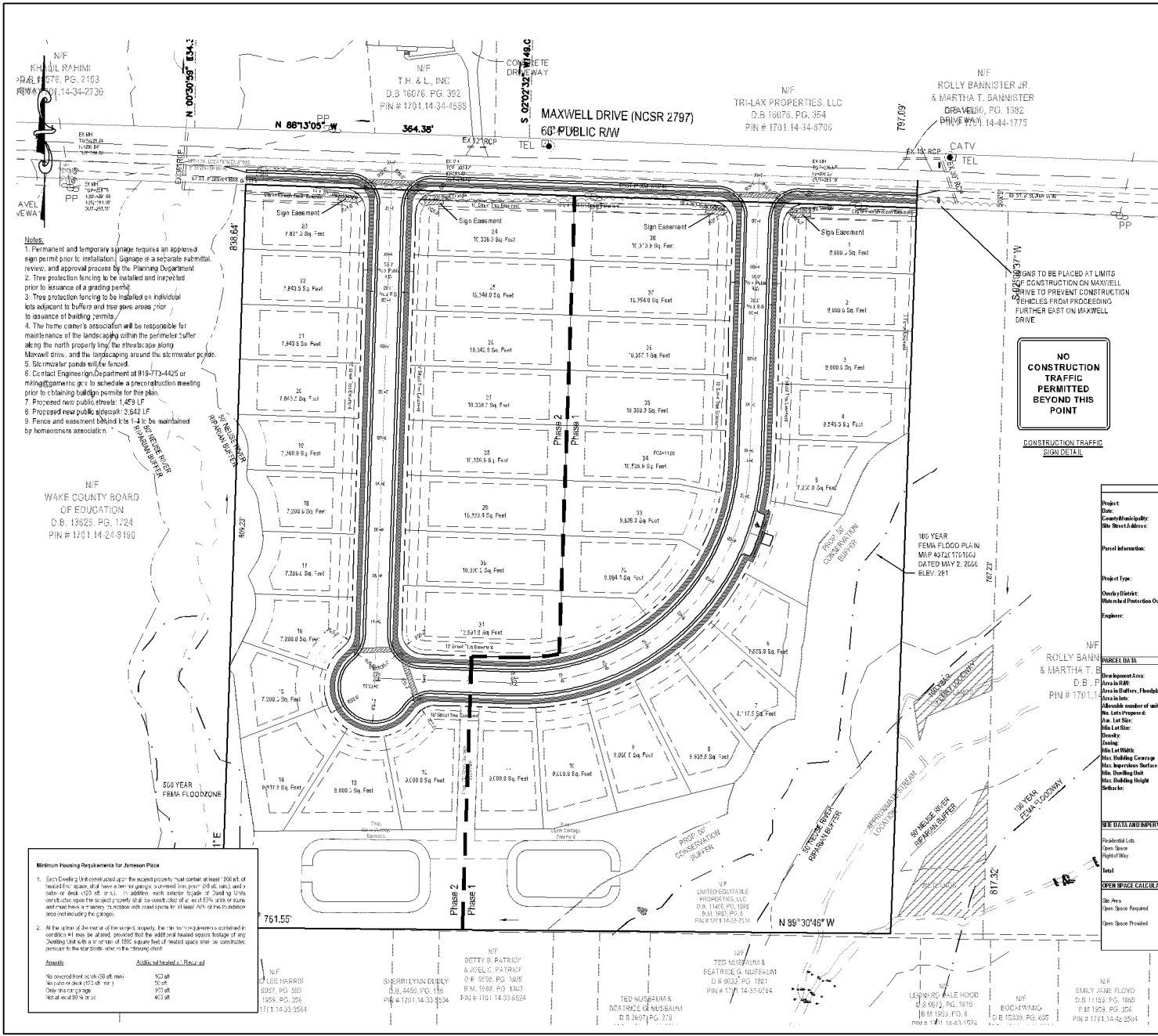


- Notes:**
1. Survey information provided by Casterline, Moss, and Panceria, P.C.
 2. Topographic information from field survey.
 3. Wetlands boundaries were located by Mitchell Environmental, P.A. using gps equipment capable of post-processed, sub-meter accuracy.



Existing Conditions
Jameson
Homestead Developers, LLC
Garner, Wake County, North Carolina

Job No: 07122
Dwg No:
C1



TYPICAL MAILBOX KIOSK
DETAIL

Town of Garner Unified Development Ordinance (UDO)
Article 6. District Development Standards

Section 6.B. Special development standards for single family and medium density homes.

A. General site and landscaping standards for modular and site-built homes.

The following standards shall apply to all new modular homes or site-family detached site-built homes. The provisions of this subsection of all non-site-family detached site-built homes.

1. Foundation planting consisting of ever-green shrubs shall be installed along the entire front foundation wall of the building. Plant installation shall be a minimum of 1-foot height and 1-foot spacing at three-to-five-foot intervals.
2. All yard areas, including decorative landscaped areas, shall be appropriately graded and seeded up to 35 feet from the dwelling as applicable in order to establish a permanent lawn.
3. A minimum 2'-0" height to width ratio shall be required for new structures. The length shall be measured along the longest axis of the structure and the width shall be measured along the shortest axis of the structure.

NO CONSTRUCTION TRAFFIC PERMITTED BEYOND THIS POINT

CONSTRUCTION TRAFFIC SIGN DETAIL

PARCEL DATA

Project:	James on Place Subdivision	Property Owner:	Homestead Developers, LLC
Date:	05/20/2017	Map:	2100 Ordinance
County/Parish:	Wake, Town of Garner	Parcel:	2100 Ordinance Drive
Site Street Address:	1001 Maxwell Drive, Garner, NC 27521	Parcel:	Home, NC 27521

Parcel Information: PM 1013A-160 GIS Area 1013A Acres 1.5001 Deed Book 300 Page 500 Municipality Ex Use Vacant Zoning R3

PROJ DATA

Project Type:	Residential R3 Single Family Development	Applicant:	Homestead Developers, LLC
Owner/Client:	None	Address:	1001 Maxwell Drive, Garner, NC 27521
Number of Protection Overlay:	None	Parcel:	2100 Ordinance Drive, Garner, NC 27521
Engineer:	caaENGINEERS, Inc.	Address:	1001 Maxwell Drive, Garner, NC 27521
Address:	1001 Maxwell Drive, Garner, NC 27521	Parcel:	2100 Ordinance Drive, Garner, NC 27521

PARCEL DATA

Development Area:	Area, Ac	% of Site
Area in R3:	13.4	89.9%
Area in R3S, Floodplain:	1.2	8.0%
Area in R3S:	0.9	6.0%
Admittable number of units:	92	
Min. Lots Proposed:	92	
Lot Size:	10,300.38 SF	
Min. Lot Size:	1,900 SF	
Density:	2.04 Units/Acre	
Density:	80 FT	
Min. Lot Width:	1,900 SF	
Max. Building Coverage:	1,900 SF	
Max. Impervious Surface:	1,900 SF	
Max. Overlap Height:	10 FT	
Setback:		
Front:	25 FT	
Side:	6 min. 12' App FT	
Cor. Side:	20 FT	

OPEN SPACE CALCULATIONS

Area, Ac	% of Site	Imp. Area, Ac	Imp. % of Site
Residential Lot:	9.2%	1.52	10.0%
Open Space Required:	2.58	19.27%	139.2%
Required Ratio:	1.82	13.0%	93.0%
Total	13.40	100%	3.0%

OPEN SPACE CALCULATIONS

Area, Ac	% of Site	Open Space	Area, Ac	Site
Site Area:	13.4	100.0%	0.11	0.8%
Open Space Required:	1.34	10.00%	2	15.0%
			4	30.0%
			6	45.0%
			8	60.0%
			10	75.0%
			12	90.0%
			14	105.0%
			16	120.0%
			18	135.0%
			20	150.0%
			22	165.0%
			24	180.0%
			26	195.0%
			28	210.0%
			30	225.0%
			32	240.0%
			34	255.0%
			36	270.0%
			38	285.0%
			40	300.0%
			42	315.0%
			44	330.0%
			46	345.0%
			48	360.0%
			50	375.0%
			52	390.0%
			54	405.0%
			56	420.0%
			58	435.0%
			60	450.0%
			62	465.0%
			64	480.0%
			66	495.0%
			68	510.0%
			70	525.0%
			72	540.0%
			74	555.0%
			76	570.0%
			78	585.0%
			80	600.0%
			82	615.0%
			84	630.0%
			86	645.0%
			88	660.0%
			90	675.0%
			92	690.0%
			94	705.0%
			96	720.0%
			98	735.0%
			100	750.0%
			102	765.0%
			104	780.0%
			106	795.0%
			108	810.0%
			110	825.0%
			112	840.0%
			114	855.0%
			116	870.0%
			118	885.0%
			120	900.0%
			122	915.0%
			124	930.0%
			126	945.0%
			128	960.0%
			130	975.0%
			132	990.0%
			134	1005.0%
			136	1020.0%
			138	1035.0%
			140	1050.0%
			142	1065.0%
			144	1080.0%
			146	1095.0%
			148	1110.0%
			150	1125.0%
			152	1140.0%
			154	1155.0%
			156	1170.0%
			158	1185.0%
			160	1200.0%
			162	1215.0%
			164	1230.0%
			166	1245.0%
			168	1260.0%
			170	1275.0%
			172	1290.0%
			174	1305.0%
			176	1320.0%
			178	1335.0%
			180	1350.0%
			182	1365.0%
			184	1380.0%
			186	1395.0%
			188	1410.0%
			190	1425.0%
			192	1440.0%
			194	1455.0%
			196	1470.0%
			198	1485.0%
			200	1500.0%

Graphic Scale

caaENGINEERS, Inc.
Professional Engineer
1235 Heritage Links Drive
Wake Forest, North Carolina 27587
919-622-4735
www.caaengineers.com, info@caaengineers.com
C-2151

caaENGINEERS
PROFESSIONAL ENGINEERS

Preliminary Plans
NOT FOR CONSTRUCTION

Preliminary Site Plan
Jameson
Homestead Developers, LLC
Garner, Wake County, North Carolina

Job No: 07122
Dwg No: C2

N/F
L RAHMAN
6 PG. 2163
14-34-2730

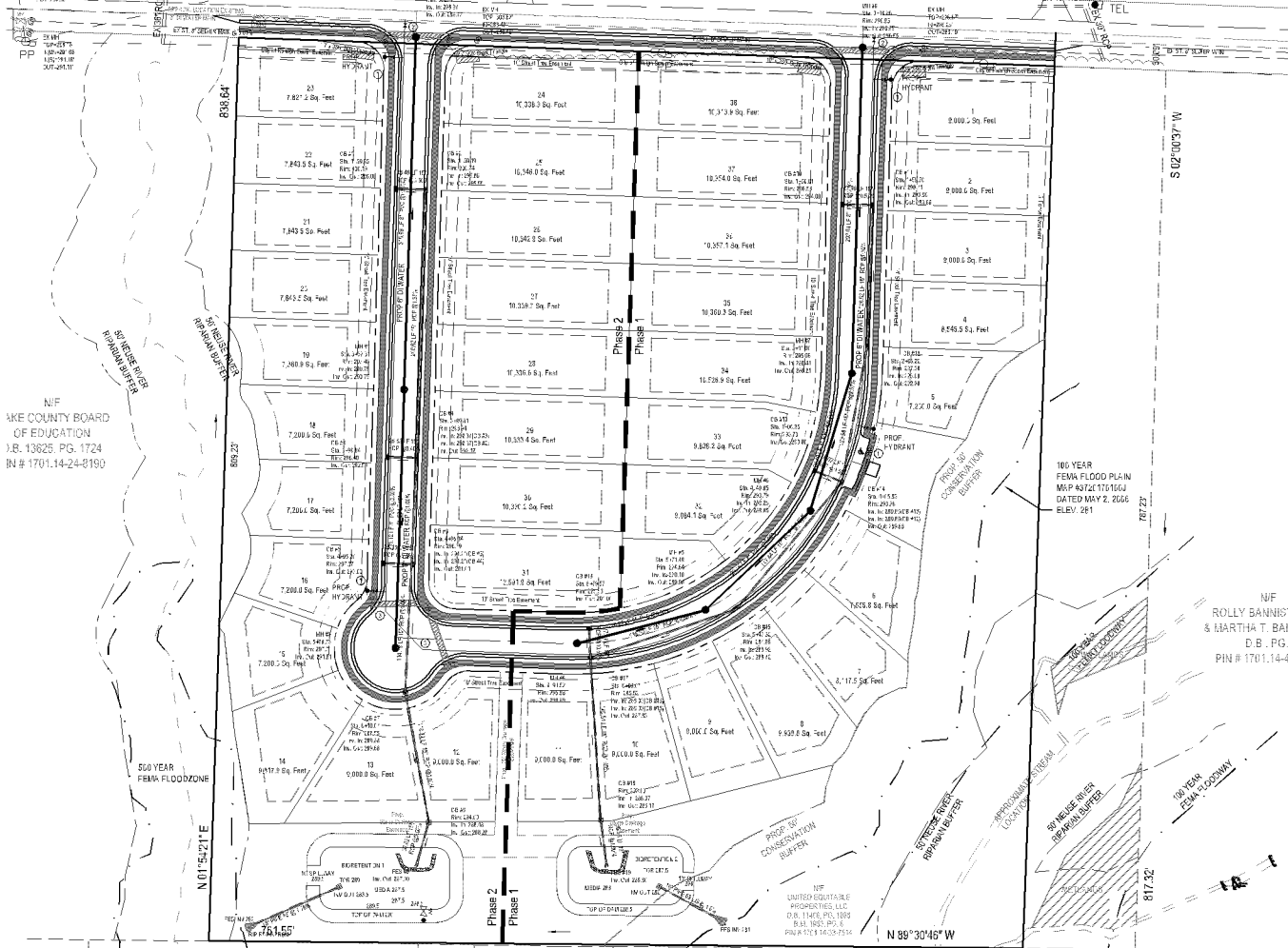
N/F
T.H. & L. INC
D.B. 10076, PG. 392
PIN # 1701.14-34-4593

