

**Town of Garner  
Town Council Meeting Minutes  
March 4, 2019**

The Council met in regular session at 7:00 p.m. in the Garner Town Hall located at 900 7<sup>th</sup> Avenue.

**CALL MEETING TO ORDER/ROLL CALL**

Mayor Ronnie Williams, Mayor ProTem Ken Marshburn, Council Member Kathy Behringer, Council Member Buck Kennedy and Council Member Gra Singleton

Staff Present: Rodney Dickerson-Town Manager, John Hodges-Asst. Town Manager-Development Services, Matt Royslance-Asst. Town Manager-Operations, Jeff Triezenberg-Planning Director, Pam Wortham-Finance Director, Rick Mercier-Communications Manager, Het Patel-Senior Planner, David Bamford-Planning Services Manager, Brandon Zuidema-Police Chief, Mari Howe-Downtown Development Manager, Forrest Jones-Public Works Director, William E. Anderson-Town Attorney, Stella Gibson-Town Clerk

**PLEDGE OF ALLEGIANCE:** Council Member Buck Kennedy

**INVOCATION:** Council Member Buck Kennedy

**PETITIONS AND COMMENTS**

Rodney Stratton who lives on Longview Street asked what project was being built behind his home. Staff will follow-up tomorrow.

**ADOPTION OF AGENDA**

Mayor ProTem Marshburn and Council Member Kennedy asked to add closed sessions to discuss a personnel matter.

Mr. Dickerson asked to add a brief video showcasing a mural painted on the side of Full Bloom Coffee Roasters in historic downtown Garner created by artist Sean Kernick. The mural project was made possible thanks to support from the Downtown Garner Association, United Arts Council of Raleigh & Wake County, Patrick Byrd (Full Bloom Coffee Roasters), and the Town of Garner Parks, Recreation & Cultural Resources Department.

**CONSENT**

**Ordinance Amending FY2018/2019 Operating Budget (Use of LAPP funds)**

Presenter: Pam Wortham, Finance Director

Due to a large vacation payout in the Engineering Department, the personnel related line item budget is not sufficient to cover the salaries for the remainder of the fiscal year. We are requesting that lapsing funds from the Inspections Department be moved to Engineering to cover that deficit.

Action: Adopt Ordinance (2019) 3952

### **Conditions within Auburn Village Subdivision**

Presenter: Chris Johnson, Town Engineer

The Engineering Department is seeking approval of twelve (12) stop conditions within the Auburn Village subdivision to serve as basic traffic control measures.

Action: Approve recommended stop conditions

### **Council Meeting Minutes**

Presenter: Stella Gibson, Town Clerk

Council meeting minutes from the January 22, 2019 meeting.

Action: Adopt Minutes

### **PUBLIC HEARINGS**

#### **UDO-19-01, Bar, Nightclub, Tavern Use in the CBD**

Presenter: Jeff Triezenberg, Planning Director

Mayor Williams opened the hearing and asked Mr. Triezenberg to present the staff report.

Mr. Triezenberg stated this request is for a UDO text amendment submitted by the Downtown Manager's Office on behalf of Mr. Josh Whitaker to add Bar, Nightclub, Tavern to the list of permitted uses in the Central Business District under certain additional standards. After presentation, Mayor Williams closed hearing.

Action: Referred to Planning Commission for review and recommendation

### **NEW/OLD BUSINESS**

#### **Rezoning Z 18-05 Carroll Property - Purvis Street**

Presenter: Het Patel, Senior Planner

Mr. Patel stated Lee Carroll is requesting to rezone 0.93 +/- acres from Single-Family Residential (R-9) to Central Business District (CBD). This is a general rezoning request; therefore, neither conditions nor a site plan are proposed at this time. This project is consistent with the 2018 Garner Forward Comprehensive Plan's future land use designation of Town Center and the Comprehensive Plan's guiding principles of "building on and conserving the existing character" and "commercial development", including the following practices and policies identified within respective guiding principle: Market a healthy brand that celebrates the local flair of Garner and emphasizes the Town's positive evolution. Encourage redevelopment and reuse of existing sites and buildings that are complimentary to the surrounding area; Ensure that existing regulations allow new kinds of hybrid office, retail, industrial, and even housing combinations in commercial areas of town. Additionally, the requested rezoning is consistent with the predominant zoning of the area along Purvis Street and West Main Street and would allow the types of businesses at the described location which will enhance the Town's economic development.

