

**The Town of Garner
Town Council Meeting Minutes
January 21, 2020**

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: Present: Mayor Ken Marshburn, Mayor ProTem Kathy Behringer, Council Members Demian Dellinger, Phil Matthews, Gra Singleton, and Elmo Vance

Staff Present: Rodney Dickerson-Town Manager, Matt Roylance-Asst. Town Manager-Operations, John Hodges-Asst. Town Manager-Asst. Town Manager-Development Services, Jeff Triezenberg-Planning Director, David Beck-Finance Director, Alison Jones-Planner, David Bamford-Planning Services Manager, Mike Franks-Budget & Special Projects Manager, Sonya Shaw-PRCR Director, Rob Smith-Asst. PRCR Director, Joe Stallings-Economic Development Director, Rick Mercier-Communications Manager, Chris Johnson-Town Engineer, Fred Baggett-Interim Town Attorney, and Stella Gibson-Town Clerk

PLEDGE OF ALLEGIANCE: Council Member Gra Singleton

INVOCATION: Council Member Gra Singleton

PETITIONS AND COMMENTS

Elaine Jenkins, 4612 Winterlochen Road, expressed appreciation for the work Council does.

Rebecca Lakey, 1311 Sycamore Drive, expressed her concerns of high-speed drivers going down Sycamore Drive. The road consists of 15 houses of which 2 are vacant. There are 177 vehicles cutting through the road every day with speeds that double the posted speed limit of 25mph. Mr. Dickerson stated the traffic calming policy is written for the entire town; however, he will ask the Police Department to provide additional traffic enforcements in that area.

ADOPTION OF AGENDA

Motion: Behringer
Second: Singleton
Vote: 5:0

Mayor Marshburn recognized the members of Boy Scout Troop 202 who were present.

PRESENTATIONS

Proclamation Recognizing the Optimist Club

Presenter: Sonya Shaw, PRCR Director

Mr. Smith presented a Proclamation recognizing the Optimist Club for their service and commitment to the community.

Recognition of Employee Savings Initiative Winner

Presenter: Mike Franks, Budget & Special Projects Manager

Mr. Franks recognized Bret Kelly, IT Director, for submitting the winning suggestion in this year's Employee Savings Initiative.

UNC Development Finance Initiative Presentation – Market Feasibility for Downtown Development Site

Presenter: John Hodges-Asst. Town Manager-Development Services and Matt Crook & Rory Dowling

Consultants from DFI presented findings from their market feasibility study as part of their predevelopment services for the Town-owned site next to the Recreation Center.

CONSENT

Vandora Springs Road Sidewalks - Inter-Municipal Agreement with City of Raleigh

Presenter: Chris Johnson, Town Engineer

Approve an inter-municipal agreement between the Town and City of Raleigh for the costs associated with the design and construction of a 12" waterline replacement in conjunction with the sidewalk project.

Action: Approve and authorize the Manager to execute the inter-municipal agreement with the City of Raleigh

Vandora Springs Road Sidewalks - Contract Amendment #5 (Ramey Kemp)

Presenter: Chris Johnson, Town Engineer

Approve contract amendment 5 with Ramey Kemp & Associates (RKA) for the design of a waterline replacement along the limits of the project. This work will be reimbursed by the City of Raleigh through an inter-municipal agreement.

Action: Approve and authorize the Manager to execute contract amendment #5 with Ramey Kemp & Associates

Budget Amendment – Police Vehicles

Presenter: David Beck, Finance Director

During the 12/17/2019 meeting, Council authorized the use of fund balance to allow the Police Department to purchase three Dodge Durango vehicles in FY 19-20. The original budget had funding in it for three Dodge Chargers which are not available for purchase. The Durango vehicles are the only viable option and come at an increased cost of \$36,004.

Action: Adopt Ordinance (2020) 4037

Council Meeting Minutes

Presenter: Stella Gibson, Town Clerk

Council meeting minutes from November 19, 2019, November 26, 2019, December 2, 2019, and January 6, 2020. Closed session minutes from November 19, 2019, November 26, 2019, December 2, 2019.

Action: Approve Minutes

Motion: Singleton
Second: Matthews
Vote: 5:0

PUBLIC HEARINGS

Mayor Marshburn explained the procedures to be followed during this hearing and asked Council to disclose any ex parte communications. Hearing none, the Town Clerk administered the Affirmation of Oath to the following: Brian Wise, Rynal Stephenson, Joe Faulkner, David Bamford, Jeff Triezenberg, Alison Jones, and Chris Johnson.

Mayor Marshburn opened the hearing and asked staff to provide the staff report.

CUD-Z-19-09 & CUP-SP-19-17, Elevate at White Oak Apartments

David Bamford, Planning Services Manager

Conditional use zoning (CUD-Z-19-09) and associated conditional use site plan (CUP-SP-19-17) request submitted by Signature Development Group, LLC to re-zone 19.73 +/- acres from Single-Family Residential (R-40) and Residential Mobile Home (RMH) to Multi-Family 2 Conditional Use (MF-2 C222) for 288 residential living apartment units. The site is located at 7555 White Oak Rd. and may be further identified as Wake County PIN(s) 1720-53-3317, 1720-53-2042, 1720-52-4844, 1720-52-3554, 1720-52-5597 and 1720-52-8735.

Mr. Wise, Faulkner, and Stephenson provided an overview of the project.

