

**Town of Garner
Town Council Meeting Minutes
October 2, 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, Matt Roylance-Asst. Town Manager-Operations, Pam Wortham-Finance Director, Rick Mercier-Communications Manager, BD Sechler-Human Resources Director, Jeff Triezenberg-Planning Director, David Bamford-Planning Services Manager, Jenny Saldi-Senior Planner, Alison Jones-Planner II, Tony Chalk-Town Engineer, Jonathan Ham-Asst. Town Engineer, William E. Anderson-Town Attorney, and Stella Gibson-Town Clerk.

Also Present: Sam Bridges, Town Lobbyist

CALL MEETING TO ORDER/ROLL CALL: Mayor Ronnie Williams

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Kathy Behringer

INVOCATION: Mayor Pro Tem Kathy Behringer invited Pastor Joe Francisco of The Capital Area Church to deliver the invocation.

PETITIONS AND COMMENTS

ADOPTION OF AGENDA

Mayor Williams asked to add a Proclamation for Breast Cancer Awareness to the agenda.

Motion: Marshburn
Second: Singleton
Vote: Unanimous

PRESENTATIONS

Presentation to Mayor Pro Tem Kathy Behringer by the League of Women Voters
Presenter: Helen Cleereman

Ms. Cleereman presented Mayor Pro Tem Behringer with a certificate for public service in recognition of women's equality.

Recognize staff re: Town Hall Project

Presenter: Rodney Dickerson, Town Manager

Mr. Dickerson recognized the following individuals who were instrumental in the documentation, construction, oversight, and furnishings for the new Town Hall: Tony Chalk, Jonathan Ham, and Morgan King.

CONSENT

Council Meeting Minutes

Presenter: Stella Gibson, Town Clerk

Minutes from the August 29, 2017 Work Session, September 5, 2017 Regular Meeting, and September 5, 2017 Closed Session

Action: Adopt Minutes

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 properties listed have unpaid abatements more than 30 days old.

Action: Adopt Resolution (2017) 2333

Duke Energy Easement for Town Hall Underground Line Installation

Presenter: Tony Chalk, Town Engineer

In order to relocate their lines underground, Duke Energy is requesting easements from the Town for this purpose.

Action: Grant Easement

Annexation Petition ANX-17-06, Martin Marietta

Presenter: David Bamford, Planning Services Manager

Resolution to set public hearing for contiguous annexation of 5.66 acres located at 2500 Waterfield Drive (White Oak Business Park).

Action: Adopt Resolution (2017) 2334

Annexation Petition ANX-17-07, Bryan Road

Presenter: David Bamford, Planning Services Manager

Resolution to set public hearing for contiguous annexation of 3.7 acres located at 7974 Bryan Road.

Action: Adopt Resolution (2017) 2335

Addition of New Position Title (Principal Planner)

Presenter: Jeff Triezenberg, Planning Director and BD Sechler, Human Resources Director

Request to add title and position of Principal Planner to the Town's Classification Plan. The need for this level of position within the Planning Department was outlined in the May 2017 organizational memo from the Planning Director.

Action: Authorize Addition of Position Title

Motion: Singleton
Second: Marshburn
Vote: Unanimous

PUBLIC HEARINGS

Mayor Williams stated the following requests were quasi-judicial hearings to consider conditional use site plans and asked the Town Attorney to explain the procedures to be followed during the hearings. The Clerk administered the Affirmation of Oath to the following: Daniel Blackburn, Randall Helten, Alison Jones, Jeff Triezenberg, Jenny Saldi, Chris Bostic, and Michael Slattery.

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

Ms. Jones stated this request was for conditional use site plan approval for a gymnasium at 1601 Garner Station Blvd.

Mr. Helton stated the permit requirements related to the internal sidewalk connection to the street sidewalk and the increase to the curb radii at the entrance on Garner Station Blvd have already been met. He further explained the type of services the building would accommodate.

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

Motion: Singleton
Second: Marshburn
Vote: Unanimous

Action: Approve Conditional Use Site Plan CUP-SP-17-11 with 1 site specific condition: A reduction in the East and West perimeter buffers from 15' to 11'.

Conditional Use Site Plan CUP-SP-17-15, Valvoline

Presenter: Alison Jones, Planner II

Ms. Jones stated this request was for conditional use site plan approval for an oil change facility at 1517 US 70 West.

Mayor Williams opened public hearing and asked Ms. Jones to provide the staff report.

Council Member Kennedy confirmed the proposed building did not encroach on the property to the southeast. Mr. Bostwick added there are joint access agreements between Valvoline and Auto Bell for ingress/egress, landscaping, cross access, and parking.

