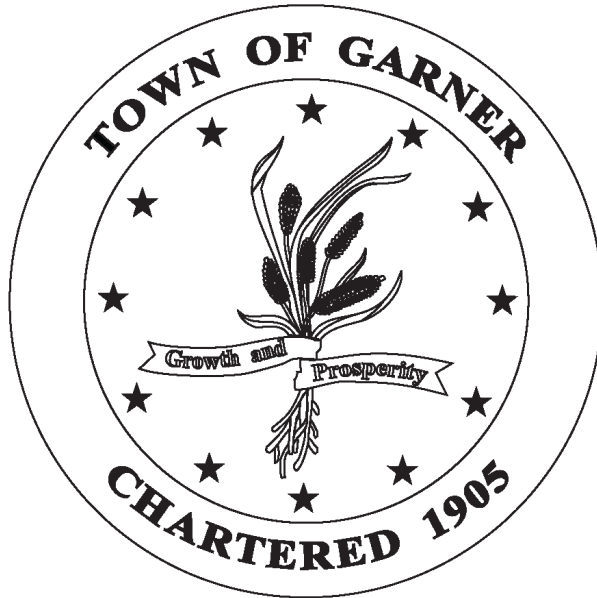


TOWN OF GARNER



Town Council Meeting

January 21, 2020
7:00 p.m.

Garner Town Hall
900 7th Avenue
Garner, NC 27529

**Town of Garner
Town Council Agenda
January 21, 2020**

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 Ken Marshburn

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

- B. PLEDGE OF ALLEGIANCE: Council Member Gra Singleton

- C. INVOCATION: Council Member Gra Singleton

- 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

1. Proclamation Recognizing the Optimist Club Page 4
Presenter: Sonya Shaw, PRCR Director

Proclamation recognizing the Optimist Club for their service and commitment to the community.

2. Recognition of Employee Savings Initiative Winner Page 6
Presenter: Mike Franks, Budget & Special Projects Manager

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

3. UNC Development Finance Initiative Presentation – Market Feasibility for
Downtown Development Site Page 7
Presenter: John Hodges-Asst. Town Manager-Development Services and
Matt Crook & Rory Dowling

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

- G. CONSENT

1. Vandora Springs Road Sidewalks - Inter-Municipal Agreement with
City of Raleigh Page 45
Presenter: Chris Johnson, Town Engineer

To 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: Consider approving and authorizing the Manager to execute the inter-municipal agreement with the City of Raleigh

- 2. Vandora Springs Road Sidewalks - Contract Amendment #5 (Ramey Kemp) Page 53
Presenter: Chris Johnson, Town Engineer

To 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: Consider approving and authorizing the Manager to execute contract amendment #5 with Ramey Kemp & Associates.

- 3. Budget Amendment – Police Vehicles Page 60
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: Consider adopting Ordinance (2020) 4037

- 4. Council Meeting Minutes Page 62
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: Consider approval of minutes

H. PUBLIC HEARINGS

- 1. CUD-Z-19-09 & CUP-SP-19-17, Elevate at White Oak Apartments Page 79
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.

Action: Consider adopting Ordinance (2020) 4038

I. NEW/OLD BUSINESS

1. Parks, Recreation and Cultural Resources Comprehensive Plan Page 113
Presenter: Sonya Shaw, PRCR Director

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

Action: Consider adopting Comprehensive Plan

2. 2010 Build America Bonds Refunding Page 133
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: Consider adopting Resolution (2020) 2405

3. Timber Drive Sidewalk Connectors (TIP#C-5604RA) - Bid Award to (Sandhill Contractors) Page 143
Presenter: Chris Johnson, Town Engineer

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

J. COMMITTEE REPORTS

K. MANAGER REPORTS

1. Garner info
2. Quarterly Financial Report
3. NC RR Update

L. ATTORNEY REPORTS

M. COUNCIL REPORTS

N. CLOSED SESSION

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

O. ADJOURNMENT

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: January 21, 2020		
Subject: Optimist Club Proclamation		
Location on Agenda: Presentations		
Department: PRCR		
Contact: Megan Young, Recreation Superintendent		
Presenter: PRCR		
Brief Summary: Proclamation recognizing the Optimist Club for their service and commitment to the community.		
Recommended Motion and/or Requested Action: Presentation only; no action required		
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: Well deserved recognition for a program partner that had a positive influence on kids for many years.		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	SS	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

PROCLAMATION

Garner Optimist Club: Recognizing Service and Commitment to the Community

WHEREAS, The Garner Optimist Club is a non-profit voluntary organization made up of civic-minded men and women banded together for service to the community, with emphasis on youth; and

WHEREAS, The Garner Optimist Club helps develop optimism as a philosophy in life in our youth by promoting an active interest in good government and civic affairs; inspiring respect for law; promoting patriotism and working for international accord and friendship among all people; and aiding and encouraging the development of youth in the belief that giving of one's self in service to others will advance the well-being of humankind, community life and the world;

WHEREAS, The Garner Optimist Club provides an avenue for the local community to offer programs specifically designed for children and serves as a "Friend of Youth"; and

WHEREAS, such programs have become an integral part of the Town of Garner; and

NOW THEREFORE, I, Mayor Ken Marshburn, on behalf of the Town of Garner Town Council and all our citizens, do hereby celebrate The Garner Optimist Club for their years of service and commitment to youth basketball and continued support of the Garner community.



In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the Town of Garner, North Carolina, to be affixed this 4th day of January 2020.


Ken Marshburn, Mayor

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: January 21, 2020		
Subject: Recognition of Employee Savings Initiative Winner		
Location on Agenda: Presentations		
Department: Administration		
Contact: Mike Franks, Budget & Special Projects Manager		
Presenter: Mike Franks, Budget & Special Projects Manager		
Brief Summary: Recognize Bret Kelly, IT Director, for submitting the winning suggestion in this year's Employee Savings Initiative.		
Recommended Motion and/or Requested Action: N/A		
Detailed Notes: The FY 19-20 Adopted Budget included an initiative to reduce expenditures by asking employees for their suggestions on how the Town could save money. Employees submitted 19 suggestions, which were evaluated by a staff committee with representatives from multiple departments. Although there are multiple suggestions that staff will implement, the committee ranked a suggestion from Bret Kelly, IT Director, the highest. Bret will receive an extra day of vacation leave for his efforts.		
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: Enlightening to see a proactive staff approach to saving Town resources.		
Attachments Yes: <input type="radio"/> No: <input checked="" type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	MR	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: January 21, 2020		
Subject: UNC Development Finance Initiative Market Feasibility Study		
Location on Agenda: Presentations		
Department: Economic Development		
Contact: Mari Howe, Downtown Development Manager		
Presenter: Matt Crook and Rory Dowling, UNC DFI		
Brief Summary: Consultants from DFI will present findings from their market feasibility study as part of their predevelopment services for the town-owned pad next to the Recreation Center. This will include their guiding public interests, data from market study areas about upcoming demand for office, retail, and residential space, and an initial proposed program for development of the pad.		
Recommended Motion and/or Requested Action: Give feedback on guiding public interests and proposed program for development		
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:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	DB	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

Town of Garner

Garner – Downtown Opportunity Site

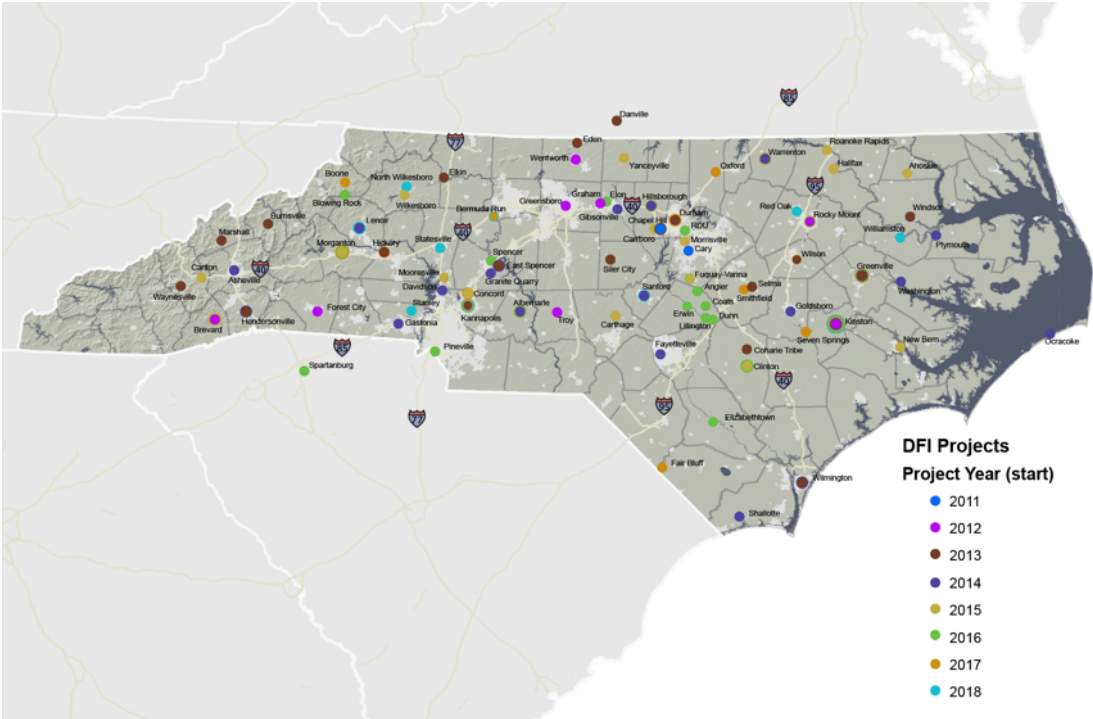
Project Update – Market Analysis review

Meeting Agenda

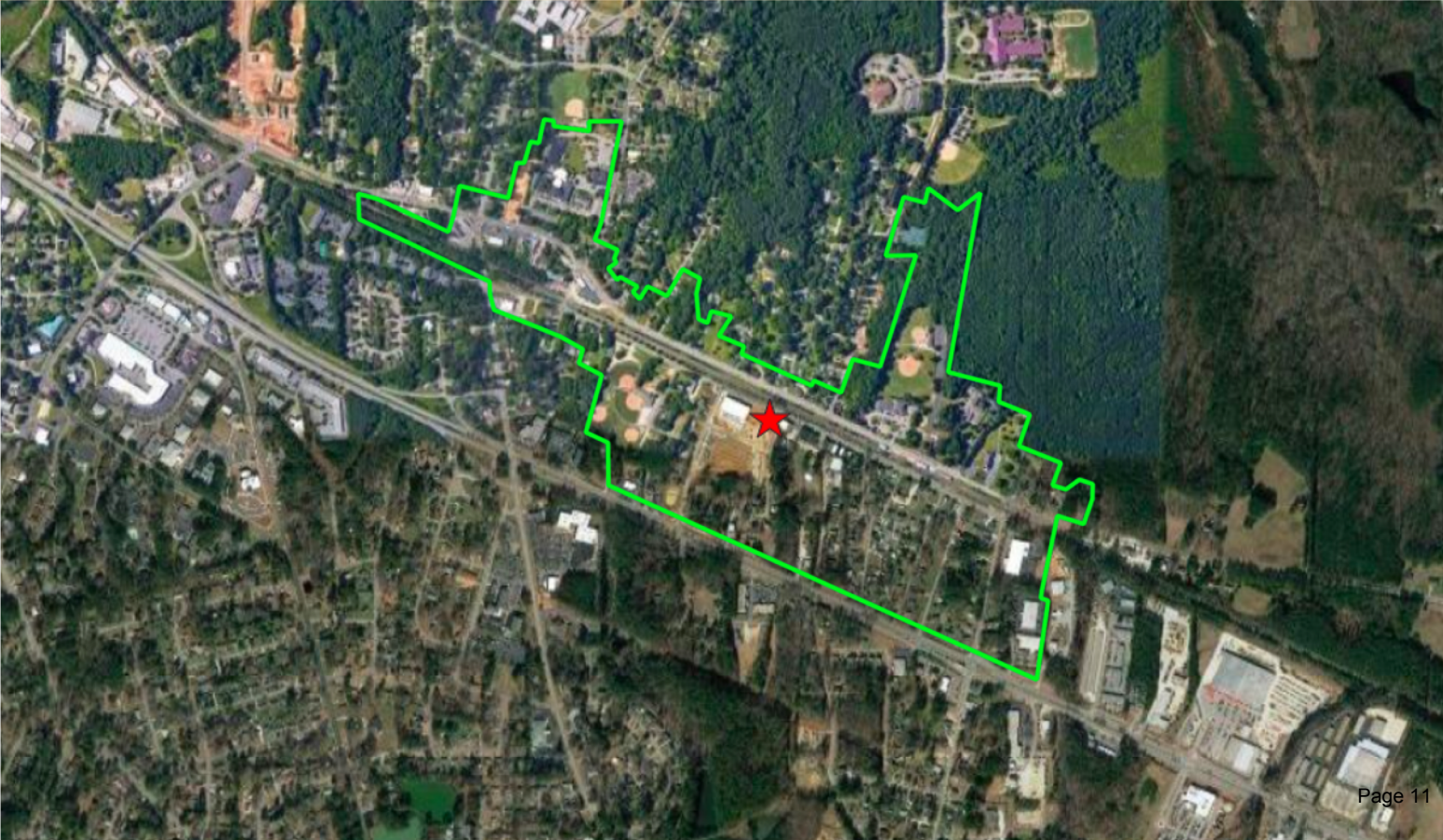
- Introduction
 - DFI/Project overview
 - Guiding Public Interests
- Market Analysis highlights
- Preliminary Program considerations
- Next Steps

Development Finance Initiative (DFI)

DFI is a program of UNC Chapel Hill's School of Government and collaborates with communities in NC to attract private investment for transformative projects by providing specialized finance and real estate development expertise.

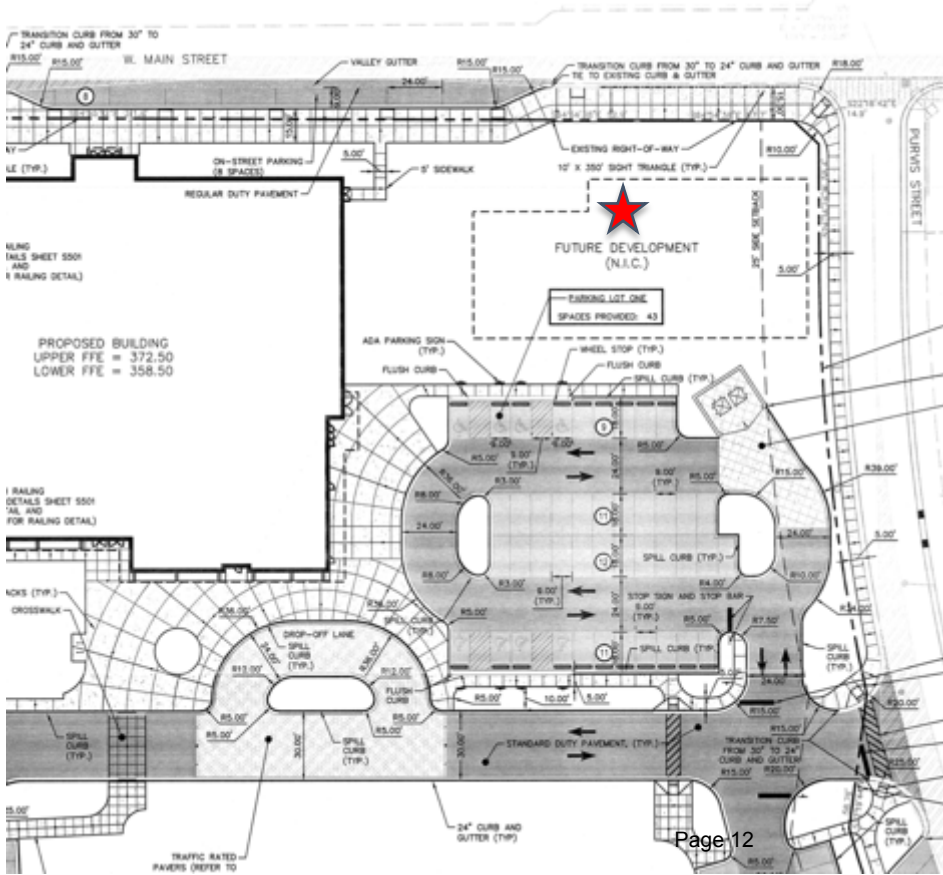


Study Area + Project Site

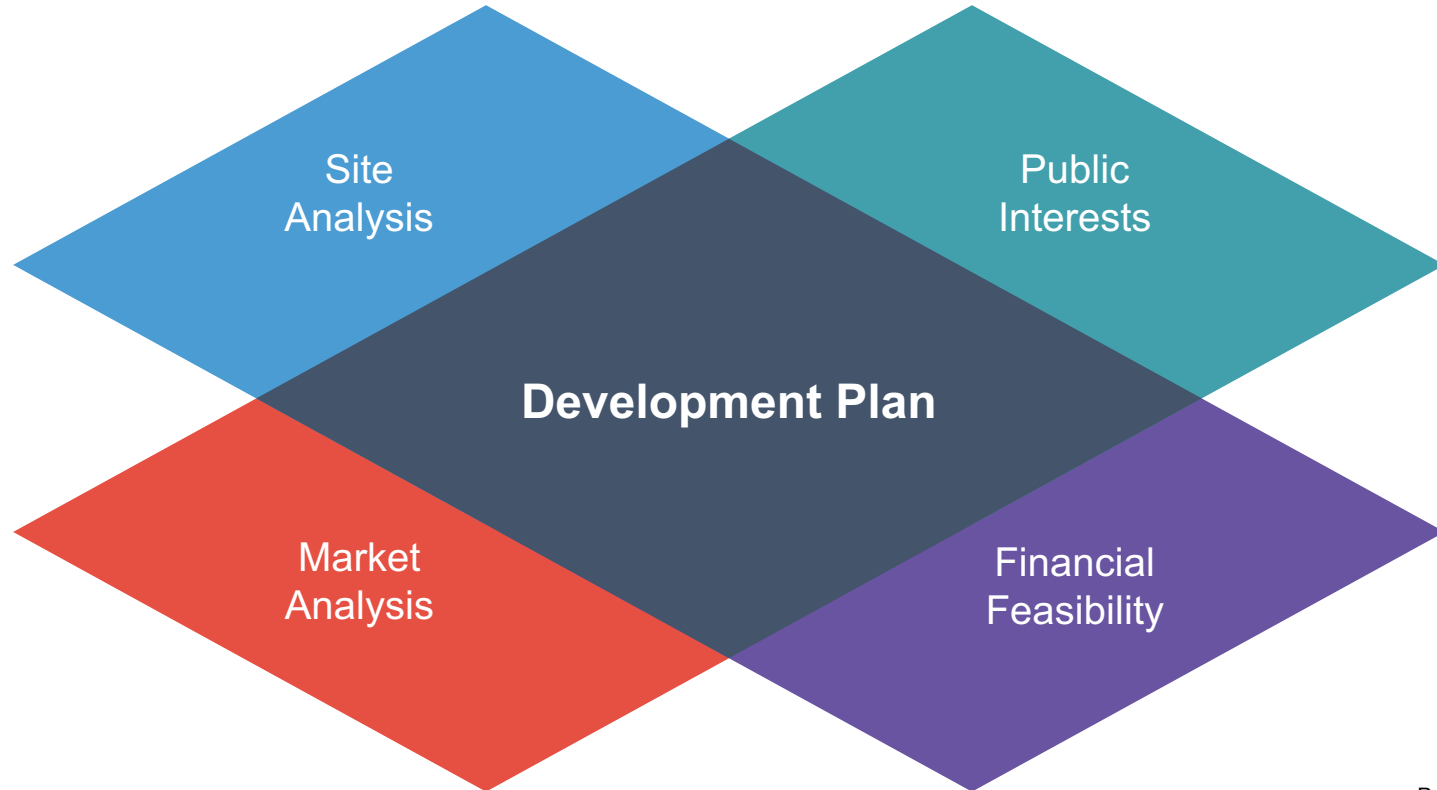


Downtown Opportunity Site

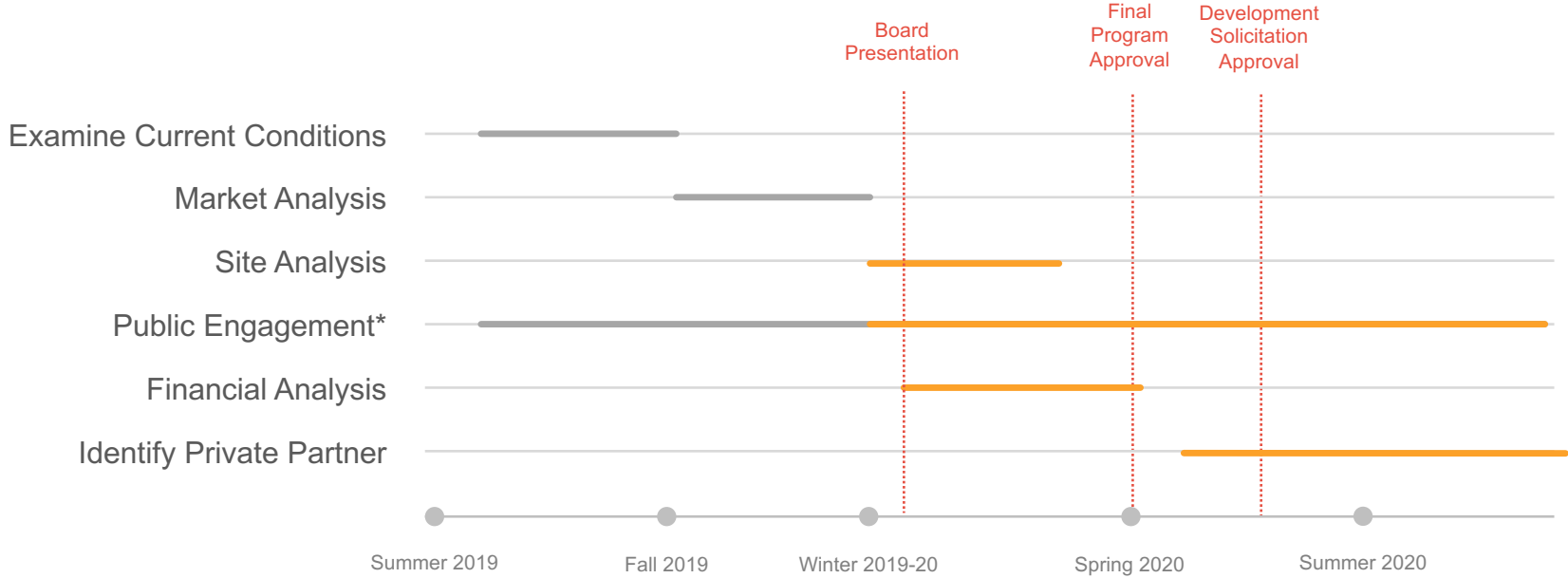
Town contracted with DFI to conduct pre-development services to support the Town of Garner in attracting private investment to the downtown site adjacent to the new Recreation Center



Pre-Development Process



Project Timeline



*Timing and scope of public engagement to be determined following completion of early phase analysis and discussions with City staff.

Note: Timeline subject to change based on additional site control, timing, type and scale of public interest process, as well as response during private partner outreach.

Guiding Public Interests

- Conserve and leverage the existing **urban fabric** of Garner to create a unique sense of place
- Provide **downtown “5-9” amenities** and services that **attract all ages** who are current residents as well as folks moving to Garner
- Explore development of **unique and relevant retail, office, and residential** spaces that expands the downtown market
- Optimize public investment dollars in order to **maximize private investment** that improves the quality of life for all Garner residents and visitors



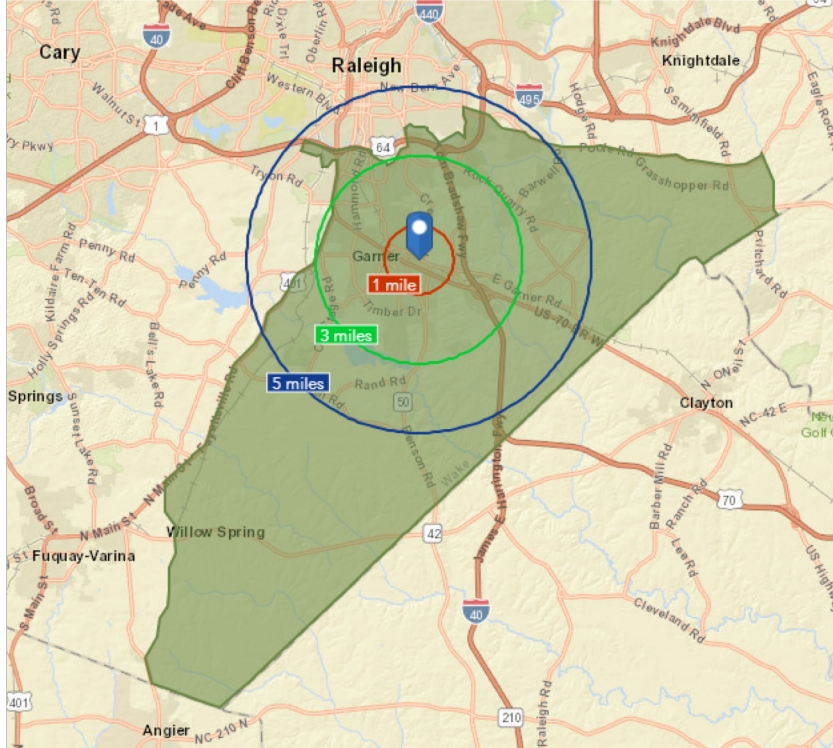
Market Analysis Highlights

What is a Market Analysis?

- Review of available data to **determine potential demand and supply** of real estate development.
- Answers the question: **What and How Much can the real estate market absorb?**
 - Identifies potential product types that can be supported within the study area and potential target customers that might demand that product.
- **Does not** consider the specific site's ability to catalyze development.