N/F
CONCRETE
DRIVEWAY

MAXWELL DRIVE (NCSR 2797)
60' PUBLIC R/W

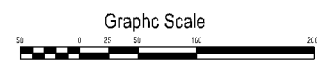
N/F
TRI-LAX PROPERTIES, LLC
D.B. 10078, PG. 354
PIN # 1701.14-34-8706

N/F
ROLLY BANNISTER JR.
& MARTHA T. BANNISTER
DRAVELLO, PG. 1382
DRIVEWAY 14-44-1775



- STANDARD UTILITY NOTES**
- All materials & construction methods shall be in accordance with City of Raleigh design standards, details & specifications (reference CORPUD Handbook, current edition)
 - Utility separation requirements:
 - A distance of 100' shall be maintained between sanitary sewer & any private or public water supply source such as an impounded reservoir used as a source of drinking water. If adequate lateral separation cannot be achieved, ferrous sanitary sewer pipe shall be specified & installed to waterline specifications. However, the minimum separation shall not be less than 2' from a private well or 30' from a public well.
 - When installing sewer &/or sewer main, the horizontal separation between utilities shall be 10'. If this separation cannot be maintained due to existing conditions, the variation allowed is the water main as a separate trench with the elevation of the water main at least 18" above the top of the sewer & must be approved by the Public Utilities Director. All distances are measured from outside diameter to outside diameter.
 - Where it is impossible to obtain proper separation, or anytime a sanitary sewer passes over a watermain, DIP material or steel encasement extended 10' on each side of crossing must be specified & installed to material specifications.
 - 5'0" minimum horizontal separation is required between all sanitary sewer & storm sewer facilities, unless DIP material is specified for sanitary sewer.
 - Minimum 18" min. vertical separation of all watermain & RCP storm drain crossings; minimum 24" min. vertical separation of all sanitary sewer & RCP storm drain crossings. Where adequate separations cannot be achieved, specify DIP materials & a concrete grade having 8" min. clearance (per CORPUD detail W-41 & S-45)
 - All other underground utilities shall: cross water & sewer facilities with 18" min. vertical separation required.
 - Any necessary field records are subject to review & approval of an amended plan &/or profile by the City of Raleigh Public Utilities Department prior to construction.
 - Contractor shall maintain continuous water & sewer service to existing residences & businesses throughout construction of project. Any necessary service interruptions shall be preceded by a 24 hour advance notice to the City of Raleigh Public Utilities Department.
 - 3.0' minimum cover is required on all water mains & sewer force mains. 4.0' minimum cover is required on all sewer mains.
 - It is the developer's responsibility to abandon or remove existing water & sewer services not being used in redevelopment of a site unless otherwise directed by the City of Raleigh Public Utilities Department. This includes abandoning top of main & removal of service from ROW or easement per CORPUD Handbook procedure.
 - Install 18" x 18" water services with meters located at ROW or within a 2x2' Waferline Easement immediately adjacent. *NOTE: It is the applicant's responsibility to properly size the water service for each connection to provide adequate flow & pressure.*
 - Install 18" x 18" sewer services @ 1.0% minimum grade with cleanouts located at ROW or easement line & spaced every 75 linear feet maximum.
 - Pressure reducing valves are required on all water services exceeding 80 psi, backwater valves are required on all sanitary sewer services having building finish lower than 1.0' above the next upstream manhole.
 - All environmental permits applicable to the project must be obtained from NCDWQ, USACE (over FEMA for any riparian buffer), and/or other applicable agencies (respectively) prior to construction.
 - NCDOT / Railroad Easement Agreements are required for any utility work (including main extensions & service taps) within state or railroad ROW prior to construction.
 - Obtain Interceptor / Oil Water Separator sizing calculations & installation specifications shall be approved by the CORPUD FOG Program Coordinator prior to issuance of a Building Permit. Contact Tim Bentley at (919) 996-2344 or timothy.bentley@raleighnc.gov for more information.
 - Cross-connection control protection devices are required based on degree of health hazard involved as listed in Appendix-B of the Rules Governing Public Water Systems in North Carolina. These guidelines are the minimum requirements. The devices shall meet American Society of Sanitary Engineering (ASSE) standards or be on the Inventory of Southern California approval list. The devices shall be installed and tested (both initial and periodic testing thereafter) in accordance with the manufacturer's recommendations or the local cross connection control program, whichever is more stringent. Contact Joanne Hartley at (919) 996-2823 or joanne.hartley@raleighnc.gov for more information.

WATER SYSTEM LEGEND
1 PROP HYDRANT ASSEMBLY
2 6" X 6" TAPPING SLEEVE AND VALVE



caaeENGINEERS, Inc.
Professional Engineers
1235 Heritage Links Drive
Wake Forest, North Carolina 27587
919-822-6735
www.caae.com, Inc. All rights reserved.
C-2-151



NO.	DATE	DESCRIPTION	BY	CHK
1	07/22/22	PRELIMINARY PLAN	JL	ML
2	07/22/22	PRELIMINARY PLAN	JL	ML
3	07/22/22	PRELIMINARY PLAN	JL	ML
4	07/22/22	PRELIMINARY PLAN	JL	ML
5	07/22/22	PRELIMINARY PLAN	JL	ML
6	07/22/22	PRELIMINARY PLAN	JL	ML
7	07/22/22	PRELIMINARY PLAN	JL	ML
8	07/22/22	PRELIMINARY PLAN	JL	ML
9	07/22/22	PRELIMINARY PLAN	JL	ML
10	07/22/22	PRELIMINARY PLAN	JL	ML
11	07/22/22	PRELIMINARY PLAN	JL	ML
12	07/22/22	PRELIMINARY PLAN	JL	ML
13	07/22/22	PRELIMINARY PLAN	JL	ML
14	07/22/22	PRELIMINARY PLAN	JL	ML
15	07/22/22	PRELIMINARY PLAN	JL	ML



Preliminary Utility Plan
Jameison
Homestead Developers, LLC
Garner, Wake County, North Carolina

Job No: 07/22
Dwg No.: C3

N/F
L RAH/MI
S. PG. 2163
14-34-2730

N/F
WAKE COUNTY BOARD
OF EDUCATION
I.B. 13625, PG. 1724
IN # 1701.14-24-0190

N/F
15 REVEN
334, PG. 808
11-14-33-1194

N/F
DUNCAN/LEE HARRIS
D.B. 6957, PG. 508
D.B. 11005, 602, 902

N/F
SHERRILL/STON DUBLEY
D.B. 4488, PG. 1307
D.B. 11005, 602, 902

N/F
BETTY B. PATRICK
A. WELLS/STATION
D.B. 0700, PG. 1805
S.M. 1688, PG. 1307
PIN # 1701.14-33-5524

N/F
TED MURPHY
SCARFONE G. MURPHY
D.B. 30025, PG. 1811
PIN # 1701.14-33-5554

N/F
LEIGH/ROSALE HOOD

N/F
EMILY JANE FLOYD
D.B. 4488, PG. 1307

N/F
T.H. & L. INC
D.B. 16076, PG. 392
PIN # 1701.14-34-4593

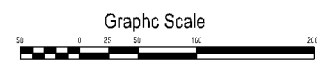
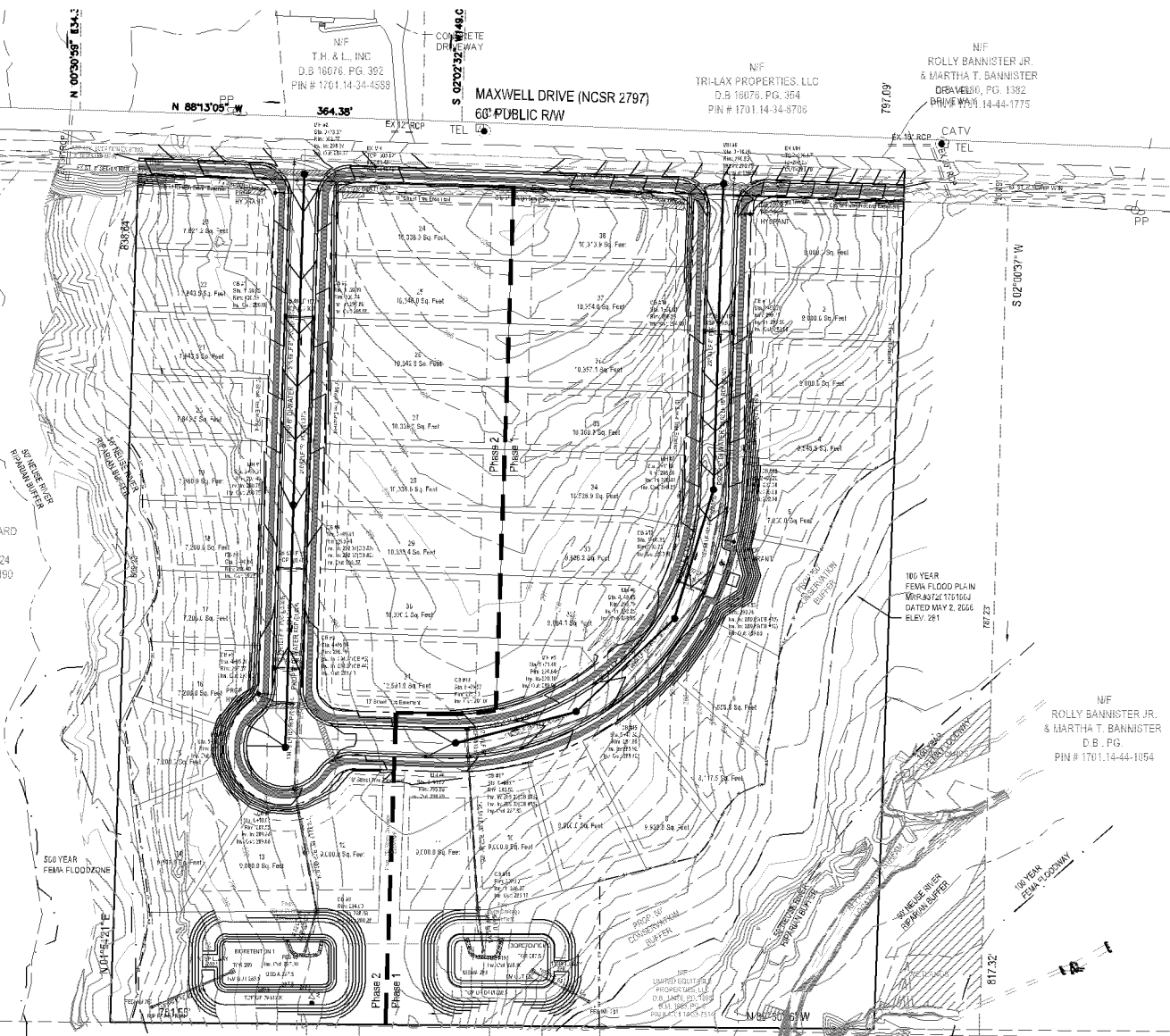
CONCRETE
DRIVEWAY

MAXWELL DRIVE (NCSR 2797)
60' PUBLIC R/W

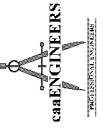
N/F
TRI-LAX PROPERTIES, LLC
D.B. 16076, PG. 354
PIN # 1701.14-34-8706

N/F
ROLLY BANNISTER JR.
& MARTHA T. BANNISTER
DRIVEWAY, PG. 1382
DRIVEWAY 14-44-1775

N/F
ROLLY BANNISTER JR.
& MARTHA T. BANNISTER
D.B. PG.
PIN # 1701.14-44-1054



caaENGINEERS, Inc.
Professional Engineers
1235 Heritage Links Drive
Wake Forest, North Carolina 27787
919-622-4775
www.caaengineers.com, Inc. All Rights Reserved
C-2151



NO.	DATE	DESCRIPTION	BY
1	07/22/22	PRELIMINARY PLAN	JL
2	08/04/22	REVISION	JL
3	08/04/22	REVISION	JL
4	08/04/22	REVISION	JL
5	08/04/22	REVISION	JL
6	08/04/22	REVISION	JL
7	08/04/22	REVISION	JL
8	08/04/22	REVISION	JL
9	08/04/22	REVISION	JL
10	08/04/22	REVISION	JL



Preliminary Grading Plan
Jameson
Homestead Developers, LLC
Garner, Wake County, North Carolina

