

**Town of Garner
Town Council Meeting Minutes
September 5, 2017**

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

CALL MEETING TO ORDER/ROLL CALL:

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

Staff Present: Rodney Dickerson-Town Manager, John Hodges-Asst. Town Manager-Development Services, Matt Roylance-Asst. Town Manager-Operations, Pam Wortham-Finance Director, Rick Mercier-Communications Manager, Brandon Zuidema-Police Chief, Jeff Triezenberg-Planning Director, David Bamford-Planning Services Manager, Jenny Saldi-Senior Planner, William E. Anderson-Town Attorney, and Stella Gibson-Town Clerk.

Also Present: Sam Bridges, Town Lobbyist

PLEDGE OF ALLEGIANCE: Council Member Gra Singleton

INVOCATION: Council Member Gra Singleton

PETITIONS AND COMMENTS

Ms. Lisa Lyons addressed Council regarding the vacant building on Highway 50.

ADOPTION OF AGENDA

Council Member Kennedy asked to add a Closed Session per N.C. General Statutes Section 143-318.11(a)(5) "to discuss possible real estate acquisition and the Town's negotiating position regarding such real estate."

Motion: Johns
Second: Marshburn
Vote: Unanimous

PRESENTATIONS

City of the Year 2017 Citation
Presenter: Terry Chatfield of Forty & Eight

Forty & Eight, an independent honor organization of veterans committed to charitable and patriotic aims, presented a Citation in recognition of the Town's Veteran's Memorial and other events celebrating veterans.

Bullying Prevention Month Proclamation
Presenter: Council Member Buck Kennedy

Chief Zuidema accepted the Proclamation on behalf of Shelia Reich, Executive Director of the Youth Thrive organization.

Council Member Marshburn acknowledged the Garner 101 Citizens Academy students present.

CONSENT

Council Meeting Minutes

Presenter: Stella Gibson, Town Clerk

Adopt minutes from the August 22, 2017 Council Meeting.

Action: Adopt Minutes

Due Diligence Funding

Presenter: John Hodges, Asst. Town Manager-Development Services

Staff requests authorization to expend up to \$50,000 from committed Park Development funds to perform due diligence on property that may be identified for future park and recreational use.

Action: Authorize Expenditure

Resolution Declaring Unpaid Nuisance Abatements as Liens

Presenter: Pam Wortham, Finance Director

This Resolution authorizes unpaid nuisance abatement fees to be filed with Wake County Revenue as liens to real property and added to the property owner's tax bill. The property listed has an unpaid abatement more than 30 days old.

Action: Adopt Resolution (2017) 2330

Motion: Singleton
Second: Johns
Vote: Unanimous

PUBLIC HEARINGS

Annexation Petition ANX-17-04, Purser Drive

Presenter: David Bamford, Planning Services Manager

Mr. Bamford presented a request for contiguous annexation of 1.399 acres located at 902 Purser Drive. The site is vacant / undeveloped. The Council recently approved the right of way closing along this property.

Action: Adopt Ordinance (2017) 3879

Motion: Singleton
Second: Johns
Vote: Unanimous

Annexation Petition ANX 17-05, Evolve Timber Creek Apartments

Presenter: David Bamford, Planning Services Manager

Mr. Bamford presented a request for contiguous annexation of 21.954 acres located on Benson Road. The site is currently under construction.

Action: Adopt Ordinance (2017) 3880

Motion: Kennedy
Second: Singleton
Vote: Unanimous

Conditional Use Site Plan CUP-SP-17-12, White Oak Business Park – Lot 12B

Presenter: Jenny Saldi, Senior Planner

Mayor Williams stated this request was a quasi-judicial hearing to consider a conditional use site plan and asked the Town Attorney to explain the procedures to be followed during the hearing. The Clerk administered the Affirmation of Oath to the following: Jenny Saldi.

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

Ms. Saldi stated this request was for conditional use site plan approval for an office building with a warehouse. The site is located at 105 Sigma Drive.

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

Action: Approve CUP-SP-17-12, White Oak Business Park – Lot 12B with one site specific condition: Phases 2, 3 and “possible future development” shall submit a modification to this plan for review and approval prior to issuance of a building permit.

Motion: Marshburn
Second: Singleton
Vote: Unanimous

NEW/OLD BUSINESS

General Use Rezoning Z-17-04, 601 Tryon Road

Presenter: David Bamford, Planning Services Manager

Mr. Bamford presented a request to change zoning of approximately 28 acres from Industrial 1 (I-1) general use to Community Retail (CR) general use.

Action: Adopt Ordinance (2017) 3882

Motion: Singleton
Second: Behringer
Vote: Unanimous

UDO-17-01, Various Minor Text Amendments

Presenter: Jeff Triezenberg, Planning Director

Mr. Triezenberg stated this proposed text amendment is a collection of corrections and clarifications that planning staff have collected over the past two (2) years. In many cases, there is conflicting and/or duplicate language, a change in terminology or a need to clarify long-standing interpretations. In addition, some corrections to the use table are needed to fix errors in items that were carried forward during the last UDO update process.

Action: Adopt Ordinance (2017) 3881

Motion: Kennedy
Second: Behringer
Vote: Unanimous

COMMITTEE REPORTS

Mr. Bridges provided updates from the recent School Board, County Commission, and CAMPO meetings, as well as legislative staffing changes. Mr. Bridges also extended an invitation for elected officials to work on a Habitat for Humanity house on September 30 from 8:00 a.m. to 12:00 p.m.

Council Member Marshburn reported the Law and Finance Committee met on August 29 to discuss the holiday bank for sworn police officers. Further discussion is required before this matter can be brought to a Work Session. Council Member Singleton asked that all of Council receive the information provided for discussion on this matter.

MANAGER REPORTS

- garner info
- Town Hall Updates – the Ribbon Cutting is scheduled for September 19 at 10:00 a.m. Staff will plan an open house to allow the public to tour the new building.

ATTORNEY REPORTS

Mr. Anderson stated acquisition of the property located at 607 E. Garner Road would be discussed during the Closed Session.

COUNCIL REPORTS

Marshburn

- Stated he had received favorable comments regarding the wood panels installed in the Council Chambers.
- Commended Ellis Williams for providing the pole numbers to utility poles that were not working properly. Mr. Dickerson advised this information had been forwarded to the Public Works Department.

Behringer

- Expressed frustration regarding the lack of progress on the construction of the Rec Center.

Johns

- Reported a fence on New Rand Road approaching Foley Station was falling down. Enforcement personnel will investigate.
- Asked for an update on the Bainbridge assessments.

Singleton

- Also expressed frustration regarding the lack of progress on the construction of the Rec Center. Mr. Dickerson advised staff will provide an update at the next meeting.
- Commended Superintendent Merrill for providing information to parents regarding the recent threat of violence at the high school.

Kennedy

- Suggested asking the Town Attorney to contact the bonding company of the contractor working on the Rec Center and advising them of past events as they may have more impact in moving this project forward.
- Stated he is looking forward to this year's Retreat.

CLOSED SESSION:

Pursuant to per N.C. General Statutes Section 143-318.11(a)(5) "to discuss possible real estate acquisition and the Town's negotiating position regarding such real estate."

Motion: Marshburn
Second: Johns
Vote: Unanimous

RETURN TO REGULAR SESSION AND ADJOURNMENT: 9:03 p.m.