Office Market

Office Market Area



2.8K
Total Businesses

29.6K
Total Employees

\$28.9K
**Per Capita
Annual Income**



1.5M
Total Square Feet
Class A & B*

5-10%
Vacancy Rate
Class A & B

\$16-17
Median Rent
Per Square Foot
Class A & B
Modified Gross

Future Office Demand Summary

Market Area - Office Demand	Baseline	Optimistic
Future Demand*	65,000	87,000
- Pipeline Projects	0	0
5-Year Market Area Demand	65,000	87,000

Downtown Garner Capture Rate	2%	5%
Total 5-Year Demand	1,300 SF	4,000 SF

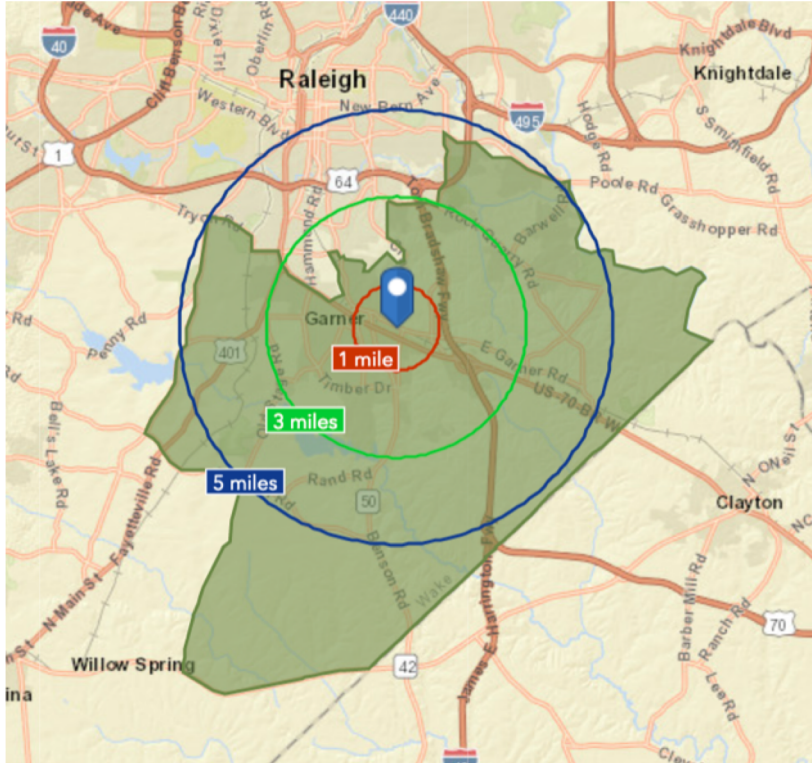
** Based on projected growth of office-prone employment sectors*

Office Market Summary

- Recent growth in supply likely keeping vacancy indicators inflated
→ strong rent growth suggests vacancy will continue trending downwards
- Expected demand for office likely to be met with existing vacancy
- Limited supply of class A in market area... only supporting single corporate tenant → potential opportunity for Class A in downtown
- No current vacancy in downtown; limited footprints for larger tenants

Retail Market

Retail Trade Area



31.8K

Total Households

70.6K

Daytime Population

\$65.4K

**Median Household
Income**



3.5M

Total Square Feet

5-10%

Vacancy Rate

\$12-15

**Median Rent
Per Square Foot
Modified Gross**

Future Retail Demand Summary

Trade Area – Retail Demand	Baseline	Optimistic
Future Demand (based on HH growth)	350,000	450,000
(-) Pipeline Projects	(51,400)	(51,400)
5-Year Demand	300,000 SF	400,000 SF

Downtown Garner Capture Rate	2%	10%
(-) Pipeline Projects*	(2,500)	(2,500)
5-Year Demand	~3,500 SF	~37,500 SF

*Pipeline project SF and estimated demand will change when Beer, Bourbon, and BBQ place on Main is added

Downtown Retail Demand

Downtown Garner retail market is significantly constrained:

- only 1 storefront out of 25 in downtown is unoccupied → currently being rehabbed
- Size of retail spaces on Main St. are limited by existing footprint
- Significant recent rent increases in downtown
- Downtown capture rate can increase with “greenfield” development



Recreational Center Effect

- Recreational Center effect not captured in historic projections
- Large potential for downtown retail establishments to capture rec center users that were not previously coming to Main Street

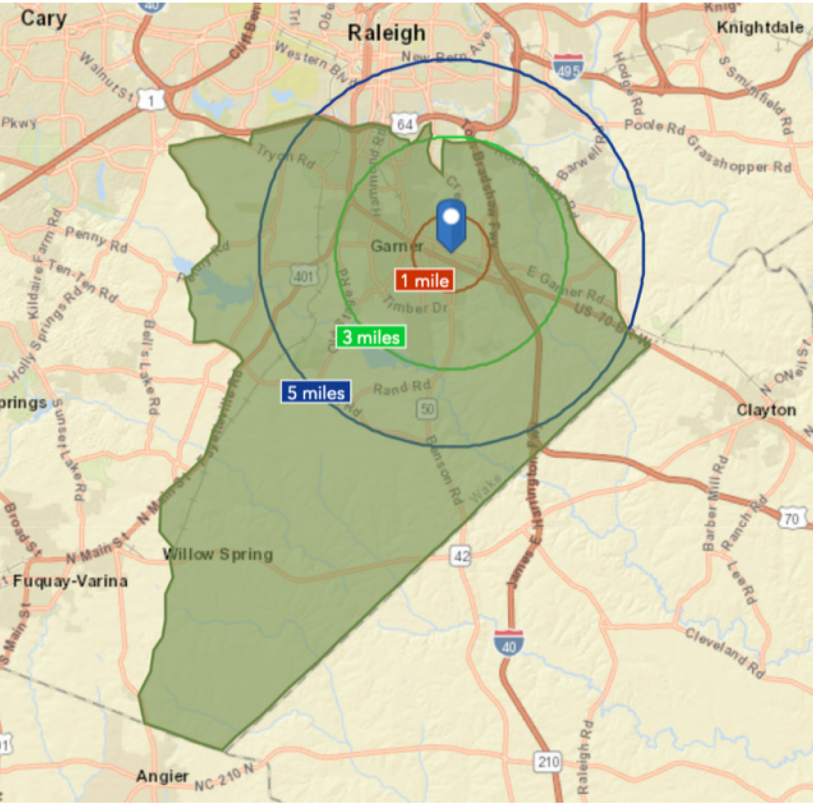


Retail Market Summary

- Low vacancy coupled with limited new supply → market is constrained
 - Particularly downtown
- Constrained demand and impact of rec center should increase downtown's capture rate going forward
- Food & Bev account for 33% of Garner's retail trade... NC as a whole closer to 50% → opportunity for additional Food & Bev

Multifamily Market

Residential Trade Area



2019

112K
Population

41K
Households

\$201K
Median Home Value

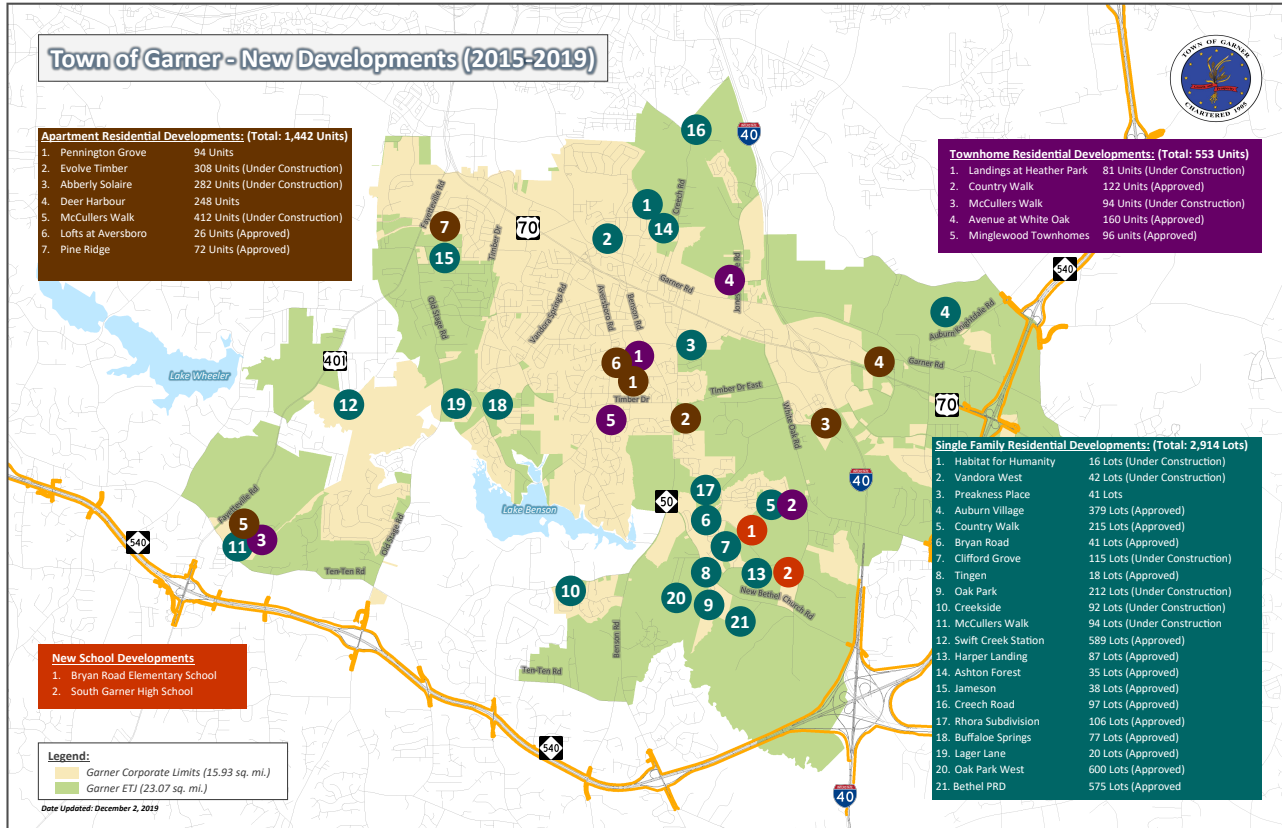
2024

123K
Population

45K
Households

\$225K
Median Home Value

Residential Development Pipeline



Residential Demand – Multifamily Rental

Downtown Garner – Residential Rental Demand	Baseline	Optimistic
Total Target Households	750	800
Market Area Pipeline*	(1060)	(1060)
Market Area 5-year Demand	(0)	(0)
Downtown Garner Capture Rate	1%	10%
(-) Downtown Pipeline Projects	(0)	(0)
5-Year Demand	TBD	

* Pipeline includes four projects in trade area outside of Garner town limits, and three projects within Garner (all market rate)

Residential Demand – additional consideration

- Based on historic trends and market demand drivers, multifamily residential appears to be supported by the current development pipeline
- Pipeline projects are not occurring in downtown Garner
- 10-15 units in downtown would be creating a relatively new MF market, very different from pipeline projects

Condo Considerations

- Limited supply of downtown condos have stayed occupied
- Avenue at White Oak townhome presales need to be monitored
- Examine case studies of comparable projects in similar downtowns

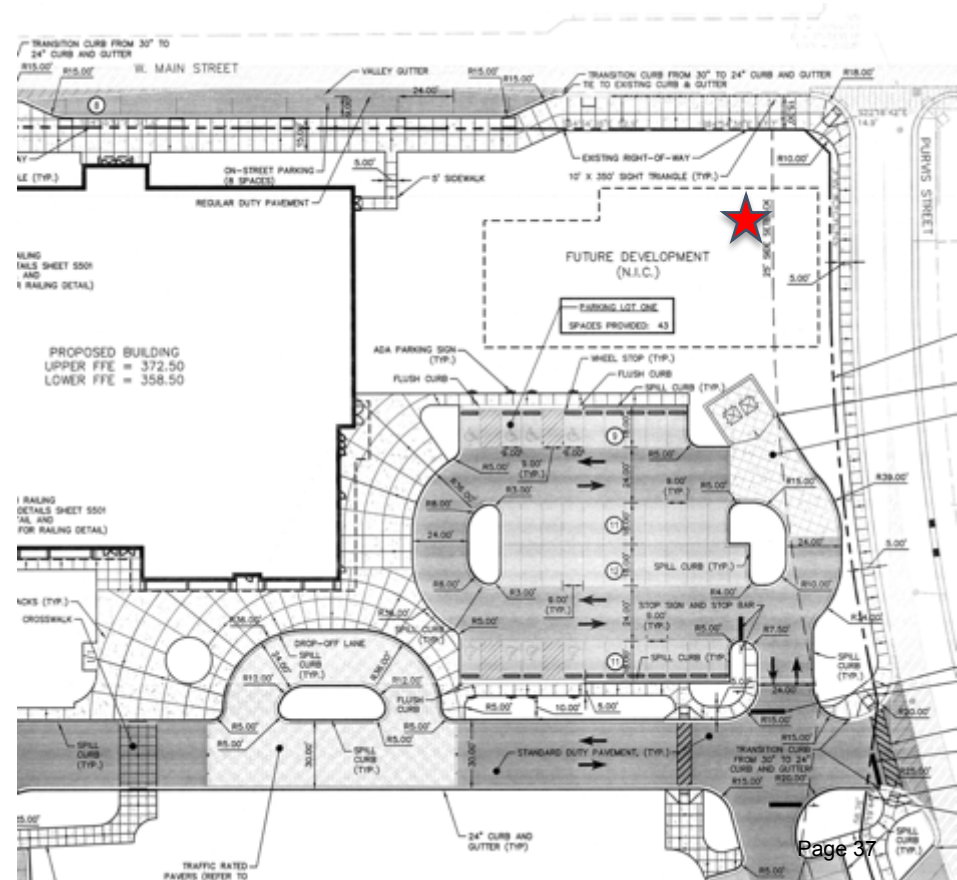
Residential Summary

- Strong population growth will continue trend of increased residential development in market area
- Population growth in key segments (25-35 and 55+ age groups)
- Historically limited multifamily growth in downtown, but proven track record with current supply
- Further analysis needed for condo feasibility

Preliminary Program

Preliminary Program Considerations

- Public interests
- Current market conditions
- Known site constraints
 - Limited building footprint
 - Existing topography
 - Parking



Preliminary Program

DFI has put together the following preliminary program scenarios:

Building Program	Potential Use	Potential SF
Ground Floor	Restaurant/Bar; boutique food store	7,500
2 nd /3 rd Floor (Option 1)	Residential (12 - 15 units)	12,500
2 nd /3 rd Floor (Option 2)	Office	12,500

- Potential 20,000 SF program could represent \$3.5 - \$4M development

Development Assets

- Town has site control
- Adjacent to new Garner Rec Center and downtown retail
- Project population and income growth in the area
- Town's continued investment in public amenities



Development Challenges

- Smaller market of developers (requiring “local” knowledge)
- Mixed-use challenges
- Rent/sales premiums needed for feasibility
- Pre-leasing and pre-sales likely required before construction financing



Next Steps

Next Steps

- ❑ Continue to refine program recommendations with
 - Site constraints analysis
 - Financial feasibility analysis
 - Program approval

- ❑ Solicitation approval and developer outreach
 - Community and stakeholder involvement throughout

Questions?

Matt Crook

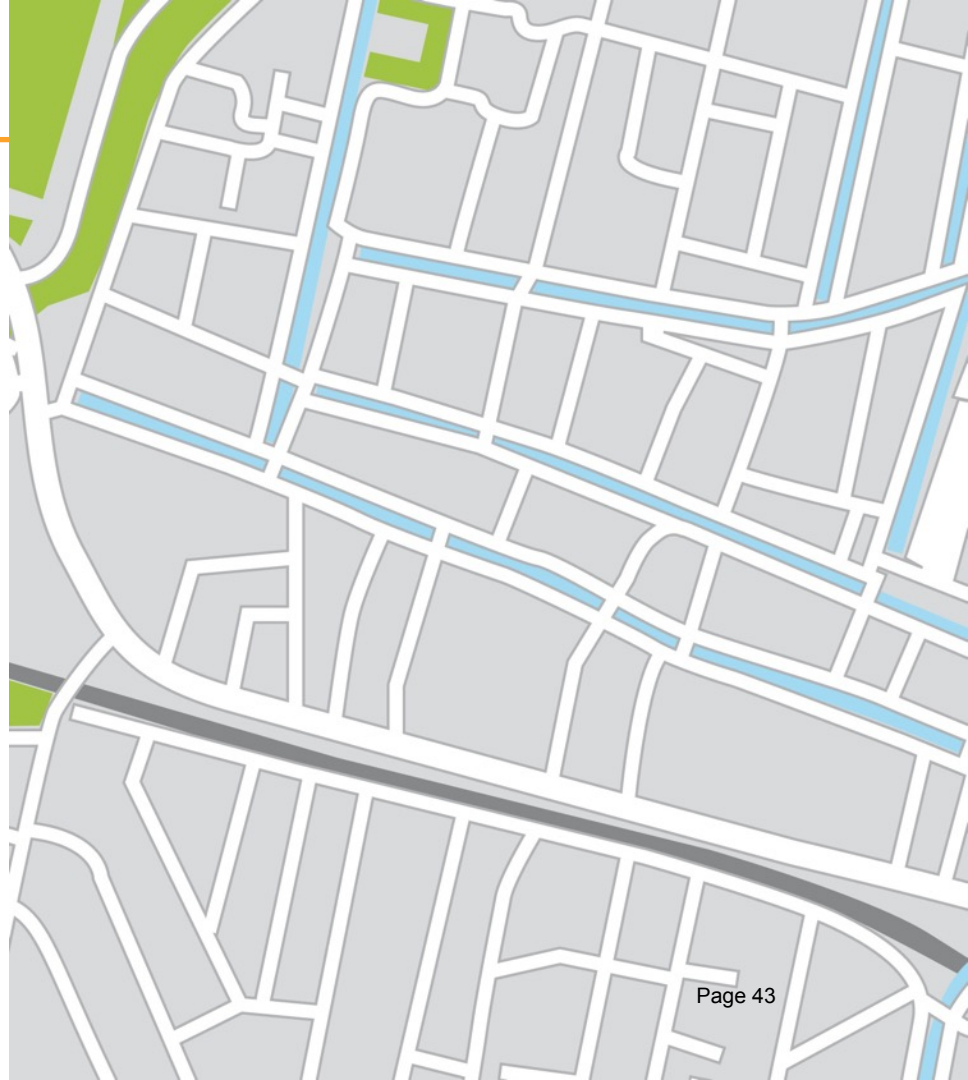
Project Manager

crook@sog.unc.edu

Rory Dowling

Development Advisor

dowling@sog.unc.edu





UNC
SCHOOL OF GOVERNMENT



THE UNIVERSITY
of NORTH CAROLINA
at CHAPEL HILL

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: January 21, 2020		
Subject: Vandora Springs Road Sidewalks - Inter-Municipal Agreement with City of Raleigh		
Location on Agenda: Consent		
Department: Engineering		
Contact: Chris Johnson, Town Engineer		
Presenter: Chris Johnson, Town Engineer		
<p>Brief Summary:</p> <p>To 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.</p>		
<p>Recommended Motion and/or Requested Action:</p> <p>Approve and authorize the Manager to execute the inter-municipal agreement with the City of Raleigh.</p>		
<p>Detailed Notes:</p> <p>The City of Raleigh has requested to replace the existing 12" asbestos cement (AC) waterline along the Vandora Springs Sidewalk project due to age and maintenance risks associated with longevity of asbestos cement. The City has drafted an inter-municipal agreement for the Town's execution to memorialize a reimbursement agreement associated with this work.</p>		
<p>Funding Source: N/A</p>		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
<p>Manager's Comments and Recommendations:</p> 		
<p>Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/></p>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	CJ	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



Town of Garner

900 7th Avenue • Garner, North Carolina 27529
Phone (919) 772-4688 • Fax (919) 662-8874 • www.GarnerNC.gov

ENGINEERING DEPARTMENT MEMORANDUM

DATE: January 13, 2020

TO: John Hodges - Assistant Town Manager

FROM: Chris Johnson, PE - Town Engineer

RE: **Vandora Springs Road Sidewalks – Inter-Municipal Agreement with City of Raleigh**

The Vandora Springs Road Sidewalk Project is a Town bond project that consists of approximately 1270 LF of road widening and sidewalk installation between Timber Drive and Tiffany Circle. The City of Raleigh has requested that the existing 12" asbestos cement (AC) waterline be replaced in conjunction with the sidewalk project due to their long-term plan to replace AC waterlines due to risks of age and degradation of asbestos cement lines over time. The City has drafted an inter-municipal agreement to cover the additional costs of the waterline replacement above and beyond the original design scenario, which was limited to installation of new waterline bends at proposed storm drainage crossings.

The inter-municipal agreement as drafted by the City of Raleigh memorializes funding by the City for a maximum amount of \$275,985, including \$25,985 to cover the professional engineering services associated with this scope of work. The total costs as outlined in the agreement shall not be exceeded without written approval by the City. The agreement language has been reviewed and approved by the Interim Town Attorney.

STAFF RECOMMENDATION

Approve and authorize the Manager to execute the inter-municipal agreement with the City of Raleigh as submitted.

STATE OF NORTH CAROLINA
COUNTY OF WAKE

**INTERMUNICIPAL AGREEMENT FOR WATER FACILITY UPGRADES FOR
REIMBURSEMENT ON GARNER VANDORA SPRINGS ROAD SIDEWALK
IMPROVEMENTS**

This **AGREEMENT** made and entered into this ____ day of _____, 2020, by and between the City of Raleigh, hereinafter referred to as “**RALEIGH**”, a North Carolina municipal corporation, and the Town of Garner, hereinafter referred to as “**GARNER**”, a North Carolina municipal corporation, for the purposes of reimbursement for the installation of certain water facilities, as requested by **RALEIGH**, within the Garner Vandora Springs Road Sidewalk Improvements, hereinafter referred to as “**THE PROJECT**”, which exceed the current scope of water replacements contemplated within the current plans for **THE PROJECT**.

WITNESSETH:

WHEREAS, **THE PROJECT** includes streetscaping along certain portions of the existing roadways located within **THE PROJECT** (hereinafter, the “**PROJECT AREA**”) to encompass improvements to sidewalks, modification of curb lines, stormwater improvements and various aesthetic improvements; and

WHEREAS, **RALEIGH** desires to have certain water facility upgrades installed within the **PROJECT AREA** to improve existing water quality, and for hydraulic purposes; and

WHEREAS, **RALEIGH**, as owner of the water distribution and sanitary sewer collection system within **GARNER**’s territory, and pursuant to the Merger Agreement by and between **RALEIGH** and **GARNER** effective July 18, 2000 (as amended), is responsible for the costs related to the installation of the water facility upgrades within the **PROJECT AREA**; and

WHEREAS, this **AGREEMENT** is made pursuant to authority in North Carolina General Statutes §§160A - 460, *et seq.*

NOW, THEREFORE, **GARNER** and **RALEIGH** mutually agree to the following:

1.0 PROCUREMENT AND CONSTRUCTION

1.01 Procurement. **GARNER**, shall design, publicly bid, and administer the construction contract for **THE PROJECT**, which shall include the water facilities upgrades (the “**PUBLIC UTILITY UPGRADES**”) which includes the replacement of 12-inch asbestos cement pipe with 12-inch ductile iron pipe within Vandora Springs Road from approximately Miriam Avenue to S. Gleneagle Drive. **THE PROJECT** will be bid on a unit price basis in order to identify the actual cost of the **PUBLIC UTILITY UPGRADES**. Garner will participate in the **PUBLIC UTILITY UPGRADES** based on the estimated costs of the original waterline design replacing only waterline in conflict with proposed improvements from Miriam to S. Gleneagle.

- 1.02 Construction.** The PUBLIC UTILITY UPGRADES shall be built to RALEIGH construction standards pursuant to the Raleigh Public Utilities Handbook. GARNER shall provide as-built drawings to RALEIGH for the PUBLIC UTILITY UPGRADES at least prior to acceptance of and reimbursement for the PUBLIC UTILITY UPGRADES by RALEIGH.
- 1.03 Coordination.** GARNER shall provide RALEIGH regular construction status updates, at GARNER's reasonable discretion, throughout THE PROJECT construction process and shall make reasonable efforts to notify RALEIGH of and include RALEIGH in scheduling all pre-bid, bid opening, pre-construction and monthly construction meetings.
- 1.04 Inspection.** GARNER shall provide RALEIGH reasonable access to THE PROJECT work site for the purposes of periodic inspection of the PUBLIC UTILITY UPGRADES, including a final inspection of the PUBLIC UTILITY UPGRADES by RALEIGH, which shall occur no later than thirty (30) days after receipt of notice by RALEIGH of completion of the PUBLIC UTILITY UPGRADES.
- 1.05 Project Changes.** In the event circumstances arise during construction of THE PROJECT which require material changes to the PUBLIC UTILITY UPGRADES, then GARNER shall promptly provide RALEIGH written notice of and a cost estimate for such changes. RALEIGH may then either terminate this Agreement pursuant to Section 3.0 of this Agreement or approve such changes by providing written notice to GARNER of its approval.
- 1.06 Appointment of Personnel.** Each party shall, at such party's reasonable discretion, select and appoint personnel to perform the functions of this Agreement.

2.0 FUNDING

- 2.01 Costs.** RALEIGH will reimburse GARNER for all costs associated with design, bidding, administering and installing the PUBLIC UTILITY UPGRADES, including, \$25,985.00 for additional design work by Ramey Kemp as detailed in Exhibit 1. GARNER will obtain any necessary waterline easements and RALEIGH will participate in 75% of the waterline easement costs. Permit fees for the waterline required by Raleigh Public Utilities Handbook will be waived. The estimated construction cost of the PUBLIC UTILITY UPGRADES, including the 75% participation of waterline easement costs, shall not exceed \$250,000.00. RALEIGH will not reimburse any amounts exceeding \$275,985.00 unless RALEIGH provides Garner its prior written approval for such additional reimbursement(s). The Parties agree to amend this Agreement to reflect such additional reimbursements.
- 2.02 Payment.** Garner will issue payment to all consultants and contractors hired to carry out the PUBLIC UTILITY UPGRADES. Garner will invoice Raleigh quarterly for the actual cost of consultant services, design and construction for the PUBLIC UTILITY UPGRADES. RALEIGH shall reimburse Garner within thirty (30) days of receipt of such invoice.

3.0 TERM AND TERMINATION

3.01 Term. The term of this Agreement shall run from the date first referenced herein above through completion of THE PROJECT, which is expected to be complete by December 2021.

3.02 Termination. Either Party shall have the right to terminate its participation in this Agreement in the event (i) of a material breach of the terms and conditions of this Agreement by the other Party which has not been cured within ten (10) days following delivery of written notice thereof or (ii) a material change in the PUBLIC UTILITY UPGRADES under Section 1.05 herein above. Such termination shall be effective upon giving fourteen (14) days written notice to the other Party, such notice to be delivered to the following address:

Town of Wake Forest: Rodney Dickerson, Town Manager
 Town of Garner
 900 7th Avenue
 Garner, NC 27529

City of Raleigh Robert Massengill, Public Utilities Director
 City of Raleigh
 One Exchange Plaza, 6th Floor
 P.O. Box 590
 Raleigh, NC 27602

The roles and responsibilities of the Parties shall terminate within fourteen (14) days after receipt by the non-terminating party of such notice (the "TERMINATION DATE"), unless otherwise agreed in writing by both Parties. Such termination shall not relieve the Parties of their respective responsibilities under this Agreement for payment of their commitments as of the TERMINATION DATE. Within fifteen (15) days of the TERMINATION DATE, each Party shall account to the other Party for those items through the TERMINATION DATE which have been paid for and shall be reimbursed by the other Party pursuant to this Agreement. Such other Party shall make final payment within thirty (30) days of receipt of such accounting.

4.0 General Terms

4.01 Amendment. Any amendment to this Agreement to be effective must be in writing, signed by the Manager or other authorized representative of the Parties, and executed with the same formality and approvals as the foregoing Agreement.

4.02 Assignment. No party shall assign any portion of this Agreement or the rights and responsibilities hereunder to another person or entity who is not party to this Agreement without prior written consent of the Parties.

- 4.03 No Third-Party Beneficiaries.** This Agreement is not intended for the benefit of any third party. The rights and obligations contained herein belong exclusively to the Parties hereto and shall not confer any rights or remedies upon any person or entity other than the Parties hereto.
- 4.04 Indemnification.** To the extent and limits of the North Carolina Tort Claims Act, Article 31 of Chapter 143 of the North Carolina General Statutes, and without waiving the Garner's sovereign immunity, Garner shall indemnify RALEIGH for any liabilities, damages, costs and claims arising from or relating to the negligent acts or omissions of Garner committed in connection with this Agreement. This indemnification obligation shall survive the expiration or termination of this Agreement. This indemnification is limited to the insurance coverage applicable to Garner's negligent acts or omissions committed in connection with this Agreement. Such liability arises out of acts for which any defense of governmental, statutory, or common law immunity is not available. The indemnification provided for herein shall not be construed as a waiver of any applicable defense of governmental, statutory, or common law immunity, and shall not prevent Garner from asserting any defense of such immunity; provided that if a court of competent jurisdiction determines that no such immunity applies, then the indemnity provided for herein shall apply.
- 4.04 Ethics Provision.** The Parties acknowledge and shall adhere to the requirements of N.C. Gen. Stat. §133-32, which prohibits the offer to, or acceptance by any state or local employee of any gift from anyone with a contract with the governmental entity or from a person seeking to do business with the governmental entity.
- 4.05 Governing Law; Venue.** This Agreement and the rights and obligations of the Parties hereto shall be interpreted, construed and enforced in accordance with the laws of the State of North Carolina and shall be enforced only in its General Court of Justice to the extent that any such actions will lie therein. The venue for any such action relating to this Agreement shall be Wake County Civil Superior Court.
- 4.06 Entire Agreement.** The terms and provisions herein contained constitute the entire agreement by and between the Parties hereto and shall supersede all previous communications, representations or agreements, either oral or written between the Parties hereto with respect to the subject matter hereof.
- 4.07 Severability.** If any provision of this Agreement shall be determined to be unenforceable by a court of competent jurisdiction, such determination will not affect any other provision of this Agreement.
- 4.08 Counterparts.** This Agreement may be executed in several counterparts, each of which shall be deemed an original.
- 4.09 Non-Discrimination Assurances.**

To the extent permitted by North Carolina law, the parties hereto for themselves, their agents, officials, employees and servants agree not to discriminate in any manner on the

basis of race, color, creed, national origin, sex, age, handicap, or sexual orientation with reference to the subject matter of this Agreement. The parties further agree, to the extent permitted by law, to conform with the provisions and intent of City of Raleigh Ordinance 1969-889, as amended. This provision is hereby incorporated into this Agreement for the benefit of the City of Raleigh and its residents, and may be enforced by action for specific performance, injunctive relief, or other remedy as provided by law. This provision shall be binding on the successors and assigns of the parties with reference to the subject matter of this Agreement.

(Signature page follows this page)

IN WITNESS WHEREOF, Raleigh has executed the foregoing with the signature(s) of its duly authorized officer(s), under seal, and Garner has executed with the signature of the Town Manager, attested by its Town Clerk, with the official seal affixed, the day and year first above written.

This the _____ day of _____, 2020.

BY: _____

Town Manager

Attest:

Town Clerk

Approved as to Form, Town Attorney

City of Raleigh

BY: _____

City Manager

Attest:

City Clerk

Approved as to Form, Raleigh City Attorney

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: January 21, 2020		
Subject: Vandora Springs Road Sidewalks - Contract Amendment #5 (Ramey Kemp)		
Location on Agenda: Consent		
Department: Engineering		
Contact: Chris Johnson, Town Engineer		
Presenter: Chris Johnson, Town Engineering		
Brief Summary: To 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.		
Recommended Motion and/or Requested Action: Approve and authorize the Manager to execute contract amendment #5 with Ramey Kemp & Associates.		
Detailed Notes: The City of Raleigh has requested to replace the existing 12" AC waterline along the Vandora Springs Sidewalk project. Ramey Kemp & Associates has submitted contract amendment #5 in an amount of \$25,985 for this design work, which is to be reimbursed by the City of Raleigh in conjunction with an inter-municipal agreement.		
Funding Source: City of Raleigh reimbursement		
Cost: \$25,985	One Time: <input checked="" type="radio"/>	Annual: <input type="radio"/> No Cost: <input 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:	CJ	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



Town of Garner

900 7th Avenue • Garner, North Carolina 27529
Phone (919) 772-4688 • Fax (919) 662-8874 • www.GarnerNC.gov

ENGINEERING DEPARTMENT MEMORANDUM

DATE: January 13, 2020

TO: John Hodges - Assistant Town Manager

FROM: Chris Johnson, PE - Town Engineer

RE: Vandora Springs Road Sidewalks – Contract Amendment #5 (Ramey Kemp & Assoc)

The Vandora Springs Road Sidewalk Project is a Town bond project that consists of approximately 1270 LF of road widening and sidewalk installation between Timber Drive and Tiffany Circle. The City of Raleigh has requested that the existing 12" asbestos cement (AC) waterline be replaced in conjunction with the sidewalk project due to their long-term plan to replace AC waterlines due to risks of age and degradation of asbestos cement lines over time. The City has agreed to reimburse the Town for the waterline replacement that is being requested above and beyond the original design, which was limited to installation of new waterline bends at proposed storm drainage crossings.