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

Motion: Marshburn
Second: Singleton
Vote: Unanimous

Action: Approve Conditional Use Site Plan CUP-SP-17-15 with 3 site specific conditions: (1) Evidence recorded cross parking agreement and joint use of the existing dumpster agreement Valvoline and Auto Bell; (2) Evidence recorded landscape easement on adjacent Auto Bell site to achieve required perimeter buffer, (3) Evidence of the State of NC determination regarding continuing use of existing monitoring wells.

Council Member Marshburn recognized the Garner 101 Citizens Academy participants who were present.

NEW/OLD BUSINESS

Locally Administered Project Agreement

Presenter: Jonathan Ham, Asst. Town Engineer

Mr. Ham explained the Town received approval of matching funds from NCDOT and CAMPO to construct .75 miles of sidewalk along Timber Drive. This project will connect existing sidewalks from Blanton Street to Stowe Place and from Harth Drive to the Food Lion Shopping Center west of NC 50 highway. Five pedestrian signals will also be constructed as part of this project. It is estimated the project will cost approximately \$406,690. Federal funds will cover 80% of this cost and the Town will receive up to \$325,352 and be responsible for the remaining 20% match amount of \$81,338 which will be funded from the street and sidewalk bond dollars.

Action: Authorize Execution of Agreement

Motion: Singleton
Second: Behringer
Vote: Unanimous

Supplemental Scope of Services for Sidewalk Projects

Presenter: Tony Chalk, Town Engineer

Mr. Chalk stated Ramey Kemp and Associates provided a revised scope of services for Vandora Springs Road west of Timber Drive. This revised scope will consist of two 15 foot lanes with curb and gutter on both sides and sidewalk on one side. The storm drainage along this section will also be modified to accommodate the new section and revise existing work that has already been completed. A new survey will also be required. The revised scope of work for Vandora Springs Road near Spring Drive will extend

to Foxwood Drive so curb and gutter can be added to the intersection. The new typical section will consist of two 11' through lanes and a 12' two-way, left-turn lane. The project limits are also extended south of Spring Drive due to the transition required to tie back to the existing section. This will require revisions to the alignment, profile and cross sections. Additional survey, storm drainage, erosion control and utility coordination is also needed. The project limits are also being extended on the northeast side of Spring Drive to tie the sidewalk to the apartment driveway. Pavement marking plans were not part of the original contract and have been added for both projects due to the changes in the typical sections. The current amount of the supplemental scope of work is \$34,364.

Motion: Singleton
Second: Johns
Vote: Unanimous

Action: Authorize Execution of Contracts

COMMITTEE REPORTS

Council Members Kennedy and Marshburn were selected to serve as the Town representatives to develop a Memorandum of Understanding with the Garner Volunteer Fire Department.

MANAGER REPORTS

- garner info
- Reminded Council of the Advisory Board Appreciation Dinner on October 5th at 6:30 p.m. at the Civitan Club
- Reported receiving a letter from St. Augustine's University advising the Town effective October 31 they are no longer interested in participating in the lease-back agreement established in July 2016. A meeting will be scheduled with them to close-out the agreement.
- Asked Council if they had anything to add to the Retreat agenda and Council Members Singleton and Kennedy asked to invite Jessica Holmes and Sig Hutchinson (Wake County Commissioners) to attend and discuss affordable housing and the possible tax increase. Council Member Marshburn suggested discussing the best way to move forward with the Meadowbrook property.
- Peg Carlson is scheduled to facilitate the Retreat.

ATTORNEY REPORTS

Mr. Anderson asked to add a closed session pursuant to N.C. General Statutes Section 143-318.11(a)(3) to discuss litigation, specifically the Town of Garner v. Joseph Mitchell and Natalie Mitchell, 16-CVS-014235.

COUNCIL REPORTS

Behringer

- Reported the house at the corner of Yeargan Road and West Garner Road has been demolished.
- Attended the NC League of Municipalities Conference in Greenville where she was appointed Secretary of Women in Elected Office for the next 2 years.
- Advised the Pop-Up-Market in downtown Garner was a huge success.

- Confirmed the Work Session for October would be held on the 31st.

Singleton

- Reported paving separation on Poole Drive. Mr. Chalk advised the contractor is scheduled to repair.
- Reported a meeting is scheduled at South Garner High School on October 9th at 6:30 p.m. to discuss Wake County's new student assignment policy.

Marshburn

- Asked to be excused from the October 31st Work Session.
- Would like the Town Hall public open house be held on a Saturday and that the event be well publicized.
- Reported the Avery street sidewalk information session will be held on Thursday, October 12 at the Annex from 6:00 p.m. to 8:00 p.m.
- Participated in the Habitat project along with Sam Bridges.
- Attended the Triangle J Regional Summit at the Clayton Center on September 28th to discuss urban/suburban divide.

Williams

Reminded Council Fireman's Day is on October 7th.

Council Members John and Kennedy had nothing to report.

RETURN TO REGULAR SESSION AND ADJOURNMENT: 8:48 p.m.