TOWN OF GARNER



TOWN COUNCIL MEETING

October 1, 2018 7:00 P.M.

Garner Town Hall 900 7th Avenue Garner, NC 27529

Town of Garner Town Council Agenda October 1, 2018

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: Mayor Ronnie Williams
- C. INVOCATION: Mayor Ronnie Williams
- 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 act or deliberate on the 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.

Adopt minutes from the July 17, August 21, August 28, and September 4, 2018 Council Meetings and closed session minutes from August 21 and September 4, 2018.

Action: Consider Adoption of Minutes

Consideration of the proposed 2019 Council Meeting Schedule.

Action: Consider Adoption of Resolution (2018) 2358

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: Consider Adoption of Resolution (2018) 2359

4. Ordinance Amending FY2018/2019 Operating Budget (Parks Master Plan) Page 29 Presenter: Pam Wortham, Finance Director

At the August 21, 2018 Council meeting, the Town Council approved contracts for McAdams as the consultant to prepare the PRCR Comprehensive Plan, and the Meadowbrook master plan. A portion of the funds (\$37,000) for the Comp Plan was appropriated previously and is in the multi-year project fund recently established. The remainder of the funds (\$82,660) will come from Fund Balance. The full amount of the Meadowbrook contract (\$74,905) will come from Fund Balance.

Action: Consider Adoption of Ordinance (2018) 3932

5. Ordinance Amending FY2018/2019 Operating Budget (Bond Issuance Costs)Page 32 Presenter: Pam Wortham, Finance Director

On August 31, 2018, bond sale #3, as part of the 2013 bond referendum, settled with the LGC. We received a total premium of \$157,717.10 and had bond issuance costs of \$112,703.85. This budget amendment is to utilize a portion of the premium received to pay for the issue costs.

Action: Consider Adoption of Ordinance (2018) 3933

H. PUBLIC HEARINGS

NEW/OLD BUSINESS

- J. COMMITTEE REPORTS
- K. MANAGER REPORTS
 - 1. garner info
- L. ATTORNEY REPORTS
- M. COUNCIL REPORTS
- N. ADJOURNMENT

Town of Garner Town Council Meeting Agenda Form

Meeting Date: Octobe	r 1, 2018		
Subject: Council Meeting Minutes			
Location on Agenda:	Consent		
Department: Administr	ation		
Contact: Stella Gibson, 7	Town Clerk		
Presenter: Stella Gibsor	n, Town Clerk		
Brief Summary:			
	July 17, August 21, August and September 4, 2018.	t 28, and September 4, 2018 Council Meetings and closed session	
	n and/or Requested Acti	on:	
Consider adoption of Mir	nutes		
Detailed Notes:			
Funding Source:			
, anama course.			
Cost:	One Time:	Annual: No Cost:	
	and Recommendations:		
Attachments Yes: •			
Agenda Form	Initials:	Comments:	
Reviewed by:			
Department Head:	SG		
	30		
Finance Director:			
Town Attorney:			
Town Manager:			
. own wandscr.	RD		
Town Clerk:			

Town of Garner Town Council Meeting Minutes July 17, 2018

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, and Council Member Gra Singleton

Staff Present: Rodney Dickerson-Town Manager, John Hodges-Asst. Town Manager, Jeff Triezenberg-Planning Director, Het Patel-Senior Planner, David Bamford-Planning Services Manager, Pam Wortham-Finance Director, Rick Mercier-Communications Manager, William E. Anderson-Attorney, Stella Gibson-Town Clerk

PLEDGE OF ALLEGIANCE: Mayor Ronnie Williams

ADOPTION OF AGENDA

Mr. Anderson requested to add two closed sessions pursuant to 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" and Section 143.318.11(a)(3)) "to consult with the Town Attorney regarding litigation."

Motion: Marshburn Second: Behringer

Vote: 5:0

PRESENTATIONS

CONSENT

Annexation Petition ANX-18-04, 7400 Bryan Road and ANX-18-05, 907 Withers Road

Presenter: David Bamford, Planning Services Manager

Resolution to set public hearings for satellite annexation of .925 acres on Bryan Road and contiguous annexation of 1.607 acres on Withers Road.

Action: Adopt Resolution (2018) 2353

2019 Holiday Schedule

Presenter: Stella Gibson, Town Clerk

Resolution setting the 2019 Town of Garner Holiday schedule.

Action: Adopt Resolution (2018) 2354

Triangle J Charter Amendments

Presenter: Rodney Dickerson, Town Manager

Request to adopt amendments to the Triangle J Charter Resolution to reflect current practices and regional boundaries. This document must be endorsed by each member's governing board before it can be finalized.

Action: Adopt Amendments

Motion: Johns Second: Marshburn

Vote: 5:0

PUBLIC HEARINGS

General Use Rezoning Z 18-03 Rezoning, 3008 US 70 Hwy E

Presenter: Het Patel, Senior Planner

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

Mr. Patel stated this request is to rezone approximately 1.09 acres from Wake County Highway District (HD) to Town of Garner Service Business (SB). An entertainment club was on this site previously.

Hearing no further comments, Mayor Williams closed the public hearing and referred this matter to the Planning Commission.

UDO-18-01, Central Business District Amendments

Presenter: Jeff Triezenberg, Planning Director

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

Mr. Triezenberg stated this request is to add two additional uses to the permitted uses in the Central Business District: Outdoor Athletic and Entertainment Facility - Outdoor; and Indoor Only - Manufacturing and Production. Mr. Triezenberg also explained most of the businesses in this area will be for office use. There will be no manufacturing-type businesses.

Hearing no further comments, Mayor Williams closed the public hearing referred this matter to the Planning Commission.