A contract amendment (#5) has been drafted by the Town and RKA to cover the redesign costs associated with this work in an amount not to exceed \$25,985. Town Engineering staff and staff from Raleigh Water have reviewed/approved the amendment and the accompanying design fee as submitted. These costs will be reimbursable by the City in conjunction with an inter-municipal agreement to cover the additional waterline work.

STAFF RECOMMENDATION

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

CONTRACT AMENDMENT No. 5

This Contract Amendment (the "Amendment") dated the _____ day of _____, 20____ by and between **Ramey Kemp & Associates, Inc.** (the "Company"), and the Town of Garner (the "Owner"), collectively the "Parties".

WHEREAS, the Parties entered into a contract dated November 9, 2016; and

WHEREAS, the Parties entered into Contract Amendment 1 dated January 20, 2017, Contract Amendment 2 dated October 6, 2017, and Contract Amendment 3 dated September 20, 2018; and Contract Amendment 4 dated March 26, 2019; and

WHEREAS, the Parties wish to amend the original contract;

Now, therefore, it is agreed by and between the parties for this Contract Amendment No. 5 to be implemented as set forth below and attached exhibits.

1. SCOPE OF WORK

- A. Water Line - Replace approximately 900 linear feet of 12" asbestos-cement (AC) pipe with a 12" Ductile Iron (DI) as part of the Vandora Springs sidewalk project. We coordinated with Jonathan Ham with the City of Raleigh and all work will be submitted directly to him and not to Development Services. Approximately 75 linear feet will be by jack and bore under the creek/culvert. The line will be offset 5 feet from the storm drainage structures (behind the curb). All permit fees will be the responsibility of the Town and are estimated to be \$1,581 - \$200 water permit fee, 2 stubs at \$93 each and \$1.55 per linear foot for inspection. All design work will be in accordance with the City of Raleigh standards and coordinated with the City of Raleigh and Town of Garner. RKA will also provide as-built drawings and final certifications of the water line work once construction is completed. The contractor will provide any changes to the design plans to RKA to generate these as-built plans.
- B. Drainage Design revisions associated with the proposed waterline relocation. See Attachment A.

2. TIME OF PERFORMANCE

Time of completion for design efforts is assumed to be 90 days. Time for as-builts will be once construction efforts are completed and information provided by the contractor.

3. COST OF WORK

- A. Ramey Kemp & Associates – Not to Exceed \$19,635
- B. VHB – Not to Exceed \$6,350

Total Cost of Work = \$25,985

All terms and conditions of the original contract remain in full force except for those changes specifically outlined in this contract amendment.

In Witness hereof, the Parties have executed this Agreement as of the date set forth above.

COMPANY

TOWN OF GARNER

Signed:

Signed:

Name: _____

Rodney Dickerson

Title: _____

Town Manager

Witness:

Witness:

Name: _____

Stella Gibson

Title: _____

Town Clerk

Attachment A



November 26, 2019

Ref: 39097.01

Ramey Kemp
5808 Faringdon Place
Suite 100
Raleigh, NC 27609

Attn: Lucas Helms

Re: Vandora Springs Rd Supplemental

Dear Lucas,

VHB Engineering NC, P.C. (VHB NC) respectfully submits this scope as requested for the Vandora Springs Rd project in Garner, NC. The following is our understanding of the scope of services requested.

This scope of work covers revisions to the drainage design, erosion control, and permit modifications associated with the previously approved Buffer Authorization due to the relocation of a waterline located on the North Side of Vandora Springs Rd. The proposed waterline relocation will run parallel with Vandora Springs Rd from Miriam Ave to approximately 300' east of Gleneagle Dr.

The following is expected tasks for the Hydraulic Design:

- Drainage design changes associated with the proposed waterline relocation along Vandora Springs Rd.
- Design in Microstation format.
- Revisions to drainage summary sheet
- Coordination with Ramey Kemp and Town of Garner.

Drainage Design Fee: \$2,900

The following is expected tasks for the Erosion Control Plan Set

- Erosion Control revisions associated with the proposed waterline relocation along Vandora Springs Rd.
- Erosion Control design and layout in Microstation format
- Erosion Control special provisions and quantities
- Coordination and review with Land Quality

Venture I
940 Main Campus Drive, Suite 500
Raleigh, North Carolina 27606
P 919.829.0328
F 919.833.0034
Page 57

Engineers | Scientists | Planners | Designers



- A revised Financial Responsibility Form may have to be submitted due to increased limits of disturbance associated with the waterline relocation.
- Approved Erosion Control Permit from Land Quality

Erosion Control Fee: \$2,000

The following is expected tasks for the Environmental Permitting:

- VHB will revise the Buffer Impact Permit Drawings to reflect the relocated waterline.
- VHB will revise the buffer impacts and permit package as needed due additional impacts associated with the waterline relocation.
- VHB will coordinate with DEQ to obtain an approved Buffer Authorization and revised permit due to additional impacts associated with the waterline relocation.

Environmental Permitting Fee: \$1,450

The following items are excluded from this scope of services. If these additional services are requested, VHB Engineering NC, P.C. (VHB NC) will prepare supplemental scopes and fee estimates according to standard protocols.

- Survey assistance
- Natural Resources Technical Report
- Land Quality Permit Fees
- 401, 404 permit related fees
- Construction Management/Oversight
- Construction contractor coordination
- ASTM Phase I and Phase II Environmental Assessments.

VHB Engineering NC, P.C. (VHB NC) proposes a Lump Sum Engineering Fee of **\$6,350.00** for the services as proposed in this document. This fee covers time and expenses associated with drainage design, erosion control, and environmental permitting revisions associated with the relocation of a waterline running parallel with Vandora Springs Rd. VHB Engineering NC, P.C. (VHB NC) will provide monthly invoices based on a percent complete billing amount.

We sincerely appreciate this opportunity to provide Ramey Kemp with this scope of services. If you have any questions or concerns, please do not hesitate to contact me at (919) 829-0328.

Ramey Kemp
Ref: 39097.01
November 26, 2019
Page 3



Sincerely,

VHB Engineering NC, P.C.

Brandon T. Barham, PE

A handwritten signature in black ink that reads "Brandon T. Barham".

Project Manager
bbarham@vhb.com

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: January 21, 2020		
Subject: Budget Amendment - Police Vehicles		
Location on Agenda: Consent		
Department: Finance		
Contact: David C. Beck, Finance Director		
Presenter: David C. Beck, Finance Director		
Brief Summary: 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.		
Recommended Motion and/or Requested Action: Consider adopting Ordinance (2020) 4037		
Detailed Notes:		
Funding Source: Fund balance		
Cost: \$36,004	One Time: <input checked="" type="radio"/>	Annual: <input type="radio"/> No Cost: <input 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:	DCB	
Finance Director:	DCB	
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

ORDINANCE NO. (2020) 4037

ORDINANCE AMENDING ORDINANCE NO. (2019) 3982 WHICH ESTABLISHED THE 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:

Revenue Amendment Request

ACCOUNT NUMBER	DESCRIPTION	PROJECT	CURRENT BUDGET	REVENUE CHANGE	REVISED BUDGET
10309000-496900	Appropriated Fund Balance		\$ 2,234,815	\$ 36,004	\$ 2,270,819

TOTAL REVENUE INCREASE (DECREASE) \$ 36,004.00

Expenditure Amendment Request

ACCOUNT NUMBER	DESCRIPTION	PROJECT	CURRENT BUDGET	EXPENDITURE CHANGE	REVISED BUDGET
10605000-537451	Capital Outlay - Public Safety		\$ 148,197	\$ 36,004	\$ 184,201

TOTAL EXPENDITURE INCREASE (DECREASE) \$ 36,004.00

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 21st day of January, 2020.

Ken Marshburn, Mayor

ATTEST:

Stella L. Gibson , Town Clerk

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: January 21, 2020		
Subject: Council Meeting Minutes		
Location on Agenda: Consent		
Department: Administration		
Contact: Stella Gibson, Town Clerk		
Presenter: Stella Gibson, Town Clerk		
Brief Summary: 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.		
Recommended Motion and/or Requested Action: Consider approval of minutes		
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: 		
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 Meeting Minutes
November 19, 2019**

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 ProTem Ken Marshburn, Council Members Kathy Behringer, Buck Kennedy, Gra Singleton and Elmo Vance

Mayor Ronnie Williams was absent.

Staff Present: Rodney Dickerson-Town Manager, Matt Roylance-Asst. Town Manager-Operations, John Hodges-Asst. Town Manager-Development Services, David Bamford-Planning Services Manager, David Beck-Finance Director, Alison Jones-Planner, Jeff Triezenberg-Planning Director, Stacy Harper-Principal Planner, Joe Binns-Interim Police Chief, William E. Anderson-Town Attorney, and Stella Gibson-Town Clerk

PLEDGE OF ALLEGIANCE: Mayor ProTem Ken Marshburn

INVOCATION: Police Department Chaplain Lee Smith delivered the invocation.

PETITIONS AND COMMENTS

ADOPTION OF AGENDA

Request to add Closed Sessions pursuant to N.C. General Statutes Sections 143-318.11(a)(1), 143-318.11(a)(3), 143-318.11(a)(6).

Correction to Ordinance (2019) 2398 – Nuisance Abatements; taxes were paid on 402 West Garner Road after the agenda was prepared.

Motion: Singleton
Second: Behringer
Vote: 4:0

PRESENTATIONS

CONSENT

Ordinance Amending Operating Budget – Police Overtime

Presenter: David Beck, Finance Director

The Police Department has been working jointly with the DEA recently. The DEA will reimburse the Town for overtime hours related to the joint cases. The Town has been receiving reimbursements on a monthly basis. This amendment budgets the reimbursements as revenue and amends the Police overtime budget to appropriate funds for the additional hours.

Action: Adopt Ordinance (2019) 4026

Ordinance Amending Operating Budget – Yeargan Master Plan

Presenter: David Beck, Finance Director

Appropriate funding for phases 1 and 2 of the Yeargan Property Master Plan. Council approved Phase 1 during their 8/20/2019 meeting and Phase 2 was approved on 10/7/2019.

Action: Adopt Ordinance (2019) 4027

Nuisance Abatements

Presenter: David Beck, 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 (2019) 2398

Resolution Declaring Property Surplus

Presenter: David Beck, Finance Director

This resolution allows the Public Works Department to dispose of a garbage packer truck that has exceeded its life cycle.

Action: Adopt Resolution (2019) 2397

Budget Amendment – Senior Center Grant

Presenter: David Beck, Finance Director

The Senior Center received grant funding for meeting the requirements of being a Center of Excellence. The funds will be used to upgrade the video surveillance system, install a new microphone system, and replace window blinds. The required 25% match is met through locally-funded expenditures already budgeted for the center.

Action: Adopt Ordinance (2019) 4029

Ordinance Amending the Budget - Fire Dept.

Presenter: David Beck, Finance Director

The Garner Volunteer Fire and Rescue Department is required to maintain liability insurance for their various equipment/vehicles. This policy is renewed each year on Jan. 1st. Based on this timing, the Department is unable to reflect any changes to the policy in their budget submission to the Town and Wake County. The Department was recently notified that the cost of the policy will increase by \$28,268 based primarily on the addition of a new vehicle. The Department has requested that the Town provide additional funding to cover this cost.

Action: Adopt Ordinance (2019) 4030

A Resolution Relating to Offensive Symbols and Text on or at Town Property, Publications and Town-Controlled Activities

Presenter: William E. Anderson, Town Attorney

This Resolution reserves to the Town the right to decline to present on Town property (real or personal), Town vehicles, Town website and publications, or at Town-sponsored events, any text, signs or symbols offensive to members of the community where it is “government speech.”

Action: Adopt Resolution (2019) 2399

Motion: Behringer
Second: Kennedy
Vote: 4:0

PUBLIC HEARINGS

Mr. Anderson explained the procedures to be followed during the following hearings and asked Council if there were any reasons that would prevent them from making an impartial decision and to disclose any exparte communications. Hearing none, the Town Clerk administered the Affirmation of Oath to the following: Jeff Triezenberg, David Bamford, Stacy Harper, Keith Roberts, Michael Owens.

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

PD-Z-19-02 & PD-MP-19-02, Bethel

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

Planned Residential conditional use rezoning (PD-Z-19-02) with associated master plan (PD-MP-19-02) request submitted by Meritage Homes to rezone 164.59 +/- acres from Single-Family Residential (R-20) to Planned Residential District conditional use (PRD C7) for 575 single-family units. The site is located west of South Garner High School along both New Bethel Church Rd. and Clifford Rd. and can be further identified as Wake County PINs 1629-43-0832 and 1629-00-3386.

Mayor Williams closed the hearing and called for a vote.

Action: Move the Town Council accept staff’s statements regarding zoning consistency with the Garner Forward Comprehensive Plan, detailed in Section V of the staff report, as our own; and therefore move further that the Town Council adopt Ordinance (2019) 4028 approving rezoning request PD-Z-19-02 as it is reasonable and in the public interest because it will likely allow household living and supporting daycare 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, all the development of an appropriate density of housing in the area in which it is located, and allow for the conservation and preservation of natural features and green space to promote recreation opportunities.

Motion: Vance

Second: Behringer
Vote: 4:0

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 PD-MP-19-02, Bethel, with the three standard conditions and eight (8) site-specific conditions to be listed on the permit that will be prepared by staff. Condition 8: removal of the berm fronting New Bethel Church Road and provide at least a 100-foot vegetative setback from all residential structures shall be provided along the project's frontage on both sides of New Bethel Church Road.

Motion: Vance
Second: Behringer
Vote: 4:0

CUP-SP-19-20 Briarhaven

Presenter: Stacy Harper, Principal Planner

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

Conditional Use Permit site plan (CUP-SP-19-20) request submitted by Briarhaven Properties LLC/Magdy Saad to grade a portion of a 2.96 +/- acre tract at the corner of Raynor Road and Bricksteel Lane, further identified as Wake County PIN# 1730-30-7514.

Mayor Williams closed the hearing and called for a motion.

Action: Move Council accept the staff comments regarding plan consistency in Section V 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-19-20, Briarhaven.

Motion: Singleton
Second: Kennedy
Vote: 5:0

SUP-SP-19-15, Shady's

Presenter: Alison Jones, Planner II

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

Special Use Permit site plan (SUP-SP-19-15) application submitted by Jeremy Hitch for a "Bar, Nightclub, Tavern". The site is located at 106 East Main Street and may be further identified as Wake County PIN(s) 1711-72-2303, 1711-72-1384, and 1711-72-1390.

Mayor Williams closed the hearing and called for a motion.

Action: Move Council accept the staff comments regarding plan consistency in Section V 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-19-15, Shady's with two (2) site-specific conditions to be listed on the permit that will be prepared by staff.

Motion: Singleton
Second: Kennedy
Vote: 4:0

NEW/OLD BUSINESS

UDO-19-02, Fee-in-Lieu of UDO Requirements Update

Presenter: Jeff Triezenberg, Planning Director

Text amendment submitted by the Planning Department and Town Attorney's office requesting an amendment to the text of the Unified Development Ordinance to update conditions under which the Town may accept a fee-in-lieu of certain requirements, including the construction of street infrastructure and the dedication of land for the development of public parks.

Action: Adopt Ordinance (2019) 4031

Motion: Kennedy
Second: Singleton
Vote: 4:0

COMMITTEE REPORTS

MANAGER REPORTS

- garner info
- Building and Permit Report
- Garner info
- Council orientation tomorrow from 8:00 a.m. to 3:00 p.m.
- Work Session on 11/26 will start at 3:00 p.m. to discuss the Town's CIP; the meeting will resume at 6:00 p.m.
- Mr. Hodges reported DOT is experiencing financial challenges which are trickling down to LAPP funding projects.
- Jones Sausage Road improvements are moving forward due to funding from economic development.

ATTORNEY REPORTS

Pursuant to N.C. General Statutes:

1. Section 143-318.11(a)(1) to consult with the Town Attorney regarding matters as to which the Town Attorney attests claim of attorney-client privilege.
2. Section 143-318.11(a)(3) to discuss litigation.
3. 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.

COUNCIL REPORTS

Singleton

- Reported the contractor working on the Spring Drive sidewalk project is moving forward at fast pace.

Kennedy

- Asked for an update on the Rec Center. Staff reported a meeting was held between the bonding company and the contractor and are moving towards executing an agreement to finish the project.
- Staff provided an update on the Depot: the footing has been installed and the mover should be on-site December 14.

Marshburn

- Reported the Veterans' Day celebration was a success and thanked staff for coordinating the event.

Council Members Vance and Behringer has nothing to report.

CLOSED SESSION

Motion: Singleton
Second: Vance
Vote: 4:0

Council went into closed session to confer with counsel to discuss legal matters and gave instructions to staff on how to proceed.

ADJOURNMENT: 11:12 p.m.

**Town of Garner
Work Session Minutes
November 26, 2019**

The Council met in a Work Session at 3:00 p.m. in the Council Chambers located at 900 7th Avenue.

CALL MEETING TO ORDER/ROLL CALL

Present: Mayor ProTem Ken Marshburn, Council Members Kathy Behringer, Buck Kennedy, Gra Singleton, and Elmo Vance

Mayor Ronnie Williams was absent

Staff Present: Rodney Dickerson-Town Manager, Matt Roylance-Asst. Town Manager-Operations, John Hodges-Asst. Town Manager-Asst. Town Manager-Development Services, Chris Johnson-Engineering Director, Jeff Triezenberg-Planning Director, Mike Franks-Budget & Special Projects Manager, Joe Binns-Interim Police Chief.

REPORTS/DISCUSSION

Potential Bond Referendum

Presenter: Mike Franks, Budget & Special Projects Manager

Discussion regarding the Town's Capital Improvement Program and a potential bond referendum in November of 2021. This information will be used to prepare a recommended CIP which will be presented in the spring and to potentially begin preparing for a bond referendum.

CIP Structure

- Parks – Includes various projects necessary to develop and enhance park, recreational and cultural opportunities for Town residents
- Transportation – Includes projects required to expand or maintain the town's transportation network
- General Government – Includes projects associated with Information Technology, Facility Development including land acquisition and Economic Development
- Stormwater – Includes maintenance related projects primarily identified as part of the stormwater conveyance infrastructure study
- Capital Renewal – Includes various maintenance projects identified as part of the Public Facilities Repair & Maintenance (PFRM) process

Funding Sources

- Transfer from General Fund – Funding appropriated as part of the annual budget process
- Bond Proceeds – Funding approved by voters as part of a bond referendum to address specific requirements
- Future Bond Proceeds – Anticipated funding which will require voter approval as part of a bond referendum
- Impact Fees – Fees paid by developers to cover a portion of the costs to provide public services
- Powell Bill – Funding distributed by the state to be used for the resurfacing of streets within the corporate limits of the Town
- Appropriated Fund Balance – Funding appropriated from General Fund or Revenue Savings Plan balance
- Partner Agency Funding – Funding provided by regional, state or federal organizations such as CAMPO LAPP, Wake County and Community Development Block Grant (CDBG)

- Other – Funding identified by staff from alternative source
- Unknown Funding – Funding options are still being evaluated

FY2021-2025 CIP development

- Still in draft status
- Will establish the framework for future bond sale
 - Requires Council input on future projects and funding levels
 - Requires Council input on mechanism(s) to fund future debt service
 - Currently assumes a 1 cent property tax increase to pay for debt service costs associated with a November 2021 referendum

CIP Summary

Parks Calendar	November 2021 Timeline
Identify Potential Projects	November 2019 - January 2020
Review Potential Park Projects	January 2020 - April 2020
Hold Staff Park Committee Meetings	April 2020 - June 2020
Review Identified Projects with Parks and Recreation Advisory Committee	Aug-20
Review Projects with Council and Finalize Project List	September 2020 - May 2021
Public Outreach and Other Bond Related Activities	May 2021 - November 2021
Transportation Calendar	
Review Identified Projects with Council	Nov-19
Obtain Public Input	December 2019 - January 2020
Review Projects with Planning Commission	Feb-20
Review Projects with Council	Mar-20
Consultant Review of Identified Projects	April 2020 - March 2021
Review Consultant Estimates with Council and Finalize Project List	Apr-21
Public Outreach and Other Bond Related Activities	May 2021 - November 2021

Annual Garner Forward Comprehensive Plan Update

Presenter: Jeff Triezenberg, Planning Director

Mr. Triezenberg advised the report was provided pursuant to the recommendation in the Garner Forward Comprehensive Plan that “the Planning Department will be responsible for preparing the annual report of the Town's progress at the outset of the annual budget preparation process” (which occurs in the Fall of each calendar year).

Action: Discussion only

UDO-19-04, Applicability of Construction Standards Update

Presenter: William E. Anderson, Town Attorney and Jeff Triezenberg, Planning Director

Proposed text amendment submitted by Town Staff to address legislative changes regarding permit choice enacted as part of S.L. 2019-111.

Action: Direct staff to advertise a public hearing for January 6, 2020

Motion: Singleton
Second: Vance
Vote: 4:0

MANAGER REPORTS

No Manager reports

COUNCIL REPORTS

No Council reports

CLOSED SESSION

Pursuant to 143-318.11(a)(1) to consult with the Town Attorney regarding matters as to which the Town attorney attests a claim of attorney-client privilege.

Council met to discuss potential litigation and provided guidance to staff.

ADJOURNMENT: 9:12 p.m.

DRAFT

**Town of Garner
Town Council Meeting Minutes
December 2, 2019**

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 Members Kathy Behringer, Council Members Gra Singleton, Elmo Vance

Staff Present: Rodney Dickerson-Town Manager, Matt Roylance-Asst. Town Manager-Operations, John Hodges-Asst. Town Manager-Development Services, David Bamford-Planning Services Manager, David Bamford-Planning Services Manager, Chris Johnson-Inspections Director, Fred Baggett-Interim Town Attorney, and Stella Gibson-Town Clerk

PLEDGE OF ALLEGIANCE: Council Member Elmo Vance

INVOCATION: Dr. David Forbes, Pastor Emeritus, Christian Faith Baptist Church; former Dean of Divinity School at Shaw University

INDUCTION OF COUNCIL MEMBERS

Administration of Oaths

- Ken Marshburn will be sworn into office as Mayor by W. Earl Britt, Senior United States District Judge
- Demian Dellinger will be sworn into office as Council Member by Jennifer Knox, former District Court Judge
- Phil Matthews will be sworn into office as Council Member by Becky Matthews, Notary Public
- Elmo Vance will be sworn into office as Council Member by Vince Rozier, Jr., Wake County Superior Court Judge

RECOGNITION OF OUT-GOING MEMBERS

Outgoing Members, Mayor Ronnie Williams and Council Member Buck Kennedy, were recognized for their service to the Town.

NEW COUNCIL COMMENTS

Both outgoing members expressed their appreciation for allowing them to represent the people of Garner and wished the Town continued success.

SELECTION OF MAYOR PRO-TEM

Council Member Kathy Behringer was sworn into office as Mayor ProTem by Mayor Ken Marshburn.

PETITIONS AND COMMENTS

Each of the following expressed their disappointment in Council's decision to cancel the Christmas parade:

Durwood Lassiter, Willow Springs

Jenna Bernstein, 701 S. Howard, Tampa FL

Lalena Haro, 1502 Lakeside Drive

Charles Dingee, 1316 Pineview Drive (Mr. Dingee also asked about the delay of posting minutes on the Town's website)

Steve Dixon

Daniel Martin, Keene, NC

Floyd Baker, 910 Wade Avenue

ADOPTION OF AGENDA

CONSENT

PUBLIC HEARINGS

NEW/OLD BUSINESS

Z 19-05, General Use Rezoning - 2201 E Garner Road/4629 Auburn Knightdale Road

Presenter: David Bamford, Planning Services Manager

Crystal Buehler is requesting rezoning of 0.78 acres at the northeast corner of E Garner Road and Auburn-Knightdale Road (2201 E Garner Road). The existing zoning is Residential 20 (R-20) single-family, and the requested zoning is Neighborhood Office (NO). The site can be further identified as Wake County PIN(s) 1730377432 and 1730376391.

Action: Move the Town Council find that although the rezoning request is partly inconsistent with the Garner Forward Comprehensive Plan as detailed in Section V of the staff report, it is reasonable and in the public interest because it will likely allow appropriate types of business and industry at the described location which will provide opportunities for access to goods and/or services useful to the surrounding area and support development of North Garner and therefore, I move further that the Town Council adopt Ordinance (2019) 4032 approving rezoning request number Z-19-05, and in doing so, also amend the Town's Comprehensive Growth Future Land Use Map to designate the northern tract of the subject rezoning property to Neighborhood Commerce Center.

Motion: Singleton

Second: Vance

Vote: 5:0

COMMITTEE REPORTS

MANAGER REPORTS

garner info

ATTORNEY REPORTS

COUNCIL REPORTS

Singleton

- Confirmed the process and time involved in getting minutes approved.

Dellinger

- Advised Council of the Wake County Habitat for Humanity reception on Tuesday, December 10 being held to meet the new CEO at the WakeMed Campus.
- Received citizen inquiry regarding the sidewalk on Woodland Road from Vandora Road to Brompton

Marshburn

- Asked Mr. Johnson to follow-up with NCDOT regarding the signal light delay at Aversboro and Timber.

Mayor ProTem Behringer and Council Members Matthews and Vance had nothing to report.

CLOSED SESSION

Pursuant to N.C. General Statutes 143-318.11(a)(3) to discuss litigation.

Motion: Marshburn
Second: Singleton
Vote: 5:0

RETURN TO REGULAR SESSION

Council met in closed session to negotiate an agreement with Fred Baggett to serve as the Town's Interim Attorney. Council also discussed litigation that Mr. Baggett will take the lead on.

Mr. Dickerson advised the 1950 Town Code stated Town Minutes would be presented at the following meeting. Due to the number of meetings, and their length and complexity, presenting minutes at the following meeting is not possible. Mr. Dickerson stated an amendment to the Code that staff believes is reasonable will be brought back to Council for consideration.

ADJOURNMENT: 10:20 p.m.

**The Town of Garner
Town Council Meeting Minutes
January 6, 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, Gini Schacker-Accounting Services Manager, Stacy Harper-Principal Planner, Rick Mercier-Communications Manager, Chris Johnson-Town Engineer, Fred Baggett-Interim Town Attorney, and Stella Gibson-Town Clerk

PLEDGE OF ALLEGIANCE: Council Member Phil Matthews

INVOCATION: Council Member Phil Matthews invited Pastor Phillip Modlin of Amplify Church to deliver the invocation.

PETITIONS AND COMMENTS

Ricky Pearce, 1810 Vandora Springs Road, expressed his disappointment of the parade cancellation.

ADOPTION OF AGENDA

Motion: Behringer
Second: Matthews
Vote: 5:0

PRESENTATIONS

Mr. Mercier played the State of the Town video which highlighted many of the Towns events and activities of the past year.

Mr. Beck introduced James Bence from Mauldin & Jenkins who presented the audit report.

CONSENT

Budget Amendment - Council Tablets

Presenter: David Beck, Finance Director

The Town Manager is moving \$1,650 out of this department's travel line item over to the Town Council budget to complete the purchase of tablets for the new council members.

Action: Adopt Ordinance (2020) 4036

Council Meeting Minutes

Presenter: Stella Gibson, Town Clerk

Council meeting minutes from October 7, October 24, October 29, and November 4, 2019 , closed session minutes from October 7, October 24, November 4, 2019, and special meeting minutes from October 3, 2019

Action: Adopt Minutes

PEG Media Partners Interlocal Agreement

Presenter: Rick Mercier, Communications Manager

The document is an update and renewal of PEG Media Partners' Interlocal Agreement among the seven area municipalities--including the Town of Garner--that make up the non-profit video production and broadcast consortium. PEG Media Partners' Board of Directors unanimously approved the updated agreement at its Dec. 5 meeting. Garner's communications manager is the town manager's designee on the board.

Action: Approve the proposed agreement

Motion: Vance
Second: Singleton
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: Erik Keener, Stacy Harper, Jeff Triezenberg, and Chris Johnson.

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

CUP-SP-19-23, KS Bank

Presenter: Stacy Harper, Principal Planner

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

K&J Garner, LLC is requesting conditional use site plan (CUP-SP-19-23) approval for a bank. The 1.287 +/- acre site is located at 409 US HWY 70 E and can be further identified as Wake County PIN 1721-00-5312.

Mayor Marshburn closed the hearing and called for a motion.

Action: Move the Council accept the staff statements regarding plan consistency in Section V 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-19-23, KS Bank. Special condition: Fee in lieu of sidewalk construction along US 70 to be paid prior to a Certificate of Occupancy being obtained.

Motion: Singleton
Second: Matthews
Vote: 5:0

Mayor Marshburn recommended creating an adhoc committee consisting of himself and Mayor ProTem Behringer to work with Town staff to determine the process of hiring a Town Attorney. Recommendations will be brought to the full Council for consideration before moving forward.

Action: Council consensus to create the adhoc committee.

NEW/OLD BUSINESS

COMMITTEE REPORTS

MANAGER REPORTS

- garner info
- Building & Permit Report
- Mr. Johnson presented the Capital Projects Status Report for FY 2020 3rd Quarter, street resurfacing plan and an update on the Rec Center.
- Triangle Commercial Real Estate Conference-January 22nd
- Mr. Johnson provide an overview of the capital projects report as well as the street resurfacing project.
- PRCR Comp Plan document will be discussed at the next meeting.
- Search firms will be used to assist with the Police Chief recruitment search which will be an open process for internal and external candidates.