Action: Adopt Ordinance (2019) 3953

Motion: Kennedy  
Second: Singleton  
Vote: 4:0

### **Recycling Costs**

Presenter: Forrest Jones, Director of Public Works

Mr. Jones stated in years past, the cost All-Star has paid to dispose of the Town's recycled goods has been around \$0 per ton; sometimes they make a few dollars per ton, sometimes they pay a few dollars per ton. Their costs are now dramatically higher due to changes in China, which is a major buyer of recycled commodities. The Town's current recycling average is 135 tons/month. All-Star is requesting a monthly surcharge for recycling based on actual costs moving forward and consideration of an adjustment for these costs beginning January 1, 2019.

Action: Approval to pay a surcharge on the Town's recycling tonnage collected by All-Star Waste and an adjustment for these costs beginning January 1, 2019.

Motion: Singleton  
Second: Kennedy  
Vote: 4:0

### **COMMITTEE REPORTS**

Law & Finance Committee met to discuss the Town Attorney's contract. Due to the number of hours worked, the Committee recommended a \$3,000/monthly increase through the fiscal year as well as a true-up for work performed July 1, 2018 - February 2019 in the amount of \$49,000.

Motion: Marshburn  
Second: Kennedy  
Vote: 4:0

### **MANAGER REPORTS**

- garner info

Mr. Dickerson asked Council what method they would like to use to select the individual for the Council vacancy and how many candidates should be interviewed.

Council consensus interview the following candidates.

Demian Dellinger

Joseph Keller

Mona Parks

Elmo Vance

A Special Meeting will be held on March 19 to discuss interview questions. The motion and vote method was chosen as the method of selection.

### **ATTORNEY REPORTS**

## **COUNCIL REPORTS**

Marshburn

- Reported CAMPO approved the matching LAPP funds for the White Oak/Hebron Church area.

Behinger

- Asked about the drainage at the detention pond on West Garner Road. Mr. Dickerson responded the way the pond was constructed is causing the trouble. The Town is working with the contractor to try and resolve.

Kennedy

- Asked for a completion date for the Rec Center. Mr. Dickerson responded the scheduled date is the end of March. However; roadwork won't be complete until June.

Marshburn

- Requested a tour of the Rec Center. Mr. Dickerson provided some highlights on how the work was coming along.

Singleton

- Asked if the Rec Center floors had been sanded and Mr. Dickerson responded that the floors weren't completely sanded but are expected to be shortly.

Kennedy

- Asked if the budget was going to reflect an increase in the resurfacing and street maintenance budget. Mr. Dickerson responded the budget would reflect the increase and the rest of \$5 vehicle fee would be used toward the project.
- Asked if the Phase 1 survey on the Yeargan property had been done yet. Mr. Dickerson respond the Town contracted with a consultant last week who will be performing a site survey, etc. of the property and indicated it was a 3 week process. Should be done by end of April.
- Asked when the funding for the park site/and or Depot would need to be decided. Mr. Dickerson advised the Town is waiting on estimates from contractors for Depot repairs.

## **CLOSED SESSION**

Pursuant to N.C. General Statutes 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."

Motion: Kennedy  
Second: Marshburn  
Vote: 4:0

**RETURN TO REGULAR SESSION AND ADJOURNMENT: 9:14 p.m.**

Motion: Singleton  
Second: Kennedy  
Vote: 4:0