NEW/OLD BUSINESS

Sale and Issuance of General Obligation Bonds

Presenter: Pam Wortham, Finance Director

Ms. Wortham stated the Town has begun the process to sell the third set of bonds associated with the 2013 bond referendum. This sale is for \$4,050,000 and is broken down as follows: 1) \$992,000 for Parks and Recreation bonds to begin work on greenways; 2) \$2,305,000 for Streets and Sidewalks to enhance sidewalk connectivity in existing neighborhoods and improve key intersections; and 3) \$753,000 for Downtown Redevelopment to purchase land to enhance the downtown historic area. The sale is scheduled for August 14, 2018 and should be final by August 30, 2018.

Action: Adopt Resolution (2018) 2355

Motion: Marshburn Second: Behringer

Vote: 5:0

Wake County Voluntary Agriculture District Program

Presenter: David Bamford, Planning Services Manager

Mr. Bamford stated the Wake County Soil and Water Conservation Department requested consideration by all Wake municipalities to enter into a memorandum of understanding with the Wake Soil & Water Conservation District for their staff to administer the Voluntary Agricultural District Program within the municipal corporate limits. This program already applies to the Garner ETJ areas.

Action: Authorize Execution of Memorandum of Understanding

Motion: Singleton Second: Behringer

Vote: 5:0

White Oak, Hebron Church, Ackerman – Phase II Contract Scope of Work and Fee

Presenter: Het Patel, Senior Planner

Mr. Patel reminded Council that a previous meeting, Council selected Alternative 3 – Partial Dual-Lane Roundabout as the preferred alternative for intersection improvements at White Oak, Hebron Church, and Ackerman Roads. Mr. Patel stated the following design services include NCDOT/CAMPO coordination (this includes support for LAPP funding application, preliminary plans – for selected roundabout alternative, right-of-way plans, construction plans, and utility relocation coordination services. The total project budget for Phase II is \$220,740 and will be spread out over the duration of the project, payable in monthly invoices according to the percentage of each work task completed.

Action: Authorize Contract Execution

Motion: Marshburn Second: Behringer

Vote: 5:0

COMMITTEE REPORTS

MANAGER REPORTS

garner info

Finance Report

Building & Permitting Report

Rec Center Tour

Update on Hammond/Timber Drive/ Hwy 70 – the continuous flow intersection was the selected configuration; Jessup Drive will have a full-movement intersection, and queuing lanes were made longer.

Board Advisory Dinner – July 19 at 6:30 p.m.

Connect Conference - August 2

Garner Performing Arts Appreciation Dinner – August 23 at 6:00 p.m.

ATTORNEY REPORTS

COUNCIL REPORTS

Marshburn

Reported the summer food program will be administered through the Community of Hope this year.

Behringer

Asked about the greenway plans off of Buffaloe Road. Mr. Roylance advised work continues on the design and an update will be provided at the August work session.

Asked to keep a splash pad in the forefront as the Town moves forward.

Singleton

Reiterated the need for a splash pad.

Thanked staff for work done to make the July 3 celebration a success.

Kennedy

Endorses a splash pad.

Stated that with the next bond sale pending, a Public Works Committee Meeting to discuss the remaining funds and completion dates of the projects.

Council Member Johns had nothing to report.

CLOSED SESSION

Pursuant to 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" and Section 143.318.11(a)(3)) "to consult with the Town Attorney regarding litigation."

RETURN TO REGULAR SESSION AND ADJOURNMENT: 8:50 p.m.

Town of Garner
Town Council Meeting Minutes
August 21, 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:

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-Development Services, Matt Roylance-Asst. Town Manager-Operations, Pam Wortham-Finance Director, Sonya Shaw-PRCR Director, Rob Smith-Asst. PRCR Director, Rick Mercier-Communications Manager, William E. Anderson-Town Attorney, Stella Gibson-Town Clerk

PLEDGE OF ALLEGIANCE: Council Member Buck Kennedy

INVOCATION: Council Member Buck Kennedy

PETITIONS AND COMMENTS

Chris McGinnis stated he received a Notice of Violation from the Town stating he was operating a business in a residential neighborhood. Mr. McGinnis assured the Council that was not the case and has since removed the items from his property giving that impression. He stated he is in full compliance with the Town's Unified Development Ordinance and requests a fair and impartial hearing before the Board of Adjustment.

Kenny Lynch expressed concern regarding the construction schedule of the Rec Center.

ADOPTION OF AGENDA

Council Member Behringer requested to add a closed session per N.C. General Statutes Section 143-318.11(a)(6) "to discuss the qualifications, competence, performance, character, fitness, or conditions of appointment of an individual public officer or employee."

Motion: Marshburn

Second: Johns Vote: 5:0

PRESENTATIONS

James R. Stevens Service to Garner Award

Amy White was recognized as the recipient of the 2018 James R. Stevens Service to Garner Award. This award is bestowed on citizens who have made substantial, outstanding contributions to Garner.

Investment Update

Craig Robinson with PFM presented the Town's quarterly portfolio and economic update through June 30, 2018.

CONSENT

North Garner Middle School Joint Use Agreement

Presenter: Sonya Shaw, PRCR Director

Ms. Shaw stated the Joint Use Agreement for North Garner Middle School needs to be renewed. The contract covered a 15-year period for use of North Garner Middle School baseball field, Avery Street driveway access and parking. The Town's use of the baseball field is primarily for athletic programming partners.