ATTORNEY REPORTS

Interim Town Attorney Baggett mentioned that he and others have a handle on pending legal cases.

COUNCIL REPORTS

Matthews

- Asked about the possibility of getting a crosswalk at the YMCA as well as at the White Deer Park crossing from Lake Benson Park. Staff will forward request to DOT.
- Asked what is the best way to report problem properties.

Singleton

- Stated the State of the Town video was well done.
- Optimist Club Jamboree at Avery Street

Behringer

- Asked about the lights near the Evolve entrance. Mr. Johnson responded Evolve has only 300' of frontage, which meets Town requirements. It is anticipated when future development occurs, it will provide more light in this area.
- Asked about the concrete debris removal from the RR right-of-way. Mr. Dickerson will follow-up with the Public Works Department.

Vance

- Reported trash dumping along Hwy 50. Info will be forwarded to Mr. Dickerson.

Dellinger

- Asked staff to present a couple of reasonable scenarios for an ETJ expansion at a Work Session agenda.
- Need to look at installing speed controls in neighborhoods to address cut-throughs.
- Review proper way to approve recorded minutes/summation/accessibility.
- MLK Celebration on 19th at GPAC
- Need to begin discussions for next year's parade.
- Asked if Town sent NCRR letter of appreciation for Depot move.
- Mentioned Wake County revaluation info coming out soon.

Mr. Dickerson explained the Town had scheduled to replace 7 police vehicles in the budget; however, 3 were approved. We would normally replace the vehicles with the same model but Dodge halted production of the Chargers and cancelled 4,000 orders. The next available vehicles are the Tahoe and Explorer, both of which are in the process of being redesigned. The additional cost to purchase the 3 Durango's is \$36,000.

Action: Authorize the Manager to use fund balance to procure 3 Durango's at the additional cost.

Motion: Matthews
 Second: Vance
 Vote: 5:0

Mayor Marshburn asked if there were measures to prevent parking in fire lanes, especially at the Post Office. Mr. Dickerson responded that this is an on-going concern and the Police Department and Fire Marshall will look as soon as we have staff available.

Mr. Dickerson stated it would take time for staff to prepare materials for an ETJ discussion and Mayor Marshburn suggested staff meet with Council Members Dellinger and Matthews to answer questions and to discuss the process.

Council Member Singleton reported there were a number of electric car charging stations in Garner the surrounding area and asked staff to gather information and suggested Council may want to require installation of charging stations in multi-family developments and Town facilities.

ADJOURNMENT: 8:48 p.m.

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: January 21, 2020		
Subject: CUD-Z-19-09 & CUP-SP-19-17, Elevate at White Oak Apartments		
Location on Agenda: Public Hearings		
Department: Planning		
Contact: David Bamford, AICP; Planning Services Manager		
Presenter: David Bamford, AICP; Planning Services Manager; Alison Jones, Planner II		
Brief Summary: 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.		
Recommended Motion and/or Requested Action: Consider adoption of Ordinance (2020) 4038		
Detailed Notes: See attached vicinity map and staff report. A neighborhood meeting was required by ordinance and was held on June 5, 2019. Use restrictions and characteristics are voluntarily offered as zoning conditions. Staff recommends approval of CUD-Z-19-09 & finds CUP-SP-19-17 in conformity with the UDO. The re-zoning received a recommendation for approval by the Planning Commission on December 16, 2019, and they agreed that the site plan was in conformity with the UDO.		
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: 		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JST	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



Town of Garner Planning Department

Conditional Use Permit CUD-Z-19-09 & CUP-SP-19-17



Project: Elevate White Oak Apartments
Applicant: Signature Development Group, LLC
Owner: Julia R. McGrath Rev. Living Trust
Location: White Oak Rd. & Salt Hill Rd.
Pin #: 1720-53-3317, 1720-53-2042, 1720-52-4844,
 1720-52-3554, 1720-52-5597, & 1720-52-8735

Proposed Use: Multi-Family, Apartment Complex
Current Zoning: Manufactured Home/Park & Single-Family Residential (R-40)
Proposed Zoning: Multi-Family Conditional Use (MF-2 C222)
Acreage: 19.08
Overlay: None

Planning Department Staff Report

TO: Mayor and Town Council

FROM: David Bamford, AICP; Planning Services Manager
Alison Jones, Planner II

SUBJECT: *Conditional Use Rezoning # CUD-Z-19-09 &
Conditional Use Subdivision # CUP-SP-19-17, Elevate at White Oak*

DATE: January 21, 2020

I. PROJECT AT A GLANCE

Project Number(s): CUD-Z-19-09 Conditional Use Rezoning
CUP-SP-19-17 Conditional Use Subdivision

Applicant: Signature Development Group, LLC

Owners: Julia R. McGrath Rev. Living Trust

General Description -

Project Area & Location: 19.73 +/- acres located on White Oak Road
Wake Count PIN(s): 1720-53-3317, 1720-53-2042, 1720-52-4844,
1720-52-3554, 1720-52-5597, & 1720-52-8735

Current Zoning: Residential Mobile Home (RMH) & Single-Family Residential (R-40)

Requested Zoning: Multi-Family Residential (MF-2 C222)

Proposed Use(s): Apartments - 288 units

Key Meeting Dates:

Planning Commission: December 16, 2019

Public Hearing & Action: January 6, 2020

II. BACKGROUND / REQUEST SUMMARY

The rezoning (CUD-Z-19-09) and associated site plan (CUP-SP-19-17) have been submitted to develop the site into a multi-family apartment complex comprising of 288 units, a density of approximately 14.59 units per acre. This site adjoins Adeline Apartments off Timber Drive East. The site is zoned both RMH- Residential Mobile Home (13.77 acres) and R-40- Residential 40 (5.96 acres). The applicant is requesting to rezone the site to **Multi-Family Residential Conditional Use (MF-2 C222)** district to allow a multi-family “apartments” use. Use restrictions and site plan characteristic features are proposed as conditions. The applicants are requesting to rezone a total of 19.73 acres.

III. ZONING ANALYSIS

Existing: Approximately 13.77-acres of the project site is zoned **Residential Mobile Home (RMH)**. This district allows manufactured homes (single and double-wide), in addition to stick built and modular homes. Areas zoned RMH have traditionally been for mobile home park uses. This particular site was a mobile home park for many years but is now a vacant tract (all homes removed). Approximately 24 mobile homes were previously located on the site.

The following is a list of permitted uses in the RMH District:

- | | |
|-----------------------------------------------|---------------------------------------------------------------|
| 1. Single-family site built and modular homes | 7. Public safety facilities (fire, police, rescue, ambulance) |
| 2. Manufactured home Class A, B, C | 8. Cemetery |
| 3. Manufactured home parks or subdivisions | 9. Public parks, swimming pools, tennis and golf courses |
| 4. Community center | 10. Religious institutions |
| 5. Child day care up to 3 as home occupation | 11. Minor utility—elevated water tank |
| 6. Family child day care up to 8 in home | 12. Other major utility |
| | 13. Private golf course or country club |
| | 14. Bed and breakfast |

Approximately 5.96-acres of the project site is zoned **Single-Family Residential (R-40)**. This district allows single-family lots of at least 40,000 square feet (0.91 acres). Under this zoning, this portion of the site could accommodate approximately 5 single-family lots as a minor subdivision (5 lots or less). Over 5 lots is a major subdivision that requires open space, road improvements, and storm-water controls.

The following is a list of permitted uses in the R-40 District:

- | | |
|-----------------------------------------------|----------------------------------------------|
| 1. Single-family site built and modular homes | 6. Intermediate care home |
| 2. Residential Cluster | 7. Community center |
| 3. Manufactured home | 8. Lodges and fraternal clubs |
| 4. Family Care home | 9. Child day care up to 3 as home occupation |
| 5. Group care home | 10. Family child day care up to 8 in |

- | | |
|----------------------------------------------------------------|-----------------------------------------|
| home | 16. Minor utility—elevated water tank |
| 11. School public or private | 17. Solar farms |
| 12. Public safety facilities (fire, police, rescue, ambulance) | 18. Telecommunications facility |
| 13. Cemetery | 19. Other major utility |
| 14. Public parks, swimming pools, tennis and golf courses | 20. Private golf course or country club |
| 15. Religious institutions | 21. Horse stables |
| | 22. Bed and breakfast |
| | 23. Agriculture or silvi-culture |

Proposed: The proposed zoning of the entire 19.73-acre site is **Multi-Family Residential Conditional Use (MF-2 C222)**. The MF-2 district is designed to create and maintain higher density residential neighborhoods composed primarily of multifamily dwellings. For MF-2 zoning districts emphasis shall be given to the location of the proposed district to adjoining developed property to ensure that such district is carefully located and achieves a satisfactory relationship with surrounding properties. Use restrictions are proposed as part of this request.

The following is a list of generally permitted uses in the MF-2 District, but will only be conditionally permitted as noted in the proposed conditions following this list:

- | | |
|----------------------------------------------------------|-----------------------------------------------------------------|
| 1. Residential Cluster | 13. Ambulance Service, Police or Fire Station (SUP) |
| 2. Two-Family Dwelling | 14. Continuing Care, Retirement Facility (SUP) |
| 3. Townhouse | 15. Hospice |
| 4. Condominium | 16. Cemetery |
| 5. Multifamily (triplex and higher, including apartment) | 17. Public Park, Swimming Pool, Tennis Court, Golf Course (SUP) |
| 6. Family Care Home | 18. Religious Institution |
| 7. Group Care Home | 19. Minor Utility, Elevated Water Storage Tank |
| 8. Intermediate Care Home | 20. Golf Course or Country Club, Private (SUP) |
| 9. Community Center (SUP) | 21. Bed and Breakfast (SUP) |
| 10. Other Community Service (SUP) | |
| 11. Child Day Care (up to 3 as home occupation) | |
| 12. School, Public or Private (SUP) | |

The following conditions are proposed for MF-2 C222 district:

1. Permitted use table (selected from preceding generally permitted use list):

Use Category	Specific Use	MF-2 C222
Household Living	Condominium	P*
	Multifamily (triplex and higher, including apartment)	P*
Community Service	Community Center	SUP

2. Any form of group living protected by state or federal statute for use in single-family dwellings shall be permitted according to the specific use standards of the Garner Unified Development Ordinance.
3. For Residential Use: Amenities shall include a minimum 3,000 square foot fenced dog park and 4,000 square foot clubhouse with an outdoor swimming pool.
4. Building height shall be limited to a maximum of four (4) stories.
5. All exterior building materials shall not include vinyl.

Adjacent Zoning and Land Use:

North:	Mixed Use District (MXD-1)	Adeline Apartments
South:	Residential 40 (R-40)	Single-family
East:	Residential 40 (R-40)	Single-family / undeveloped
West:	Residential 40 (R-40)	Single-family / undeveloped



Overall Neighborhood Character:

This area of the community is growing. The areas north of Salt Hill Rd have developed into dense multi-family residential and high intense urban land uses. With this area served with utilities, development will continue to extend southward.

Zoning History: The Planning Department’s rezoning database contains the following rezoning cases in the vicinity of this property. More recent cases are listed below.

Case	Applicant	Location	Zoning Change
Z 85-7	Betty and C.E. Caudle	White Oak Rd	NC to R-5
Z 86-13	Charles Peele	White Oak / Hebron Church	R-40 to NB
Z 91-04	Robert Richardson	Rezoning Site	R-40 to R-5
Z 97-02	Robert Richardson	Rezoning Site	R-40 to R-5
Z 05-02	Troy Hall	White Oak / Hebron Church	R-40 / RMH to R-20
CUD-Z-16-13	Garner Land Company	Abberly Solaire / Timber Drive East	MXD-1 and R-40 to MF-2 C193

IV. COMMUNITY INFORMATION

Overall Neighborhood Character: White Oak Road is a major corridor with a significant amount of daily traffic. While there are scattered single-family homes in this area south of its intersection with Bryan Road, urban densities and commercial developments are in this area around I-40 and US 70 HWY E.

Traffic: The project will have about 1,129 feet of frontage on White Oak Road. The NCDOT average daily traffic count history in this area is as follows:

- Year 2007 - 21,000
- Year 2009 - 22,000
- Year 2011 - 16,000
- Year 2013 - 23,000
- Year 2015 - 22,000
- Year 2017 - 25,000

A Traffic Impact Analysis noted that this project is expected to add 2,140 trips per day to White Oak Road which has carried more traffic than expected (18,000 trips per day) each year except 2011. Without existing trips on White Oak Road diverting to other routes, this would be a potential daily overall increase of 8.6%. Because most of the traffic is through movement on White Oak Road while the traffic from intersecting streets is extremely low by comparison, signal warrants are not currently met at either Salt Hill or Bryan roads.

Initial TIA-recommended work beyond ordinance-required frontage improvements were as follows:

- this project will be required to do more than their usual half of the required road improvements along Salt Hill Road as they must have an asphalt surface wide enough for two-way traffic; and
- the project will be responsible for adding/stripping a 100’ dedicated left-turn lane on White Oak Road into their main entrance so as not to hinder the through capacity of existing eastbound White Oak Road.

In addition to those improvements recommended by the TIA, the NCDOT is also requiring the following:

- the project will be responsible for adding a 100' dedicated right-turn lane on White Oak Road into their main entrance so as not to hinder the through capacity of existing westbound White Oak Road; and
- the project will be responsible for adding a 100' dedicated left-turn lane from White Oak Road onto Salt Hill Road so as not to hinder the through capacity of existing eastbound White Oak Road.

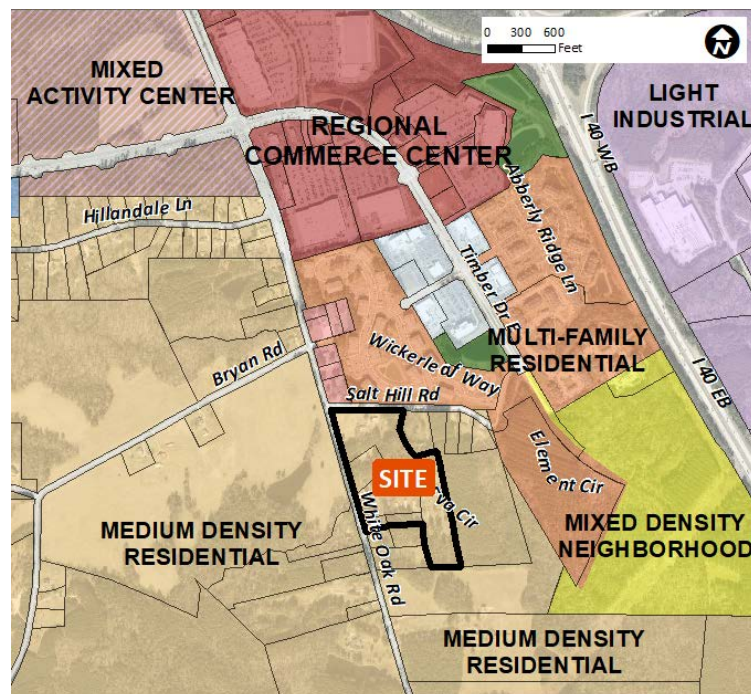
Neighborhood Meeting: A neighborhood meeting was held on June 5, 2019 at the Garner Senior Center with approximately eight (8) neighbors in attendance. The summary notes are attached. Some of the questions raised by the neighbors included: landscaped buffers and the dumpster location.

V. CONSISTENCY WITH THE COMPREHENSIVE PLAN

2018 Garner Forward Plan: In addition to land use, the 2018 *Garner Forward Comprehensive Plan* also provides guidance on keeping the Town's character, living spaces, working places, recreation opportunities and transportation. Applicable sections are analyzed in the following paragraphs.

Land Use:

On the Future Land Use map (below), this site is designated as **Medium-Density Residential (MDR)**. The **Medium-Density Residential** land use category includes single-family, duplex, triplex, quadplex, and townhome-style residences with no less than two and a half (2.5) nor more than five (5) units per acre. Medium-Density Residential structures may also include auxiliary units detached from the primary house. The MDR district encourages context sensitive residential uses that preserve and enhance the culture of adjacent residential communities.



Living Spaces:

The guiding principles and recommendations for living spaces and housing are found on pages 63 – 68. Staff finds this request in support of the following:

1. “The younger and older residents – ‘Millennials’ and ‘Boomers’ respectively – share many of the same desires in a living space: proximity to shopping and services; an appreciation for greenways; and fun places to gather” (p. 63). This zone provides amenities including a dog park and a neighborhood clubhouse and swimming pool. This multi-family zone would also be in close proximity to shopping and restaurants at White Oak.
2. “Promote multi-family housing in select areas” (p. 65). This zone will allow multi-family in an appropriate area where high density development has already occurred.

Recreation Opportunities:

The guiding principles and recommendations for recreation opportunities are found on pages 76 - 82. Staff finds this request in support of the following:

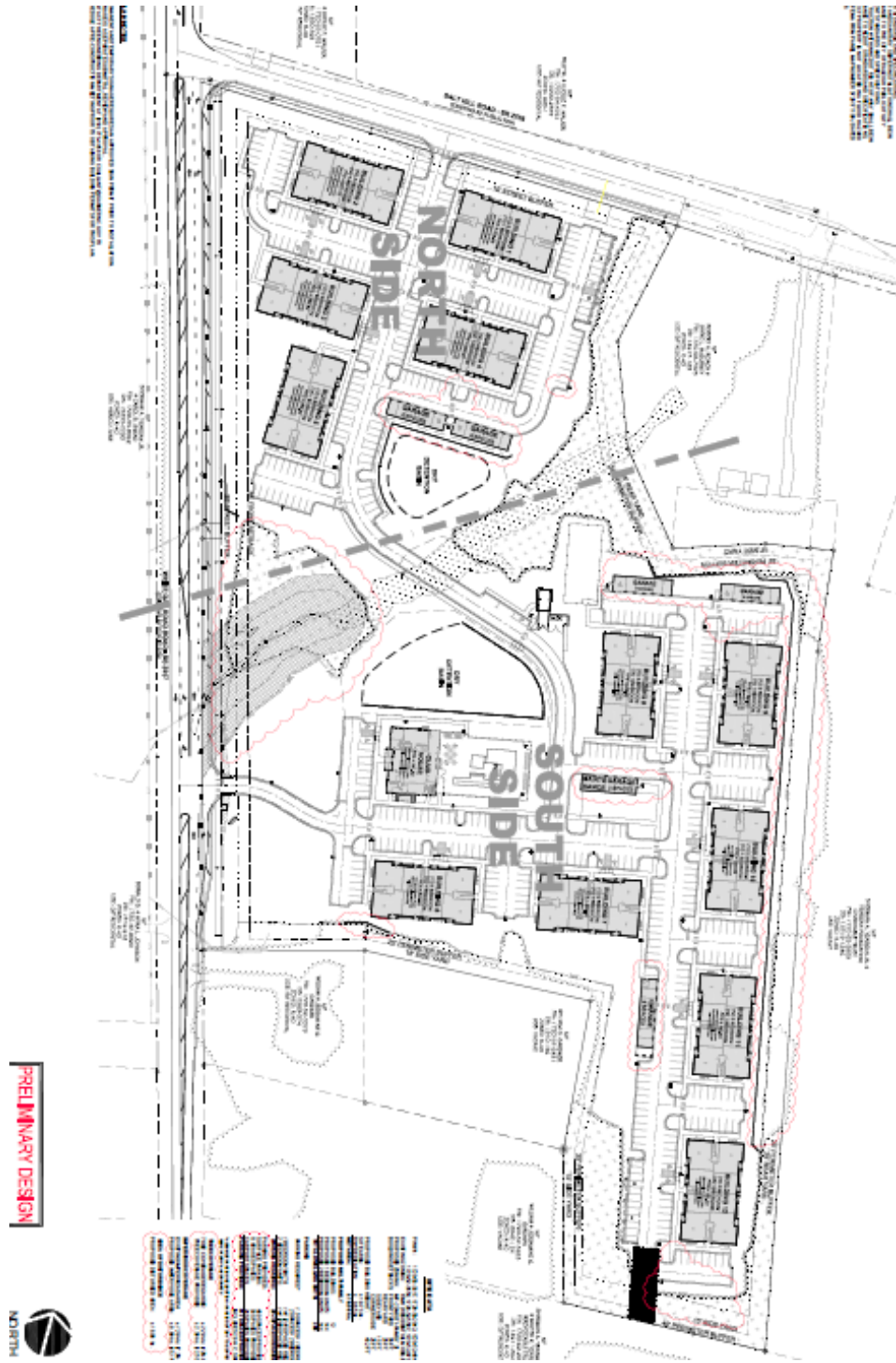
1. “Parks play a vital role in neighborhood life, providing a place for children to play and residents to meet.” (p. 76). Parks can be public or private, and this zone provides for amenities including a dog park and a neighborhood clubhouse and swimming pool.

Zoning Consistency Statement: The requested zoning from RMH- Residential Mobile Home (13.77 acres) and R-40- Residential 40 (5.96 acres) to **Multi-Family Residential Conditional Use (MF-2 C222)** is partly inconsistent with the Garner Forward Plan. It is consistent with the 2018 Garner Forward Comprehensive Plan’s guiding principles and recommendations of the Living Spaces and Recreational Opportunities section of the plan as well as with surrounding zoning which includes adjacent MXD-1 and MF-2 districts; however, it is not consistent with the Future Land Use Map designation of Medium-Density (MDR) Residential because the use of “apartments” is not an identified use within the MDR category uses. Therefore, this rezoning will require a land use map **amendment** to designate the site from Medium-Density Residential (MDR) to Multi-Family Residential (MFR).

VI. SITE PROJECT DATA

Acreage: 19.73 +/-

Number of Units: 288 multi-family apartment units (144 - 1 bedroom and 144 - 2 bedroom)



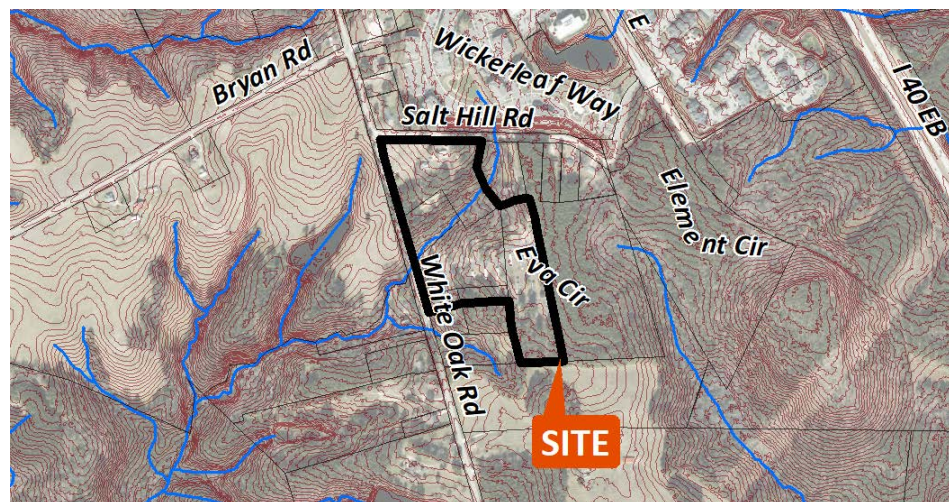
Dimensional Requirements: Setbacks are shown in conformance on the plan. Setbacks are as follows – Front, 35 feet; Rear, 25 Feet; Corner Side, 25 feet; and Side, 15 feet.

Lighting: Proposed lighting 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).

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

- **Tree Cover:** Requirement of 12% is met with existing plant material on the North side of the site.
- **Buffers:** There are perimeter buffers on the north, south and east sides of this project. The southern buffers are 25' and 40', while the eastern buffer is 35'.
- **Street Trees:** Street trees are provided approximately every 40 feet on center along White Oak Road.

Environmental Features: The site has does not have any FEMA floodplain or floodway. Riparian buffers apply as noted on the site plan.



Parks and Open Space:

Open Space –

- Required: 12% (2.29 acres)
- Proposed: 12.53% (2.39 acres)

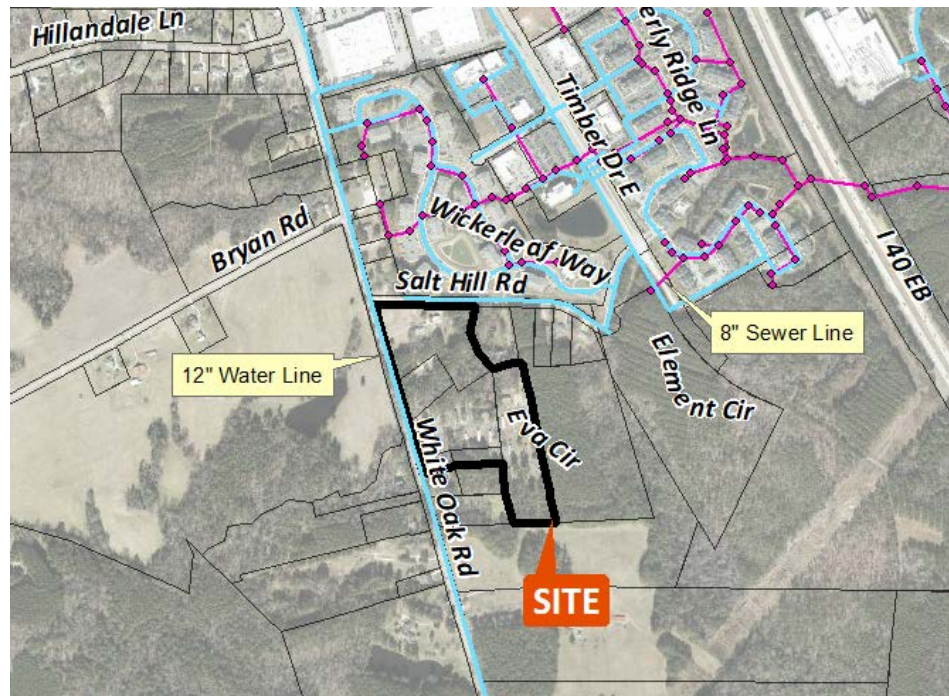
Open space to be owned and maintained by the owner of the project. The project also includes a community clubhouse, pool and a dog park.

Parks – The Parks, Recreation and Cultural Resources Department has recommended a fee-in-lieu of parkland dedication for this project. The current rate for apartments is \$895 per unit in each of the buildings.

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

Infrastructure: Stormwater Management – Elevate at White Oak is a multifamily development that is not located within the watershed protection area. This site is subject to water quality requirements for nitrogen control and water quantity for the 1, 10 and 25 year storm events. This development plan proposes two dry detention stormwater control measures to treat for water quantity only. The nitrogen loading rate is under the 10 pounds per acre per year threshold for this project, and therefore no additional water quality stormwater control measures are required. A nitrogen offset payment will be required with this development.

Water/Sewer – The project will connect to both municipal water and sewer. Water is available along White Oak Road while sewer is available nearby at Adeline apartments at Adeline Way. Approximately 210 feet of an 8" water main will be extended down Salt Hill Road and connect to an existing line.



Access – The site has approximately 1,129 feet of frontage on White Oak Road. White Oak Road is a 22-foot wide state-maintained facility within a 60-foot right-of-way (ROW). The site also has about 685 feet of frontage on Salt Hill Road which is a variable width state-maintained gravel road (between 16 to 20 feet wide) within a 60-foot right-of-way (ROW).

This development will have two full-access points, one off Salt Hill Road and one off of White Oak Road. Sidewalks, curb, and gutter along the entire frontage of both roads will be provided. Salt Hill Road will be improved from a gravel to a 24-foot wide paved road along the project's frontage. 25 feet of right-of-way dedication is required along White Oak Road to accommodate required widening.

VII. PLAN CONFORMITY WITH ADOPTED TOWN PLANS AND POLICIES

2018 Garner Forward Transportation Plan:

The *2018 Garner Forward Transportation Plan* recommends widening White Oak Road to a four-lane divided / five-lane facility. There are no recommendations for Salt Hill Road beyond what would otherwise be required by the UDO as a collector street. A previous bicycle recommendation for paved shoulders was brought forward from the 2010 Garner Transportation Plan; however, with the introduction of curb and gutter, staff recommends updating the Plan to call for a side path on the west side of White Oak Road. With road widening improvements and sidewalk installation along both White Oak Road and Salt Hill Road, this project, as proposed, may be found to be in conformity with 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 reveals critical need for sidewalk connections in this area; therefore, with the payment of the fee-in-lieu of parkland dedication and the construction of sidewalks, this project, as proposed, may be found to be in conformity with the Parks & Recreation, Open Space & Greenways Master Plan.

Unified Development Ordinance:

After sufficient review and plan revisions, staff finds that this project, as now proposed, conforms to the regulations of the Unified Development Ordinance, so long as the following conditions are met:

1. Prior to the issuance of the first building permit, the Stormwater Program Administrator shall be in receipt of proof of payment for the required nitrogen offset payment to an approved mitigation bank;
2. Prior to receipt of approved plans, Engineering Department inspection fees must be paid to the Town of Garner;
3. Prior to issuance of the first building permit, all applicable water and sewer fees must be paid to the City of Raleigh Public Utilities Department;
4. Prior to the issuance of each building permit, a fee in lieu of park land dedication shall be paid to the Town of Garner;

5. Prior to the issuance of the first building permit, a recombination plat shall be recorded with the Wake County Register of Deeds;
6. Prior to the issuance of the first building permit, the Planning Department shall be in receipt of certification from a licensed funeral director that the on-site graves have been suitably relocated;
7. Prior to the issuance of approved construction drawings, Town staff shall be in receipt of documentation from the governing authority regarding the permitting of encroachments into wetland areas;
8. Prior to issuance of the first building permit, an annexation petition must be submitted to the Planning Department; and
9. Prior to the issuance of first building permit proof of NCDOT approved driveway permit.