Job No. 07122
Dwg. No. **C4**

N/F
L. RAHM
S. PG. 2153
14-34-2730

N/F
WAKE COUNTY BOARD
OF EDUCATION
J.B. 13625, PG. 1724
IN # 1701.14-24-0190

N/F
S. PERRY
334, PG. 308
11-14-33-1594

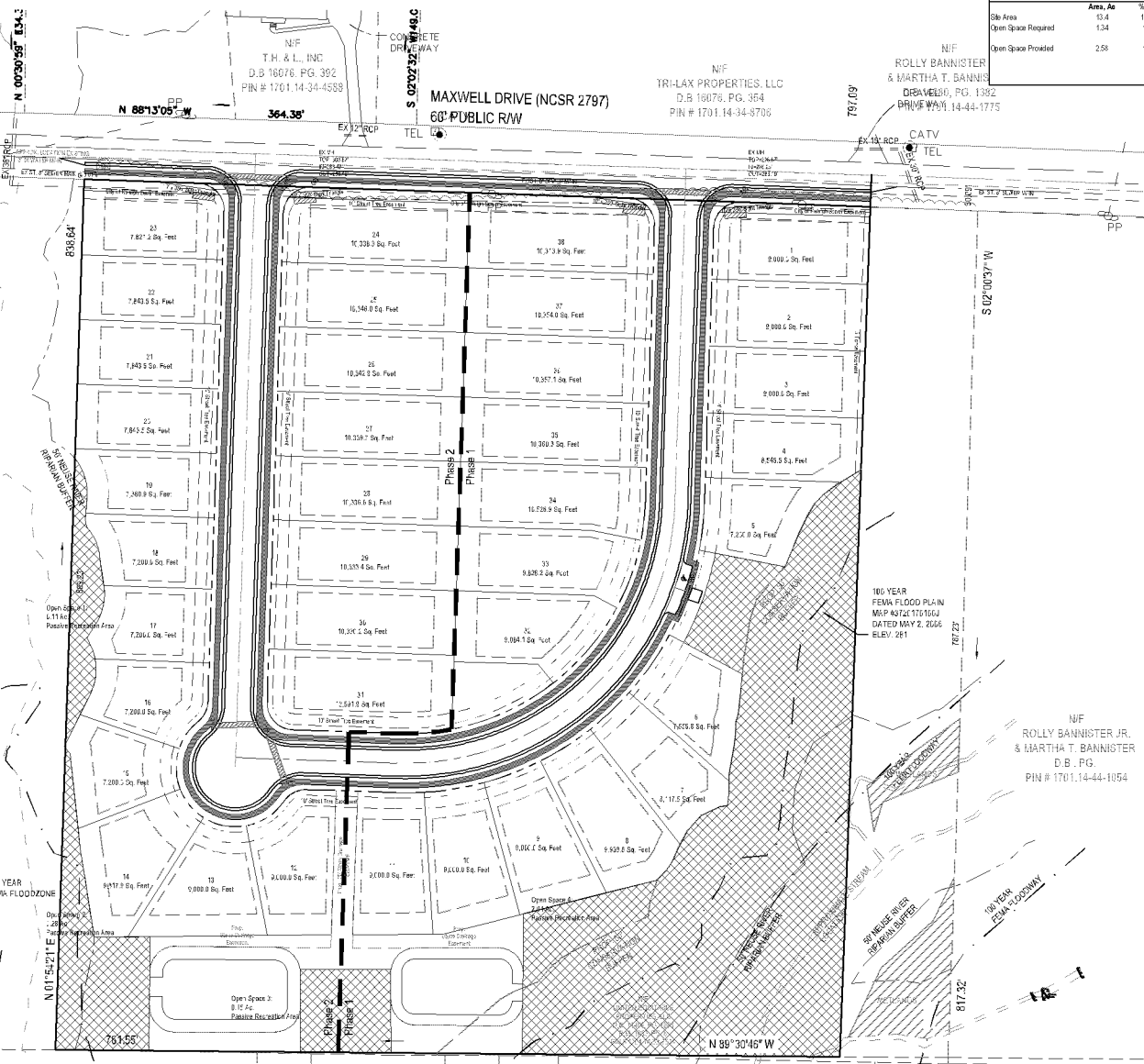
N/F
D. W. LEE HASBROUS
D.B. 6957, PG. 500
2-11-1900-02, 902

N/F
S. HERRINGTON DUBLEY
S.B. 4488, PG. 1307
10-14-1900-02, 902

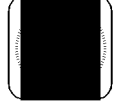
N/F
BETTY B. PATRICK
A. WELLS PATRICK
D.B. 0700, PG. 1805
S.M. 1688, PG. 1307
PIN # 1701.14-34-0524

N/F
TED MURKIN &
SARAH G. MURKIN
S.B. 3032, PG. 1801
PIN # 1701.14-33-9564

N/F
EMILY JANE FLOYD
D.B. 4488, PG. 1307



OPEN SPACE CALCULATIONS			Open Space	Area, ac	Use
Site Area	13.4	100.00%	1	0.11	Passive recreation
Open Space Required	1.34	10.00%	2	0.28	Passive recreation
			3	0.15	Passive recreation
Open Space Provided	2.58	19.25%	4	2.04	Passive recreation
			Total	2.58	



caaeNGINEERS, Inc.
Professional Engineers
1235 Heritage Links Drive
Wake Forest, North Carolina 27587
919-622-4755
www.caaengineers.com, clls@caae.com
C-2151

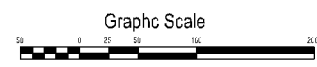


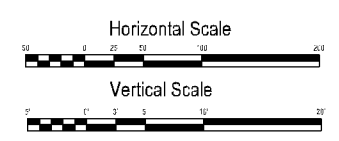
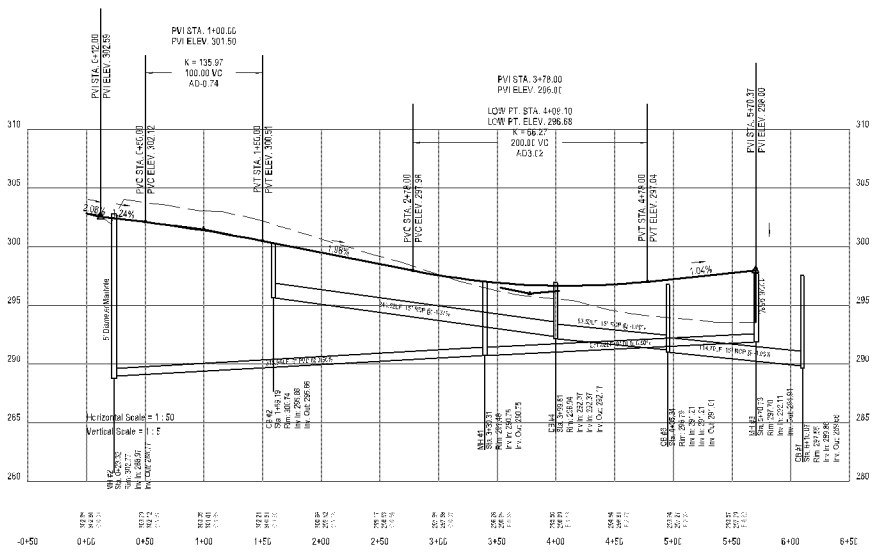
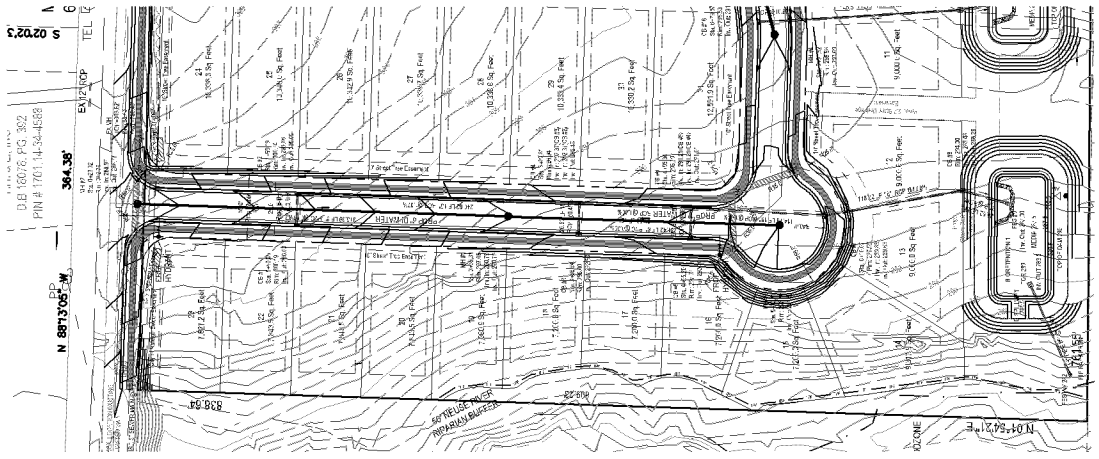
NO.	DATE	DESCRIPTION	BY
1	07/22/14	PRELIMINARY PLANS	RB
2	08/27/14	REVISIONS	RB
3	09/02/14	REVISIONS	RB
4	09/02/14	REVISIONS	RB
5	09/02/14	REVISIONS	RB
6	09/02/14	REVISIONS	RB
7	09/02/14	REVISIONS	RB
8	09/02/14	REVISIONS	RB
9	09/02/14	REVISIONS	RB
10	09/02/14	REVISIONS	RB
11	09/02/14	REVISIONS	RB
12	09/02/14	REVISIONS	RB
13	09/02/14	REVISIONS	RB
14	09/02/14	REVISIONS	RB
15	09/02/14	REVISIONS	RB
16	09/02/14	REVISIONS	RB
17	09/02/14	REVISIONS	RB
18	09/02/14	REVISIONS	RB
19	09/02/14	REVISIONS	RB
20	09/02/14	REVISIONS	RB
21	09/02/14	REVISIONS	RB
22	09/02/14	REVISIONS	RB
23	09/02/14	REVISIONS	RB
24	09/02/14	REVISIONS	RB
25	09/02/14	REVISIONS	RB
26	09/02/14	REVISIONS	RB
27	09/02/14	REVISIONS	RB
28	09/02/14	REVISIONS	RB
29	09/02/14	REVISIONS	RB
30	09/02/14	REVISIONS	RB
31	09/02/14	REVISIONS	RB
32	09/02/14	REVISIONS	RB
33	09/02/14	REVISIONS	RB
34	09/02/14	REVISIONS	RB
35	09/02/14	REVISIONS	RB
36	09/02/14	REVISIONS	RB
37	09/02/14	REVISIONS	RB
38	09/02/14	REVISIONS	RB

PRELIMINARY PLANS
NOT FOR CONSTRUCTION

Open Space Plan
Jameson
Homestead Developers, LLC
Garner, Wake County, North Carolina

Job No. 07122
Dwg. No. **C5**





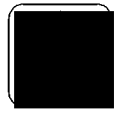
Job No. 071422
 Dwg No. C6

Road 1
 Jameson
 Homestead Developers, LLC
 Garner, Wake County, North Carolina



NO.	DATE	DESCRIPTION	BY
1	07/12/22	PRELIMINARY PLANS	MA
2	07/12/22	FOR CONSTRUCTION	MA
3	07/12/22		MA
4	07/12/22		MA
5	07/12/22		MA
6	07/12/22		MA
7	07/12/22		MA
8	07/12/22		MA
9	07/12/22		MA
10	07/12/22		MA

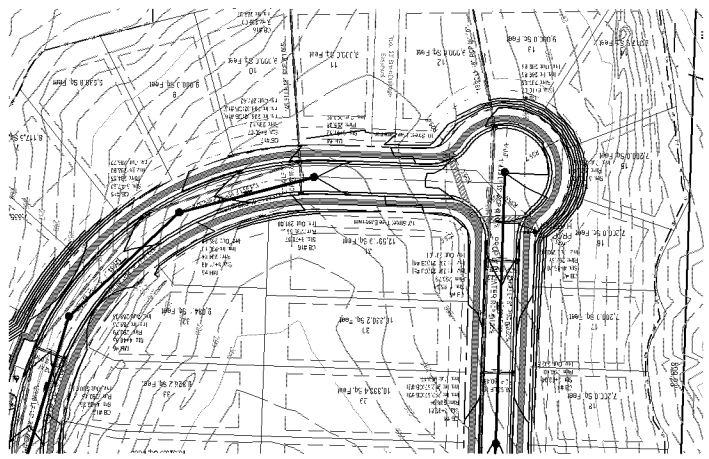
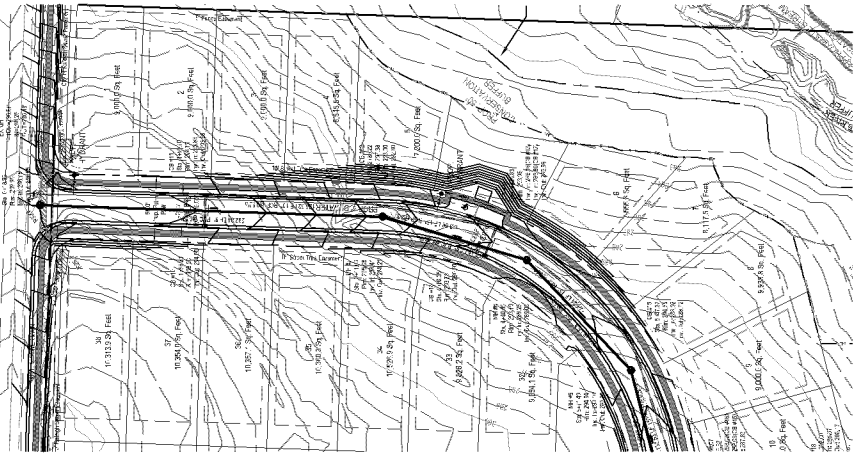
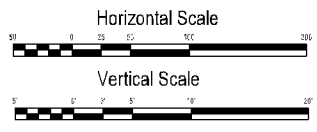
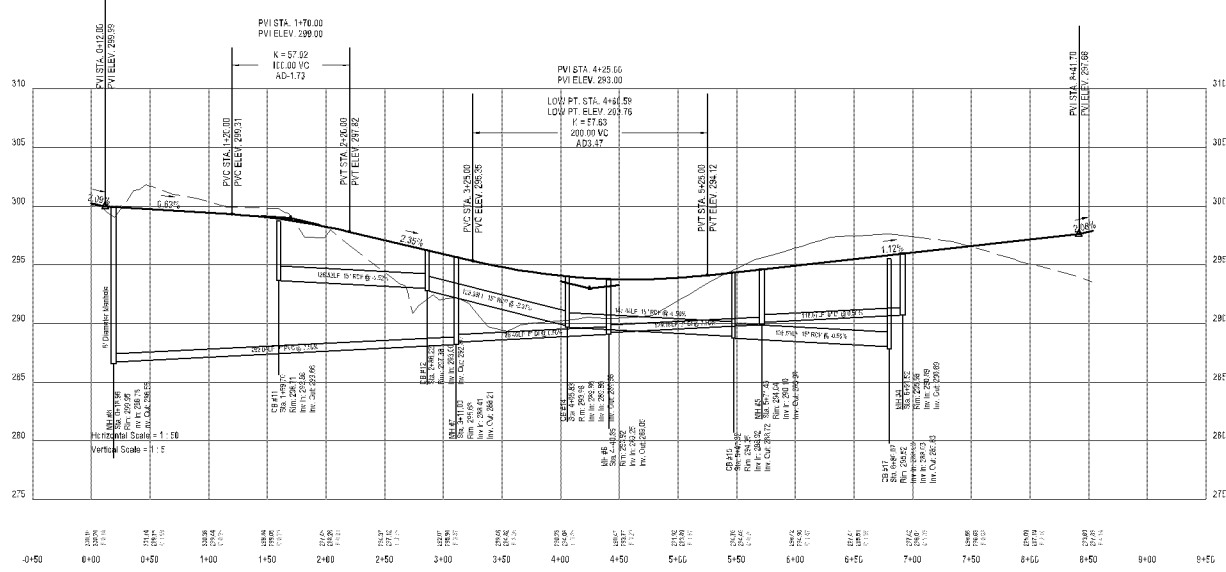
caaENGINEERS
 Professional Engineers
 1235 Heritage Links Drive
 Wake Forest, North Carolina 27587
 919.622.4755
 caaengineers.com, Inc. All Rights Reserved
 C-2151



... PUBLIC RW

PR# 170114-34-87-83

797



Job No. 071422
 Dwg No. **C7**

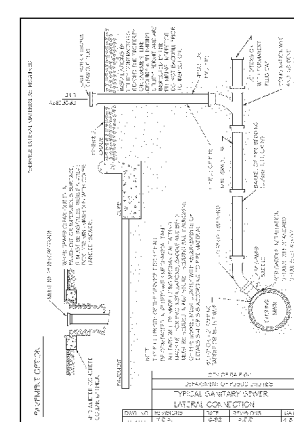
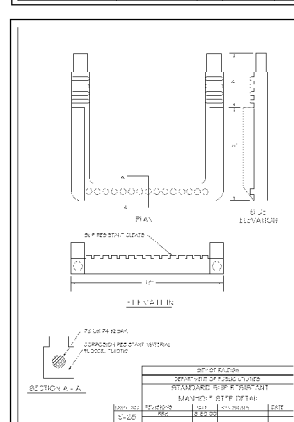
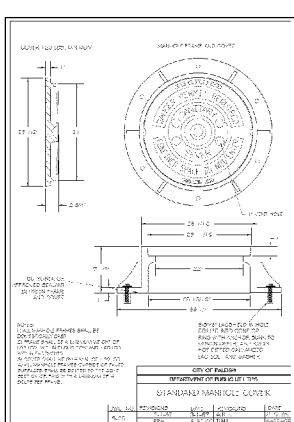
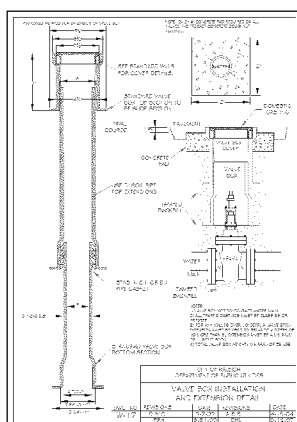
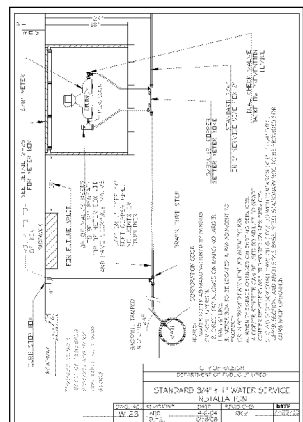
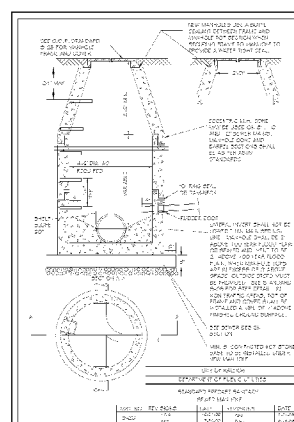
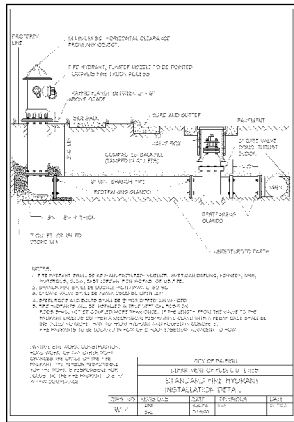
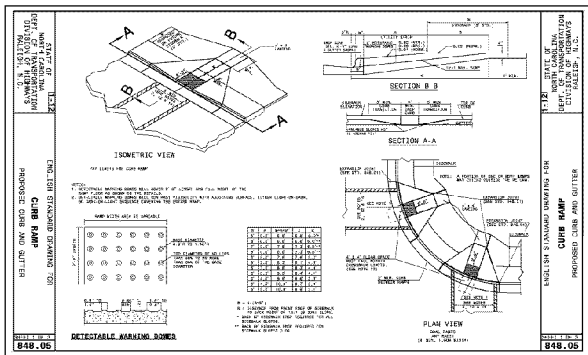
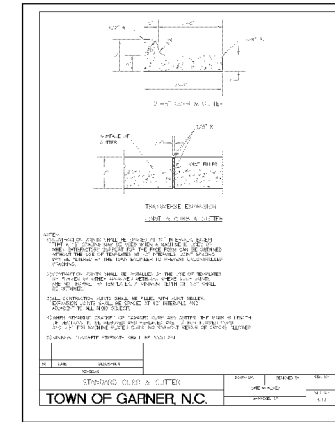
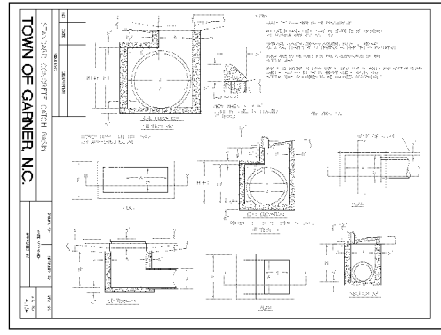
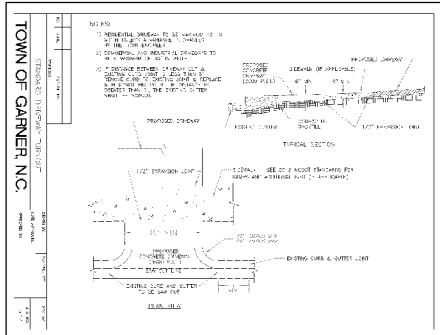
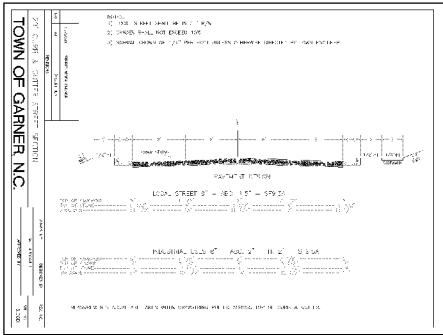
Road 2
 Jameston
 Homestead Developers, LLC
 Garner, Wake County, North Carolina

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	08/20/2024
2	ISSUED FOR PERMITS	08/20/2024
3	ISSUED FOR PERMITS	08/20/2024
4	ISSUED FOR PERMITS	08/20/2024
5	ISSUED FOR PERMITS	08/20/2024
6	ISSUED FOR PERMITS	08/20/2024
7	ISSUED FOR PERMITS	08/20/2024
8	ISSUED FOR PERMITS	08/20/2024
9	ISSUED FOR PERMITS	08/20/2024
10	ISSUED FOR PERMITS	08/20/2024



caaeENGINEERS, Inc.
 Professional Engineers
 1235 Heritage Links Drive
 Wake Forest, North Carolina 27987
 919.622.4975
 caaeengineers.com, all rights reserved
 C-2151





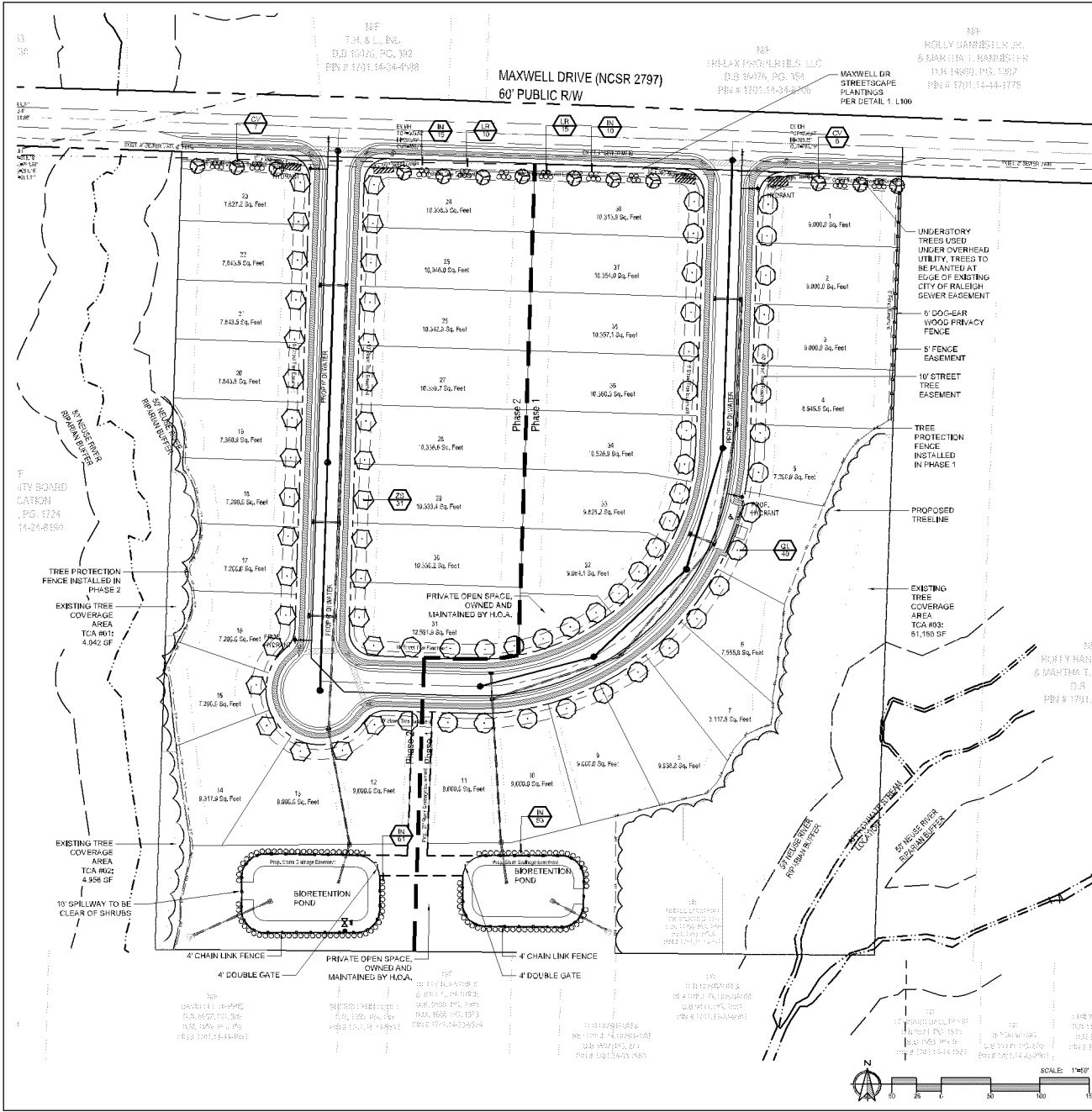
caaENGINEERS, Inc.
Professional Engineers
1235 Heritage Links Drive
Wake Forest, North Carolina 27587
919-622-4755
www.caaengineers.com, all rights reserved
C-2151

NO.	DATE	DESCRIPTION	BY	CHK
1	07/22/22	PRELIMINARY PLANS	JL	ML
2	07/22/22	FOR CONSTRUCTION	JL	ML
3	07/22/22	FOR CONSTRUCTION	JL	ML
4	07/22/22	FOR CONSTRUCTION	JL	ML
5	07/22/22	FOR CONSTRUCTION	JL	ML
6	07/22/22	FOR CONSTRUCTION	JL	ML
7	07/22/22	FOR CONSTRUCTION	JL	ML
8	07/22/22	FOR CONSTRUCTION	JL	ML
9	07/22/22	FOR CONSTRUCTION	JL	ML
10	07/22/22	FOR CONSTRUCTION	JL	ML

PRELIMINARY PLANS
FOR CONSTRUCTION

Standard Details
Jameson
Homestead Developers, LLC
Garner, Wake County, North Carolina

Job No: 07/22
Dwg No: **D1**



- GENERAL PLANTING NOTES:**
- All plant materials to comply with American Standards for Nursery Stock ANSIZ60.
 - Contractor engaged in landscape implementation shall be a landscape contractor registered in the state of North Carolina.
 - Substitutions of plant materials specified can only occur with prior approval by Landscape Architect.
 - Trees and shrubs to be planted 5' minimum and a maximum of 15' from right of way.
 - All new trees to have a 5' diameter shredded hardwood mulch ring at 4" deep unless otherwise noted or located in a plant bed per site plan.
 - Landscape Contractor to guarantee plant materials for a one year period following substantial completion.
 - Areas damaged by Landscape Contractor to be repaired to pre-construction condition at no additional cost to the owner.
 - Tree protection fencing is required prior to issuance of a building permit for those lots adjacent to the Neuse River buffers. Tree protection fencing shall be provided where sill fence is not provided.

LANDSCAPE ORDINANCE CALCULATIONS:

Tree Coverage Calculations:

Total site area: 13.4 acres = 583,530 SF
 Preserved tree cover required = 583,530 x 0.12 = 70,024 SF (12%)
 Preserved tree cover provided = 70,153 SF Tree Coverage Area
 TCA 01 = 4,042 SF
 TCA 02 = 4,956 SF
 TCA 03 = 61,160 SF
 Total = 70,158 SF

Street Trees:

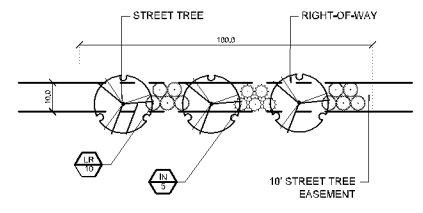
- One obligatory tree with a minimum caliper of two and one-half inches every 40 feet (on average) of street frontage.
- Street trees to be planted a minimum of 5' from right-of-way and a maximum of 15' from right of way.
- Street trees to be located within a 10' public street tree easement.

Phase 1:
 Street trees: 1,812 LF/40 = 45.3
 Required: 40' o.c. = 46
 Provided = 46

Phase 2:
 Street trees: 1,520 LF/40 = 38
 Required: 40' o.c. = 38
 Provided = 38

Total:
 Street trees: 3,332 LF/40 = 83.0
 Required: 40' o.c. = 84
 Provided = 84

Streetscape Planting / Buffers:
 No Streetyard buffer or perimeter buffers required. Class 1 - Single family detached adjacent to Class 1 - Single family detached.

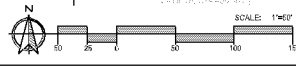


1 STREETScape PLANTINGS / 100LF

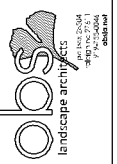
PLANT SCHEDULE

TREES	QTY	BOTANICAL NAME / COMMON NAME	CONT	CAL	REMARKS
CV	13	Chionodoxa virginica / White Fringetree	S & B	2.5" CAL	Single Straight Leader, Full & Heavy, 30' o.c. planted in Phase 1.
OL	40	Quercus lyrata / Overcup Oak	S & B	2.5" CAL	Single Straight Leader, Full & Heavy, 40' o.c. 40 planted in Phase 1.
ZS	31	Zelkova serrata / Smokey Zelkova	S & B	2.5" CAL	Single Straight Leader, Full & Heavy, 40' o.c.

SHRUBS	QTY	BOTANICAL NAME / COMMON NAME	CONT	HEIGHT	REMARKS
IN	138	Box cornuta 'Needlepoint' / Needlepoint Holly	S gill		Full & Heavy, 6' o.c. 63 planted in Phase 1.
LR	25	Lonicera albena 'RUBY' / Ruby Loropetalum	S gill		Full & Heavy, 6' o.c. 15 planted in Phase 1.



PLANTING PLAN



CONSULTANTS:

SEALS:

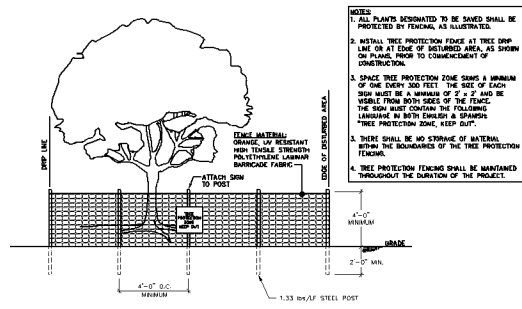
Jameson Subdivision
 Town of Garner, North Carolina

DATE: 05/29/18
 DESIGNER: MJA
 CHECKED BY: BHS

REVISIONS

NO.	DATE

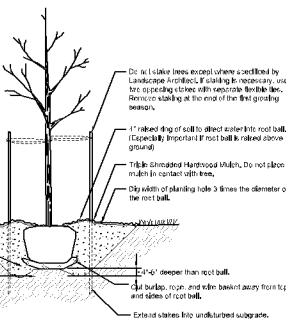
PLANTING PLAN
 SHEET NO.
L100



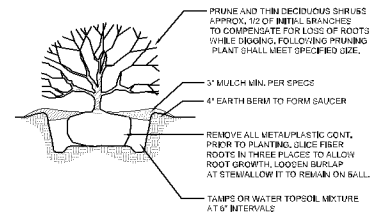
- NOTES:**
1. ALL PLANTS DESIGNATED TO BE SAVED SHALL BE PROTECTED BY FENCING, AS ILLUSTRATED.
 2. INSTALL TREE PROTECTION FENCE AT TREE DUMP LINE OR AT EDGE OF DISTURBED AREA, AS SHOWN ON PLANS, PRIOR TO COMMENCEMENT OF CONSTRUCTION.
 3. SPACE TREE PROTECTION FENCE SOME MINIMUM OF ONE FEET, AND FEET, THE SIZE OF EACH STRAP MUST BE A MINIMUM OF 2\"/>

1 TREE PROTECTION FENCE
NOT TO SCALE

- NOTES:**
1. Where several trees of the selected size together must be planted, they shall be planted in a row with a center to center spacing of 8'-0\"/>



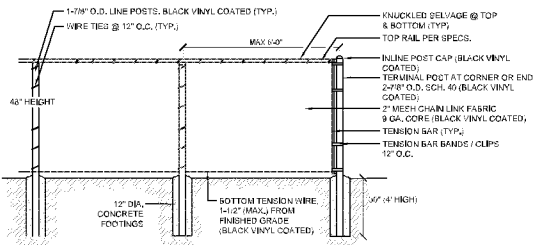
2 TREE PLANTING
NOTE



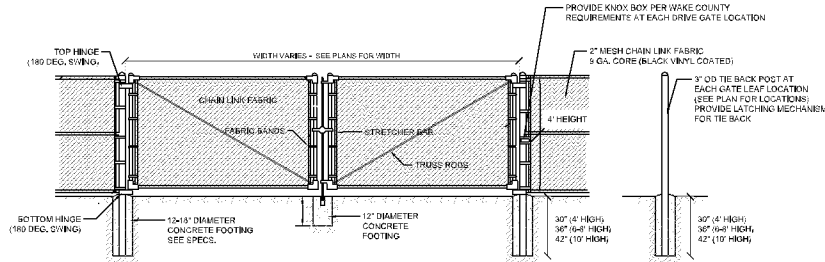
- NOTES:**
1. Soil mix: 1/3 organic matter, 2/3 solid soil.
 2. Bulk of plant: 18\"/>

3 SHRUB PLANTING
NOT TO SCALE

- NOTES:**
1. Where fence is installed at the top of a segmental retaining wall, contractor is to use allowed footing system or approved equal.

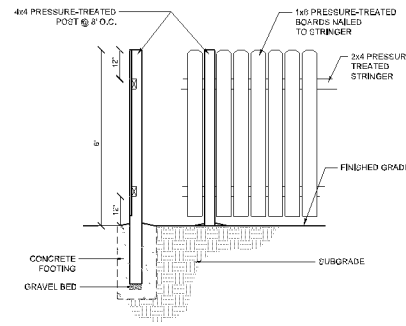


4 48\"/>



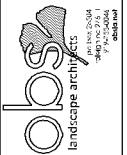
5 48\"/>

- NOTES:**
1. FENCE FABRIC SHALL BE SECURED TO GATE FRAMES WITH KNUCKLED SELVAGE ALONG ALL EDGES FOR ALL TYPES CHAINLINK FENCE INSTALLATIONS.
 2. ALL CONCRETE FOOTINGS AROUND POSTS AT GROUND LINE SHALL BE MOUNTED & SLOPED FOR POSITIVE DRAINAGE.
 3. ALL POSTS & HARDWARE TO BE HOT DIPPED GALVANIZED SCHEDULE 40.
 4. ALL GATES TO BE SECURED WITH PADLOCK FURNISHED BY OWNER.



6 DOG-EAR WOOD PRIVACY FENCE
1/2\"/>

DETAILS



CONSULTANTS:



Jameson Subdivision
Town of Garner, North Carolina

DATE:	05/29/18
DESIGNER:	MJA
CHECKED BY:	BHS
REVISIONS	
NO.	DATE

SHEET NO. L200

**TOWN OF GARNER
CUP-SB-16-08 – JAMESON
SPECIAL USE PERMIT**

APPLICANT	Homestead Developers, LLC
LOCATION	1001 Maxwell Drive, Raleigh, NC
USE	Residential Subdivision
DATE ISSUED	August 6, 2018

I. COMPLETENESS OF APPLICATION

The application is complete.

II. COMPLIANCE WITH ORDINANCE REQUIREMENTS

The application complies with all applicable requirements of the Unified Development Ordinance.

III. GRANTING THE APPLICATION

The application is granted, subject to the following conditions:

- 1) The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Town Council, a copy of which is filed in the Town Hall. Any deviations from or changes in these plans must be pointed out specifically to the administrator in writing and specific written approval obtained as provided in the Unified Development Ordinance;
- 2) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect; and
- 3) All applicable permit approvals shall be obtained by the applicant.

IV. SPECIFIC TO THE PROJECT

- 1) Prior to the issuance of any Certificate of Occupancy, the developer shall be responsible for any road improvements as required by NCDOT and agreed to by the Town of Garner;
- 2) Prior to first final plat recordation, documentation establishing a Homeowner's Association and Restrictive Covenants shall be submitted to the Town of Garner Planning Department;
- 3) Prior to Construction Drawing approval, a petition for voluntary satellite annexation shall be submitted to the Town of Garner Planning Department;
- 4) Prior to the issuance of each building permit, a fee-in-lieu of parkland dedication shall be paid to the Town of Garner.

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: August 6, 2018		
Subject: SUP-SP-18-03 – Kaze		
Location on Agenda: Public Hearings		
Department: Planning		
Contact: Stacy Harper, Principal Planner		
Presenter: Stacy Harper, Principal Planner		
Brief Summary: IGH Investments LLC, is requesting special use site plan approval for a restaurant. The site is located at 1251 Timber Drive East and can be further identified as Wake County PIN 1720-55-9429.		
Recommended Motion and/or Requested Action: See Section VI of the attached Staff Report for Motion Worksheet		
Detailed Notes: See attached Staff Report		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations: N/A		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JT	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

Design. Connect. Sustain.



Planning Department Staff Report

TO: Mayor and Town Council Members
FROM: Stacy Harper, AICP; Principal Planner
SUBJECT: *Special Use Site Plan - SUP-SP-18-03 – Kaze*
DATE: August 6, 2018

I. PROJECT AT A GLANCE

Project Number: SUP-SP-18-03, Kaze

Applicant: Underfoot Engineering

Owner: IGH Investments / Vinh Tan

Plan Prepared by: Underfoot Engineering

General Description -

Proposed Use: Restaurant, Indoor with Seating Only

Project Location: 1251 Timber Drive East (White Oak Crossing)

Wake Count PIN(s): 1720-55-8578

Zoning Classification: Obsolete Mixed Use District 1 (MXD-1) within I-40 Overlay District

Key Meeting Dates -

Planning Commission: July 9, 2018

Town Council Public Hearing: August 6, 2018

II. LAND USE

The requested specific use is “Restaurant, Indoor with Seating Only” which is part of the larger use category of “Restaurants”. The MXD-1 district is obsolete, meaning that no new land may be zoned to this district. “Restaurants without drive-in service (ancillary drive-thru window service allowed)” are expressly allowed under the obsolete district’s list of permitted uses subject to the standards of the MXD-1 district and the I-40 Overlay (O-40).



III. SITE PLAN PROJECT DATA

Acreage: 1.31 acres
Building Size: 7,238 square feet

Building Material and Color:

The building is constructed of three colors brick with the primary color being “red-brown.” The secondary colors are “autumn blend” and “whitestone” which gives the overall scheme of brown and tan to match the other buildings in White Oak Crossing.

The building will have a simulated Spanish tile roof, achieved through painted metal, in “sierra tan” and buckskin.” There will be bronze window and door frames as well as canopies.

The mansard roof will hide the rooftop ventilation equipment.

A stucco screen wall will be installed in front of the service entrance. There will also be a 4-foot-tall stucco garden wall surrounding the planned zen garden.

Landscape and Buffer Requirements:

The plan as proposed meets the requirements of the Landscape Ordinance; both the general standards and the I-40 Overlay requirements apply.

Tree Cover: Requirements met with new vegetation in the required buffers and vehicular service area plantings.

Street Buffers: In addition to the plantings provided by the developer, there are existing oak trees along Timber Drive East and the entrance road into the shopping center. The 15-foot buffer along both Timber Drive East and the extension of Timber Drive East into the shopping center are satisfied with existing and supplementary trees as well as shrubs for screening VSA as required.