Action: Approve Joint Use Agreement

Motion: Kennedy Second: Marshburn

Vote: 5:0

PUBLIC HEARINGS

NEW/OLD BUSINESS

PRCR Comprehensive Plan Scope of Services Proposal

Presenter: Sonya Shaw, PRCR Director

Ms. Shaw stated the Comprehensive Plan covers a 10-year period and is required for PRCR to maintain national accreditation. The plan covers citizen survey, community input, stakeholder/focus group meetings, recreation trends, analysis, facility, park and program assessments, park operations and maintenance review, and budget review analysis. The Greenway Plan will include community input, stakeholder/focus group meetings, review, evaluation and recommendations for existing conditions, proposed trail alignments and connectivity gaps, and cost estimates. After reviewing and evaluating five Request for Proposal (RFP) responses to the PRCR Comprehensive and Greenway Plan, McAdams was selected as consultant for plan development services. Ms. Iona Thomas of McAdams clarified several areas in the proposal and advised the estimated completion of this project is 9 to 12months

Action: Authorize Execution of Contract with McAdams subject to the Town Attorney's review of Section 16 (Waiver of Consequential Damages/Limitation of Liability and Section 18 (Arbitration).

of the Terms and Conditions of the Contract by the Town Attorney.

Motion: Kennedy Second: Behringer

Vote: 5:0

Meadowbrook Scope of Services Proposal

Presenter: Sonya Shaw, PRCR Director

Ms. Shaw stated the services of this proposal include development of a master plan for Meadowbrook which includes citizen survey, community input, stakeholder/focus group meetings, site review, assessment and analysis, conceptual design alternatives, final master plan design and operation costs analysis. After reviewing and evaluating eleven Request for Proposal (RFP) responses to the Meadowbrook Park Master Plan, McAdams was selected as consultant for master plan development services. When services for both the Meadowbrook and the PRCR Comprehensive Plan are being performed, there may be an overlap in services.

Action: Authorize Execution of Contract with McAdams subject to the Town Attorney's review of Section 16 (Waiver of Consequential Damages/Limitation of Liability and Section 18 (Arbitration).

Motion: Marshburn Second: Kennedy Vote: 5:0

COMMITTEE REPORTS

MANAGER REPORTS

- garner info
- Finance Report
- Mr. Hodges provided an update on the following:
 - Garner Road Drainage The Town's Engineering and Public Works Departments, NCDOT, and NCRR, and NCDOT met onsite to investigate the situation. NCDOT has committed to help extend the ditch on Garner Road toward the east. They are also going to help upsize the pipe that goes under Garner Road.
 - Garner Magnet High School Grass Staff is meeting with the Senior Director of WCPSS Facilities to discuss the overall condition of landscape on the campus. Staff will also discuss the installation of a repeater device.
 - Creech Road Intersection Striping Staff met with NCDOT and the turn lane off of Creech Road
 will not be removed. However, signalization improvements/changes will be made: a stop bar
 on Garner Road turning toward Creech Road which would require traffic to stop further back.
 Staff could ask NCDOT to look at the stop bar on Creech Road and see if it is as far back as it can
 be.

ATTORNEY REPORTS

COUNCIL REPORTS

Behringer

- Asked how the requests for agency funding was determined. Mr. Dickerson stated requests were funded based on last year's request but will follow-up.
- Reported she will be attending the CityVision Conference in September.
- Vehicles run light at Creech Road.

Singleton

- Reported receiving numerous complaints regarding the the overall condition of the landscape on the South Garner High School campus.
- Asked what interest rate was received on the recent bond sale. Ms. Wortham advised the interest rate received was 3.066.
- Asked about the status of the cross walk signage at Aversboro & Buffaloe Roads and Timber Drive and Buckingham Road. Mr. Dickerson advised the equipment has been received and staff is coordinating with the manufacturer to install. This should occur in the next couple of weeks.

Kennedy

- Reported attending the MOU committee meeting with Garner Volunteer Fire Rescue and discussing benchmarking results comparing the Town with other municipalities.
- The Public Works Committee will meet on August 29 to follow-up from Work Session items.
- Requested Judy Bass, representing the historic preservation group, to make a presentation to Council.
- Asked staff to review sketch of cutout section of Aversboro Road at the townhome construction site
 to see if any potential drainage issues appear present.

Mayor ProTem Marshburn and Council Member Johns had nothing to report.

RETURN TO REGULAR SESSION AND ADJOURNMENT: 9:57 p.m.

Town of Garner Council Work Session Minutes August 28, 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, John Hodges-Asst. Town Manager- Development Services, Matt Roylance-Asst. Town Manager-Operations, Tony Chalk-Town Engineer, Pam Wortham-Finance Director, Het Patel -Senior Planner, Jonathan Ham-Asst. Town Engineer, Rob Smith-Asst. Director PRCR, Rick Mercier-Communication Manager, Mike Franks-Budget & Special Projects Manager, Megan Young- PRCR Marketing Coordinator, Bill Anderson- Town Attorney, and Rebecca Schlichter-Deputy Town Clerk.

ADOPTION OF AGENDA

Motion: Marshburn Second: Behringer

Vote: 5:0

REPORTS/DISCUSSION

On-Call Transportation Planning and Design

Presenter: Het Patel, Senior Planner

Mr. Patel presented the On-Call Transportation Planning and Design Services RFQ and the selection process for on-call consultants.

BACKGROUND/INTRODUCTION

Town Council had previously approved the advertisement of On-Call Transportation Planning and Design Services RFQ on May 29, 2018 work session meeting. With the growth Garner is experiencing it is important to introduce efficiency in transportation planning and design projects to ensure the Town can plan for and implement transportation infrastructure improvements.

FIRM SELECTION PROCESS

The Planning Department prepared and published a Request for Qualifications (RFQ) outlining the scope for this project on July 6, 2018. A total of fifteen (15) firms responded in writing with qualifications submittals.

An RFQ Review Committee was assembled to review the materials submitted by the consultants and to make a recommendation on the top three (3) firms for selection for on-call transportation planning and design projects. The Committee members included: John Hodges, Asst. Town Manager; David Bamford, Planning Services Manager; Tony Chalk, Town Engineer; Jonathan Ham, Asst. Town Engineer; and, Het Patel, Senior Planner.