VIII. PLANNING COMMISSION NOTES AND RECOMMENDATION

The Planning Commission reviewed this request at their December 16, 2019 meeting. With a unanimous vote, the Planning Commission confirmed staff's findings in Section VII that CUP-SP-19-17, Elevate at White Oak, is in conformity with adopted town plans and policies, and further accepted the staff's statements regarding zoning consistency (or lack thereof) with the Garner Forward Comprehensive Plan, being detailed in Section V of this report, as their own, and recommended approval of CUD-Z-19-09 to the Town Council with a simultaneous amendment to the comprehensive plan to designate this property from Medium-Density Residential to Multi-Family Residential.

Staff recommendations for rezoning request (CUD-Z-19-09) and site plan (CUP-SP-19-17) conformity are highlighted in the motion worksheet in the next section.

CUD-Z-19-09 – Elevate at White Oak

Rezoning Motion Worksheet

Choose one (1) of the following three (3) options: *(staff recommendation is highlighted below)*
If not accepting staff recommendation, please select your own finding from below options.

1. Find Consistent with the Comprehensive Plan and Approve:
2. Find Inconsistent with the Comprehensive Plan and Deny:

3. Find Partly Inconsistent with the Comprehensive Plan and Approve:

Please find the correlating motion option below to make your motion (number 1, 2 or 3):

1. Find Consistent with the Comprehensive Plan and Approve:

"I move that 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 select as many reasons as appropriate from below list or provide your own reasoning."

- 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.
- Allow the development of an appropriate density of housing in the area in which it is located.
- Provide your own reason: _____

2. Find Inconsistent with the Comprehensive Plan and Deny:

"I move that the Town Council find the rezoning request inconsistent with the Garner Forward Comprehensive Plan for the following reason(s): provide your reasoning and therefore, I move further that the Town Council reject the recommendation of the Planning Commission and deny rezoning request number CUD-Z-19-09."

3. Find Partly Inconsistent with the Comprehensive Plan and Approve:

“I move that the Town Council find that although the rezoning request is partly inconsistent with the Garner Forward Comprehensive Plan, detailed in Section V of the staff report, it is reasonable and in the public interest because it will likely _____ *select as many reasons as appropriate from below list or provide your own reasoning*_____

- Allow the development of an appropriate density of housing in the area in which it is located
- 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 and use design and location to create good multi-family places in appropriate areas of Town
- Provide your own reason:*_____

and therefore, I move further that the Town Council adopt Ordinance No. (2020) 4038 approving rezoning request number CUD-Z-19-09 and in so doing, also amend the Town’s Comprehensive Growth Plan Map from designating the subject property as Medium-Density Residential to *Multi-Family Residential*.”

CUP-SP-19-17- Elevate at White Oak

Conditional Use Permit Motion Worksheet

Choose one (1) of the following two (2) options: *(staff recommendation is highlighted below)*
If not accepting staff recommendation, please select your own finding from below options.

1. Find Consistent with the plans and Approve:

2. Find Inconsistent with the plans and Deny:

Please find the correlating motion option below to make your motion (number 1 or 2):

1. Find Consistent with the plans and Approve:

“I move that 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.”

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.):

2. Find Inconsistent with the Comprehensive Plan and 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 Elevate at White Oak – CUP-SP-19-17.

TRAFFIC IMPACT ANALYSIS EXCERPT

Summary and Conclusions

8. CONCLUSIONS

This Traffic Impact Analysis was conducted to determine the potential traffic impacts of the proposed Salt Hill Road residential development, located east of White Oak Road and south of Salt Hill Road in Garner, North Carolina. The proposed site is expected to be a residential development consisting of a maximum of 288 apartment units to be built out in 2021. Site access will be provided via two (2) full movement driveways, one (1) along White Oak Road and one (1) along Salt Hill Road.

The study analyzes traffic conditions during the weekday AM and PM peak hours for the following scenarios:

- Existing (2019) Traffic Conditions
- Background (2021) Traffic Conditions
- Combined (2021) Traffic Conditions
- Combined (2021) Traffic Conditions with Improvements

Trip Generation

It is estimated that the proposed development will generate approximately 2,140 total site trips on the roadway network during a typical 24-hour weekday period. Of the daily traffic volume, it is anticipated that 130 trips (30 entering and 100 exiting) will occur during the weekday AM peak hour and 151 trips (95 entering and 56 exiting) will occur during the weekday PM peak hour.

Adjustments to Analysis Guidelines

Capacity analysis at all study intersections was completed according to the Town's UDO and NCDOT Congestion Management Guidelines. Refer to section 6.1 of this report for a detailed description of any adjustments to these guidelines made throughout the analysis.

Intersection Capacity Analysis Summary

All the study area intersections (including the proposed site driveways) are expected to operate at acceptable levels-of-service under existing and future year conditions with the exception of

the intersections listed below. A summary of the study area intersections that are expected to need improvements are as follows:

White Oak Road and Bryan Road

Under existing (2019), background (2021), and combined (2021) traffic conditions, the minor-street approach is expected to operate at a LOS F during both weekday AM and PM peak hours. Traffic volumes are expected to be low for all side street movements other than left-turns from Bryan Road in the AM peak hour. Based on the low side street volumes, a traffic signal would not be expected to be warranted at this intersection. Site trips associated with the proposed development are expected to consist of mostly through volumes on White Oak Road. The proposed development is expected to account for approximately 4% of the overall traffic at this intersection during the weekday AM peak hour and 6% of the overall traffic during the weekday PM peak hour. Due to these reasons, no improvements are recommended at this intersection by the proposed development.

White Oak Road and Salt Hill Road

Under background (2021) and combined (2021) conditions, the minor-street is expected to operate at LOS F during the weekday AM and PM peak hours. A traffic signal was considered at this intersection under 2021 traffic conditions; however, it is unlikely warrants would be met. Due to the relatively low volume of site trips expected on the southbound left-turn movement, and limited right-of-way available north of Salt Hill Road, no turn-lanes are recommended at this intersection by the proposed Salt Hill Road residential development.

White Oak Road and Hebron Church Road / Ackerman Road

Capacity analysis of background (2021) and combined (2021) traffic conditions indicates the roundabout at this intersection is expected to operate at an overall LOS F during both weekday AM and PM peak hours. This improvement was considered according to the most recent conceptual design provided by the Town. The current roundabout design includes a westbound right slip lane along White Oak Road that allows vehicles to bypass the roundabout. This project is still currently in the design phase and is subject to change. The proposed development is expected to account for less than 1% of the traffic at this intersection and is expected to add

one second of delay to the overall intersection during the weekday AM and PM peak hours. Due to the minor impacts by the proposed development and low percent of traffic expected, no improvements are recommended at this intersection by the Salt Hill Road residential development.

White Oak Road and Site Drive 1

Under combined (2021) traffic conditions, the minor-street approach is expected to operate at LOS F during the weekday AM peak hour and LOS E during the weekday PM peak hour. A traffic signal was considered at this intersection under combined (2021) conditions, and the volumes are not expected to meet warrants for signalization. A southbound left-turn lane is recommended on White Oak Road with a minimum of 100 feet of storage and appropriate taper and deceleration.

9. RECOMMENDATIONS

Based on the findings of this study, specific geometric improvements have been identified and are recommended to accommodate future traffic conditions. See a more detailed description of the recommended improvements below. Refer to Figure 11 for an illustration of the recommended lane configuration for the proposed development.

Background Improvements by Town

White Oak Road and Hebron Church Road

- Construct a single, multi-lane roundabout that realigns White Oak Road and Hebron Church Road and Hebron Church Road and Ackerman Road.

Hebron Church Road and Ackerman Road

- Construct a single, multi-lane roundabout that realigns White Oak Road and Hebron Church Road and Hebron Church Road and Ackerman Road.

Recommended Improvements by Developer

White Oak Road and Site Drive 1

- Construct an exclusive left-turn lane on the southbound approach of White Oak Road with 100 ft of storage with appropriate taper and deceleration.
- Construct Site Drive 1 with one (1) ingress lane and one (1) egress lane.
- Provide stop-control for the westbound approach of Site Drive 1.

Salt Hill Road and Site Drive 2

- Construct Site Drive 2 with one (1) ingress lane and one (1) egress lane.
- Provide stop-control for the northbound approach of Site Drive 2.

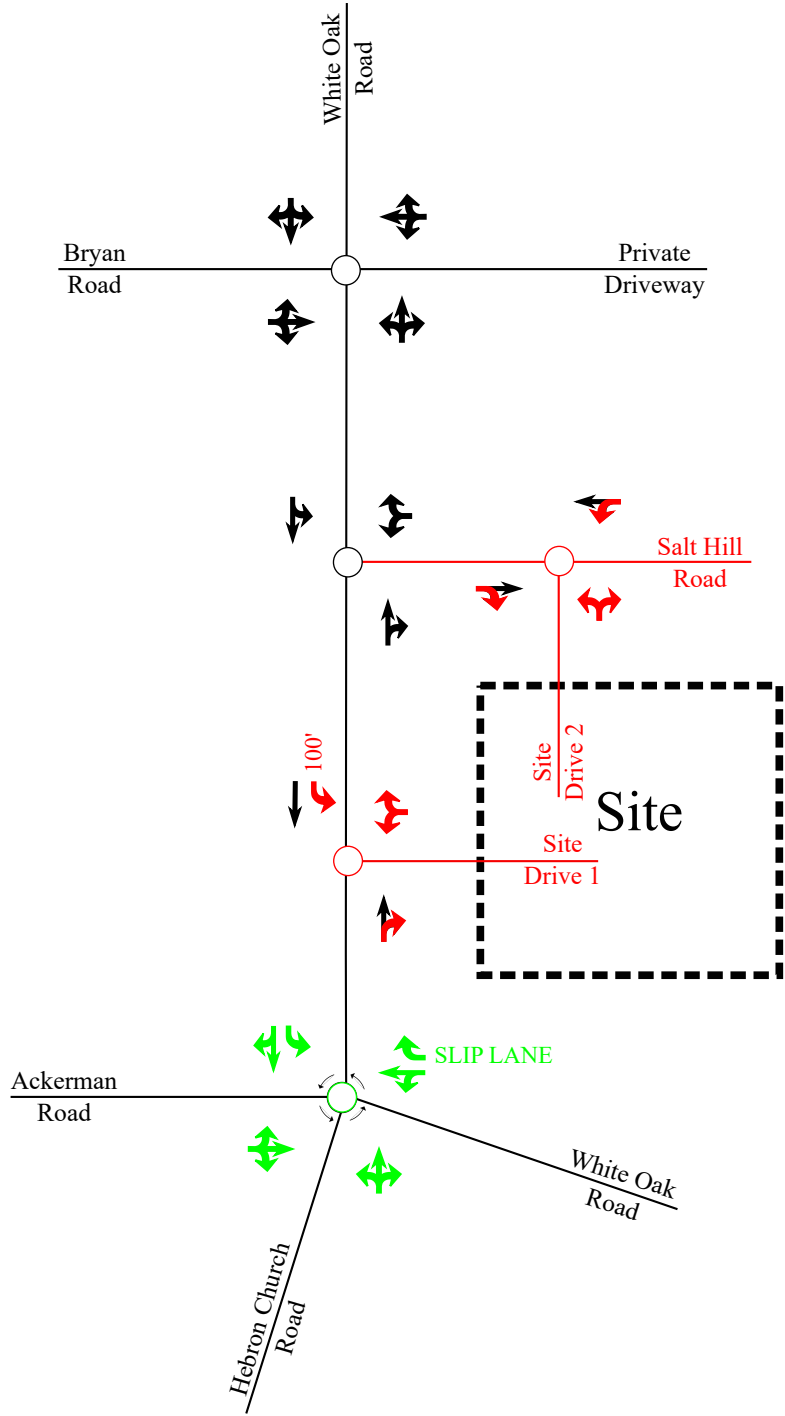
Salt Hill Road

- Widen / pave Salt Hill Road to NCDOT standards between White Oak Road and Site Drive 2.



LEGEND

- Unsignalized Intersection
- ⊙ Roundabout Intersection
- ➔ Existing Lane
- ➔ Improvement by Developer
- ➔ LAPP Improvement
- X' Storage (In Feet)



Salt Hill Road Residential
Garner, NC

Recommended
Lane Configurations

Scale: Not to Scale

Figure 11



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

August 28, 2019

Salt Hill Road Residential
Traffic Impact Analysis Review Report
Congestion Management Section

TIA Project: SC-2019-159
Division: 5
County: Wake



Doumit Y. Ishak, Regional Engineer
Clarence B. Bunting, IV, P.E. Project Engineer
Joseph D. Magnuson

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
TRANSPORTATION MOBILITY & SAFETY DIVISION
1561 MAIL SERVICE CENTER
RALEIGH, NC 27699-1561

Telephone: (919) 814-5000
Fax: (919) 771-2745
Customer Service: 1-877-368-4968

Location:
750 N. GREENFIELD PARKWAY
GARNER, NC 27529

Website: www.ncdot.gov

Salt Hill Road Residential

SC-2019-159

Wake

August 28, 2019

Per your request, the Congestion Management Section (CMS) of the Transportation Mobility and Safety Division has completed a review of the subject site. The comments and recommendations contained in this review are based on data for background conditions presented in the Traffic Impact Analysis (TIA) and are subject to the approval of the local District Engineer's Office and appropriate local authorities.

Date Initially Received by CMS	8/01/19	Date of Site Plan	7/17/19
Date of Complete Information	8/01/19	Date of Sealed TIA	7/31/19

Proposed Development

Per the TIA, the proposed Salt Hill Road Residential Development is to be located east of White Oak Road and south of Salt Hill Road in Garner, Wake County. The TIA assumes the development is to be constructed by 2021 and is to consist of the following:

Land Use	Land Use Code	Size
Multi-Family Housing (Low-Rise)	220	288 du

Trip Generation - Unadjusted Volumes During a Typical Weekday

	IN	OUT	TOTAL
AM Peak Hour	30	100	130
PM Peak Hour	95	56	151
Daily Trips			2,140

General Reference

For reference to various documents applicable to this review please reference the following link: <http://www.ncdot.org/doh/preconstruct/traffic/tepl/Topics/C-37/C-37.html>

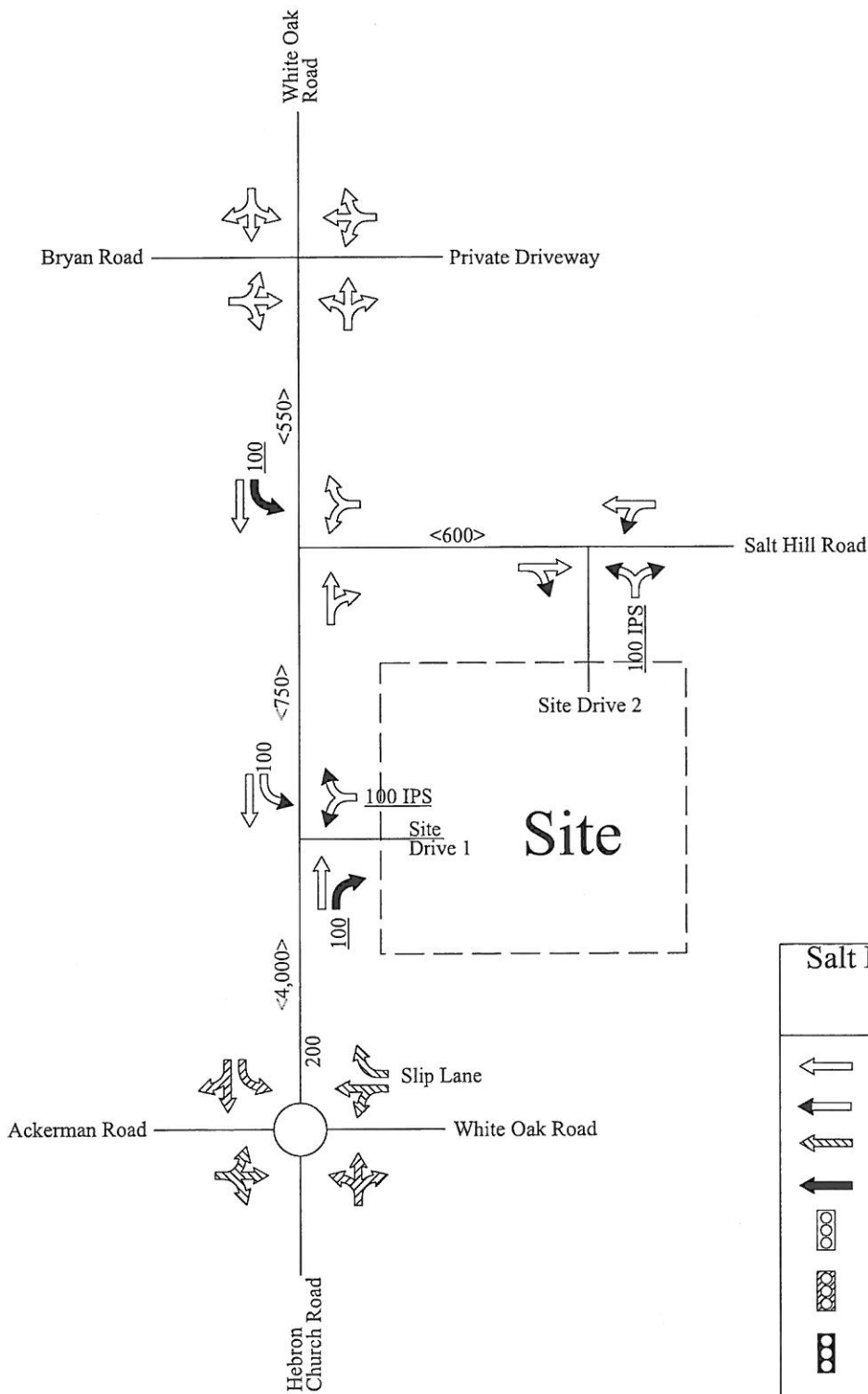
Once the driveway permit has been approved and issued, a copy of the final driveway permit requirements should be forwarded to this office. If we can provide further assistance, please contact the Congestion Management Section.

Improvements By Others








The analysis includes background improvements by others. If these improvements are not in place at the time of construction, the site should provide these improvements or analysis demonstrating mitigation is not necessary.

Roundabout Analysis

The TIA includes a sidra analysis for the future roundabout connecting White Oak Road and Hebron Church Road / Ackerman Road listed under the LAPP by CAMPO. The sidra analysis contained lane geometry which projected poor roundabout operations in future background conditions (2021). With the roundabout geometry proposed under the LAPP, the roundabout functions at an acceptable level of service.



**Salt Hill Road Residential
Garner, Wake
SC-2019-159**

-  Existing Laneage
-  Recommended Laneage
-  Laneage Built By Others
-  NCDOT Recommendation
-  Existing Signal
-  Signal Proposed By Others
-  Developer Proposed Signal
- XXX Storage
- XXX NCDOT Recommended Storage
- <XXX> Distance Between Intersections
- IPS Internal Protected Stem
- All Distances in Feet
- Drawing Not to Scale

NEIGHBORHOOD MEETING INFORMATION

Mailing List

Sign-In Sheets

Meeting Summary

OWNER

GARDNER, WILLIAM GLENN
MORRIS, JASON R MORRIS, KATE F
CANDY APPLE LLC
CAGLE, NANCY HICKMAN
HICKMAN, JANET D
WALKER, BILLY W WALKER, LUCILLE P
JOHNSON, DONALD B JOHNSON, MYRA L
SNEAD, CAROL BRYAN SNEAD, JERRY S
MCGRATH, JULIA R TRUSTEE JULIA R MCGRATH RVCBLE LVNG TRUST
MCGRATH, JULIA R TRUSTEE JULIA R MCGRATH RVCBLE LVNG TRUST
CAGLE, NANCY HICKMAN
BAGWELL, DAVID L BAGWELL, SUSAN M
SNEAD, CAROL B YEARGAN, SHERMAN A JR
HICKS, INA MAE RICHARDSON MORRIS, JANE G
HICKMAN, JANET D HICKMAN, RUFUS A
HICKMAN, RUFUS A
MCGRATH, JULIA R TRUSTEE JULIA R MCGRATH RVCBLE LVNG TRUST
KRUCKE, MARK J KRUCKE, JANE V
BLACKMAN, MARK WAYNE BLACKMAN, TINA TILLEY
GARDNER, WILLIAM GLENN GARDNER, JESSAMINE
GARDNER, WILLIAM G GARDNER, JESSAMINE
BESSER, ANDREW W BESSER, JESSICA G
YEARGAN, SHERMAN A JR
CANDY APPLE LLC
YEARGAN, SHERMAN A JR WALTER RAND YEARGAN IRREVOCABLE TRUST
MCGRATH, JULIA R TRUSTEE JULIA R MCGRATH RVCBLE LVNG TRUST
HUNT, ANNE B
BAGWELL, BRYAN WILLIAM OWEN BAGWELL, CAMILLE TERASA
ADELINE AT WHITE OAK, LLC
KING, PHYLLIS B BAGWELL, DAVID L
YEARGAN, SHERMAN A JR TRUSTEE YEARGAN FOUNDATION CHARITABLE TRUST
BRYAN ROAD RESIDENTIAL LLC
GARNER ADVANCE LLC
MORRIS, JASON
GARNER LAND COMPANY LLC
HEALTH PARK @ TIMBER DR LD LLC THE
CARROLL, EDWARD L III CARROLL, SUSAN S
GARNER LAND COMPANY LLC
MCGRATH, JULIA R TRUSTEE JULIA R MCGRATH RVCBLE LVNG TRUST
HEALTH PARK @ TIMBER DRIVE CONDO
YEARGAN FOUNDATION CHARITABLE TRUST YEARGAN, SHERMAN A JR
ABBERLY SOLAIRE, LLC
SNEAD, CAROL B YEARGAN, SHERMAN A JR
AZALEA BUILDING LLC
MURPHY, SHAWN PATRICK
ADAMS, BILLY R TRUSTEE ADAMS, SUE R TRUSTEE
ROACH, ROBERT A MCBURNEY, JAYNE LEE
MCGRATH, JULIA R TRUSTEE JULIA R MCGRATH RVCBLE LVNG TRUST
CPG PIA HEALTHPARK 400, LLC
TARGET CORPORATION
KING, DAVID MICHAEL KING, PHYLLIS B
CAGLE, NANCY H
KING, PHYLLIS B BAGWELL, DAVID L

ADDR1

7623 WHITE OAK RD
2308 SALT HILL RD
1600 GLEN EDEN DR
7461 WHITE OAK RD
7421 WHITE OAK RD
2201 SALT HILL RD
7612 WHITE OAK RD
7521 BRYAN RD
8608 BROOKDALE DR
8608 BROOKDALE DR
7461 WHITE OAK RD
7396 WHITE OAK RD
7521 BRYAN RD
WHITE OAK RD
7421 WHITE OAK RD
1622 OAKLAND HILLS WAY
8608 BROOKDALE DR
104 FOX WALK PATH
7750 BRYAN RD
7623 WHITE OAK RD
7623 WHITE OAK RD
7757 BRYAN RD
7777 WHITE OAK RD
1600 GLEN EDEN DR
7777 WHITE OAK RD
8608 BROOKDALE DR
86 FRAZIER RD
110 WILLOWCROFT CT
201 N ELM ST STE 201
547 BALMORAL ST
7777 WHITE OAK RD
CORE PROPERTIES INC
21034 ROSEDOWN CT
2308 SALT HILL RD
C/O COLLETT & ASSOCIATES INC
CAPITAL ASSOCIATES
7575 BRYAN RD
C/O COLLETT & ASSOCIATES INC
8608 BROOKDALE DR
2304 WESVILL CT STE 380
7777 WHITE OAK RD
HHHUNT CORPORATION
7521 BRYAN RD
103 CANBERRA CT
2290 SALT HILL RD
7670 BRYAN RD
2260 SALT HILL RD
8608 BROOKDALE DR
1330 SAINT MARYS ST STE 100
PROPERTY TAX DEPT - T1824
547 BALMORAL ST
7461 WHITE OAK RD
547 BALMORAL ST

ADDR2

GARNER NC 27529-8806
GARNER NC 27529-9182
RALEIGH NC 27612-4334
GARNER NC 27529-8802
GARNER NC 27529-8802
GARNER NC 27529-9181
GARNER NC 27529-8805
GARNER NC 27529-9136
RALEIGH NC 27613-1316
RALEIGH NC 27613-1316
GARNER NC 27529-8802
GARNER NC 27529-9199
GARNER NC 27529-9136
GARNER NC 27529
GARNER NC 27529-8802
RALEIGH NC 27604-5849
RALEIGH NC 27613-1316
GARNER NC 27529-8276
GARNER NC 27529-9589
GARNER NC 27529-8806
GARNER NC 27529-8806
GARNER NC 27529-9139
GARNER NC 27529-8808
RALEIGH NC 27612-4334
GARNER NC 27529-8808
RALEIGH NC 27613-1316
YOUNGSVILLE NC 27596-9310
GARNER NC 27529-7526
GREENSBORO NC 27401-2447
CLAYTON NC 27520-1401
GARNER NC 27529-8808
831 E MOREHEAD ST STE 445
BOCA RATON FL 33433-7401
GARNER NC 27529-9182
PO BOX 36799
5400 TRINITY RD STE 105
GARNER NC 27529-9136
PO BOX 36799
RALEIGH NC 27613-1316
RALEIGH NC 27607-2793
GARNER NC 27529-8808
1401 SUNDAY DR STE 109
GARNER NC 27529-9136
CARY NC 27513-2923
GARNER NC 27529-9180
GARNER NC 27529-9180
RALEIGH NC 27613-1316
RALEIGH NC 27605-3334
PO BOX 9456
CLAYTON NC 27520-1401
GARNER NC 27529-8802
CLAYTON NC 27520-1401

ADDR3

CHARLOTTE NC 28202-2784
CHARLOTTE NC 28236-6799
RALEIGH NC 27607-6001
CHARLOTTE NC 28236-6799
RALEIGH NC 27607-5173
MINNEAPOLIS MN 55440-9456

WHITE OAK APARTMENTS NEIGHBORHOOD MEETING
SIGN IN SHEET

JUNE 5, 2019 6:30PM-7:30PM

GARNER SENIOR CENTER – MULTI-PURPOSE ROOM

Name

Address

Email

Nancy Cagle 2461 White Oak Rd jbsales@bellsouth.net
Garner NC 27529

Lucille Walker 2201 Salt Hill Rd Garner, NC 27529

Jayne McBurney 2260 Salt Hill Rd jaynemakescents@gmail.com

Robert Roach 2260 Salt Hill Rd buckybobb69@yahoo.com

* Linda & Jack May 8008 Fashion Lane 27529 jmay8008@bellsouth.net

Jermaine Barden 7623 White Oak Rd

Glenn Barden / / /

August 8, 2019

Jeff Triezenberg
Planning Director
Town of Garner
900 7th Ave.
Garner, NC 27529

Dear Mr. Triezenberg:

On June 5, 2019 at 6:30 P.M. Signature Property Group hosted a neighborhood meeting at the Town of Garner Senior Center concerning our proposed apartment project along White Oak Rd. Eight neighbors were in attendance and overall, the comments were favorable. The sign-in sheet is enclosed with this letter.

After a brief presentation by Joe Faulkner with CE Group and myself, we held a Q&A session with the neighbors. The majority of questions centered around traffic, driveway locations, proposed improvements to Salt Hill Road and landscaping buffers. Specific requests included (1) the relocation of our dumpster further from our property line, a change which we have incorporated into our revised plan, and (2) further detail regarding the depth and type of landscaping buffering to be provided along our perimeter. Subsequent to the June 5th meeting we received a similar question regarding the landscaping buffers from a representative for the property owner of 7777 White Oak Rd. Garner, NC 27529. We believe that we have addressed all questions regarding the landscaping buffers and have sent all interested neighbors a PDF copy of our revised siteplan showing changes that have been made.

Please do not hesitate to call met at 336-698-6750 or email me at bwise@signaturepropertygroup.com with any questions.

Sincerely,

Brian Wise

Signature Property Group
305 Blandwood Ave.
Greensboro, NC 27401

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

ORDINANCE NO. (2020) 4038

AN ORDINANCE AMENDING THE TEXT OF THE GARNER UNIFIED DEVELOPMENT ORDINANCE TO CREATE A NEW CONDITIONAL USE ZONING DISTRICT AND TO AMEND THE OFFICIAL ZONING MAP TO APPLY THE NEW ZONING CLASSIFICATION

WHEREAS, The Town Council has received a petition requesting that a new conditional use zoning district be established and that this new district classification be applied to the applicant's property.

WHEREAS, the Town Council is authorized by the Town Charter to establish conditional use zoning districts:

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF GARNER ORDAINS:

Section 1. That the Official Zoning Map of the Town of Garner and Extraterritorial Jurisdiction be amended by changing the zoning classification of the property described below from its present zoning to that requested by Signature Development Group, LLC in Rezoning Application CUD-Z-19-09.