Glenn Gardner, 7623 White Oak Road, stated he was not protesting the project but had concerns regarding the cemetery and the amount of traffic on White Oak Road.

Mayor Marshburn closed the hearing and called for a motion.

Action: Move the Town Council accept staff's statements regarding zoning consistency with the Garner Forward Comprehensive Plan, detailed in Section IV of the staff report, as our own and I therefore move further that the Town Council adopt Ordinance No. (2020) 4038 approving rezoning request CUD-Z-19-09 as it is reasonable and in the public interest because it will likely allow household living and supporting day care uses that are attractive to younger families with children as well as older residents looking to maintain private but smaller outdoor spaces, allow adequate buffers and usable open spaces

that help to preserve and protect adjacent housing stock, and allow the development of an appropriate density of housing in the area in which it is located.

Mr. Wise agreed to add the following condition: Prior to construction drawing approval, a fee-in-lieu of sidewalk along the eastern margin of White Oak Road between the southeast corner of the intersection of Salt Hill and White Oak roads to the terminus of the existing sidewalk adjacent to the Target Corporation parcel, otherwise known as Wake County PIN# 1720-45-8348, shall be submitted and agreed to by the Town Engineer with actual payment to be received prior to issuance of the first building permit.

Motion: Matthews
Second: Vance
Vote: 3:2

Council Member Dellinger voted nay as he had concerns regarding the lack of sidewalk connectivity of this project to the White Oak Shopping Center.

Council Member Singleton voted nay due to the amount of traffic this project would put on White Oak Road.

Action: Move the Council accept the staff statements regarding plan consistency in Section VII of this report as our own and find the application meets the 10 permit criteria in Section 3.14.D. and therefore approve CUP-SP-19-17, Elevate at White Oak, with the three standard conditions and six site-specific conditions to be listed on the permit that will be prepared by staff.

Motion: Vance
Second: Behringer
Vote: 3:2

Council Member Dellinger voted nay as he had concerns regarding the lack of sidewalk connectivity of this project to the White Oak Shopping Center.

Council Member Singleton voted nay due to the amount of traffic this project would put on White Oak Road.

NEW/OLD BUSINESS

Parks, Recreation and Cultural Resources Comprehensive Plan

Presenter: Sonya Shaw, PRCR Director

McAdams presented an overview of the Comprehensive Plan recommendations and action steps.

Action: Adopt Comprehensive Plan

Motion: Singleton

Second: Matthews
Vote: 5:0

2010 Build America Bonds Refunding

Presenter: David Beck, Finance Director

The Town Council authorized moving forward on refunding the outstanding 2010 Build America Bonds at their 12/17/2019 meeting. The Local Government Commission has approved the Town's request to refund the bonds. The final action for Council is to approve the Bond Issuance and Sale Resolution as presented. By refinancing this debt with a more favorable rate, the Town will save \$336,875 on interest costs.

Action: Adopt Resolution (2020) 2405

Motion: Vance
Second: Matthews
Vote: 5:0

Timber Drive Sidewalk Connectors (TIP#C-5604RA) - Bid Award (Sandhill Contractors)

Presenter: Chris Johnson, Town Engineer

Request to authorize the construction bid award for the Timber Drive Sidewalks Connectors project (TIP#C-5604RA) to Sandhills Contractors.

Action: Consider approving/authorizing the Manager to execute contract with Sandhills Contractors pending concurrence from NCDOT, for a total construction budget of \$491,195

Motion: Singleton
Second: Behringer
Vote: 5:0

COMMITTEE REPORTS

MANAGER REPORTS

- Garner info
- Quarterly Financial Report
- NC RR Update: Mr. Hodges stated NC RR will reimburse the Town \$20K toward the cost of relocating the Depot as well as installing permanent wrought iron fencing along Montague Street to New Rand Road. Once the fence is installed, the Town would be responsible for the maintenance. The Town will also be responsible for the installation of 114 parking space bumpers and the installation of no parking signs at the old Depot site.
- Mr. Dickerson reported the Depot foundation is being built now, then movers will come back to lower the building down on foundation. The slab for the Caboose has been poured and railing from the old Depot site will be used for the Caboose to sit on.

- The NAI Carolantic Realty Conference is January 22.
- The TCOG Addressing Housing Needs Conference is February 5; Council Members Vance and Dellinger will attend.

ATTORNEY REPORTS

COUNCIL REPORTS

Marshburn

- Asked to discuss the 2020 census at a future work session

Singleton

- Asked if there was discussion regarding holding a Council Retreat. Mr. Dickerson stated the first part of the Retreat was done earlier this year to discuss the CIP. The plan is to follow-up with another session to review each department's roles and responsibilities, the strategic plan, long range planning, and overview of the Town functions as well as strategic and long-range planning.
- Asked the Public Works Committee to review the Town's traffic calming policy and devices.

Vance

- Congratulated staff for their efforts preparing the PRCR Comprehensive Plan.

Dellinger

Asked to be include in the Public Works Committee meeting when traffic calming measures are discussed.

Mayor ProTem Behringer and Council Member Matthews had nothing to report.

CLOSED SESSION

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

Motion: Behringer
Second: Singleton
Vote: 5:0

RETURN TO REGULAR SESSION

Council met in closed session to discuss economic development and provided direction to staff.

ADJOURNMENT: 11:16 p.m.