The Review Committee ranked and assigned a score to each of the firms' packet according to the following criteria: Strength of firm's or teaming partner's experience; strength of project team including qualifications of key personnel; familiarity with Town of Garner, NC and working with NCDOT and CAMPO; projected workload and availability of key resources; strength in graphical skills, GIS mapping, or other visual communications for marketing; organization, completeness and overall presentation of RFQ. The Committee's marks were assigned to each firm from highest to lowest, out of a maximum possible score of 60. The scores were averaged to receive the ranking of the following top three (3) firms:

- ARCADIS
- HDR Engineering, Inc.
- ➤ Kimley-Horn

SELECTION OF CONSULTANT FOR FUTURE PROJECTS

For future transportation projects the Town can select one (1) of the three (3) consultants to engage regarding discussion for scope of work and/or fee for transportation planning, engineering and design services. These discussions will be brought back to the Council for approval and will be initiated based on project approval and funding from Town Council.

The selection of consultants for future projects will occur on a rotating basis. However, the Town may select any of the three (3) firms from the consultant library based on a range of factors including, but not limited to, the specialized qualification of key personnel, recent project experience in a specific work, the firm's past performance providing services to the Town and availability of key resources to complete the project.

Action: Authorization to move forward with the selection of the top three firms as on-call consultants for future transportation planning and design projects.

Motion: Kennedy Second: Behringer

Vote: 5:0

South Garner Greenway Alignment Options

Presenter: Matt Roylance, Assistant Town Manager

Mr. Roylance, Graham Bruns and Iona Thomas of McAdams presented three potential greenway alignment options with cost estimates. The project was originally conceived in the 2007 Parks plan to connect Lake Wheeler to Lake Benson Park.

Route Selection Criteria

- > Accessibility
- > Consistent design standards
- > Access, linkage and safety
- > Environmental considerations

- > Experience of the user
- > Available Right of Way and easements
- > Potential construction costs
- > Constructability

Methodology

- > Linear foot costs for greenway trail, Multi-Use Paths, boardwalks, bridges, erosion control, temporary traffic control, etc. are based on bid averages from 10 comparable greenway projects over the last 3 years.
- > Base maps and models are from Wake County GIS data.
- > Easement costs are based on land valuations taken from Wake County tax records and applied as a per square foot basis

Cost Estimates

Option Construction Cost (FY 2018)	Multi-Use Path (Orange)	Trail Option A (Salmon)	Trail Option B (Green)	Buffaloe Road Street Side Option (Teal)
Stream crossings	N/A	2	1	1
Bridges	N/A	1	1	1
At-grade road crossings	1	1	N/A	N/A
Additional drainage	Yes	No	Yes	Yes
Trailheads (*Additional Costs)	N/A	2	1	1
Greenway easement needed	No	Yes	Yes	Yes
TOTAL CONSTRUCTION COST:	\$1,098,812	\$1,886,833	\$2,886,324	\$2,905,397
20% CONTINGENCY:	\$219,762	\$377,367	\$577,265	\$581,079
20% ENGINEERING AND PLANNING SERVICES:	\$219,762	\$377,367	\$577,265	\$581,079
12% CEI SERVICES:	\$131,857	\$226,420	\$346,359	\$348,648
TOTAL COMPLETED RECOMMENDATION:	\$1,670,193	\$2,867,987	\$4,387,213	\$4,416,203

Why is it so expensive?

- > Previous estimates were based on recession level prices and available work
- > Booming development market makes public projects less attractive to contractors
- > Lots of projects for contractors to choose to pursue
- > Higher capital costs for low maintenance materials reduce life cycle costs

Multi Use Path - \$1,670,193

- > This portion of project is eligible for Street & Sidewalk bond funds
- > Sufficient funding available in Street & Sidewalk bonds
- > Recommend using Street & Sidewalk bonds

Greenway Trail (assuming Option A) - \$2,867,987

- > FY 14-15 Fuel Savings \$80,700
- > Committed Bond Funds \$750,000
- > Wake County \$245,828
- > Unallocated PRCR Bonds \$600,000
- > Parks Fee-In-Lieu \$1,191,459

Next Steps

- > Conversations with key landowners
- > Public engagement
- > Finalize recommendations
- > Feasibility Report

Jimmy Jackson of the Lakemoor subdivision requested safe access for its residents to get to the park.

Council consensus to move forward with next steps of project.

NC DOT Update

Presenter: Joey Hopkins, District 5 Division Engineer

Mr. Hopkins provided an update on NC DOT initiatives.

- Two of the three sections of 540 are advertised at this time. The first section won't turn dirt until late 2019. Mr. Hopkins advised all 3 sections will open at once.
- I-40 Hwy 42 is under contract which is a 360 million dollar design build project. Project will need a bit of right of way, will start work in a few weeks to do the traffic shift.
- NCDOT held a public meeting a few months ago concerning the highway 70 interchange at Timber drive. It will be a continuous flow intersection and construction will begin in 2020.
- NC50 bridge replacement and widening in right of way acquisition. Construction is scheduled to begin next summer.
- Public meeting was held for 401 super street project which will restrict some of the left turns onto side streets. Cost share for sidewalks will need to be discussed.
- Funded project at Ten Ten Road to 401 adjacent to where 540 crosses.
- Mechanical down to Simpkins will be a super street and adding lanes.
- Jones Sausage Road Department has agreed to fund 4.5million for improvements. From 40 to E Garner Road 2 lanes in each direction but will narrow back down to 2 lanes at E Garner Road.

New Recreation Center Signage

Presenter: Megan Young, PRCR Marketing Coordinator

Ms. Young presented exterior branding ideas for the new Recreation Center which included a monument sign, lighted vertical lettering, back lit LED channel letters and parking lot directional signs.