Perimeter Buffers: Buffering is provided for the rear yard adjacent to a vacant parcel. This parcel was subdivided in June 2018. The entirety of this buffer will be new plantings consisting of four canopy and four understory trees as well as 121 shrubs.

Vehicular Service Area: VSA plantings are provided as screening in the form of shrubs as well as canopy trees in planted islands. Planting islands in the I-40 overlay must be at least 300 square feet.

Environmental Features:

This site does not contain a FEMA designated floodplain or any features subject to Neuse River riparian buffer rules.



Fire Protection:

The Inspections Department has reviewed the plan for fire protection and given their approval.

Parking Spaces:

Number - Parking is based on the number of seats in the restaurant and for the included office space:

- Required: 68 (3 accessible)
- Proposed: 68 (3 accessible)

Lighting:

Proposed lighting, including wall packs, meets the requirements of the Lighting Ordinance as well as meeting staff recommendations for LED fixtures. All fixtures have zero uplight, low glare and a warm white light exhibiting a color temperature of no more than 4,000 K (Kelvin).

Infrastructure:

Stormwater Management - This project is subject to nitrogen and water quantity requirements. The proposed development is located within a previously approved storm water plan which accounted for the future development with their bmp designed to handle detention of the 1, 10 and 25-year storm events. The overall subdivision did not account for the nitrogen offsets, so a payment to a private mitigation bank will also be required to bring the overall project into compliance with the Neuse Rules.

Water/Sewer - Connections to adjacent public water and sewer proposed.



Frontage Improvements – None. Timber Drive East is built to its ultimate cross-section.

Site Access – Access to the site is controlled from Timber Drive East through shared drives.

Traffic Impact Analysis – Not required.

IV. SITE PLAN CONFORMITY WITH APPLICABLE ADOPTED TOWN PLANS AND POLICIES

2018 Garner Forward Transportation Plan:

The 2018 Garner Forward Transportation plan identified Timber Drive East and a future extension for Timber Drive East as a four-lane divided facility. Timber Drive East in its current state is already developed as four-lane divided facility; therefore, the plans may be considered consistent with the recommendations of the 2018 Garner Forward Transportation Plan.

Parks & Recreation, Open Space & Greenways Master Plan:

A review of the Parks and Recreation, Open Space and Greenways Master Plan revealed no plan recommendations in the project area; therefore, this project, as proposed, may be considered consistent with the Parks & Recreation, Open Space & Greenways Master Plan.

Unified Development Ordinance Regulations:

After sufficient review and plan revisions, staff finds that this project, as now proposed, may be considered consistent with the regulations of the Unified Development Ordinance.

V. RECOMMENDED MOTION

The Planning Commission reviewed this request at their July 9, 2018 meeting and on a unanimous vote, confirmed staff's findings in Section IV of this report that SUP-SP-18-03, Kaze, is in conformity with applicable adopted town plans and policies so long as the following conditions are met:

1. Western street buffer - add street trees prior to Council;
2. Southern perimeter buffer - upgrade to requirements for 7.5' perimeter buffer.

VI. COUNCIL MOTION WORKSHEET

SPECIAL USE PERMIT ACTION WORKSHEET

Approve: I move that the Council accept the staff statements regarding plan consistency in Section IV of this report as our own and find the application meets the 10 permit criteria in Section 3.14.D. and therefore approve SUP-SP-18-03, Kaze, as presented with the standard three (3) conditions.

Optional (conditions – mark, fill in and read all that applies): ...and including the following reasonable conditions necessary to address the impacts of the proposed development on:

___ adjoining property,

___ the existing natural and man-made features of the site,

___ off-site and on-site traffic flow,

___ public utilities,

___ such other public services or goals of the Comprehensive Growth Plan or the Transportation Plan that may be negatively impacted by the proposed development
(enumerate plan services/goals):

Condition #1:

Condition #2:

Condition #3, (etc.):

or

Deny: I move that the Council find the application does not meet one or more of the criteria in Section 3.14.D. for granting a special use permit,

(Check and read all that apply – include stated reason/evidence)

___ 1. The proposed use will endanger the public health or safety
because/as evidenced by _____;

- ___ 2. The proposed use will substantially injure the value of adjoining or abutting property;
because/as evidenced by _____;
- ___ 3. The proposed use does not comply with all applicable provisions of this UDO;
because/as evidenced by _____;
- ___ 4. If completed as proposed, the development will not comply with all requirements of this section;
because/as evidenced by _____;
- ___ 5. The proposed use will not be compatible with the proximate area in which it is to be located;
because/as evidenced by _____;
- ___ 6. The proposed use is inconsistent with the Transportation Plan, other relevant adopted plans and policies, and the stated purpose and intent of this UDO (the fact that the use is permitted under certain circumstances in the zoning district creates a rebuttable presumption that the proposed use is in harmony with the intent of the UDO as relates to the general zoning plan);
because/as evidenced by _____;
- ___ 7. The proposed use is incompatible with adjacent uses in terms of building scale, site design, buffering and screening, operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);
because/as evidenced by _____;
- ___ 8. Any significant adverse impacts resulting from the use will not be mitigated or offset, including impacts on the natural environment;
because/as evidenced by _____;
- ___ 9. The public safety, transportation and utility facilities and services will not be available to serve the subject property while maintaining sufficient levels of service for existing development;
because/as evidenced by _____;
- ___ 10. Adequate assurances of continuing maintenance have not been provided;
because/as evidenced by _____;

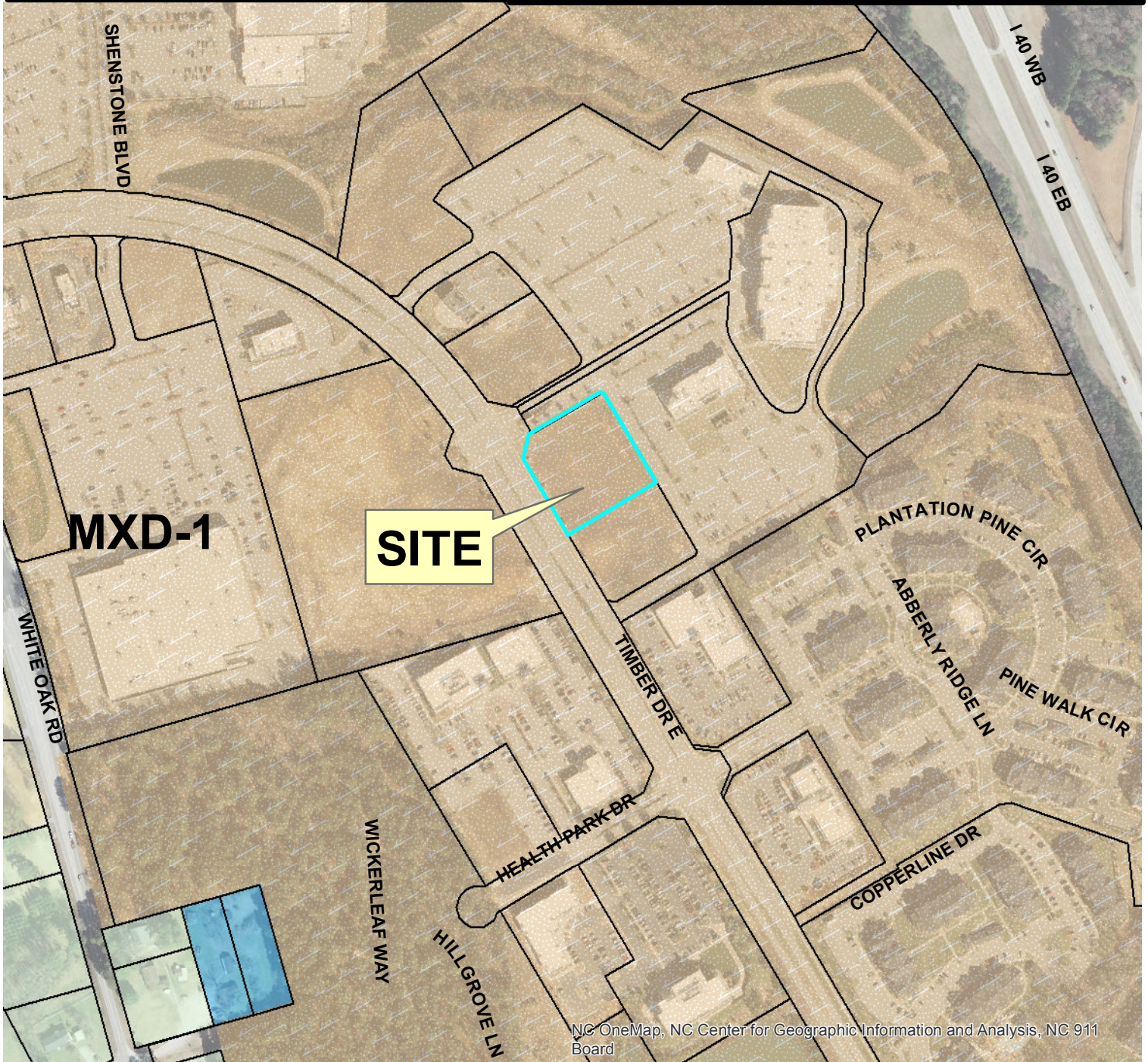
and therefore, deny Special Use Permit for Kaze – SUP-SP-18-03.



Town of Garner Planning Department

Special Use Permit SUP-SP-18-03

0 300 600 Feet



NC OneMap, NC Center for Geographic Information and Analysis, NC 911 Board

Project: Kaze
 Applicant: Underfoot Engineering Inc
 Owner: IGH Investments LLC
 Location: 1251 Timber Drive East
 PIN: portion of 1720559429

Proposed Use: Restaurant
 Current Zoning: MXD-1
 Overlay: I-40
 Acreage: 2.6

**TOWN OF GARNER
SUP-SP-18-03 – KAZE
SPECIAL USE PERMIT**

APPLICANT	Underfoot Engineering Attn: Landon M. Lovelace 1149 Executive Circle, C-1 Cary, NC 27511
LOCATION	1251 Timber Drive East
USE	Restaurant
DATE ISSUED	August 6, 2018

I. COMPLETENESS OF APPLICATION

The application is complete.

II. COMPLIANCE WITH ORDINANCE REQUIREMENTS

The application complies with all applicable requirements of the Unified Development Ordinance.

III. GRANTING THE APPLICATION

The application is granted, subject to the following conditions:

- 1) The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Town Council, a copy of which is filed in the Town Hall. Any deviations from or changes in these plans must be pointed out specifically to the administrator in writing and specific written approval obtained as provided in the Unified Development Ordinance;
- 2) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect; and
- 3) All applicable permit approvals shall be obtained by the applicant.

IV. SPECIFIC TO THE PROJECT

- 1) Western street buffer - add street trees prior to Council
- 2) Southern perimeter buffer - upgrade to requirements for 7.5' perimeter buffer

c: IGH Investments LLC
Attn: Vinh Tan
4109 Piney Gap Dr.
Cary, NC 27519

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: August 6, 2018		
Subject: Annexation Petition ANX-18-04, 7400 Bryan Road		
Location on Agenda: Public Hearings		
Department: Planning		
Contact: David Bamford, Planning Services Manager		
Presenter: David Bamford, Planning Services Manager		
Brief Summary: The Bagwell's are requesting public water connection at 7400 Bryan Road (single-family house); annexation petition is required		
Recommended Motion and/or Requested Action: Adopt Ordinance (2018) 3924		
Detailed Notes:		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JT	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

Planning Department Memorandum

TO: Mayor and Town Council

FROM: David Bamford, AICP; Planning Services Manager

SUBJECT: **ANX-18-04:** Town of Garner

DATE: August 6, 2018

ANNEXATION APPLICATION: ANX 18-04

OWNERS: Bryan and Camille Bagwell

CONTIGUOUS / SATELLITE: Satellite

LOCATION OF PROPERTY: 7400 Bryan Road

WAKE COUNTY PIN #: 1720446107

REAL ESTATE ID #: 0003029

AREA: 0.925 acres

ZONING: R-40

ASSOCIATED DEVELOPMENT PLAN: The Bagwell's are requesting public water connection

RECOMMENDATION: Adopt annexation ordinance

KEY DATES:

SET PUBLIC HEARING: July 17, 2018

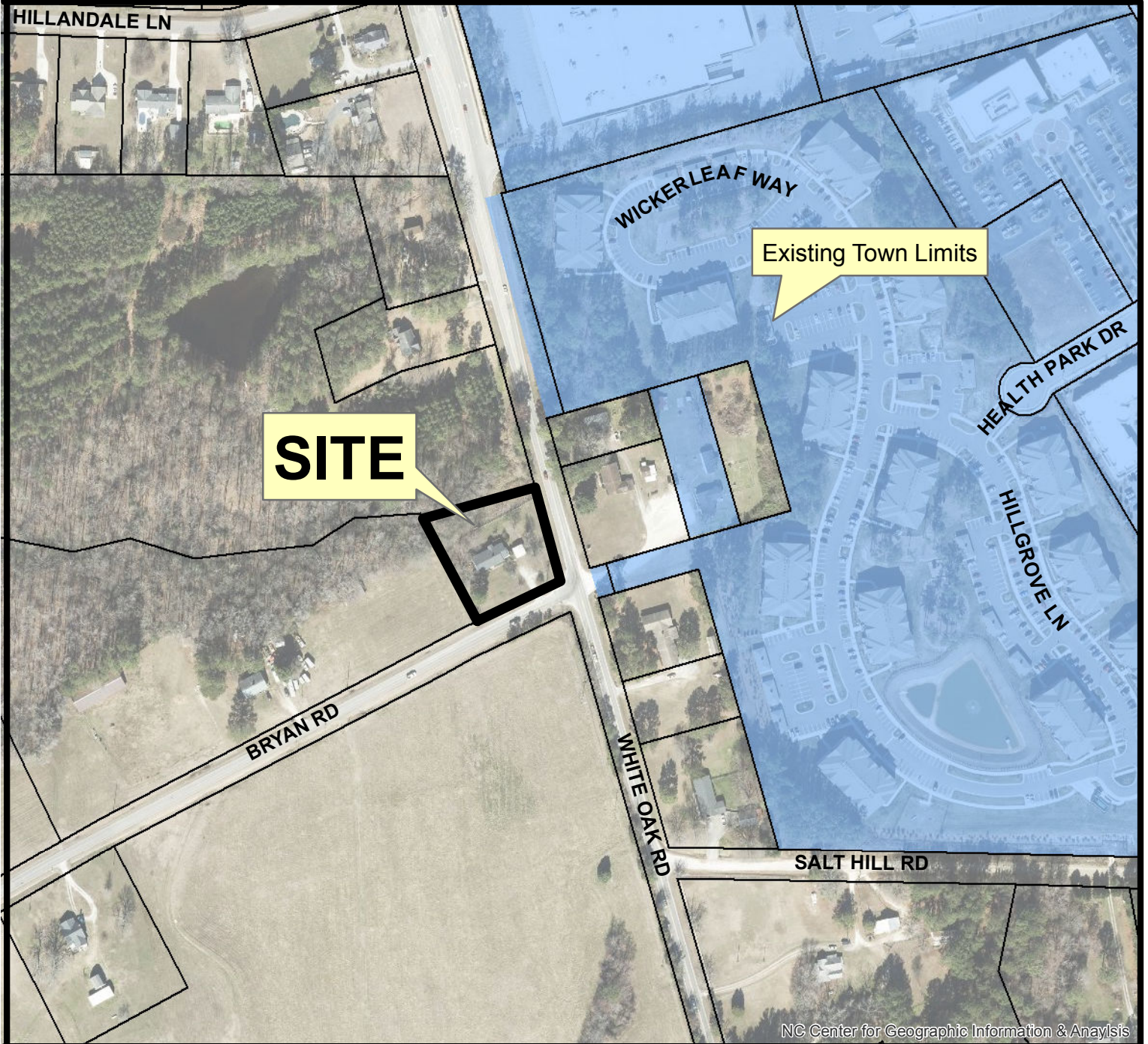
PUBLIC HEARING: August 6, 2018

ANNEXATION EFFECTIVE: August 6, 2018

**Town of Garner
Planning Department**

**Annexation
ANX 18-04**

0 200 400
Feet



Property: 7400 Bryan Road
Owner: Bryan and Camille Bagwell
Area: 0.92 acres
Pin: 1720446107

Return to:
Stella Gibson
Town of Garner
900 7th Avenue
Garner, NC 27529

ORDINANCE NO. (2018)3924

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE
TOWN OF GARNER, NORTH CAROLINA

WHEREAS, the Town Council of the Town of Garner has been petitioned under G.S. 160A-58.1 to annex the area described below; and

WHEREAS, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at 900 7th Avenue in the Town of Garner Town Hall at 7:00 PM on August 6, 2018, after due notice by the *News & Observer* on July 20, 2018, and

WHEREAS, the Town Council finds that the area described therein meets the standards of G.S. 160A-58.1(b), to wit:

- a. The nearest point on the proposed satellite corporate limits is not more than three (3) miles from the corporate limits of the Town of Garner;
- b. No point on the proposed satellite corporate limits is closer to another municipality than to the Town of Garner;
- c. The area described is so situated that the Town of Garner will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits;
- d. No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation;

WHEREAS, the Town Council further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the Town Council further finds that the petition is otherwise valid, and that the public health, safety and welfare of the Town of Garner and of the area proposed for annexation will be best served by annexing the area described;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Garner, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-58.2, the following described non-contiguous territory is hereby annexed and made part of the Town of Garner as of August 6, 2018.

ANX 18-04) Bryan and Camille Bagwell - Satellite annexation

A 0.925-acre tract located at 7400 Bryan Road; the site can be identified as Wake County PIN 1720446107 and Real Estate ID 0003029; the property is recorded in Deed Book 016877 and Page 00988.

Section 2. Upon and after August 6, 2018, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Garner and shall be entitled to the same privileges and benefits as other parts of the Town of Garner said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Garner shall cause to be recorded in the office of the Register of Deeds of Wake County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Wake County Board of Elections, as required by G.S. 163-288.1.

Adopted this 6th day of August, 2018.

Ronnie S. Williams, Mayor

ATTEST:

Stella L. Gibson, Town Clerk

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: August 6, 2018		
Subject: Annexation Petition ANX-18-05, 907 Withers Road		
Location on Agenda: Public Hearings		
Department: Planning		
Contact: David Bamford, Planning Services Manager		
Presenter: David Bamford, Planning Services Manager		
Brief Summary: Ford's Produce at 907 Withers Road is requesting public water connection (commercial business); annexation petition is required		
Recommended Motion and/or Requested Action: Adopt Ordinance (2018) 3923		
Detailed Notes:		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JT	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

Planning Department Memorandum

TO: Mayor and Town Council

FROM: David Bamford, AICP; Planning Services Manager

SUBJECT: **ANX-18-05:** Town of Garner

DATE: August 6, 2018

ANNEXATION APPLICATION: ANX 18-05

OWNERS: Ford's Produce Co, Inc

CONTIGUOUS / SATELLITE: Contiguous

LOCATION OF PROPERTY: 907 Withers Road

WAKE COUNTY PIN #: 1702004784

REAL ESTATE ID #: 0087331

AREA: 1.607 acres

ZONING: SB

ASSOCIATED DEVELOPMENT PLAN: Ford's Produce is requesting public water connection

RECOMMENDATION: Adopt annexation ordinance

KEY DATES:

SET PUBLIC HEARING: July 17, 2018

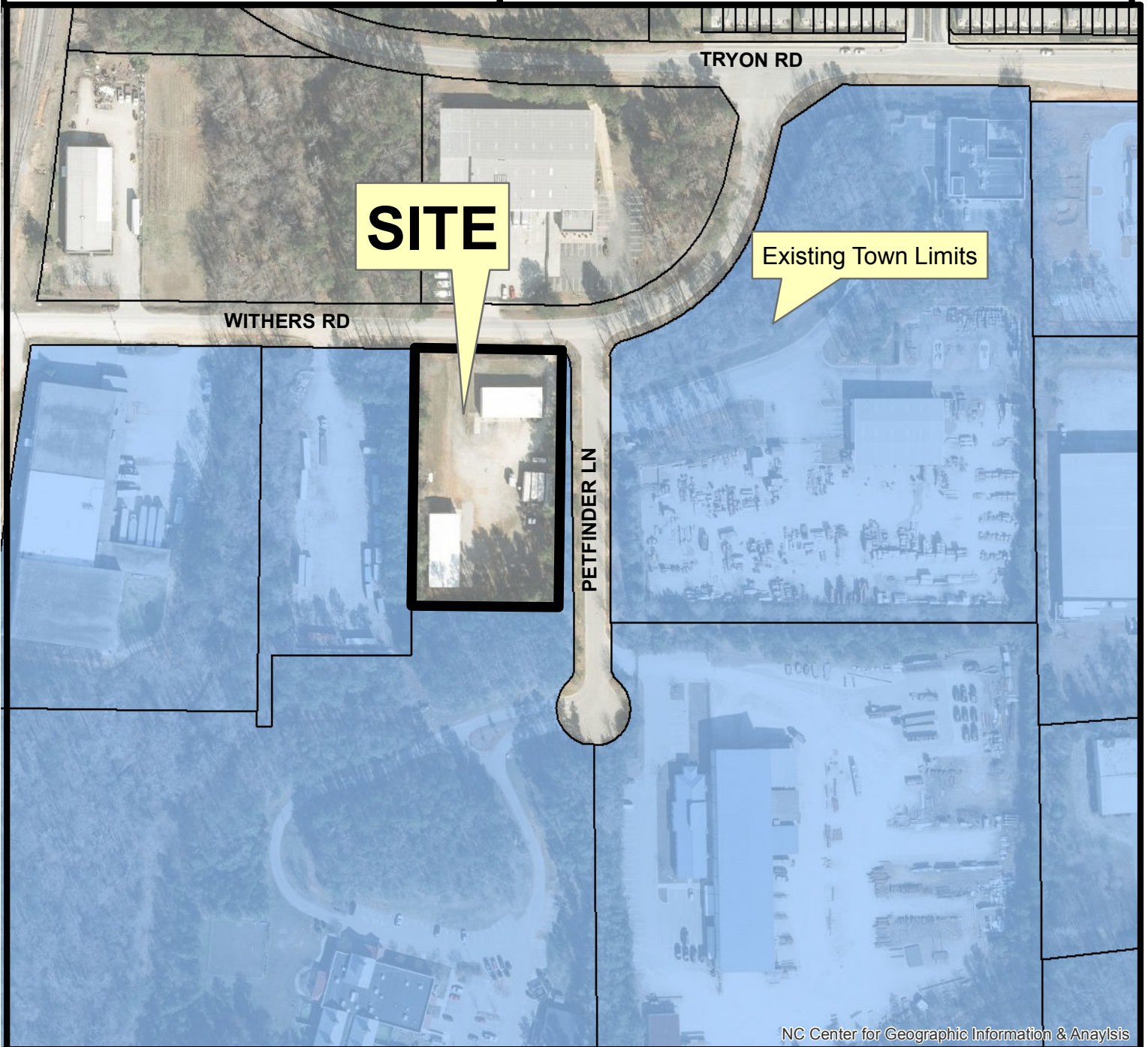
PUBLIC HEARING: August 6, 2018

ANNEXATION EFFECTIVE: August 6, 2018

**Town of Garner
Planning Department**

**Annexation
ANX 18-05**

0 150 300
Feet



NC Center for Geographic Information & Analysis

Project: Ford's Produce
Property: 907 Withers Road
Owner: Ford's Produce Co, Inc
Area: 1.6 acres
Pin: 1702004784

Return to:
Stella Gibson
Town of Garner
900 7th Avenue
Garner, NC 27529

ORDINANCE NO. (2018)3923

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF
GARNER, NORTH CAROLINA

WHEREAS, the Town Council has been petitioned under G.S. 160A-31, as amended, to annex the area described herein; and

WHEREAS, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency of said petition; and

WHEREAS, the Town Clerk has certified the sufficiency of said petition, and a public hearing on the question of this annexation was held at the Town Hall at 7:00 p.m. on August 6, 2018, after due notice by publication in the *News & Observer* on July 20, 2018; and

WHEREAS, the Town Council does hereby find as a fact that said petition meets the requirements of G.S. 160A-31, as amended;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Garner, North Carolina:

Section 1. By virtue of the authority granted by G.S. 160A-31, as amended, the following described territory, is hereby annexed and made part of the Town of Garner as of August 6, 2018.

(ANX 18-05) Ford's Produce - Contiguous annexation

A 1.607-acre tract located at 907 Withers Road; the site can be identified as Wake County PIN 1702004784 and Real Estate ID 0087331; the property is recorded in Deed Book 009914 and Page 02286.

Section 2. Upon and after the 6th day of August, 2018, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Garner and shall be entitled to the same privileges and benefits as other parts of the Town of Garner. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Garner shall cause to be recorded in the office of the Register of Deeds of Wake County, and in

the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

Adopted this 6th day of August, 2018.

Ronnie S. Williams, Mayor

ATTEST: _____
Stella L. Gibson, Town Clerk

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: August 6, 2018		
Subject: NC DEQ Grant Application		
Location on Agenda: Old/New Business		
Department: Engineering		
Contact: Tony Chalk, Town Engineer		
Presenter: Tony Chalk, Town Engineer		
<p>Brief Summary:</p> <p>There are issues with contaminated wells in the Auburn community. Conversations with staff at NC DEQ and NCDNR suggested applying for CDBG block grant to extend water lines in this area.</p> <p>The City of Raleigh Public Utilities Department would accept these lines into their system. If the lots served are not annexed, a letter from the State or County indicating that the connection to the water system will help mitigate the public health risk is required.</p>		
<p>Recommended Motion and/or Requested Action:</p> <p>Authorize staff to apply for grant</p>		
Detailed Notes:		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
<p>Manager's Comments and Recommendations:</p> <p>N/A</p>		
<p>Attachments Yes: No: <input type="radio"/></p>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	TC	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

Reports

Building Activity by Type and Proposed Use for
Report Beginning: 07/01/2018 to Report Ending: 07/31/2018

Addition

Proposed Use	Number of Units	Construction Value	Intown Value
DECK	2	\$14,000.00	\$0.00
GARAGE ATTACHED	1	\$62,000.00	\$62,000.00
GENERATOR	2	\$30,000.00	\$15,000.00
PORCH	1	\$17,500.00	\$17,500.00
SCREENED PORCH	2	\$29,800.00	\$29,800.00
SINGLE FAMILY DWELLIN	1	\$21,000.00	\$21,000.00
Total	9	\$174,300.00	\$145,300.00

Alteration

Proposed Use	Number of Units	Construction Value	Intown Value
ASSEMBLY/AMUSEMENT	1	\$100.00	\$100.00
BUSINESS/OFFICE	5	\$20,670.00	\$20,670.00
MERCANTILE/RETAIL	1	\$131,675.00	\$131,675.00
OTHER	1	\$7,400.00	\$7,400.00
SINGLE FAMILY DWELLIN	8	\$238,018.00	\$221,018.00
SOLAR SYSTEM (RES)	1	\$9,441.79	\$9,441.79
STORAGE/WAREHOUSE	1	\$57,500.00	\$57,500.00
Total	18	\$464,804.79	\$447,804.79