Section 2. There is hereby created a new conditional use zoning district, to be known as the **Multi-Family 2 Conditional Use District (MF-2 C222)**; within this district, all of the regulations that apply to property within the **MF-2 C222** shall be applicable and that all other uses are prohibited except those that are listed as permissible shall require a conditional use permit:

The following conditions are proposed for MF-2 C222 district:

1. Permitted use table (selected from preceding generally permitted use list):

Use Category	Specific Use	MF-2 C222
Household Living	Condominium	P*
	Multifamily (triplex and higher, including apartment)	P*
Community Service	Community Center	SUP

2. Any form of group living protected by state or federal statute for use in single-family dwellings shall be permitted according to the specific use standards of the Garner Unified Development Ordinance.
3. For Residential Use: Amenities shall include a minimum 3,000 square foot fenced dog park and 4,000 square foot clubhouse with an outdoor swimming pool.
4. Building height shall be limited to a maximum of four (4) stories.
5. All exterior building materials shall not include vinyl.

Section 3. The official Zoning Map of the Town of Garner is amended by changing the zoning classification of the property identified below and as shown on a map in application file:

Owner(s)	Tract No.	Existing Zoning	New Zoning
Julia R. McGrath Trustee Julia McGrath Revocable Living Trust	1720-53-3317, 1720-53-2042, 1720-52-4844, 1720-52-3554, 1720-52-5597, 1720-52-8735	RMH – Residential Mobile Home & R-40- Residential 40	Multi-Family Residential Conditional Use (MF-2 C222)

Section 4. The Planning Department shall change the Official Zoning Map displayed for the public to reflect this change immediately following adoption of this ordinance. In addition, a copy of this ordinance shall be filed in the Planning Department.

Section 5. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 6. That the Town Clerk shall cause a duly certified copy of this ordinance to be recorded in the office of the Wake County Register of Deeds.

Section 7. This ordinance shall become effective upon adoption.

Duly adopted this 21st day of January, 2020.

Ken Marshburn,, Mayor

ATTEST: _____
Stella L. Gibson, Town Clerk

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: January 21, 2020		
Subject: Parks, Recreation and Cultural Resources Comprehensive Plan		
Location on Agenda: Old/New Business		
Department: Parks, Recreation and Cultural Resources		
Contact: Sonya Shaw, PRCR Director		
Presenter: Sonya Shaw, PRCR Director		
Brief Summary: McAdams will present an overview of the Comprehensive Plan recommendations and action steps.		
Recommended Motion and/or Requested Action: Adoption of the Comprehensive Plan		
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:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	SS	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



TOWN OF GARNER

PARKS, RECREATION + CULTURAL RESOURCES COMPREHENSIVE PLAN



MCADAMS





PARKS, RECREATION + CULTURAL RESOURCES TOP PRIORITIES

**BRIGHT
FUTURE**

FUNDING

**COST
RECOVERY**

STAFFING

**MAINTENANCE
BACKLOG**



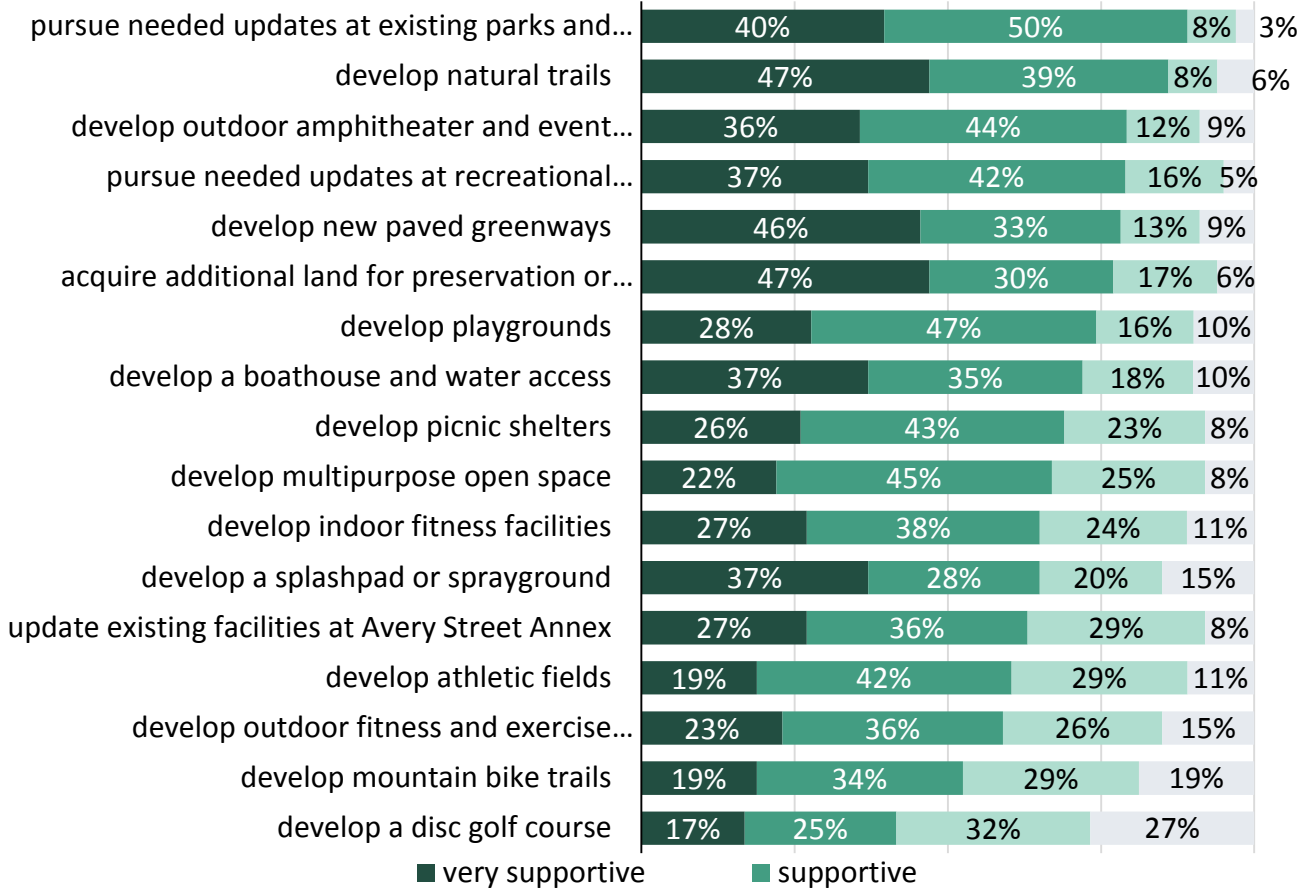
BRIGHT FUTURE

GOALS + OBJECTIVES TO ACHIEVE A BRIGHT FUTURE

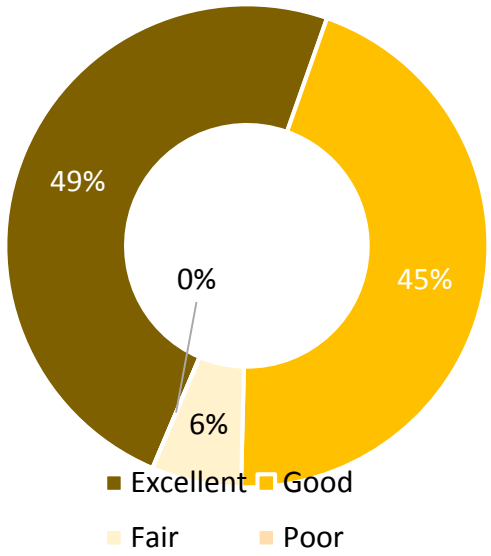
- > Expand system to meet growing demand for parks and recreation services
 - > Parks
 - > Programs
 - > Facilities
 - > Trails
- > Continue to nurture appreciation for and participation in arts and culture in Garner
 - > Engage youth
 - > Track existing offerings
 - > Expand types of cultural resources offerings
- > Continue to obtain feedback and remain responsive to community needs as they evolve
 - > Conduct focus groups on community needs
 - > Provide comment cards at all facilities



How supportive you would be of the Town taking the following actions to improve parks and recreation?



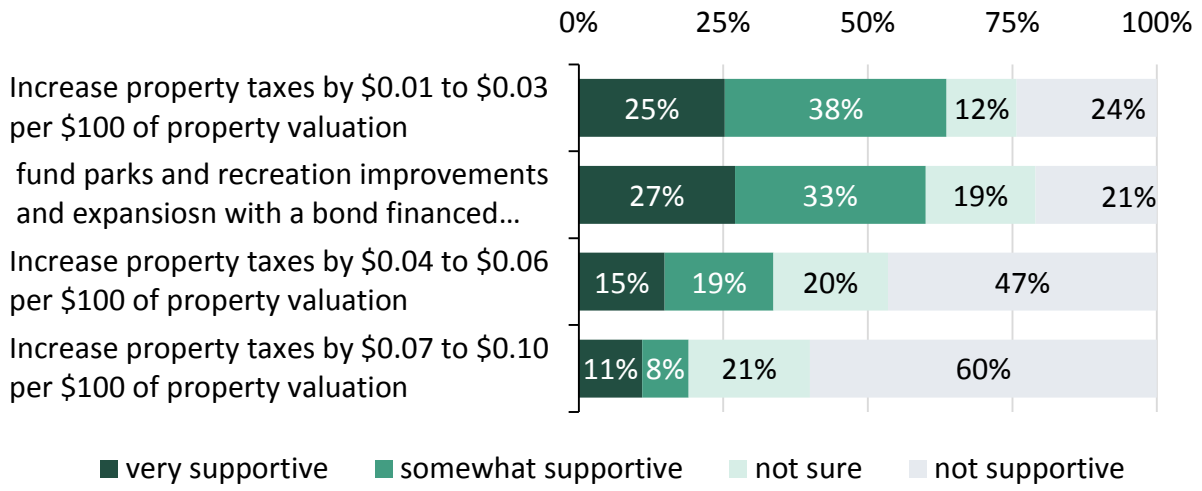
How would you rate the overall quality of parks and facilities?





**BRIGHT
 FUTURE**

**Manage and grow the
 Department for Garner's
 bright future!**



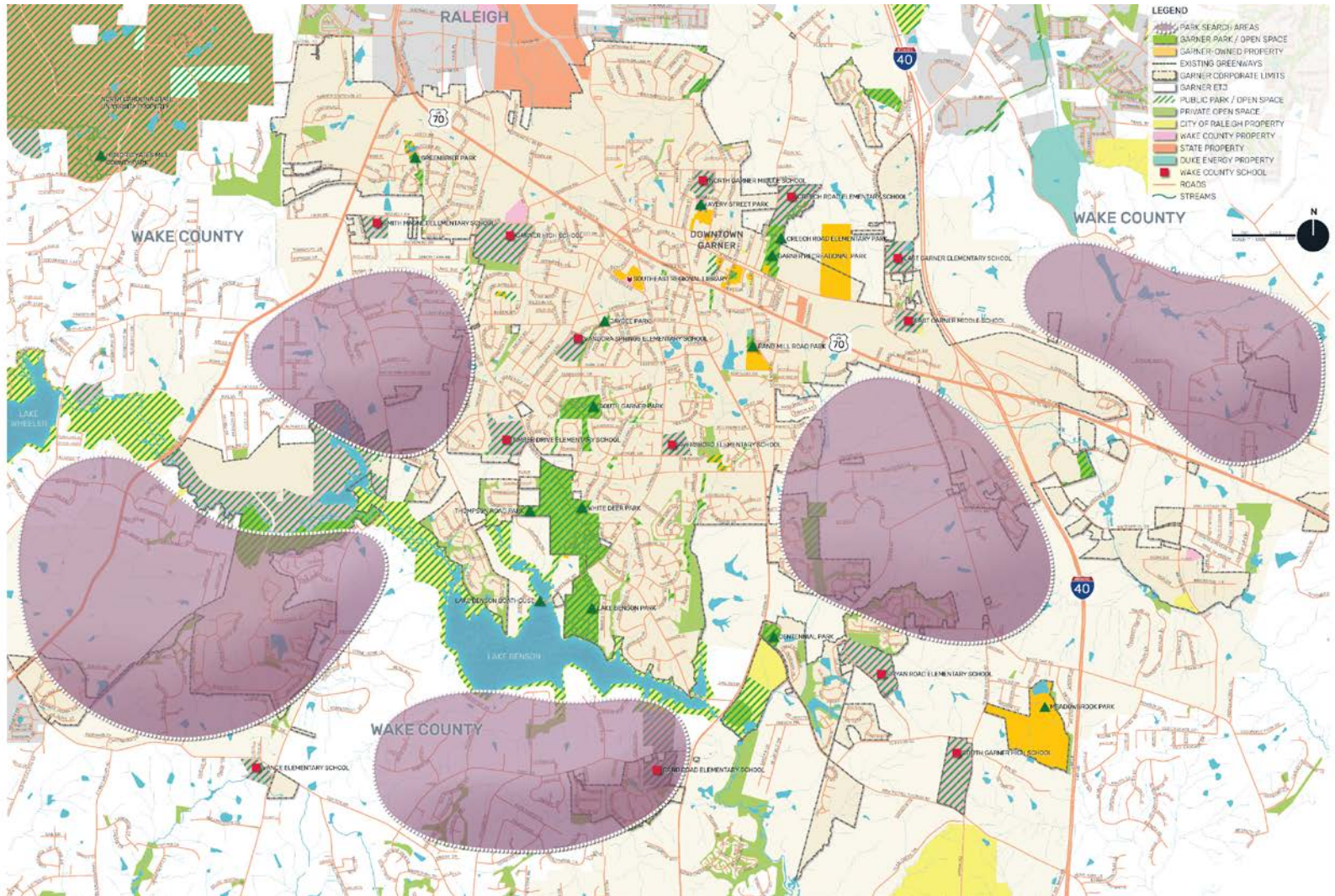


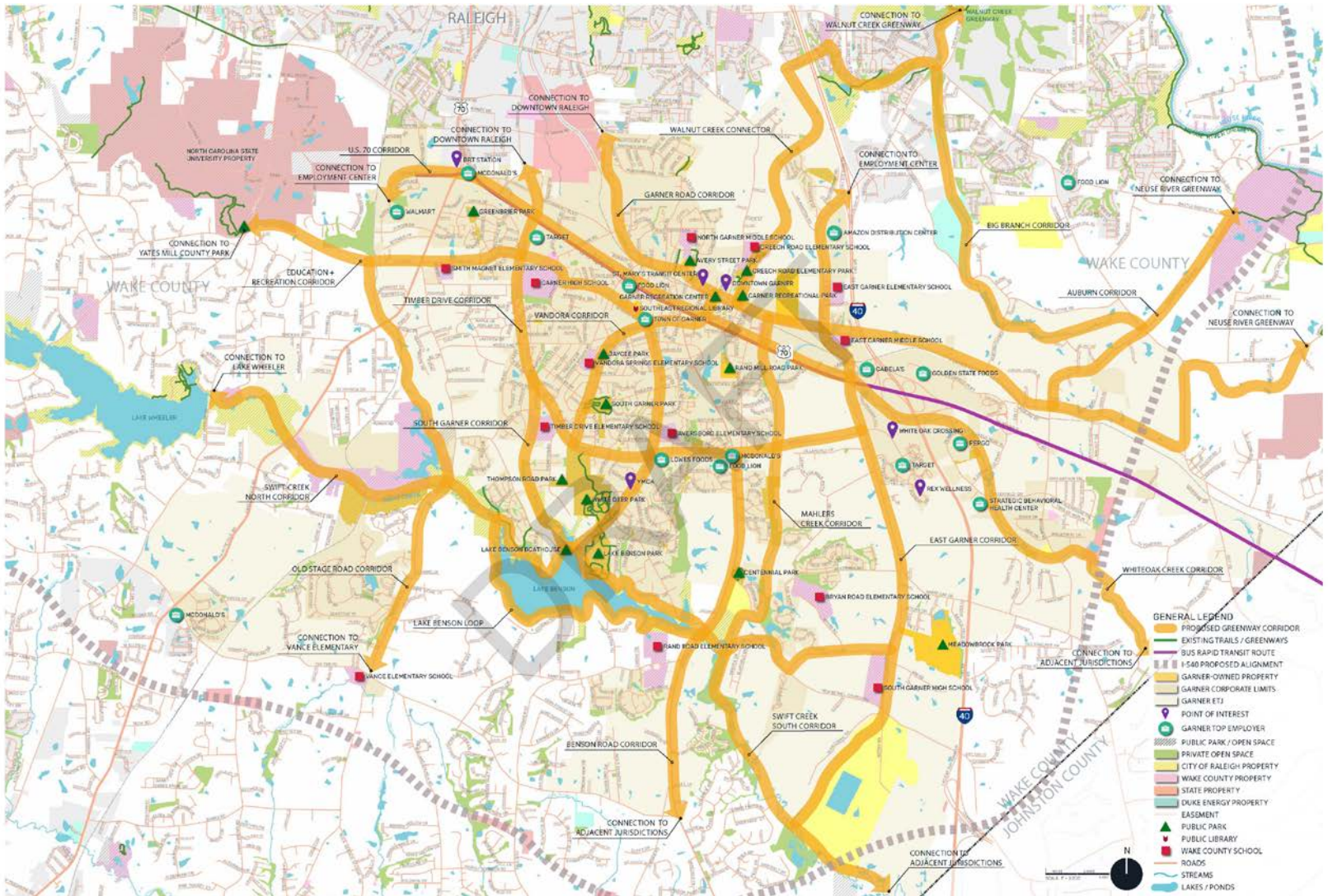
**BRIGHT
FUTURE**

**Manage and grow the
Department for Garner's
bright future!**

<p>PARKS Develop Meadowbrook and Yeargan Parks to meet site and community needs. Acquire parkland for future growth.</p>	<p>PROGRAMS Increase programs focusing on health and wellness and cultural resources. Target seniors and teens.</p>
<p>FACILITIES Increase active indoor facility space by adding a Recreation Center in addition to the new GRC.</p>	<p>TRAILS Construct between 33 – 42 miles of greenway in accordance with the Greenway Network Plan.</p>







		PRIORITIZATION CRITERIA											
	PRIORITY RANKING	CORRIDOR NAME	APPROXIMATE SEGMENT MILEAGE	Community Input Identified 1 point per meeting	Parks and Recreation Facility Connection 1 point per connection	Public School Connection 1 point per connection	Commercial Hub Within 1/4 Mile 1 point per connection	Garner Top Employer Within 1/4 Mile 1 point per employer	Garner Public Facility Within 1/4 Mile 1 point per connection	Identified in Previous Plans 1 point if yes	Existing Greenway Connection 1 point if yes	Planned Future Development Within 1/4 Mile 1 point if yes	TOTAL
10-YEAR MILEAGE ACHIEVED	1	Timber Drive Corridor	7.03	2	2	3	4	5	0	1	1	1	19
	2	Education + Recreation Corridor	8.14	2	3	2	2	3	3	0	1	1	17
	3	Vandora Corridor	2.78	2	3	1	1	1	3	1	1	0	13
	4	U.S. 70 Corridor	6.31	0	0	0	4	5	3	0	0	1	13
	5	Garner Road Corridor	11.5	2	5	2	1	1	0	1	0	1	13
BEYOND 10-YEAR MILEAGE RECOMMENDATION	6	East Garner Corridor	8.23	0	1	2	1	3	0	1	0	1	9
	7	South Garner Corridor	2.07	3	1	2	0	0	0	1	1	0	8
	8	Benson Road Corridor	4.54	1	1	1	1	2	0	0	1	1	8
	9	Mahlers Creek Corridor	4.3	2	3	1	0	0	0	0	0	1	7
	10	Walnut Creek Connector	6.28	1	2	2	0	0	0	1	1	0	7
	11	Auburn Corridor	3.37	0	0	0	1	2	0	1	1	1	6
	12	White Oak Creek Corridor	5.45	1	0	0	1	2	0	0	0	0	4
	13	Swift Creek North Corridor	10.3	2	0	0	0	0	0	1	0	1	4
	14	Big Branch Corridor	5.17	0	0	0	0	0	0	1	1	1	3
	15	Swift Creek South Corridor	3.87	1	0	0	0	0	0	0	0	1	2
	16	Lake Benson Loop	4.01	1	0	1	0	0	0	0	0	0	2
	17	Old Stage Road Corridor	5.37	0	0	1	0	0	0	0	0	1	2
TOTAL MILEAGE			98.7										



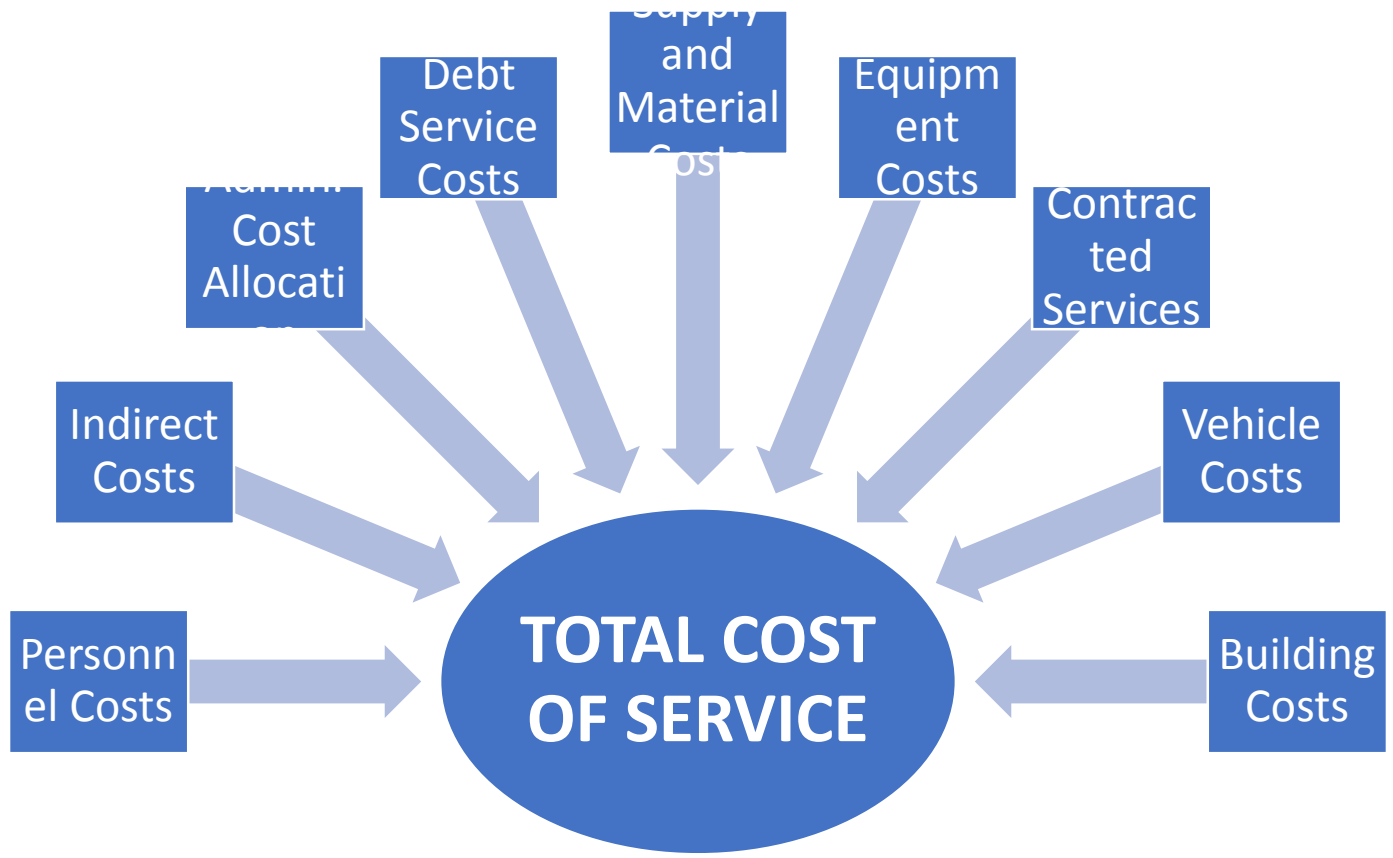
FUNDING

GOALS AND OBJECTIVES TO MEET FUNDING NEEDS

- > Prioritize funding for deferred maintenance and system expansions
- > Diversify funding sources by creating opportunities for donation-based funding through Wake County Community Foundation and a Friends group
- > Consider developing annual fundraisers
- > Explore land development exactions to assist with capital projects
- > Consider adding a capital fee to facility pricing to pay off debt service associated with new construction
- > Access grant funds provided by Wake County's Room Occupancy and Prepared Food and Beverage Tax
- > Explore naming rights, sponsorships and advertising opportunities for parks and facilities
- > Use a total cost of services approach to budget for future operation expenses for new facilities and parks
- > Consider community support for bond funding



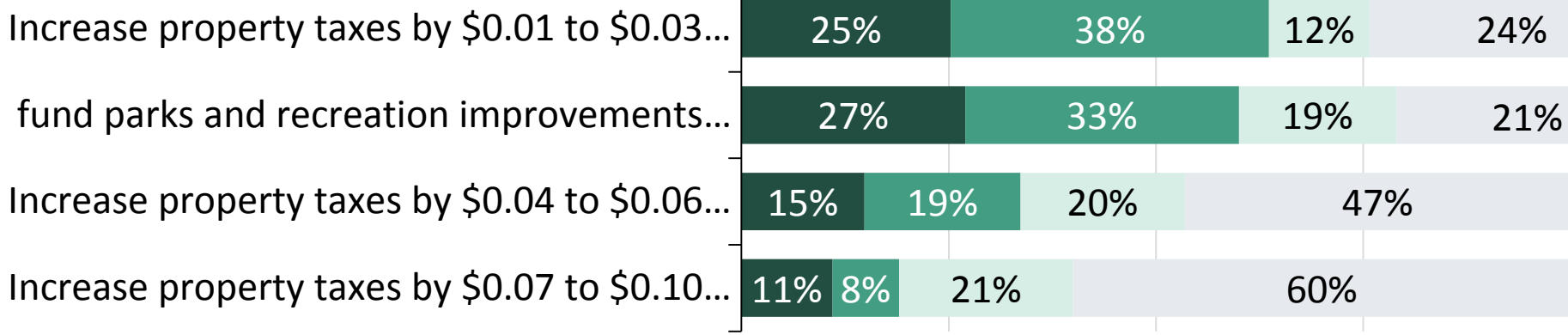
FUNDING





FUNDING

0% 25% 50% 75% 100%



very supportive
 somewhat supportive
 not sure
 not supportive



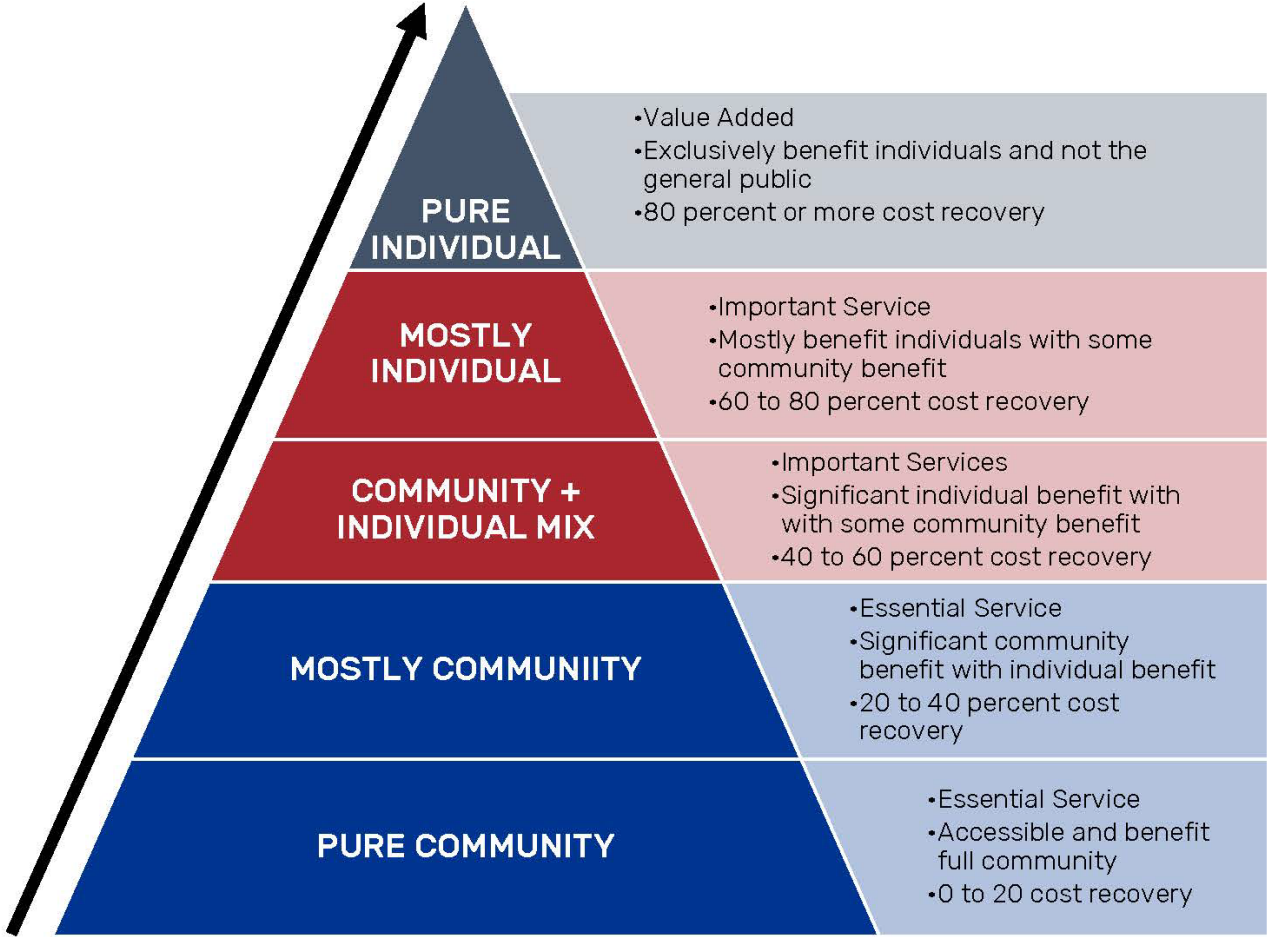
COST RECOVERY

GOALS + OBJECTIVES FOR

- > Develop appropriate cost recovery philosophy to guide department pricing
- > Develop a full cost of service assessment to inform cost recovery for recreational programming and facilities
- > Develop miniature business plans for core program areas to empower staff to make informed decisions about programming and cost recovery
- > Amend existing policies to include cost recovery
 - > Pricing strategies
 - > Donation policy
 - > Partnership and sponsorship policy



**COST
 RECOVERY**





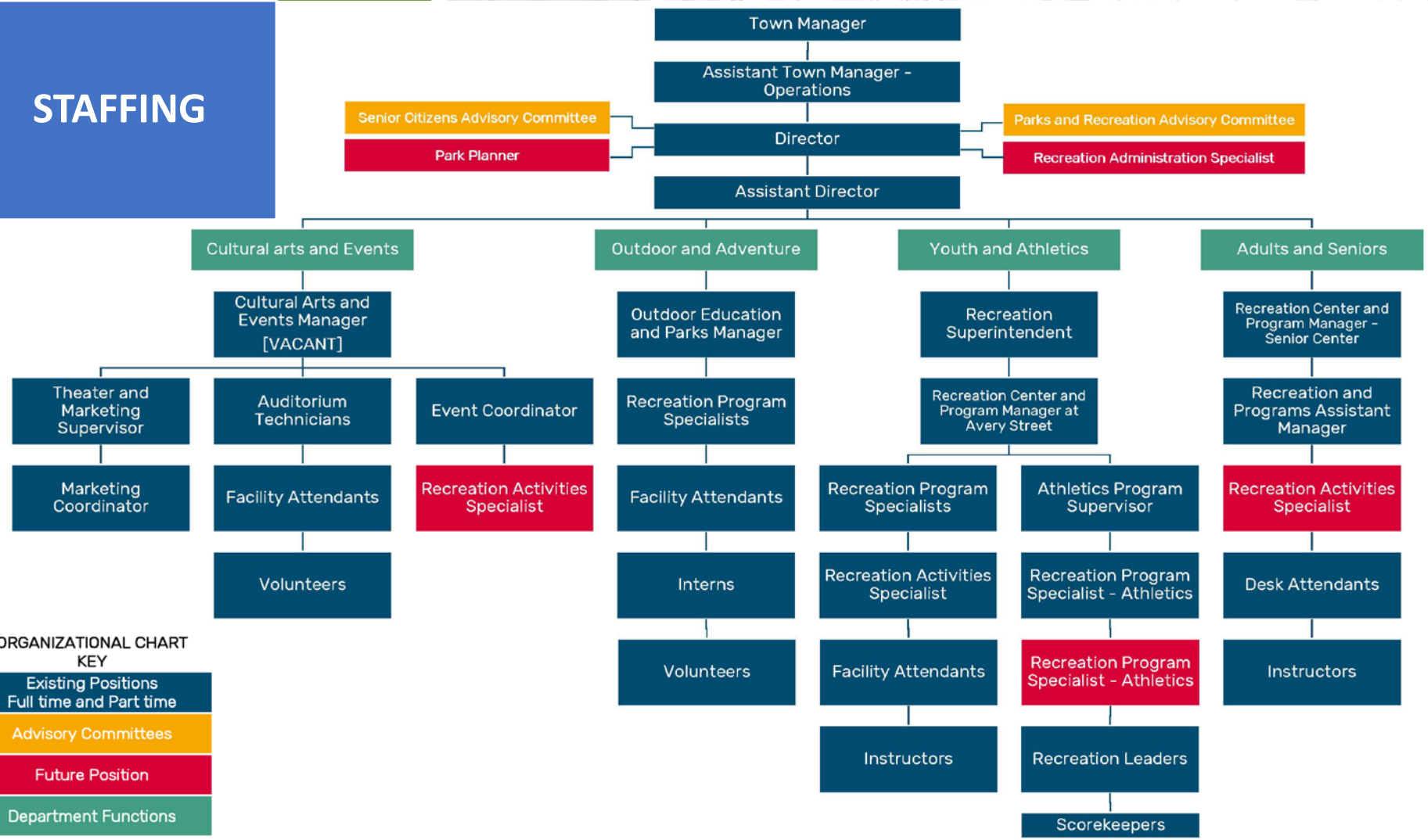
STAFFING

GOALS + OBJECTIVES TO ADDRESS STAFFING NEEDS

- > Build organizational capacity outside of hiring new staff by ensuring quality management through updated standards and planning, contracting services when necessary, and maximizing use of technology to serve job functions.
- > Identify necessary training to increase knowledge and capacity of employees for managing time, responsibility and outcomes.
- > Train staff on implementation of Comprehensive Plan and new processes and procedures at new parks and facilities.
- > Hire staff positions within 5-year timeframe to achieve fully staffed department. New staffing positions include:
 - > Recreation Activities specialist for Cultural arts and Events
 - > Recreation Program Specialist for Athletics
 - > Recreation Activities Specialist for Seniors
 - > Park Planner
 - > Recreation Administration Specialist



STAFFING



ORGANIZATIONAL CHART KEY

- Existing Positions Full time and Part time
- Advisory Committees
- Future Position
- Department Functions



MAINTENANCE BACKLOG

GOALS + OBJECTIVES TO ADDRESS FUNDING NEEDS

- > Continue allocating funding to address maintenance backlog
- > Enhance senior center facility to better provide security and programming
- > Enhance internal communication with Public Works
- > Increase community awareness of maintenance needs and processes to tell the Department's story
- > Develop a cost of service and total cost of ownership model from maintenance tasks for specific parks, facilities, and amenities
- > Establish strategies to minimize deferred maintenance growth
 - > Track all deferred maintenance needs (in addition to projects on public facilities repair and maintenance list)



MAINTENANCE BACKLOG

Address maintenance backlog to ensure safe parks and facilities that continue to meet resident's high expectations.

Public Facilities Repair & Maintenance Fiscal Year 2018-19

Request	Division	Requested	Score	Rank
Natural Play Ground Play Elements	PRCR	\$250,000	33	1
Avery Street Recreation Center Roof Replacement	PRCR	164,409	31	2
Avery Street Annex Roof Repair	PRCR	161,732	28	3
Avery Street Recreation Center HVAC 2	PRCR	24,200	28	4
Avery Street Recreation Center HVAC 1	PRCR	7,920	28	5
Avery Street Recreation Center HVAC 4	PRCR	8,580	28	6
Renovation of Restrooms at Garner Senior Center	PRCR	39,845	28	7
Garner Senior Center Ceiling Repair - 205 & 209	PRCR	4,392	26	8
Roof Coating for 912 Police Department	Police	99,645	26	9
Pearl Street HVAC 1	Admin	8,250	26	10
Pearl Street HVAC 2	Admin	6,930	26	11
Tennis Court	PRCR	53,000	26	12
Public Work Buidling B Fleet Garage Exterior Roll Up Doors	Public Works	16,000	24	13
Replacement of Rand Mill Park Basketball Court	PRCR	30,000	23	14
Replacement of Playground Equipment at South Garner Park	PRCR	45,000	21	15
Paint Interior of the Garner Performing Arts Center	PRCR	24,291	21	16
Replacement of Playground Equipment at Greenbriar Park	PRCR	28,000	21	17
Waterproofing Foundation at GPAC	PRCR	18,500	21	18
Interior Paint	PRCR	24,273	21	19
Roof Coating for 914 Admin. Department	Town-Wide	33,970	21	20
914 Building HVAC 1	Town-Wide	8,580	21	21
914 Building HVAC 2	Town-Wide	8,580	21	22
914 Building HVAC 3	Town-Wide	7,590	21	23
Public Work Buidling B Workshop Exterior Roll Up Doors	Public Works	6,000	19	25
Water Tower Radio Buidling HVAC	Town-Wide	9,460	19	26
Replacement of Slate Coping Caps with Concrete	PRCR	13,805	18	27
Window and Wall Leak Repairs at Public Works Buildings A & B	Public Works	76,315	17	28
Automated Gates and Bathroom Locks at Parks	Public Works	193,019	15	29
Refurbishing of Shelter at Jaycee Park	PRCR	6,000	0	30
Exterior Washing or all Town Buildings	Town-Wide	32,917	0	31

Total PFRM Summary

\$ 1,411,203



QUESTIONS + COMMENTS

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: January 21, 2020		
Subject: 2010 Build America Bonds Refunding		
Location on Agenda: Old/New Business		
Department: Finance		
Contact: David C. Beck, Finance		
Presenter: David C. Beck, Finance		
Brief Summary: 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.		
Recommended Motion and/or Requested Action: Consider adopting Resolution (2020) 2405		
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: 		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	DCB	
Finance Director:	DCB	
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

The Town Council of the Town of Garner, North Carolina met in a regular meeting in the Town Hall located at 900 7th Avenue in Garner, North Carolina, the regular place of meeting, at 7:00 p.m. on January 21, 2020.

Present: Mayor Ken Marshburn, presiding, and Council Members

Absent: Council Members

Also present: _____

* * * * *

_____ introduced the following resolution the title of which was read and a copy of which had been previously distributed to each Council Member:

RESOLUTION PROVIDING FOR THE SALE AND ISSUANCE OF A TOWN OF GARNER, NORTH CAROLINA GENERAL OBLIGATION REFUNDING BOND, SERIES 2020

BE IT RESOLVED by the Town Council (the “Town Council”) of the Town of Garner, North Carolina (the “Town”):

Section 1. The Town Council has determined and does hereby find and declare as follows:

(a) An order authorizing \$4,800,000 General Obligation Refunding Bonds was adopted by the Town Council on December 17, 2019, which order has taken effect.

(b) None of said bonds have been issued, no notes have been issued in anticipation of the receipt of the proceeds of the sale of said bonds and it is necessary to issue not to exceed \$4,800,000 of said bonds at this time.

(c) The shortest period of time in which the outstanding Taxable General Obligation Public Improvement Bonds, Series 2010 (Build America Bonds), dated October 26, 2010, of the Town to be refunded by said bonds can be finally paid without making it unduly burdensome on the taxpayers of the Town as determined by the Local Government Commission of North Carolina is a period which expires on February 1, 2031, and (i) the end of the unexpired period of usefulness of the parks and recreational facilities projects financed by said outstanding bonds is estimated as a period of forty (40) years from October 26, 2010, the date of said outstanding bonds, and such period expires on October 26, 2050 and (ii) the end of the unexpired period of usefulness of the street improvement projects financed by said outstanding bonds is estimated as

a period of twenty (20) years from October 26, 2010, the date of said outstanding bonds, and such period expires on October 26, 2030.

Section 2. Pursuant to said order there shall be issued a bond in the aggregate principal amount not to exceed \$4,800,000 designated "Town of Garner, North Carolina General Obligation Refunding Bond, Series 2020" (the "Bond") and dated the date of delivery thereof. Initially, the Bond shall be stated to mature in annual principal installments on February 1 of each year as follows: \$203,000 2021, \$472,000 2022; \$468,000 2023; \$464,000 2024; \$465,000 2025; \$460,000 2026; \$454,000 2027; \$449,000 2028; \$442,000 2029; \$435,000 2030 and \$428,000 2031; and shall bear interest on the outstanding principal amount (computed on the basis of a 360-day year consisting of twelve 30-day months) at a rate of 1.81% per annum, which interest shall be payable semiannually in arrears on each February 1 and August 1, beginning August 1, 2020, until payment of such principal sum; provided, however, that the aggregate principal amount of the Bond and the principal installment schedule of the Bond may be adjusted by the Finance Director of the Town to the extent necessary to effect the refunding of the Refunded Bonds (as defined below). The Finance Director of the Town is hereby authorized to take all necessary action to achieve such adjustment, including, but not limited to the modification of the form of the Bond included herein. Any such modification will be evidenced by the Town's execution and delivery of the Bond.

The Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated, unless it is (a) authenticated upon an interest payment date, in which event it shall bear interest from such interest payment date or (b) authenticated prior to the first interest payment date, in which event it shall bear interest from its date; provided, however, that if at the time of authentication interest is in default, such Bond shall bear interest from the date to which interest has been paid.

The principal of and interest on the Bond shall be payable in any coin or currency of the United States of America which is legal tender for the payment of public and private debts on the respective dates of payment thereof.

The definitive Bond shall be initially issued as one fully-registered bond, without coupons, numbered R-1 and shall be initially registered in the name of "JPMorgan Chase Bank, N.A.," as the initial purchaser of the Bond (the "Purchaser").

Section 3. The Bond shall bear the manual or facsimile signatures of the Mayor and the Town Clerk of the Town and the official seal or a facsimile of the official seal of the Town shall be impressed or imprinted, as the case may be, on the Bond.

The certificate of the Local Government Commission of North Carolina to be endorsed on the Bond shall bear the manual or facsimile signature of the Secretary of said Commission and the certificate of authentication of the Bond Registrar (hereinafter defined) to be endorsed on the Bond shall be executed as provided hereinafter.

In case any officer of the Town or the Local Government Commission of North Carolina whose manual or facsimile signature shall appear on the Bond shall cease to be such officer before the delivery of the Bond, such manual or facsimile signature shall nevertheless be valid

and sufficient for all purposes the same as if he had remained in office until such delivery, and the Bond may bear the manual or facsimile signatures of such persons as at the actual time of the execution of the Bond shall be the proper officers to sign the Bond although at the date of the Bond such persons may not have been such officers.

The Bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it shall have been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

The Bond and the endorsements thereon shall be in substantially the following form:

No. R-1 \$ _____

United States of America
State of North Carolina
County of Wake

TOWN OF GARNER, NORTH CAROLINA
GENERAL OBLIGATION REFUNDING BOND
SERIES 2020

<u>Final Maturity Date</u>	<u>Interest Rate</u>
February 1, 2031	___1.81%

The Town of Garner, a municipal corporation in the State of North Carolina (the “Town”), is justly indebted and for value received hereby promises to pay to

JPMORGAN CHASE BANK, N.A.

or registered assigns or legal representative the principal sum of _____ DOLLARS (\$_____) in annual principal installments as set forth in Exhibit A attached hereto and made a part hereof (each, a “Principal Payment Date”), with a Final Maturity Date as specified above, and to pay interest from the date hereof on the unpaid portion of said principal sum until payment thereof (computed on the basis of a 360-day year consisting of twelve 30-day months) at the Interest Rate specified above, such interest being payable as set forth in Exhibit A attached hereto (each, an “Interest Payment Date”).

This Bond shall bear interest from the Interest Payment Date next preceding the date on which it is authenticated, unless it is (a) authenticated upon an Interest Payment Date, in which event it shall bear interest from such Interest Payment Date or (b) authenticated prior to the first Interest Payment Date, in which event it shall bear interest from the date hereof; provided, however, that if at the time of authentication interest is in default, this Bond shall bear interest from the date to which interest has been paid.

The principal of and the interest on this Bond shall be payable in any coin or currency of the United States of America which is legal tender for the payment of public and private debts on the respective dates of payment thereof. Upon payment in full of the principal of and interest on this Bond, the holder of this Bond shall promptly cancel and surrender this Bond at the office of

the Finance Director of the Town in Garner, North Carolina (the “Bond Registrar”). For the prompt payment hereof, both principal and interest as the same shall become due, the faith and credit of the Town are hereby irrevocably pledged.

This Bond is being issued by the Town for the purpose of providing funds, together with other available funds, to refund all of the Town’s outstanding Taxable General Obligation Public Improvement Bonds, Series 2010 (Build America Bonds), dated October 26, 2010, and pay the fees and expenses relating to the sale and issuance of this Bond. This Bond is being issued under and pursuant to The Local Government Bond Act, as amended, Article 7, as amended, of Chapter 159 of the General Statutes of North Carolina, an order adopted by the Town Council of said Town (the “Town Council”), which order has taken effect, and a resolution duly adopted by said Town Council (the “Resolution”).

The principal installments of this Bond are not subject to redemption prior to their stated Principal Payment Dates.

The Bond Registrar shall keep at his or her office the books of the Town for the registration of transfer of this Bond. The transfer of this Bond may be registered only upon such books and as otherwise provided in the Resolution upon the surrender hereof to the Bond Registrar, together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall deliver in exchange for this Bond a new Bond registered in the name of the transferee in an aggregate principal amount equal to the principal amount of this Bond, containing the same principal installments and bearing interest at the same rate. This Bond may not be exchanged for any denomination other than the outstanding principal amount thereof. Notwithstanding the foregoing, the Bond Registrar shall not register the transfer of this Bond to any person or entity other than a bank, insurance company or similar financial institution or any other person or entity approved by the Local Government Commission of North Carolina.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of North Carolina to happen, exist and be performed precedent to and in the issuance of this Bond have happened, exist and have been performed in regular and due form and time as so required; that provision has been made for the levy and collection of a direct annual tax, without limitation as to rate or amount, upon all taxable property within the Town sufficient to pay the principal of and the interest on this Bond as the same shall become due; and that the total indebtedness of the Town, including this Bond, does not exceed any constitutional or statutory limitation thereon.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Resolution until this Bond shall have been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed hereon.

IN WITNESS WHEREOF, the Town of Garner, North Carolina, by resolution duly adopted by its Town Council, has caused this Bond to be signed by its Mayor and Town Clerk and its official seal to be impressed hereon, all as of the ___ day of January, 2020.

[Do not sign] _____
Mayor

[SEAL]

[Do not sign] _____
Town Clerk

CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within Bond has been approved under the provisions of The Local Government Bond Act of North Carolina.

[Do not sign] _____
Secretary, Local Government Commission

CERTIFICATE OF AUTHENTICATION

This Bond is the Bond of the series designated herein and issued under the provisions of the within-mentioned Resolution.

[Do not sign] _____
Finance Director, as Bond Registrar

Date of authentication: _____

ASSIGNMENT

FOR VALUE RECEIVED the undersigned registered owner thereof hereby sells, assigns and transfers unto _____

the within Bond and all rights thereunder and hereby irrevocably constitutes and appoints _____,

attorney to register the transfer of said bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

In the presence of:

NOTICE: The signature must be guaranteed by an institution which is a participant in the Securities Transfer Agent Medallion Program (STAMP) or similar program.

The signature to this assignment must correspond with the name as it appears on the face of the within Bond in every particular, without alteration of enlargement or any change whatever.

EXHIBIT A

\$ _____
 Town of Garner, North Carolina
 General Obligation Refunding Bond
 Series 2020

DEBT SERVICE SCHEDULE

<u>Payment Date</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
August 1, 2020			
February 1, 2020			
August 1, 2021			
February 1, 2021			
August 1, 2022			
February 1, 2022			
August 1, 2023			
February 1, 2023			
August 1, 2024			
February 1, 2024			
August 1, 2025			
February 1, 2025			
August 1, 2026			
February 1, 2027			
August 1, 2027			
February 1, 2028			
August 1, 2028			
February 1, 2029			
August 1, 2029			
February 1, 2030			
August 1, 2030			
February 1, 2031			

Section 4. The principal installments of the Bond are not subject to redemption prior to their stated Principal Payment Dates.

Section 5. The Bond Registrar shall keep at his or her office the books of the Town for the registration of transfer of the Bond. The transfer of the Bond may be registered only upon such books and as otherwise provided in this resolution upon the surrender hereof to the Bond

Registrar, together with an assignment duly executed by the registered owner thereof or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall deliver in exchange for the Bond a new Bond registered in the name of the transferee in an aggregate principal amount equal to the principal amount of the Bond, containing the same principal installments and bearing interest at the same rate. The Bond may not be exchanged for any denomination other than the outstanding principal amount thereof. Notwithstanding the foregoing, the Bond Registrar shall not register the transfer of the Bond to any person or entity other than a bank, insurance company or similar financial institution or any other person or entity approved by the Local Government Commission of North Carolina.

In all cases in which the transfer of the Bond shall be registered hereunder, the Bond Registrar shall authenticate and deliver at the earliest practicable time a new Bond in accordance with the provisions of this resolution. Any Bond surrendered in any such registration of transfer shall forthwith be canceled by the Bond Registrar. The Town or the Bond Registrar may make a charge for shipping and out-of-pocket costs for every such registration of transfer of the Bond sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to such registration of transfer, but no other charge shall be made by the Town or the Bond Registrar for registering the transfer of the Bond under this resolution.

The person or entity in whose name the Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal or interest on the Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon the Bond and interest thereon, to the extent of the sum or sums so paid.

The Town shall appoint such registrars, transfer agents, depositaries or other agents as may be necessary for the registration and registration of transfer of the Bond within a reasonable time according to then current commercial standards and for the timely payment of principal and interest with respect to the Bond. The Finance Director of the Town, or any person at any time acting in such capacity, is hereby appointed the registrar, transfer agent and paying agent for the Bond (collectively the "Bond Registrar"), subject to the right of the Town Council of the Town to appoint another Bond Registrar, and as such shall keep at his or her office in the Town, the books of the Town for the registration, registration of transfer and payment of the Bond as provided in this resolution.

Section 6. The Town covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Internal Revenue Code of 1986, as amended or as may be amended from time to time (the "Code"), and any Treasury regulations now or hereafter promulgated thereunder, to the extent necessary so that interest on the Bond will not be included in gross income of the owner thereof for purposes of federal income taxation.

Section 7. The Town hereby represents that it reasonably expects that the Town, all entities issuing obligations on behalf of the Town and all subordinate entities of the Town will not issue in the aggregate more than \$10,000,000 of tax-exempt obligations (not counting

private-activity bonds except for qualified 501(c)(3) bonds (as defined by the Code) and not counting certain current refunding obligations as provided in Section 265(b)(3)(C)(ii)(III) of the Code) during the calendar year 2020. The Town hereby designates the Bond as a “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code.

Section 8. The proposal of the Purchaser providing for the purchase of the Bond at a purchase price equal to 100% of the principal amount of the Bond, subject to the approval thereof by the Commission, is hereby approved. The Local Government Commission is hereby requested to sell and award the Bond to the Purchaser on behalf of the Town, subject to the approval of the Town. The Mayor, the Town Manager and the Finance Director of the Town are each hereby individually designated to approve on behalf of the Town the sale of the Bond to the Purchaser for such purchase price and upon such terms and conditions as the officer approving the sale shall determine, subject to the provisions of this resolution.

Section 9. The Town’s outstanding Taxable General Obligation Public Improvement Bonds, Series 2010 (Build America Bonds), dated October 26, 2010, and maturing on February 1, 2021, 2022, 2025, 2026 and 2028 to 2031, inclusive (the “Refunded Bonds”), are hereby called for redemption on February 1, 2020, in accordance with the provisions of the Refunded Bonds, the resolution authorizing the issuance of the Refunded Bonds and this resolution. Since the redemption date is not a business day, the payment of the redemption price will be made on the first business day thereafter (February 3, 2020). All actions heretofore taken by the Finance Director of the Town in providing notice of such redemption of the Refunded Bond is hereby authorized, ratified and confirmed.

Section 10. The Town hereby agrees and undertakes to provide to the Purchaser (or any permitted assignee of the Bond) within 270 days of the end of each fiscal year of the Town the audited financial statements of the Town for the fiscal year then ended.

Section 11. The Mayor, the Town Manager, the Finance Director and the Town Clerk of the Town are hereby authorized and directed to execute and deliver such closing and other documents necessary for the purpose of facilitating the sale and issuance of the Bond in a manner consistent with the terms of this resolution. All actions heretofore taken by the Mayor, the Town Manager, the Finance Director or the Town Clerk of the Town for the purpose of facilitating the sale and issuance of the Bond and the redemption of the Refunded Bonds in a manner consistent with the terms of this resolution is hereby authorized, ratified and approved.

The officers of the Town and the agents and employees of the Town are hereby authorized and directed to do all acts and things required of them by the provisions of this resolution and the Bond for the full, punctual and complete performance of the terms, covenants, provisions and agreements of the same.

Section 12. This resolution shall take effect upon its adoption, except that the provisions in Section 9 of this resolution calling the Refunded Bonds for redemption shall only become effective upon the issuance of the Bond.

Upon motion of Council Member _____, seconded by Council Member _____, the foregoing resolution entitled “RESOLUTION PROVIDING FOR THE

SALE AND ISSUANCE OF A TOWN OF GARNER, NORTH CAROLINA GENERAL OBLIGATION REFUNDING BOND, SERIES 2020” was adopted by the following vote:

Ayes: _____

Noes: _____

* * * * *

I, Stella Gibson, Town Clerk of the Town of Garner, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of the Town Council of said Town at a regular meeting held on January 21, 2020, as relates in any way to the adoption of the foregoing resolution authorizing the sale and issuance a general obligation refunding bond of said Town and that said proceedings are to be recorded in the minutes of said Town Council.

I DO HEREBY FURTHER CERTIFY that proper notice of such regular meeting was given as required by North Carolina law.

WITNESS my hand and the official seal of said Town this 21st day of January, 2020.

Town Clerk

[SEAL]

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: January 21, 2020		
Subject: Timber Drive Sidewalk Connectors (TIP#C-5604RA) - Bid Award (Sandhill Contractors)		
Location on Agenda: Old/New Business		
Department: Engineering		
Contact: Chris Johnson, Town Engineer		
Presenter: Chris Johnson, Town Engineer		
Brief Summary: To authorize the construction bid award for the Timber Drive Sidewalks Connectors project (TIP#C-5604RA) to Sandhills Contractors.		
Recommended Motion and/or Requested Action: Approve/authorize the Manager to execute contract with Sandhills Contractors pending concurrence from NCDOT.		
Detailed Notes: The Timber Drive Sidewalk Connectors Project (NCDOT TIP#C-5604RA) is a Locally Administered Project Program (LAPP) that consists of approximately 3800 LF of sidewalk installation along two segments of Timber Drive from Blanton Street to Stowe Place and Harth Drive to Timber Crossing Shopping Center. A total of 7 bids were received. The engineer's estimate was \$505,414. The apparent lowest responsive bidder was Sandhills Contractors with a bid of \$446,541, which was 11.6% lower than the engineer's estimate. Staff recommends adding a 10% construction contingency for a total construction budget of \$491,195.		
Funding Source: 80/20 split-LAPP grant, Town bond funds		
Cost: \$491,195	One Time: <input checked="" type="radio"/>	Annual: <input type="radio"/> No Cost: <input 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:	CJ	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



Town of Garner

900 7th Avenue • Garner, North Carolina 27529
Phone (919) 772-4688 • Fax (919) 662-8874 • www.GarnerNC.gov

ENGINEERING DEPARTMENT MEMORANDUM

DATE: January 13, 2020

TO: John Hodges - Assistant Town Manager

FROM: Chris Johnson, PE - Town Engineer

RE: **Bid Award of Timber Drive Sidewalk Connectors – NCDOT TIP#C-5604RA (Sandhills Contractors)**

The Timber Drive Sidewalk Connectors Project (NCDOT TIP#C-5604RA) is a Locally Administered Project Program (LAPP) that consists of approximately 3800 LF of sidewalk installation along two segments of Timber Drive from Blanton Street to Stowe Place and Harth Drive to Timber Crossing Shopping Center. The Town has an executed municipal agreement with NCDOT that allocated a construction budget of \$525,000 at an 80/20 cost share between federal/local funds. The Town advertised the project and held the bid opening on December 12. A total of 7 bids were received from the following firms:

- Armen
- BridgePoint Civil
- Browe Construction
- Fred Smith Company
- Lanier Construction
- Narron Construction
- Sandhills Contractors

The engineer's estimate was \$505,413.50. The apparent lowest responsive bidder was Sandhills Contractors with a bid of \$446,541.00, which was 11.6% lower than the engineer's estimate. Sandhills Contractors MWBE subcontractor participation is 5.0%. Staff recommends adding a 10% construction contingency for a total construction budget of \$491,195, which is still well below the construction budget allocated in the municipal agreement (\$525,000).

STAFF RECOMMENDATION

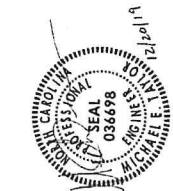
Authorize the bid award for the Timber Drive Sidewalk Connectors (TIP #C-5604RA) to Sandhills Contractors in an amount of \$446,541 pending NCDOT's concurrence of the bid award. Authorize a 10% construction contingency be added for a total construction budget of \$491,195.