Council Consensus to move forward with signage and go with option B with larger letter GRC on back lit building sign.

Bond and CIP Update

Presenters: John Hodges, Assistant Town Manager and Mike Franks, Budget & Special Projects Manager

Mr. Hodges provided an update on committed, planned and uncommitted bond fund balances. Mr. Franks gave a brief progress update on the development of the new CIP model.

MANAGER REPORTS

- Labor Day September 3rd First Council Meeting in September is the 4th
- South Garner Ribbon Cutting- September 12th at 9:30 a.m.
- Garner High School's 50th Anniversary- September 21st at 5:00 p.m.
- Garner Consolidated High Schools 50th Class Reunion September 14th at 6:00 p.m.
- Public Works Committee Meeting August 29th at 8:30 a.m.
- Board of Elections is making changes to its polling locations.
- Recreation Center update Current project completion date is November 30, 2018
- City of Raleigh is currently conducting a cost study
- Mr. Hodges updated Council on the Garner High School landscaping. The High School maintenance team agreed it will mow the no mow grass to 4 inches when it reaches 10-12 inches.

COUNCIL REPORTS

Singleton

• Thanked the Public Works Department for putting up the fence at South Garner soccer field.

Marshburn

Reported he and Council Member Behringer will be attending the City Vision Conference in Hickory.

Behringer

Attended the Woman's Equality Day event.

ADJOURNMENT: 9:45 p.m.

Motion: Singleton Second: Behringer

Vote: 5:0

Town of Garner Town Council Meeting Minutes September 4, 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:

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-Development Services, Matt Roylance-Asst. Town Manager-Operations, Adam Carroll-Communications Specialist, David Bamford-Planning Services Manager, Stacy Harper-Principal Planner, Alison Jones-Planner II, Jeff Triezenberg-Planning Director

PLEDGE OF ALLEGIANCE: Mayor ProTem Marshburn

INVOCATION: Mayor ProTem Marshburn invited Pastor Bill Acton of First Presbyterian Church of Garner to deliver the invocation.

PETITIONS AND COMMENTS

ADOPTION OF AGENDA

Motion: Johns Second: Behringer Vote: 5:0

PRESENTATIONS

Council Member Kennedy presented the Proclamation recognizing September 17-23, 2018 as Constitution Week.

Council Meeting Minutes

Presenter: Stella Gibson, Town Clerk

Adopt minutes from the July 31 regular and closed session meetings and the August 6 regular meeting.

Action: Adopt Minutes

Motion: Marshburn

Second: Johns Vote: 5:0

PUBLIC HEARINGS

Conditional Use Rezoning CUD-Z-18-03 and Conditional Use Permit CUP-SP-18-07, Bannister Professional Center

Presenter: David Bamford, Planning Services Manager & Stacy Harper, Principal Planner

The Town Clerk administered the Affirmation of Oath to the following: Pamela Porter, Danny Breed, Brian Gurganus, Cathy Deeley, Amy McDonald, Jason Bertoncino, Rynal Stephenson, Michael Moore, Toby Coleman, Keith Roberts, Beth Blackmon, Doug Schwartz, Sonny Bannister, and Joe Faulkner.

Mr. Anderson then asked the Council to disclose any exparte communications regarding these projects. Mr. Anderson then explained the procedures to be followed during the hearings. Hearing none, Mayor Williams opened the public hearing and asked Mr. Bamford and Ms. Harper to provide the staff reports.

This request is for change in zoning for approximately 5.97 +/- acres located on the south side of Timber Drive East from Single-Family Residential (R-20) to Neighborhood Commercial (NC C-202). A companion conditional use site plan for retail sales and service with office uses accompanies this conditional use zoning request

Joe Faulkner stated the intent of this rezoning is to allow additional flexibility for office space on the site.

Robert Gregory expressed concern regarding the lighting on adjacent properties and requested a fence for security. Mr. Faulkner responded the lights are for security protection and as indicated on their plans, shields will be installed. Mr. Gregory's wife expressed concern regarding the stormwater pond in the back of the properties causing standing water and mosquitos. She also expressed concern regarding the property drive-thru not facing Timber Drive, but facing the homes. Mr. Faulkner explained the stormwater pond is designed to drain into the existing drainage system. Mr. Faulkner added a 6' opaque wooden fence will be installed in certain areas and the retaining wall around the stormwater pond will range from 3' to 11'. Additional plants will be added to the 35' buffer area.

Sandy Hackney also expressed concern regarding the lights and the need for security fencing.

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

Action: Adopt Ordinance (2018) 3925

Motion: Marshburn Second: Kennedy Vote: 5:0

Action: Approve CUP-SP-18-07 with 2 site specific conditions:

(1) a 6 foot wooden fence be placed along the entire length of the rear property line.

(2) Prior to Certificate of Occupancy, shields must be installed on light pole fixtures as shown on the site plan.

Motion: Singleton Second: Marshburn

Vote: 5:0

Conditional Use Rezoning CUD-Z-18-05 and Conditional Use Permit CUP-SB-18-03, Harpers Landing Presenter: David Bamford, Planning Services Manager & Alison Jones, Planner II

Mayor Williams opened the public hearing and asked Mr. Bamford and Ms. Jones to provide the staff reports.

This request is for a change in zoning for approximately 38.24 +/- acres located on the north side of Clifford Road from Single-Family Residential (R-20) to Single-Family Residential Conditional Use (R-9 C-204). A companion conditional use subdivision plan for an 87 lot single family residential development accompanies this conditional use rezoning request.

Doug Swartz clarified the size of the homes in this project will be a minimum of 1550 sq. ft. and Council discussed Type 1 and Type 2 sewer allocations.

Keith Roberts stated the site will be served by the City of Raleigh's water and sewer infrastructure.