Demolition

Proposed Use	Number of Units	Construction Value	Intown Value
BUSINESS/OFFICE	1	\$10,000.00	\$10,000.00
SINGLE FAMILY DWELLIN	2	\$13,671.00	\$13,671.00
Total	3	\$23,671.00	\$23,671.00

Electrical

Proposed Use	Number of Units	Construction Value	Intown Value
BUSINESS/OFFICE	1	\$2,313.00	\$0.00
CHANGE OF SERVICE	2	\$1,300.00	\$800.00

CHURCH/RELIGIOUS	2	\$4,500.00	\$4,500.00
ELECTRICAL SERVICE REC	3	\$1,200.00	\$200.00
GENERATOR	3	\$50,100.00	\$10,100.00
OTHER	3	\$1,927.00	\$750.00
RESIDENTIAL STORAGE	1	\$500.00	\$500.00
SINGLE FAMILY DWELLIN	1	\$3,672.00	\$3,672.00
SWIMMING POOL	1	\$4,500.00	\$4,500.00
Total	17	\$70,012.00	\$25,022.00

Mechanical

Proposed Use	Number of Units	Construction Value	Intown Value
CHURCH/RELIGIOUS	1	\$4,000.00	\$4,000.00
GAS FUEL LINE	2	\$1,775.00	\$1,775.00
GAS GRILL	1	\$400.00	\$400.00
LP TO NATURAL GAS CON	1	\$200.00	\$200.00
MECHANICAL REPLACEME	51	\$349,659.00	\$290,109.00
MERCANTILE/RETAIL	1	\$1,500.00	\$1,500.00
TANKLESS HOT WATER HE	1	\$3,000.00	\$3,000.00
Total	58	\$360,534.00	\$300,984.00

New Building

Proposed Use	Number of Units	Construction Value	Intown Value
BUSINESS/OFFICE	1	\$716,840.00	\$716,840.00
CONSTRUCTION TRAILER	1	\$1,000.00	\$1,000.00
SINGLE FAMILY DWELLIN	12	\$2,447,452.00	\$2,447,452.00
TOWNHOME	4	\$483,156.00	\$483,156.00
Total	18	\$3,648,448.00	\$3,648,448.00

New Structure

Proposed Use	Number of Units	Construction Value	Intown Value
CONSTRUCTION TRAILER	1	\$700.00	\$700.00
DECK	1	\$275.00	\$275.00
RESIDENTIAL STORAGE	2	\$7,000.00	\$7,000.00
RETAINING WALL	2	\$117,712.00	\$117,712.00

SWIMMING POOL	1	\$500.00	\$500.00
TEMPORARY TENT	1	\$640.00	\$640.00
Total	8	\$126,827.00	\$126,827.00

Plumbing

Proposed Use	Number of Units	Construction Value	Intown Value
GAS HOT WATER HEATER	1	\$1,962.00	\$1,962.00
IRRIGATION	1	\$5,000.00	\$5,000.00
PLUMBING	2	\$2,950.00	\$2,950.00
SEWER SERVICE	2	\$14,683.00	\$6,800.00
SINGLE FAMILY DWELLIN	1	\$9,937.00	\$9,937.00
TANKLESS HOT WATER HE	2	\$8,442.00	\$8,442.00
Total	9	\$42,974.00	\$35,091.00

Removal

Proposed Use	Number of Units	Construction Value	Intown Value
TANK REMOVAL	1	\$5,800.00	\$5,800.00
Total	1	\$5,800.00	\$5,800.00

Sum	Total Number of Permits	141
	Total Construction Value	\$4,917,370.79
	Total Intown Value	\$4,758,947.79

Permit #:	2180497	Inside Town Limits Yes	
Issue date:	7/31/2018	Census tract:	PIN#: 1700-73-8178
Lot#:	23	Subdivision: BREEZEWAY SOUTH	Total cost: \$315,000.00
PropAddress:	115 MEADOW OAK LANE		
Owner's	ANDREAS WINSTON	Owner's Phone:	919-247-0782
Contractor	OWNER	Contractor's Phone:	
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN

Permit #:	2180749	Inside Town Limits Yes	
Issue date:	7/3/2018	Census tract:	PIN#: 1629-02-2613
Lot#:	117	Subdivision: OAK PARK	Total cost: \$184,635.00
PropAddress:	124 LEMOYNE COURT		
Owner's	ROYAL OAKS BUILDING GROUP, LLC	Owner's Phone:	919-233-3886
Contractor	ROYAL OAKS BUILDING GROUP, LLC	Contractor's Phone:	919-233-3886
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN

Permit #:	2180776	Inside Town Limits Yes	
Issue date:	7/16/2018	Census tract:	PIN#: 1730-40-0170
Lot#:		Subdivision: N/A	Total cost: \$716,840.00
PropAddress:	5401 RAYNOR ROAD		
Owner's	SAAD EXCHANGE LLC	Owner's Phone:	919-815-7979
Contractor	GARRETT BUILDING CORP	Contractor's Phone:	919-782-1147
Type of Improvement:	New Building	Proposed Use	BUSINESS/OFFICE

Permit #:	2180784	Inside Town Limits Yes	
Issue date:	7/9/2018	Census tract:	PIN#: 1619-87-8454
Lot#:	67	Subdivision: GLENS AT BETHEL	Total cost: \$359,000.00
PropAddress:	226 VALLEYCRUISE CIRCLE		
Owner's	SOUTHERN TRADITIONS	Owner's Phone:	919-538-2741
Contractor	SOUTHERN TRADITIONS CONSTRUCTIO	Contractor's Phone:	919-538-2741
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN

Permit #:	2180825	Inside Town Limits Yes	
Issue date:	7/5/2018	Census tract:	PIN#: 1619-03-2581
Lot#:	1	Subdivision: CREEKSIDE	Total cost: \$155,000.00
PropAddress:	106 ROARING CREEK DRIVE		
Owner's	D.R. HORTON	Owner's Phone:	919-407-2037
Contractor	D.R. HORTON, INC.	Contractor's Phone:	919-407-2037
Type of Improvement:	Alteration	Proposed Use	SINGLE FAMILY DWELLIN

Permit #:	2180827	Inside Town Limits		Yes
Issue date:	7/6/2018	Census tract:	PIN#:	1711-24-8994
Lot#:	33	Subdivision:	VANDORA WEST	Total cost: \$135,377.00
PropAddress:	116 VANDORA HILLS PLACE			
Owner's	KELLYS CROSSING DEVELOPER LLC	Owner's Phone:	919-800-9169	
Contractor	SMITH DOUGLAS HOMES	Contractor's Phone:	919-812-0350	
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN	

Permit #:	2180833	Inside Town Limits		Yes
Issue date:	7/5/2018	Census tract:	PIN#:	1629-15-6864
Lot#:	55	Subdivision:	CLIFFORD GROVE	Total cost: \$151,359.00
PropAddress:	160 WHITETAIL DEER LANE			
Owner's	D.R. HORTON, INC.	Owner's Phone:	919-407-2037	
Contractor	D.R. HORTON, INC.	Contractor's Phone:	919-407-2037	
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN	

Permit #:	2180837	Inside Town Limits		Yes
Issue date:	7/5/2018	Census tract:	PIN#:	1629-15-6818
Lot#:	56	Subdivision:	CLIFFORD GROVE	Total cost: \$166,977.00
PropAddress:	162 WHITETAIL DEER LANE			
Owner's	D.R. HORTON, INC	Owner's Phone:	919-407-2037	
Contractor	D.R. HORTON, INC.	Contractor's Phone:	919-407-2037	
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN	

Permit #:	2180851	Inside Town Limits		Yes
Issue date:	7/10/2018	Census tract:	PIN#:	1619-87-8081
Lot#:	32	Subdivision:	GLENS AT BETHEL	Total cost: \$300,000.00
PropAddress:	269 VALLEYCRUISE CIRCLE			
Owner's	BRC HOMES INC	Owner's Phone:	919-422-0355	
Contractor	BRC HOMES, INC	Contractor's Phone:	919-562-1081	
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN	

Permit #:	2180874	Inside Town Limits		Yes
Issue date:	7/13/2018	Census tract:	PIN#:	1619-03-7086
Lot#:	82	Subdivision:	CREEKSIDE	Total cost: \$172,763.00
PropAddress:	124 BINGHAM CREEK DRIVE			
Owner's	D.R. HORTON, INC.	Owner's Phone:	919-407-2037	
Contractor	D.R. HORTON, INC.	Contractor's Phone:	919-407-2037	
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN	

Permit #:	2180876	Inside Town Limits		Yes
Issue date:	7/17/2018	Census tract:	PIN#:	1711-25-6171
Lot#:	7	Subdivision:	VANDORA WEST	Total cost: \$161,726.00
PropAddress:	129 VANDORA HILLS PLACE			
Owner's	KELLYS CROSSING DEVELOPERS LLC	Owner's Phone:	919-800-9169	
Contractor	SMITH DOUGLAS HOMES	Contractor's Phone:	919-812-0350	
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN	

Permit #:	2180877	Inside Town Limits		Yes
Issue date:	7/13/2018	Census tract:	PIN#:	1629-15-7238
Lot#:	46	Subdivision:	CLIFFORD GROVE	Total cost: \$153,231.00
PropAddress:	136 WHITETAIL DEER LANE			
Owner's	D.R. HORTON, INC.	Owner's Phone:	919-407-2037	
Contractor	D.R. HORTON, INC.	Contractor's Phone:	919-407-2037	
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN	

Permit #:	2180880	Inside Town Limits		Yes
Issue date:	7/18/2018	Census tract:	PIN#:	1710-47-4207
Lot#:	40	Subdivision:	LANDING AT HEATHER PARK	Total cost: \$110,705.00
PropAddress:	224 MYATT FERN DRIVE			
Owner's	ROYAL OAKS BUILDING GROUP, LLC	Owner's Phone:	919-233-3886	
Contractor	ROYAL OAKS BUILDING GROUP, LLC	Contractor's Phone:	919-233-3886	
Type of Improvement:	New Building	Proposed Use	TOWNHOME	

Permit #:	2180881	Inside Town Limits		Yes
Issue date:	7/18/2018	Census tract:	PIN#:	1710-47-3299
Lot#:	41	Subdivision:	LANDING AT HEATHER PARK	Total cost: \$119,261.00
PropAddress:	216 MYATT FERN DRIVE			
Owner's	ROYAL OAKS BUILDING GROUP, LLC	Owner's Phone:	919-233-3886	
Contractor	ROYAL OAKS BUILDING GROUP, LLC	Contractor's Phone:	919-233-3886	
Type of Improvement:	New Building	Proposed Use	TOWNHOME	

Permit #:	2180883	Inside Town Limits		Yes
Issue date:	7/18/2018	Census tract:	PIN#:	1710-47-3391
Lot#:	42	Subdivision:	LANDING AT HEATHER PARK	Total cost: \$133,929.00
PropAddress:	208 MYATT FERN DRIVE			
Owner's	ROYAL OAKS BUILDING GROUP, LLC	Owner's Phone:	919-233-3886	
Contractor	ROYAL OAKS BUILDING GROUP, LLC	Contractor's Phone:	919-233-3886	
Type of Improvement:	New Building	Proposed Use	TOWNHOME	

Permit #:	2180884	Inside Town Limits		Yes
Issue date:	7/18/2018	Census tract:	PIN#:	1710-47-3384
Lot#:	43	Subdivision:	LANDING AT HEATHER PARK	Total cost: \$119,261.00
PropAddress:	200 MYATT FERN DRIVE			
Owner's	ROYAL OAKS BUILDING GROUP, LLC	Owner's Phone:	919-233-3886	
Contractor	ROYAL OAKS BUILDING GROUP, LLC	Contractor's Phone:	919-233-3886	
Type of Improvement:	New Building	Proposed Use	TOWNHOME	
Permit #:	2180912	Inside Town Limits		Yes
Issue date:	7/20/2018	Census tract:	PIN#:	1711256488
Lot#:	10	Subdivision:	VANDORA WEST	Total cost: \$173,588.00
PropAddress:	145 VANDORA HILLS PLACE			
Owner's	KELLYS CROSSING DEVELOPER LLC	Owner's Phone:	919-810-2945	
Contractor	SMITH DOUGLAS HOMES	Contractor's Phone:	919-812-0350	
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN	
Permit #:	2180913	Inside Town Limits		Yes
Issue date:	7/19/2018	Census tract:	PIN#:	1701-16-3746
Lot#:		Subdivision:	N/A	Total cost: \$131,675.00
PropAddress:	4500 FAYETTEVILLE ROAD			
Owner's	WALMART	Owner's Phone:	479-273-4682	
Contractor	POWERHOUSE RETAIL SERVICES, LLC	Contractor's Phone:	817-297-8575	
Type of Improvement:	Alteration	Proposed Use	MERCANTILE/RETAIL	
Permit #:	2180948	Inside Town Limits		Yes
Issue date:	7/30/2018	Census tract:	PIN#:	1629-02-2735
Lot#:	116	Subdivision:	OAK PARK	Total cost: \$173,796.00
PropAddress:	125 LEMOYNE COURT			
Owner's	ROYAL OAKS BUILDING GROUP, LLC	Owner's Phone:	919-233-3886	
Contractor	ROYAL OAKS BUILDING GROUP, LLC	Contractor's Phone:	919-233-3886	
Type of Improvement:	New Building	Proposed Use	SINGLE FAMILY DWELLIN	