

**Town of Garner
Town Council Meeting Minutes
February 3, 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: Mayor Ken Marshburn

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

Staff Present: Rodney Dickerson-Town Manager, John Hodges-Asst. Town Manager-Development Services, Matt Royslance-Asst. Town Manager-Operations, Rick Mercier-Communications Manager, David Bamford-Planning Services Manager, Chris Johnson-Town Engineer, David Beck-Finance Director, Stacy Harper-Senior Planner, Jeff Triezenberg-Planning Director, Joseph Stallings-Economic Development Director, Fred Baggett-Interim Town Attorney, and Stella Gibson-Town Clerk

PLEDGE OF ALLEGIANCE: Council Member Elmo Vance

INVOCATION: Council Member Elmo Vance invited Rev. Dr. Kevin Sturdivant to deliver the invocation.

PETITIONS AND COMMENTS

ADOPTION OF AGENDA

Request to add a closed session to discuss economic development.

Motion: Singleton
Second: Vance
Vote: 5:0

Mayor Marshburn read a Proclamation declaring February as Black Heritage Month.

PRESENTATIONS

MLK Dream in Action Award

Presenter: MLK Celebration Committee

The MLK Committee presented the MLK Dream in Action award to Rev. Susan Hobbs.

CONSENT

Budget Amendment - Debt Service for Bonds

Presenter: David Beck, Finance Director

An interest only debt service payment for the 2019 G.O. Bond sale was not included in the original budget for FY 19-20. This expense was not budgeted because the exact amount was unknown at the time the budget was developed.

Action: Adopt Ordinance (2020) 4039

Budget Amendment – Grant Match PRCR

Presenter: David Beck, Finance Director

The Parks Recreation & Cultural Resources department has received a grant of \$6,000 through the Kaleidoscope Project of Wake County. The grant does not require a local match. The grant funds will be used to upgrade the classroom spaces in the Avery Street Annex.

Action: Adopt Ordinance (2020) 4040

Surplus Property – Public Works Equipment Replacement

Presenter: David Beck, Finance Director

The Public Works department has several pieces of equipment that have cycled out of service and have been replaced with new items. The old equipment will be sold once approved as surplus property.

Action: Adopt Resolution (2020) 2406

Motion: Behringer
Second: Vance
Vote: 5:0

PUBLIC HEARINGS

Mayor Marshburn explained the procedures to be followed during this hearing and asked Council to disclose any exparte communications. Hearing none, the Town Clerk administered the Affirmation of Oath to the following: Joshua Reinke, Mike Tarrant, Jon Keener, Erik Keener, Jimmy Jackson, Scott Idol, Aaron Frank, Steven Braswell, Michael Neuriga, David Bamford, Stacy Harper, Jeff Triezenberg, Joe Stallings, and Chris Johnson.

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

CUD-Z-19-06 / CUP-SP-19-13, Eastern Wake Innovation Park

Presenter: David Bamford, Planning Services Manager

Conditional use zoning (CUD-Z-19-06) and associated conditional use site plan (CUP-SP-19-13) request submitted by Trustwell Property Group to re-zone 21.96 +/- acres from Single-Family Residential (R-20), Light Industrial (I-1), and Heavy Industrial (I-2 C-173) Conditional Use to Community Retail (CR C-219)

Conditional Use for 300,000 square feet of office use with some limited retail/restaurant space. The site is located at the southwest corner of E. Garner and Jones Sausage roads and may be further identified as Wake County PIN#'s 1721-01-4200, 1721-01-5390, 1721-11-1205 and 1721-10-4884.

Council Member Singleton asked if there would be enough right-of-way on Jones Sausage Road with a 100' reserve for the realignment. Mr. Johnson responded the areas that would be most likely to have some sort of impact are south of the site.

Staff confirmed the plans for this project were based on the previous version of the Parks, Recreation and Cultural Resources comp plan.

Improvements to entrances 1 and 2 will be complete when Phase 1 of the project is complete.

Jimmy Jackson, 2015 Navan Lane, spoke in favor of the project.

Aaron Frank, 555 Fayetteville Street, stated he was representing Morris Industries and requested the project be deferred to allow enough time to review. Mr. Frank stated they had just recently received notification of the project. Staff provided an overview of the notification process: letters are sent to properties within 300' feet of the property not less than 10 days before the hearing, a sign is posted on the property, and the notice is posted on the Town's website.

Mr. Stallings stated this project will add diversity in the local economy and bring new companies and growth for existing companies. Currently, there are no large office spaces in Garner. This is a great opportunity for the Town.

Mayor Marshburn closed the hearing and called for a motion.

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 in the public interest and therefore, move further that the Town Council adopt Ordinance No. (2020) 4042 approving rezoning request number CUD-Z-19-06, and in doing so, amend the Town's Comprehensive Growth Plan from designating the subject property identified previously as Light Industrial Center (LIC) to Office Center (OFC).

Motion: Singleton
Second: Matthews
Vote: 5:0

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 CUP-SP-19-13, Eastern Wake Innovation Park with six (6) specific conditions to be listed on the permit that will be prepared by staff.

Motion: Singleton
Second: Matthews
Vote: 5:0

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

CUD-Z-19-12 / CUP-SB-19-05, New Rand Road

Presenter: David Bamford, Planning Services Manager

Conditional use zoning (CUD-Z-19-12) and associated conditional use subdivision plan (CUP-SB-19-05) request submitted by Capital Partners LLC to re-zone 0.81 +/- acres from Single-Family Residential (R-15) to Single-Family Residential Conditional Use (R-9 C225) for three (3) single-family residential lots. The site is located at 699 New Rand Road south of Preakness Farm Drive and can be further identified as Wake County PIN# 1710-87-9071.

Michael Neuriga, 1013 Openfield Drive, reviewed the project.

Grady Stevenson stated he appreciated the informational meeting and the ease of working with the applicant. He also mentioned he was working with them to get his driveway relocated and asked about the possibility of vegetation as a barrier.

Mayor Marshburn closed the hearing and called for a motion.

Action: Move the 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 No. (2020) 4043 approving rezoning request CUD-Z-19-12 as it is reasonable and in the public interest because it will likely allow household living and supporting day care uses that are attractive to younger families with children as well as older residents looking to maintain private but smaller outdoor spaces, allow adequate buffers and usable open spaces that help to preserve and protect adjacent housing stock, allow the development of an appropriate density of housing 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: 5:0

NEW/OLD BUSINESS

COMMITTEE REPORTS

MANAGER REPORTS

- Garner info
- BRT Update and Public Meeting – Mr. Hodges advised the BRT meeting for the southern corridor from downtown Raleigh to North South Station is on February 20th from 4:00 p.m. to 7:00 p.m. at the Garner Senior Center. Council will get a preview at their February 18th meeting.
- Early voting will be at the Avery Street gym on February 13th through 29th.

- Lake Drive Project: Public meeting on February 11th from 6:00 p.m. to 7:00 p.m. in the training room of Fire Station 1.
- Broadway Voices Concert – February 15th.
- Timber Drive Sidewalk Project – Mr. Johnson advised NCDOT has asked for a deferred reimbursement request from May 2020 to an undetermined future time. Council consensus to accept the new time frame. Mr. Johnson also provided an update on the US 70 improvements. The roadwork is scheduled to be complete mid-February. Punch list items are being finalized and furniture will be installed this week.
- Retreat dates have not been set yet as arrangements have not been completed.

ATTORNEY REPORTS

COUNCIL REPORTS

Behringer

- Asked about the bringing back the beautification plan for the Town. Mr. Hodges advised staff will meet with her to discuss.

Singleton

- The Vietnam Wall will be at Lake Benson Park on April 16th through the 19th. Congratulated Tim Stevens for being inducted into the North Carolina Sports Hall of Fame.

Matthews

- Reported attending the CAMPO Regional meeting.

Vance

- Asked about the Jones Sausage Road expansion in front of Amazon. Mr. Johnson report work has started, and ST Wooten is working with the owner to finalize a completion date. Staff will follow-up.

Council Member Dellinger had nothing to report.

CLOSED SESSION:

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

The Council met in closed session to discuss an economic development matter and provided direction to staff. No formal action was taken.

ADJOURNMENT: 9:34 p.m.