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

Action: Adopt Ordinance (2018) 3926

Motion: Kennedy Second: Singleton

Vote: 5:0

Action: Approve CUP-SB-18-03 with 5 site specific conditions:

- (1) Prior to Construction Document approval, all off-site easements shall be acquired by the developer and shall be recorded by map and by deed of easement. The easements shall be dedicated to the City of Raleigh and entitled "City of Raleigh Sanitary Sewer Easement".
- (2) Prior to Construction Document approval, a sewer capacity study shall be submitted to the City of Raleigh.
- (3) Prior to final plat approval, construction documents must be approved by the City of Raleigh.
- (4) Prior to the issuance of any Certificate of Occupancy, any required sewer pump station upgrades shall be completed and accepted by the City of Raleigh.
- (5) Prior to the issuance of any Certificate of Occupancy, any offsite sewer lines within the Oak Park Subdivision necessary for tying to the system must be accepted by the City of Raleigh.

Motion: Marshburn Second: Behringer Vote: 5:0

Conditional Use Rezoning CUD-Z-18-06 and Conditional Use Permit CUP-SP-18-12, S.T. Wooten Presenter: David Bamford, Planning Services Manager & Alison Jones, Planner II

Mayor Williams opened the public hearing and asked Mr. Bamford and Ms. Jones to provide the staff reports.

This request is for conditional use rezoning for approximately 20.37 +/- acres located on the south side of East Garner Road from Single-Family Residential (R-20) and Service Business (SB) to Heavy Industrial Conditional Use (I-2 C-205). A companion conditional use site plan for manufacturing and production uses accompanies this conditional use rezoning request.

Council Member Marshburn expressed concern regarding the heavy concrete trucks traveling the 2-lane road. Mr. Stephenson stated the applicant met with NCDOT to coordinate driveways and looked at traffic impacts. Trucks are already using the roadway and if it was a problem, NCDOT would have made any concerns part of the driveway permit. Mr. Rynal also added most of the school traffic is heavy for approximately 30 minutes in both the morning and afternoon and should not be impacted by this project as there are multiple ways to get to and from the school.

Cathy Deeley of the NCRR Railroad stated she would like to request if the petitioner enters into the area of the rail corridor or overlap area for any purpose that they work directly toward an agreement to do so. Regarding stormwater to the south, she would like to see the details identifying where the water is ultimately flowing as the railroad does not want additional water to the rail corridor. She is also requesting to review and approve any hydrology questions and work directly with the applicant to review. Jason Bertinere stated the stormwater is a small portion of the site and agreed to discuss with the railroad.

John Richter asked if this project will be connected to the sewer service would that cause concrete residue to affect the system or stormwater runoff. Mr. Gurganous responded the plant will have a water retention system and excess material is crushed and recycled. Water will flow through a tiered retention system and water in the drainage system will comply with applicable standards.

Hearing no further comments, Mayor Williams closed the public hearing and called or a vote.

Action: Adopt Ordinance (2018) 3927

Motion: Kennedy Second: Behringer

Vote: 5:0

Action: Approve CUP-SP-18-12 with no site specific conditions.

Motion: Singleton Second: Marshburn

Vote: 5:0

Conditional Use Rezoning CUD-Z-18-07 and Conditional Use Permit CUP-SP-18-13, Oak City Academy

Presenter: Presenter: David Bamford, Planning Services Manager & Stacy Harper, Principal Planner

Mayor Williams opened the public hearing and asked Mr. Bamford and Ms. Harper to provide the staff reports.

This request is for conditional use rezoning of 1.71 +/- acres located on the south side of Old Mechanical Court from Service Business (SB) to Office and Institutional Conditional Use (OI C-206). A companion conditional use site plan for a private school accompanies this conditional use rezoning request.

The school will host approximately 85 children.

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

Action: Adopt Ordinance (2018) 3928

Motion: Marshburn Second: Johns Vote: 5:0

Action: Approve CUP-SP-18-03 with no site specific conditions.

Motion: Kennedy Second: Kennedy Vote: 5:0

NEW/OLD BUSINESS

UDO Text Amendment 18-01

Presenter: Jeff Triezenberg, Planning Director

The Downtown Garner Association requested a UDO Text amendment to the existing Central Business District (CBD) to be aligned with the Garner Forward Comprehensive Plan. This would allow the following uses in the CBD district: "Outdoor Athletic or Entertainment Facility, Private" and "Indoor Manufacturing and Production."

Action: Adopt Ordinance (2018) 3929

Motion: Kennedy Second: Behringer

Vote: 5:0

General Use Rezoning Z-18-03, 3008 US 70 Hwy E

Presenter: David Bamford, Planning Services Manager

The Planning Department is the sponsor/applicant for this general use rezoning case to correct an oversight during last year's ETJ expansion. The request is to rezone from Wake County Highway District (HD) to Town of Garner Service Business (SB) which fits the heavy commercial character of the area and is compatible with the SB zoning to the west which was zoned last year with the ETJ expansion. No conditions are proposed as part of this request and no development plan is proposed at this time. The public hearing was held on July 17, 2018 and the Planning Commission meeting was held on August 13, 2018.

Action: Adopt Ordinance (2018) 3930

Motion: Kennedy Second: Singleton

Vote: 5:0

COMMITTEE REPORTS

Council Member Kennedy reported the Public Works Committee Meeting met on August 29th to discuss stormwater needs and identified 3 specific areas that need improvements/upgrading as soon as possible. He added a request for authorization to issue an RFP to design these improvements will be forthcoming. Additional Public Works Committee meetings will be held to address the CIP and the water/sewer allocation policy.

The Town and Garner Volunteer Fire Rescue Department will meet later this month to continue discussions regarding the Memorandum of Understanding.