Engineers Estimate				Sandhills		Lanier		Armen	
Item #	Qty	Unit	Amount	Unit Cost	Total Cost	% Over / Under Estimate	Unit Cost	Total Cost	% Over / Under Estimate
1	1	LS	1	\$ 37,500.00	\$ 37,500.00	-57%	\$ 37,500.00	\$ 37,500.00	0%
2	1	LS	1	\$ 17,600.00	\$ 17,600.00	-31%	\$ 12,500.00	\$ 12,500.00	-29%
3	25	EA	25	\$ 30.00	\$ 750.00	133%	\$ 80.00	\$ 2,000.00	167%
4	50	CY	50	\$ 15.00	\$ 750.00	360%	\$ 35.00	\$ 1,750.00	133%
5	1	LS	1	\$ 105,000.00	\$ 105,000.00	-75%	\$ 75,000.00	\$ 75,000.00	-29%
6	10	CY	10	\$ 25.00	\$ 250.00	288%	\$ 55.00	\$ 550.00	120%
7	1	SP	1	\$ 2,950.00	\$ 2,950.00	33%	\$ 2,900.00	\$ 2,900.00	-2%
8	20	LF	20	\$ 25.00	\$ 500.00	42%	\$ 29.00	\$ 580.00	16%
9	1	EA	1	\$ 4,950.00	\$ 4,950.00	30%	\$ 4,900.00	\$ 4,900.00	-1%
10	2	EA	2	\$ 25.00	\$ 50.00	52%	\$ 29.00	\$ 58.00	16%
11	8	EA	8	\$ 2,400.00	\$ 19,200.00	11%	\$ 2,350.00	\$ 18,800.00	-2%
12	460	EA	460	\$ 7.50	\$ 3,450.00	-21%	\$ 6.00	\$ 2,760.00	-21%
13	25	EA	25	\$ 7,100.00	\$ 177,500.00	44%	\$ 7,050.00	\$ 176,250.00	-1%
14	5	EA	5	\$ 60.00	\$ 300.00	375%	\$ 28.00	\$ 140.00	13%
15	2	EA	2	\$ 700.00	\$ 1,400.00	15%	\$ 680.00	\$ 1,360.00	-3%
16	20	EA	20	\$ 60.00	\$ 1,200.00	-75%	\$ 15.00	\$ 300.00	-75%
17	2	EA	2	\$ 300.00	\$ 600.00	9%	\$ 290.00	\$ 580.00	-3%
18	4	EA	4	\$ 100.00	\$ 400.00	5%	\$ 95.00	\$ 380.00	-5%
19	2	EA	2	\$ 4,500.00	\$ 9,000.00	155%	\$ 11,495.00	\$ 23,000.00	155%
20	2	EA	2	\$ 45,000.00	\$ 90,000.00	-11%	\$ 40,167.00	\$ 80,334.00	-11%
21	1	EA	1	\$ 2,400.00	\$ 2,400.00	127%	\$ 3,400.00	\$ 3,400.00	42%
22	156	EA	156	\$ 4.00	\$ 624.00	25%	\$ 5.00	\$ 780.00	25%
23	487	EA	487	\$ 5.50	\$ 2,678.50	78%	\$ 11.81	\$ 5,751.17	78%
24	70	EA	70	\$ 3.50	\$ 245.00	-5%	\$ 3.60	\$ 252.00	3%
25	1	EA	1	\$ 11,000.00	\$ 11,000.00	317%	\$ 8,337.00	\$ 8,337.00	317%
26	5	EA	5	\$ 1,950.00	\$ 9,750.00	4%	\$ 1,900.00	\$ 9,500.00	-5%
27	48	EA	48	\$ 36.00	\$ 1,728.00	-4%	\$ 34.00	\$ 1,632.00	-6%
28	1	EA	1	\$ 2,500.00	\$ 2,500.00	200%	\$ 1,500.00	\$ 1,500.00	200%
29	3	EA	3	\$ 500.00	\$ 1,500.00	60%	\$ 450.00	\$ 1,350.00	-9%
30	3	EA	3	\$ 950.00	\$ 2,850.00	260%	\$ 680.00	\$ 2,040.00	-29%
31	3,650	EA	3,650	\$ 2.50	\$ 9,125.00	218%	\$ 4.00	\$ 14,600.00	60%
32	1	EA	1	\$ 1,125.00	\$ 1,125.00	413%	\$ 5,411.00	\$ 5,411.00	413%
33	1	EA	1	\$ 1,100.00	\$ 1,100.00	14%	\$ 1,000.00	\$ 1,000.00	-10%
34	205	EA	205	\$ 3.50	\$ 717.50	14%	\$ 4.00	\$ 820.00	14%
35	2	EA	2	\$ 3.50	\$ 7.00	9%	\$ 3.50	\$ 7.00	0%
36	250	EA	250	\$ 5.50	\$ 1,375.00	-65%	\$ 1.08	\$ 270.00	-80%
37	4	EA	4	\$ 3,500.00	\$ 14,000.00	-61%	\$ 1,381.00	\$ 5,524.00	-61%
38	4	EA	4	\$ 2,265.00	\$ 9,060.00	106%	\$ 4,675.00	\$ 18,700.00	106%
39	100	EA	100	\$ 250.00	\$ 25,000.00	107%	\$ 518.00	\$ 51,800.00	107%
40	50	EA	50	\$ 6.00	\$ 300.00	-35%	\$ 3.90	\$ 195.00	-35%
41	0.25	EA	0.25	\$ 1,500.00	\$ 375.00	-2%	\$ 716.00	\$ 179.00	-53%
42	300	EA	300	\$ 1.00	\$ 300.00	188%	\$ 577.00	\$ 1,731.00	188%
43	10	EA	10	\$ 60.00	\$ 600.00	-30%	\$ 843.00	\$ 8,430.00	-30%
44	13	EA	13	\$ 200.00	\$ 2,600.00	414%	\$ 3,081.00	\$ 39,852.00	414%
45	1	EA	1	\$ 600.00	\$ 600.00	13%	\$ 511.00	\$ 511.00	-14%
46	200	EA	200	\$ 45.00	\$ 9,000.00	26%	\$ 945.00	\$ 18,900.00	26%
47	2	EA	2	\$ 750.00	\$ 1,500.00	-12%	\$ 446.50	\$ 893.00	-12%
Timber Drive Sidewalk Project Total \$ 905,413.50									

Bid As Read \$ 746,525.00
Bid As Calculated \$ 746,525.00
Delta \$ -

Bid As Read \$ 576,790.25
Bid As Calculated \$ 576,790.25
Delta \$ -

Bid As Read \$ 446,541.00
Bid As Calculated \$ 446,541.00
Delta \$ -



Nonresponsive Bids
The bids below were found to be unresponsive as they did not follow the bidding instructions.

Engineers Estimate					Bridge Point Civil		Brewer		FSC II		Narvon		
Item #	Sid. Item No.	Est	Unit	Amount	Unit Cost	Total Cost	% Over / Under Estimate	Unit Cost	Total Cost	% Over / Under Estimate	Unit Cost	Total Cost	% Over / Under Estimate
1	0001100000-N	800	LS	1	\$ 37,500.00	\$ 37,500.00	-13%	\$ 37,750.00	\$ 37,750.00	1%	\$ 25,000.00	\$ 25,000.00	-33%
2	0004400000-N	601	LS	1	\$ 17,600.00	\$ 17,600.00	-58%	\$ 35,600.00	\$ 35,600.00	102%	\$ 12,000.00	\$ 12,000.00	-32%
3	0009150000-N	235	CV	50	\$ 7,575.00	\$ 3,787.50	92%	\$ 5,600.00	\$ 2,800.00	73%	\$ 4,000.00	\$ 2,000.00	-123%
4	0013400000-E	225	CV	50	\$ 1,350.00	\$ 675.00	38%	\$ 1,000.00	\$ 500.00	56%	\$ 500.00	\$ 250.00	-233%
5	0019400000-N	265	CV	1	\$ 105,000.00	\$ 105,000.00	-31%	\$ 68,500.00	\$ 68,500.00	-35%	\$ 95,000.00	\$ 95,000.00	-10%
6	0043000000-E	225	CV	10	\$ 25,000.00	\$ 2,500.00	30%	\$ 10,000.00	\$ 1,000.00	30%	\$ 6,000.00	\$ 600.00	-140%
7	0191600000-E	270	TON	1,300	\$ 2,235.00	\$ 2,925.00	32%	\$ 750.00	\$ 975.00	107%	\$ 3,000.00	\$ 3,900.00	78%
8	1693000000-E	654	TON	35	\$ 500.00	\$ 17,500.00	64%	\$ 500.00	\$ 17,500.00	100%	\$ 4.00	\$ 140.00	33%
9	2459000000-E	846	LF	20	\$ 25.75	\$ 515.00	84%	\$ 50.00	\$ 1,000.00	192%	\$ 215.15	\$ 4,303.00	-57%
10	2591000000-E	848	LF	184	\$ 40.00	\$ 7,392.00	41%	\$ 50.00	\$ 9,180.00	23%	\$ 45.00	\$ 8,100.00	80%
11	2695000000-N	848	EA	8	\$ 2,400.00	\$ 19,200.00	19%	\$ 2,850.00	\$ 22,800.00	25%	\$ 44.00	\$ 352.00	3%
12	2810000000-E	848	EA	8	\$ 2,400.00	\$ 19,200.00	-14%	\$ 70.00	\$ 560.00	-10%	\$ 1,700.00	\$ 13,600.00	-11%
13	2810000000-E	848	EA	8	\$ 2,400.00	\$ 19,200.00	-14%	\$ 70.00	\$ 560.00	-10%	\$ 1,700.00	\$ 13,600.00	-11%
14	2810000000-E	848	EA	8	\$ 2,400.00	\$ 19,200.00	-14%	\$ 70.00	\$ 560.00	-10%	\$ 1,700.00	\$ 13,600.00	-11%
15	2810000000-E	848	EA	8	\$ 2,400.00	\$ 19,200.00	-14%	\$ 70.00	\$ 560.00	-10%	\$ 1,700.00	\$ 13,600.00	-11%
16	2810000000-E	848	EA	8	\$ 2,400.00	\$ 19,200.00	-14%	\$ 70.00	\$ 560.00	-10%	\$ 1,700.00	\$ 13,600.00	-11%
17	2810000000-E	848	EA	8	\$ 2,400.00	\$ 19,200.00	-14%	\$ 70.00	\$ 560.00	-10%	\$ 1,700.00	\$ 13,600.00	-11%
18	3556000000-E	616	EA	13	\$ 600.00	\$ 7,800.00	7%	\$ 750.00	\$ 9,750.00	25%	\$ 650.00	\$ 8,450.00	-8%
19	4116100000-N	904	EA	21	\$ 100.00	\$ 2,100.00	-97%	\$ 6.00	\$ 126.00	-98%	\$ 4.00	\$ 84.00	-45%
20	4116100000-N	904	EA	21	\$ 100.00	\$ 2,100.00	-97%	\$ 6.00	\$ 126.00	-98%	\$ 4.00	\$ 84.00	-45%
21	4589100000-N	1205	SP	2	\$ 450,000.00	\$ 900,000.00	-45%	\$ 500.00	\$ 1,000.00	-40%	\$ 200.00	\$ 400.00	100%
22	4891000000-E	1205	LF	70	\$ 15.00	\$ 1,050.00	-13%	\$ 18.00	\$ 1,260.00	15%	\$ 11.50	\$ 805.00	27%
23	4891000000-E	1205	LF	156	\$ 4.00	\$ 624.00	59%	\$ 7.00	\$ 1,092.00	75%	\$ 4.50	\$ 702.00	67%
24	4891000000-E	1205	EA	1	\$ 11,000.00	\$ 11,000.00	-17%	\$ 12,000.00	\$ 12,000.00	-13%	\$ 6,000.00	\$ 6,000.00	-41%
25	5571000000-E	1515	EA	5	\$ 4,350.00	\$ 21,750.00	-27%	\$ 11,000.00	\$ 55,000.00	153%	\$ 4,000.00	\$ 20,000.00	-8%
26	5648000000-N	1515	EA	5	\$ 9,500.00	\$ 47,500.00	-19%	\$ 20,000.00	\$ 100,000.00	245%	\$ 82.00	\$ 410.00	41%
27	5679000000-N	1515	EA	48	\$ 58.00	\$ 2,784.00	-43%	\$ 10,500.00	\$ 504,000.00	3,200%	\$ 700.00	\$ 33,600.00	40%
28	5745000000-E	1515	EA	1	\$ 2,300.00	\$ 2,300.00	-58%	\$ 1,650.00	\$ 1,650.00	-29%	\$ 1,900.00	\$ 1,900.00	100%
29	5818000000-N	1515	EA	3	\$ 600.00	\$ 1,800.00	90%	\$ 8.00	\$ 24.00	140%	\$ 3.50	\$ 10.50	40%
30	5818000000-N	1515	EA	3	\$ 600.00	\$ 1,800.00	90%	\$ 8.00	\$ 24.00	140%	\$ 3.50	\$ 10.50	40%
31	5818000000-N	1515	EA	3	\$ 600.00	\$ 1,800.00	90%	\$ 8.00	\$ 24.00	140%	\$ 3.50	\$ 10.50	40%
32	6000000000-E	1695	EA	90	\$ 17.50	\$ 1,575.00	-14%	\$ 15.00	\$ 1,350.00	-12%	\$ 3.00	\$ 270.00	-14%
33	6015000000-E	1615	EA	100	\$ 1,125.00	\$ 1,125.00	-14%	\$ 10.00	\$ 1,000.00	-13%	\$ 3.00	\$ 300.00	-43%
34	6015000000-E	1615	EA	100	\$ 1,125.00	\$ 1,125.00	-14%	\$ 10.00	\$ 1,000.00	-13%	\$ 3.00	\$ 300.00	-43%
35	6015000000-E	1615	EA	100	\$ 1,125.00	\$ 1,125.00	-14%	\$ 10.00	\$ 1,000.00	-13%	\$ 3.00	\$ 300.00	-43%
36	6021000000-E	1620	EA	4	\$ 3,000.00	\$ 12,000.00	-51%	\$ 6,500.00	\$ 26,000.00	117%	\$ 2,000.00	\$ 8,000.00	-43%
37	6029000000-E	1620	EA	4	\$ 3,000.00	\$ 12,000.00	-51%	\$ 10,000.00	\$ 40,000.00	186%	\$ 2,000.00	\$ 8,000.00	-43%
38	6029000000-E	1620	EA	4	\$ 3,000.00	\$ 12,000.00	-51%	\$ 10,000.00	\$ 40,000.00	186%	\$ 2,000.00	\$ 8,000.00	-43%
39	6029000000-E	1620	EA	4	\$ 3,000.00	\$ 12,000.00	-51%	\$ 10,000.00	\$ 40,000.00	186%	\$ 2,000.00	\$ 8,000.00	-43%
40	6029000000-E	1620	EA	4	\$ 3,000.00	\$ 12,000.00	-51%	\$ 10,000.00	\$ 40,000.00	186%	\$ 2,000.00	\$ 8,000.00	-43%
41	6047000000-E	1660	EA	4	\$ 2,925.00	\$ 11,700.00	-54%	\$ 3,000.00	\$ 12,000.00	-30%	\$ 1,700.00	\$ 6,800.00	183%
42	6047000000-E	1660	EA	4	\$ 2,925.00	\$ 11,700.00	-54%	\$ 3,000.00	\$ 12,000.00	-30%	\$ 1,700.00	\$ 6,800.00	183%
43	6090000000-E	1661	EA	50	\$ 28.00	\$ 1,400.00	-14%	\$ 20.00	\$ 1,000.00	-23%	\$ 17.00	\$ 850.00	183%
44	6090000000-E	1661	EA	50	\$ 28.00	\$ 1,400.00	-14%	\$ 20.00	\$ 1,000.00	-23%	\$ 17.00	\$ 850.00	183%
45	6090000000-E	1661	EA	50	\$ 28.00	\$ 1,400.00	-14%	\$ 20.00	\$ 1,000.00	-23%	\$ 17.00	\$ 850.00	183%
46	6090000000-E	1661	EA	50	\$ 28.00	\$ 1,400.00	-14%	\$ 20.00	\$ 1,000.00	-23%	\$ 17.00	\$ 850.00	183%
47	6108000000-E	1665	EA	10	\$ 1,000.00	\$ 10,000.00	-36%	\$ 1,500.00	\$ 15,000.00	50%	\$ 1,700.00	\$ 17,000.00	7%
48	6114000000-N	1667	EA	13	\$ 90.00	\$ 1,170.00	-36%	\$ 50.00	\$ 650.00	-44%	\$ 10.00	\$ 130.00	130%
49	6117000000-N	1667	EA	13	\$ 90.00	\$ 1,170.00	-36%	\$ 50.00	\$ 650.00	-44%	\$ 10.00	\$ 130.00	130%
50	6137000000-N	1667	EA	14	\$ 200.00	\$ 2,800.00	-63%	\$ 500.00	\$ 7,000.00	150%	\$ 150.00	\$ 2,100.00	-26%
51	6137000000-N	1667	EA	14	\$ 200.00	\$ 2,800.00	-63%	\$ 500.00	\$ 7,000.00	150%	\$ 150.00	\$ 2,100.00	-26%
52	6832000000-N	1668	EA	1	\$ 1,200.00	\$ 1,200.00	-18%	\$ 2,500.00	\$ 2,500.00	317%	\$ 2,600.00	\$ 2,600.00	333%
53	7220000000-E	545	EA	2	\$ 45.00	\$ 90.00	153%	\$ 1,650.00	\$ 3,300.00	320%	\$ 1,650.00	\$ 3,300.00	34%
54	8820000000-N	1668	EA	2	\$ 750.00	\$ 1,500.00	-21%	\$ 678.961.00	\$ 1,357.922.00	34%	\$ 678.961.00	\$ 1,357.922.00	34%
Timber Drive Sidewalk Project Total						\$ 505,413.50							

Bid As Read	\$ 388,345.75
Bid AS Calculated	\$ 236,242.02
Delta	\$ 152,103.73

Bid As Read	\$ 676,961.00
Bid AS Calculated	\$ 676,961.00
Delta	\$ 0.00

Bid As Read	\$ 508,189.20
Bid AS Calculated	\$ 508,189.20
Delta	\$ 0.00

Bid As Read	\$ 577,088.79
Bid AS Calculated	\$ 577,088.79
Delta	\$ 0.00

Item 7
Miscellaneous
Material Value
= \$1,868.75

Item 7
Miscellaneous
Material Value
= \$1,868.75

Item 7
Miscellaneous
Material Value
= \$1,868.75

Item 7
Miscellaneous
Material Value
= \$1,868.75

Nonresponsive Bids
Full proposal document not submitted

FSC II Response Deemed Unresponsive
Full proposal document not submitted

Brewer Response Deemed Unresponsive
No Addressed Attached or Acknowledged

Bridge Point Civil Response Deemed Unresponsive
No Addressed Attached or Acknowledged

Reports

Garner Info

Id	Title	Description	Current Status	Address	Date Created
6606045	Playground Problem	Rope climbing structure is breaking and there's exposed metal	In Progress	Lake Benson Park, 921 Buffaloe Rd,	8/15/2019
6746886	Yard Waste/ Loose Leaves	<p>For months limbs have been piled 4 feet high at back side corner of property by the fence adjacent to 513 Hilltop Ave. As they have settled and animals have crawled and nested in them the limb pile is probably down to 3 plus feet. They piled these limbs here immediately prior to the Fall 2018 Unprepared Yard Waste Pick-up. They may think this is okay because they have seen the adjacent property at 513 Hilltop Ave. doing this. But we are having a problem with foxes, coyotes and now a groundhog. I would like the limbs to be disposed of as I feel they are a danger to the community by drawing dangerous animals here.</p> <p>I mentioned this property in prior complaints #6746552 and 6746686.</p>	In Progress	608 Hilltop Ave	9/10/2019
7140891	Sign Violation	Timber Dr and Woodland Rd, there are 2 of these signs at the intersection. Thank you.	Submitted	Timber Dr	12/1/2019
7177523	Junk Vehicle (Private Property)	old lincoln car, been there for years	In Progress	201 Chillingham Rd	12/8/2019
7177628	Junk Vehicle (Private Property)	Two junk vehicles - green ford ranger, and datsun 240z	In Progress	2701 Dunhaven Dr	12/8/2019
7236616	Junk Vehicle (Private Property)	blue ford sedan	In Progress	1000 Lakeside Dr	12/21/2019
7238155	Junk Vehicle (Private Property)	3 junk cars	In Progress	1804 Spring Dr	12/22/2019
7238159	Junk Vehicle (Private Property)	junk car - white mitsubishi sedan	In Progress	1802 Spring Dr	12/22/2019
7238161	Junk Vehicle (Private Property)	junk car - green dodge caravan	In Progress	1703 Spring Dr	12/22/2019

Id	Title	Description	Current Status	Address	Date Created
7238169	Junk Vehicle (Private Property)	junk car - bronze suzuki	In Progress	1109 Park Ave	12/22/2019
7238173	Junk Vehicle (Private Property)	junk car - maroon ford mustang	In Progress	1000 Springview Trail	12/22/2019
7238181	Junk Vehicle (Private Property)	junk car - white cadillac	In Progress	803 Springview Trail	12/22/2019
7238199	Junk Vehicle (Private Property)	junk cars - 3+ cars	In Progress	109 Rolling Ridge Cir	12/22/2019
7238238	Junk Vehicle (Private Property)	junk car - white chevrolet suburban	In Progress	1319 Sycamore Dr	12/22/2019
7238303	Junk Vehicle (Private Property)	junk car - brown camaro	In Progress	1102 Park Ave	12/22/2019
7296321	Animal Concern - Non Emergency	3-4 feral cats need to be picked up. Cages have been left at 145 Parkhaven (my address) before, but these cats mostly just pass through my yard and congregate at 146 where owner is almost never home. Can't stand their fighting, hissing, and whining any longer. Thanks in advance!	Received	146 Parkhaven Ln	1/6/2020
7305817	Junk Vehicle (Private Property)	Abandoned vehicle, been there several weeks. In the El Dorado parking lot at Forest Hills shopping center.	Submitted	1303 5th Ave	1/8/2020
7318866	Animal Concern - Non Emergency	Rooster crowing all hours of the night and day. The night before last it was nonstop from 2-3 am.	Submitted	228 Weston Rd	1/10/2020
7318868	Animal Concern - Non Emergency	Rooster crowing all hours of the night and day. The night before last it was nonstop from 2-3 am.	Received	228 Weston Rd	1/10/2020
7318928	Home Occupation	Flea market/salvage yard-type of business being operated out of backyard. Junk is constantly being dumped & stored there. Construction/equipment noise is regular at all hours even into the late night - sawing, hammering, leaf blowing, etc. Fires in backyard are regular occurrence, sometimes multiple fires at a time.	Submitted	236 Weston Rd	1/10/2020
7331827	Junk Vehicle (Private Property)	dodge pickup truck	Submitted	1302 Valley Rd	1/13/2020

Id	Title	Description	Current Status	Address	Date Created
7331832	Junk Vehicle (Private Property)	saturn SUV	Submitted	1420 Kelly Rd	1/13/2020
7331835	Junk Vehicle (Private Property)	yellow subaru behind shed	Submitted	1423 Valley Rd	1/13/2020
7331840	Junk Vehicle (Private Property)	black ford truck in front of garage	Submitted	1500 Pineview Dr	1/13/2020
7331844	Junk Vehicle (Private Property)	4 junk vehicles on road and lot	Submitted	1504 Pineview Dr	1/13/2020
7331848	Junk Vehicle (Private Property)	four junk vehicles, dodge caravan, box truck	Submitted	1513 Wiljohn Rd	1/13/2020
7331858	Junk Vehicle (Private Property)	white volvo sedan	Submitted	1301 Valley Rd	1/13/2020
7333548	Junk Vehicle (Private Property)	Red Ford Explorer	Submitted	1416 Kelly Rd	1/14/2020
7333561	Junk Vehicle (Private Property)	white chevy and gold chevy beside camper	Submitted	1416 Valley Rd	1/14/2020
7333584	Junk Vehicle (Private Property)	Blue Geo Metro	Submitted	1408 Valley Rd	1/14/2020
7333597	Junk Vehicle (Private Property)	Camaro beside shed in yard	Submitted	1324 Pineview Dr	1/14/2020

Memorandum

To: Rodney Dickerson, Town Manager
From: David C. Beck, Finance Director
Date: January 14, 2020
Subject: Financial Reports for 2nd Quarter FY 2019-20
CC: Town Council

Attached is the statement of revenues and expenditures for FY 2020 through December 31, 2019. We are at the halfway point in the budget year.

The report shows that year-to-date, the Town has collected approximately 45.8% of estimated revenues. A few revenue highlights include:

- Most property tax revenues are collected beginning in November through mid-January. As of the end of December, we have collected 61.54% of the budgeted property tax revenue.
- Sales tax revenues received through the month of September are up 8.68% over the previous fiscal year.
- The Town's total assessed value on our year-to-date property tax billings is 5.5% higher than this time last year.

Please review the attached Analysis of Revenues for additional information.

Overall, the report shows that the Town has expended approximately 42.6% of its budget. At the same point in the previous fiscal year, the Town had spent 45.9% of its budget. Some of the major expenditures so far are:

- Annual dues and subscriptions and several annually contracted services usually are paid at the beginning of the year.
- The Town has made the annual payment for workers compensation insurance.
- The Town has made principal and interest debt service payments, accounting for 13% of all expenditures year to date, and have paid 61.8% of the budgeted amount for debt service.
- The Town has experienced thirteen pay periods (50% of all pay periods) year to date and we have expended approximately 46.4% of the budget for personnel.

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

Town of Garner
Statement of Revenues and Expenditures
For the Period July 1, 2019 - December 31, 2019

FOR INTERNAL USE ONLY

	Budget	Actual	Over (Under) Budget	Percentage of Budget	Actual Prior Year
REVENUES					
Ad valorem taxes	\$ 20,586,638	\$ 12,637,525	\$ (7,949,113)	61.4%	\$ 11,056,691
Other taxes and licenses	7,158,010	1,878,399	(5,279,611)	26.2%	1,599,215
Intergovernmental revenues	3,379,340	1,403,145	(1,976,195)	41.5%	1,441,891
Permits and fees	2,309,580	1,508,632	(800,948)	65.3%	1,047,411
Sales and services	695,210	296,014	(399,196)	42.6%	217,071
Investment earnings	580,000	198,754	(381,246)	34.3%	133,752
Other revenues	239,254	127,769	(111,485)	53.4%	47,361
Other Financing Sources	4,629,508	77,767	(4,551,741)	1.7%	17,480
Proceeds from issuance of debt		-	-	0.0%	-
Transfers in		-	-	0.0%	-
Appropriated fund balance		-	-	0.0%	-
Total Revenues	\$ 39,577,540	\$ 18,128,005	\$ (21,449,535)	45.8%	\$ 15,560,872
EXPENDITURES					
Governing body	\$ 592,012	\$ 207,509	(384,503)	35.1%	\$ 192,158
Administration	1,533,980	654,404	(879,576)	42.7%	643,802
Finance	866,908	420,974	(445,933)	48.6%	409,565
Economic development	300,994	164,084	(136,910)	54.5%	146,207
Economic incentives	-	-	-	0.0%	-
Planning	1,012,996	431,314	(581,682)	42.6%	311,356
Inspections	1,213,554	531,502	(682,052)	43.8%	411,915
Engineering	851,978	361,947	(490,031)	42.5%	287,386
Information technology	713,146	418,589	(294,557)	58.7%	224,172
Police	7,988,492	3,804,504	(4,183,988)	47.6%	4,327,350
Fire services	3,613,763	1,706,932	(1,906,831)	47.2%	1,536,103
Public works	9,820,540	3,776,883	(6,043,657)	38.5%	3,500,573
Parks and recreation	2,432,852	1,115,071	(1,317,781)	45.8%	984,878
Debt service	3,758,355	2,322,325	(1,436,030)	61.8%	2,353,811
Special appropriations	1,481,282	781,966	(699,316)	52.8%	901,001
Capital Outlay - VERT	374,420	158,192	(216,228)	42.2%	-
Transfers out	3,022,268	-	(3,022,268)	0.0%	-
Contingency	-	-	-	0.0%	-
Total expenditures	\$ 39,577,540	\$ 16,856,197	\$ (22,721,343)	42.6%	\$ 16,230,277
Revenues over Expenditures	\$ -	\$ 1,271,808	\$ 1,271,808		\$ (669,405)

Town of Garner
 Analysis of Major Revenues
 For the Period July 1, 2019 Through December 31, 2019

Property Tax Collections

(collections compared to budget)

	Through Month Ending	
	12/31/2019	12/31/2018
Collections--Current Year	\$ 12,591,243	\$ 10,516,649
Collection % Budget	61.54%	57.02%
Collection % Value/Levy (both DMV & Wake Co)	66.73%	50.18%

Property Tax Billings (from Wake County & DMV)

	Through Month Ending		
	12/31/2019	12/31/2018	
Real Property	\$3,041,603,671	\$2,896,345,048	
Personal Property	235,061,706	219,266,615	
Public Service Property	148,748,820	133,018,450	
Vehicles	124,175,086	115,979,363	
Total	\$3,549,589,283	\$3,364,609,476	Percent Change 5.50%

Sales Tax Distributions

	Through Month Ending		% Change
	12/31/2019	12/31/2018	
Sales Taxes	\$1,803,906	\$1,659,854	8.68%

Sales tax revenue in July represents sales tax collected from merchants in April 2019 (prior fiscal year).

Building Permit Fees

	Through Month Ending		% Change
	12/31/2019	12/31/2018	
Fees Collected	\$753,068	\$901,819	-16.49%

PRCR Fees

	Through Month Ending		% Change
	12/31/2019	12/31/2018	
Recreation Fees	\$132,517	\$117,946	12.35%
Facility Rentals	\$113,501	\$107,589	5.49%

Town of Garner
Selected Balance Sheet accounts
As of December 31, 2019

FOR INTERNAL USE ONLY

		General
ASSETS		
Cash in Bank	\$	1,240,866
Petty cash and change funds		1,471
NC Cash Management Trust investments		18,222,062
PFM Investments		10,018,718
Police Asset Forfeiture account		14,648
Receivables & Inventory (excluding Taxes & Assessments)		241,983
	\$	29,739,749
 LIABILITIES		
Accounts Payable	\$	221,209
Bonds on deposit for Planning/Engineering		120,112
Rental Deposits		17,790
Deferred Revenue		22,830
	\$	381,941
Current Year Revenues to date	\$	18,128,005
Current Year Expenditures to date		(16,856,197)
Restricted Fund Balance July 1		275,880
Committed Fund Balance July 1		7,400,091
Unrestricted Fund Balance		20,410,028
	\$	29,357,808
	\$	29,739,749