

**Town of Garner
Regular Session Agenda Minutes
March 2, 2020**

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

CALL MEETING TO ORDER: 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 Roylance-Asst. Town Manager-Operations, Rick Mercier-Communications Manager, David Beck-Finance Director, Jeff Triezenberg-Planning Director, Stacy Harper-Principal Planner, Tony Beasley-Inspections Director, BD Sechler-Human Resources Director, Joe Stallings-Economic Development Director, Mike McIver-Captain Chris Johnson-Town Engineer, Fred Baggett-Interim Town Attorney, and Stella Gibson-Town Clerk

PLEDGE OF ALLEGIANCE: Lead by Boy Scout 392

INVOCATION: Council Member Demian Dellinger

PETITIONS AND COMMENTS

ADOPTION OF AGENDA

Motion: Matthews
Second: Vance
Vote: 5:0

PRESENTATIONS

Mr. Joe Stallings, Economic Development Director, presented the new marketing-based website for economic development. This website is being funded by the Garner Economic Development Corporation.

CONSENT

Annexation 19-12 (Starling) & Annexation 20-01 (Capaforte)

Presenter: David Bamford, Planning Services Manager

These 2 voluntary annexation petitions were submitted in order to connect to public water and sewer on Vandora Springs Rd. Single-family homes are proposed to be built on these properties. (ANX 19-12) Julie Starling – Satellite annexation, (ANX 20-01) John Capaforte – Satellite annexation

Action: Adopt Resolution (2020) 2408 to set public hearings for April 6

Recognition of Disposable Property

Presenter: Joe Binns, Interim Police Chief

Recognize service weapon and badge of First Class Officer Steven Doak as disposable property, so they can be awarded to him in recognition of his retirement from the Town after almost 15 years of service.

Action: Adopt Resolution (2020) 2407

Stop Conditions - Avenue at White Oak Phase 1

Presenter: Chris Johnson, Town Engineer

The Engineering Department is seeking approval of two Stop Conditions in the Avenue at White Oak Phase 1 on White Oak Ridge Drive at the intersection with Garner Road and Eagle Rare Lane at the intersection with White Oak Ridge Drive to serve as basic traffic control measures.

Action: Adopt Ordinance (2020) 4044

Stop Conditions - Minglewood Townhomes

Presenter: Chris Johnson, Town Engineer

The Engineering Department is seeking approval of four Stop Conditions in Minglewood Townhomes on Kinton Woods Way at the intersection with Minglewood Drive, Gosford Lane at the intersection with Kinton Woods Way, Wilmont Lane at the intersection with Minglewood Drive, and Wilmont Lane at the intersection with Gosford Lane to serve as basic traffic control measures.

Action: Adopt Ordinance (2020) 4045

Budget Amendment – Asset Forfeiture

Presenter: David Beck, Finance Director

The Police Department is requesting to utilize \$3,894 from Asset Forfeiture Restricted Fund Balance for the purchase of qualifying police department non-capital items. The funds will be used to purchase Narcan nasal spray which is used to treat individuals during an opioid overdose

Action: Adopt Ordinance (2020) 4046

Budget Amendment – PRCR Donations

Presenter: David Beck, Finance Director

The PRCR Department has received several donations from citizens towards the purchase of either memorial benches or bricks for the veteran's memorial. The donations will be used to purchase these items and have them installed.

Action: Adopt Ordinance (2020) 4047

Council Meeting Minutes

Presenter: Stella Gibson, Town Clerk

Council meeting minutes from January 21, 2020, January 28, 2020, February 3, 2020
Closed session minutes from January 21, 2020 and February 3, 2020

Action: Approve minutes

Approval of Planning and Inspection Positions

Presenter: BD Sechler, Human Resources Director

Approval of 1/1.0 new Planning Technician position in the Planning Department and 1/1.0 new Building Inspector position in Inspections.

Action: Approve positions

Budget Amendment - Planning and Inspection Technician Positions

Presenter: David Beck, Finance Director

At the February 25, 2020 work session meeting, staff from the Planning and Inspections departments presented staffing requests for Council consideration. After some questions and discussion, both requests received favorable feedback from Council and are now being presented for formal approval.

Action: Adopt Ordinance (2020) 4048

Motion: Behringer

Second: Singleton

Vote: 5:0

PUBLIC HEARINGS

Mayor Marshburn explained the procedures to be followed during these hearings and asked Council to disclose any ex parte communications. Hearing none, the Town Clerk administered the Affirmation of Oath to the following: Richard Herring, John Sandlin, Stacy Harper, Jeff Triezenberg, and Chris Johnson.

SUP-SP-19-12 Tru Hotel

Presenter: Stacy Harper, Principal Planner

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

Special Use Permit Site Plan application submitted by Herring-Sutton & Associates, PA for a hotel on a 4.17 +/- acre tract. The site is located at the rear of 545 US Highway 70 East and may be further identified as a portion of Wake County PIN# 1720-19-6910.

A seventh condition was added: a 50' permanent slope easement be required from the edge of the Jones Sausage right-of-way line west. (A similar 25' easement will be requested from the Dental Office property.)

Council Member Dellinger suggested staff start generating tax revenue of projects.

Mr. Herring stated the estimated fee-in-lieu for this project is \$10,000.

Mayor Marshburn closed the hearing and called for a motion.

Action: Find 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 SUP-SP-19-12, Tru Hotel.

Motion: Vance
Second: Matthews
Vote: 5:0

CUP-SP-19-21, US HWY 70 Dental Office
Presenter: Stacy Harper, Principal Planner

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

Special Use Permit Site Plan application submitted by Herring-Sutton & Associates, PA for a medical office on a 1.56 +/- acre tract. The site is located at the front of 545 US Highway 70 East and may be further identified as a portion of Wake County PIN# 1720-19-6910.

Mayor Marshburn closed the hearing and called for a motion.

Action: Find the Council accept 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-19-21, US Highway 70 Dental Office.

Motion: Vance
Second: Behringer
Vote: 4:1

Council Member Dellinger voted no as he feels this project is not the highest and best use of the property.

NEW/OLD BUSINESS

2020 Annual Resurfacing Contract - Bid Award and Change Order #1
Presenter: Chris Johnson, Town Engineer

Staff presented information regarding the bid award of 2020 Annual Resurfacing Contract asked for approval of a change order to add several streets to the contract due to competitive pricing received. Total combined cost of the project not to exceed \$802,856.

Action: Award project to Daniels Inc. of Garner; Approve CO#1; authorize Town Manager to execute contract and CO#1.

Action: Singleton
Second: Matthews
Vote: 5:0

Appoint Deputy Finance Officer
David Beck, Finance Director

North Carolina General Statute chapter 159 requires each local government to have a finance officer, lays out the duties of the position, and allows for deputy finance officers to be appointed as needed. A duly appointed deputy finance officer has the authority to carry out all the required duties of the finance

officer in their absence. Having a deputy finance officer provides financial safeguards and ensures that all duties of the finance officer position are adequately and effectively covered.

Action: Adopt Resolution (2020) 2409

Motion: Singleton
Second: Vance
Vote: 5:0

Human Resource Committee Appointment Recommendations

Presenter: HR Committee Members Elmo Vance and Demian Dellinger

The Human Resources Committee of the Town Council conducted interviews to fill mid- term vacancies on the Parks, Recreation and Cultural Resources and the Senior Center Advisory Boards. The Committee presents the following recommendations: PRCR - Mon Peng Yueh; Senior Center - Sharon Verity, Ann Morgan. The term of these appointments will be June 30, 2020.

Motion: Vance
Second: Behringer
Vote: 5:0

Action: Appoint nominees

UDO Re-Write Steering Committee Appointment Recommendations

Presenter: Jeff Triezenberg, Planning Director

The Planning Department requested to appoint members to serve on the Steering Committee for the UDO Re-Write project. The project is expected to take approximately 10-15 months to complete.

Council Member Singleton stated 1 or 2 average citizens should be on the committee. Council Member Dellinger concurred.

Action: Appoint recommended individuals

COMMITTEE REPORTS

MANAGER REPORTS

- Garner Info
- A compressive Census update to be presented at the next Council meeting.
- The rescheduled meeting on bus rapid transit is tomorrow, March 3, from 4:00 p.m. to 7:00 p.m. at Senior Center.
- In order to install fencing on one side at the railroad on Main Street, bumpers will be installed for the parking spaces. Estimated cost for the bumpers is \$6,870.
- In order to keep the message consistent, the Town will take direction from Wake County Public Health relating to the Coronavirus.
- City of Raleigh sent out notices regarding the water system. They are going to be using chlorine only for disinfection of the system until April 7th. The City of Raleigh confirmed the water is still safe to drink.

- Mr. Roylance updated the Council on the progress of the MOU Committee. Council discussed the possibility of bringing in a consultant who previously worked with the Town of Wake Forest to help work through matters such as salaries. Mayor Marshburn advised that previous Council Member Buck Kennedy agreed to stay on the MOU Committee.

ATTORNEY REPORTS

COUNCIL REPORTS

Vance

- Expressed concern regarding the appearance of the Town as well as debris and trash in the right-of-ways.

Behringer

- Was pleased with the Garner's Got Talent performance.
- Reported more lights out at North South Station and the parking lot needs repair.
- Asked Mr. Roylance if we have heard anything from DOT regarding brush being cleared from the property at Hwy 70 and Timber Drive. Mr. Roylance will follow-up.
- Reported rotten railroad ties laying around the roadway at Jones Sausage Road over to White Oak and asked to follow-up on possible removal.

Dellinger

- Reported driving by the Minglewood property and noticed more trees cut down and asked if they still met the landscape requirements and/or will the trees be replaced. Mr. Triezenberg responded removal of the trees was part of the site plan and additional landscaping will be installed.
- Asked for an update at the next Council meeting regarding traffic calming measures being taken.
- Election Day is tomorrow from 6:30 p.m. to 7:30 p.m.

Singleton

- Responded to Mayor ProTem Behringer's concern regarding the lights at North South Station. Asked if there was a lighting plan as part of the CUP or SUP. Mr. Dickerson advised the owners are in the process of converting the lights to LED. Code Enforcement will follow-up.
- The large restrooms at South Garner Park are closed in early December due to no scheduled activities in the park. All restrooms in the park are scheduled to open this week. The family restroom remains open all year round.

Matthews

- Vietnam Veterans wall replica coming in April.
- Requested getting magnetic name badges to wear at functions.

Marshburn

- Asked if the Town had a program for picking up litter. Mr. Dickerson responded the Town has a big sweep program which is done on a regular basis as well as initiatives to help with lakes and streams.

ADJOURN: 8:44 p.m.