MANAGER REPORTS

- garner info
- Reported staff tagged a dozen trucks/trailers at the 9th Grade Center last week. Five more were tagged today. Wake County Schools will put up additional signs.
- Mr. Roylance advised Council of an opportunity to apply for LAPP funding for use on the greenway project. These types of projects fall under the category of bikes and pedestrian projects and will not compete with other funding the Town receives. The bike and pedestrian fund is \$6M. The deadline to submit a pre-submittal package letting them know a full submittal is coming later. The complete submission is due by the end of October and will come back to Council for approval. The Town would need to provide at least a 20% match, however a larger match may increase the Town's chances of approval.
- September 12 South Garner High School Ribbon Cutting Ceremony
- September 14 Garner Consolidated 50th Anniversary
- September 16 Carnaval Latino @ GPAC

ATTORNEY REPORTS

COUNCIL REPORTS

Kennedy

- Expressed appreciation for the information provided Joey Hopkins at the last meeting.
- Regarding the development on Aversboro Road near Georgetowne Manor, the retention/detention
 pond in the back and the net result will overflow in the area that goes between a couple of units.
 He would like for someone to look at for potential impact for the low-lying condos.

Behringer

- Reported tractor-trailers parked in the Walmart parking lot on Hwy 401 and asked staff to look into.
- Stated the lighting at South Station is dimly lit and asked if the Town could require they be made brighter. Mr. Triezenberg responded there is no mechanism in the Ordinance to trigger this requirement unless they come in to upgrade. Lighting requirements were different when this area was developed. Mr. Triezenberg will reach out.

Marshburn

Asked about the property on New Rand Road where the house burned and looks abandoned. Mr.
 Dickerson responded this property will eventually fall under minimum housing standards. Staff has contacted the owner to get resolution.

Council Members Johns and Singleton had nothing to reort.

CLOSED SESSION

Pursuant to 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."

RETURN TO REGULAR SESSION AND ADJOURNMENT: 10:12 pm

Town of Garner Town Council Meeting Agenda Form

Meeting Date: October 1, 2018			
Subject: 2019 Council M	eeting Schedule		
Location on Agenda:	Consent		
Department: Administra	ation		
Contact: Rodney Dickers	son, Town Manager		
Presenter: Rodney Dicke			
Brief Summary:			
Presentation of the prop	osed 2019 Council Meeting	g Schedule	
	n and/or Requested Action	on:	
Consider Adoption of (20	18) 2358		
Detailed Notes:			
Funding Source:			
Cost:	One Time:	Annual:	No Cost:
Manager's Comments	and Recommendations:		
· ·			
Attachments Yes: •) No: ()		
Agenda Form	Initials:		Comments:
Reviewed by:	illitiais.		comments.
Department Head:			
Department ricau.	RD		
Finance Director:			
Tillance Birectori			
Town Attorney:			
•			
Town Manager:	RD		
T 01 1			
Town Clerk:			

Town of Garner Town Council Meeting Agenda Form

Meeting Date: Octobe	r 1, 2018			
Subject: Nuisance Abate	Subject: Nuisance Abatements			
Location on Agenda:	Consent			
Department: Finance				
Contact: Pam Wortham	, Finance Director			
Presenter: Pam Wortha	m, Finance Director			
Brief Summary:				
Resolution declaring cer	tain delinguent nuisance a	abatements as a lien on property. This resolution authorizes		
		ske County property tax bills.		
		The second property can always		
Recommended Motion	n and/or Requested Acti	ion:		
Consider Adoption of Re	solution (2018) 2359			
Detailed Notes:				
Detailed Notes				
Funding Course				
Funding Source: N/A				
	- Ti			
Cost:	One Time:	Annual: No Cost:		
Manager's Comments	and Recommendations:	:		
Attachments Yes:) No: ()			
Agenda Form	Initials:	Comments:		
Reviewed by:				
Department Head:				
	PW			
Finance Director:				
	PW			
Town Attorney:				
Town Manager:	RD			
	2			
Town Clerk:				
1				

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

RESOLUTION NO. (2018) 2359

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:

LOCATION	PROPERTY OWNER(S)	REAL ESTATE ID	COST
LOCATION	TROLERTT OWNER(S)	NEAL LOTATE ID	
2035 Ford Gates Dr	Saeed & Sonia Phipps	157778	236.32
320 W. Garner Rd	Willie Woods Heirs	79561	243.76
111 Johnson St	Patsy Lowe	42846	304.48
113 Johnson St	Patsy Lowe	42847	304.48
1020 Northview St	Barbara Cappell	28410	230.32
1317 Sycamore Rd	Perry Jenkins	35430	444.64
2311 Timber Dr	Newcastle Group the III	222599	230.32
3809 Vesta Dr	Matthew & Evelyn Seabold	29539	230.32
903 Wade Ave	Judy Logan	67687	236.32
212 Weston Rd	Broad Street Funding Trust	755556	230.32
222 Weston Rd	Arthina & Kelvin Dumas	32789	230.32
This resolution shall be	come effective upon adoption,	recorded at the Wake C	County
	ereof forwarded to the Tax Col		

Duly adopted this the 1st day of October, 2018.

(Town Seal)	
	Ronnie S. Williams, Mayor

ATTEST:	
Stella L. Gibson. Town Clerk	

Town of Garner Town Council Meeting Agenda Form

Meeting Date: October 1, 2018				
Subject: Budget Amendment-PRCR Comprehensive Plan and Meadowbrook contracts				
Location on Agenda:	Consent			
Department: Finance				
Contact: Pam Wortham,	, Finance Director			
Presenter: Pam Wortha				
Brief Summary:	•			
At the August 21, 2018 (prepare the PRCR Comp the Comp Plan was appr	rehensive Plan, and the Me opriated previously and is \$82,660) will come from Fr	Council approved contracts for Neadowbrook master plan. A port in the multi-year project fund redund Balance. The full amount of	cion of the funds (\$37,000) for cently established. The	
Recommended Motion	n and/or Requested Acti	on:		
Consider Adoption of Or	•			
Detailed Notes:				
Funding Source: Fund Balance Cost: \$157,565 One Time:				
Attachments Yes: •	No: (
Agenda Form	Initials:	Co	omments:	
Reviewed by:				
Department Head:	PW			
Finance Director:	PW			
Town Attorney:				
Town Manager:	RD			
Town Clerk:				

FINANCE DEPARTMENT MEMORANDUM

TO: RODNEY DICKERSON, TOWN MANAGER **FROM:** PAM WORTHAM, FINANCE DIRECTOR

SUBJECT: BUDGET AMENDMENT **DATE:** SEPTEMBER 25, 2018

GENERAL FUND

The Town Council approved two contracts for McAdams at the August 21, 2018 Council meeting. The contracts are for McAdams to act as consultant to lead the project for the PRCR Comprehensive Plan and for the Meadowbrook master plan.

The project bid for the Master Plan will be a total of \$119,660. We are requesting to budget fund balance from the General Fund to cover the shortfall on this project, which is a total of \$82,660 because there is currently \$37,000 in this multi-year fund from the prior fiscal year.

The Meadowbrook master plan will cost \$74,905. This amount has not been budgeted in previous years. We are requesting to budget fund balance from the General Fund for this project as well.

The expenditures for both projects will be budgeted in the multi-year capital reserve fund.

If you have any questions or concerns, please let me know. Thank you.

ORDINANCE NO. (2018) 3932

ORDINANCE AMENDING ORDINANCE NO. (2018) 3916 WHICH ESTABLISHED THE 2018 – 2019 OPERATING BUDGET

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

Section One. That the GENERAL FUND be amended as follows:

General Fund Budget Changes:

Department/ Category	Description	Current	Amended	Net Change
Expenditures				
10590000-552020	Transfer to Cap Reserve	\$331,934	\$489,499	+\$157,565
20571000-524376	Contract Services-Master Plan	\$0	\$119,660	+\$119,660
20571000-524377	Contract Services- Meadowbrook	\$0	\$74,905	+\$74,905
Revenues				
10309000-496900	Appropriated Fund Balance	\$897,241	\$1,054,806	+\$157,565
20309000-496901	Cap Reserve Approp Fund Balance	\$0	\$37,000	+\$37,000
20309000-471000	Transfer from Gen Fund	\$0	\$157,565	+\$157,565

Section Two. Copies of this ordinance shall be furnished to the Finance Director and the Town Clerk for their direction in the disbursement of the Town's funds and for public inspection.

Duly adopted this 1st day of October, 2018.

		Ronnie S. Williams, Mayor
ATTEST:		
71112311	Stella Gibson, Town Clerk	

Town of Garner Town Council Meeting Agenda Form

Meeting Date: October 1, 2018				
Subject: Budget Amendi	Subject: Budget Amendment-bond premium and issue costs			
Location on Agenda:	Consent			
Department: Finance				
Contact: Pam Wortham,	, Finance Director			
Presenter: Pam Wortha	m, Finance Director			
Brief Summary:				
premium of \$157,717.10		013 bond referendum, settled wi osts of \$112,703.85. This budget ue costs.		
Recommended Motion	n and/or Requested Acti	on:		
Consider Adoption of Orc				
Detailed Notes:				
Funding Source: Premium on bond issuan Cost: \$112,704 Manager's Comments	One Time: ① and Recommendations:	Annual:	No Cost:	
Attachments Yes: O				
Agenda Form	Initials:	C	omments:	
Reviewed by:				
Department Head:	PW			
Finance Director:	PW			
Town Attorney:				
Town Manager:	RD			
Town Clerk:				

FINANCE DEPARTMENT MEMORANDUM

TO: RODNEY DICKERSON, TOWN MANAGER **FROM:** PAM WORTHAM, FINANCE DIRECTOR

SUBJECT: BUDGET AMENDMENT **DATE:** SEPTEMBER 25, 2018

GENERAL FUND

Bond sale #3, as part of the 2013 bond referendum, settled on August 31, 2018. The total premium received on the sale of those bonds was \$157,717.10. This budget amendment is to request to us \$112,704 of those funds to pay for the bond issuance costs associated with the sale. This includes primarily fees to the ratings agencies, bond counsel, and our financial advisors.

If you have any questions or concerns, please let me know. Thank you.

ORDINANCE NO. (2018) 3933

ORDINANCE AMENDING ORDINANCE NO. (2018) 3916 WHICH ESTABLISHED THE 2018 – 2019 OPERATING BUDGET

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

Section One. That the GENERAL FUND be amended as follows:

Stella Gibson, Town Clerk

General Fund Budget Changes:

Department/ Category	Description	Current	Amended	Net Change
Expenditures				
41571000-526500	PRCR Bond issuance	\$20,587	\$48,189	+\$27,602
60451000-526500	Downtown Bond Issuance	\$43,951	\$64,903	+\$20,952
61561000-526500	Streets Bond Issuance	\$150,000	\$214,151	+\$64,151
Revenues				
41571000-476025	PRCR Bond Premium	\$20,587	\$48,189	+\$27,602
60451000-476025	Downtown Bond Premium	\$43,951	\$64,903	+\$20,952
61561000-476025	Streets Bond Premium	\$217,500	\$281,651	+\$64,151

Section Two. Copies of this ordinance shall be furnished to the Finance Director and the Town Clerk for their direction in the disbursement of the Town's funds and for public inspection.

Duly adopted this 1st day of October, 2018.

Ronnie S. Williams, Mayor

ATTEST: