

**Town of Garner
Town Council Regular Meeting Minutes
March 19, 2024**

The Council met at 6:00 p.m. in the Ronnie S. Williams Council Chambers at Town Hall, located at 900 7th Avenue, Garner.

CALL MEETING TO ORDER/ROLL CALL: Mayor Buddy Gupton

Present: Mayor Buddy Gupton, Mayor ProTem Elmo Vance, Council Members Kathy Behringer, Phil Matthews, and Demian Dellinger

Staff Present: Jodi Miller-Interim Town Manager, John Hodges-Assistant Town Manager, David Beck-Finance Director, Jeff Triezenberg-Planning Director, Terri Jones-Town Attorney, Erin Gibbs-Assistant Town Attorney, Erin Joseph-Assistant Planning Director, Leah Harrison-Town Engineer, Erin Joseph-Assistant Planning Director, Stella Gibson-Town Clerk

PLEDGE OF ALLEGIANCE: Mayor ProTem Elmo Vance invited Keifer Fromm, Patrol Leader with the Occoneechee Council Boy Scouts of America Troop 326 to lead the Pledge.

INVOCATION: Mayor ProTem Elmo Vance invited Reverend Carlton McDaniel with Able to Serve to provide the invocation.

PETITIONS AND COMMENTS

None

ADOPTION OF AGENDA

Motion: Vance
Second: Matthews
Vote: 5:0

PRESENTATIONS

None

CONSENT

Fleet Management Software

Presenter: Forrest Jones, Public Works Director

The Town's current fleet management tool is limited in functionality, contains inadequate reporting capabilities, and is mostly a manual tracking process. Public Works is looking to modernize the Town's fleet management program and streamline current processes creating efficiencies in fleet management. To achieve these goals, staff recommends moving forward with the FASTER asset management system and expanding Fleet's telematic program using GeoTab.

Action: Approve the Faster Asset Solutions contract and authorize the manager to execute the contract.

Action: Approve Consent Agenda
Motion: Matthews
Second: Singleton
Vote: 5:0

PUBLIC HEARINGS

Voluntary Contiguous Annexation Petition # ANX-23-14, 2214 Vandora Springs Road

Presenter: Jeff Triezenberg, Planning Director

Voluntary contiguous annexation petition submitted by Brian and Melanie Reeve to bring 7.43 +/- acres into the primary corporate limits of the Town of Garner. The property is located at 2214 Vandora Springs Road (160 Cedarcroft Drive) and may be otherwise identified as Wake County PIN 1700561682.

Brian Reeve, property owner, requested not to be annexed into the Town.

Mr. Triezenberg and Ms. Jones were not aware of any precedence this would set.

Action: Approve Ordinance (2024) 5257 to extend the corporate limits

Motion: Singleton
Second: Dellinger

Council Member Singleton stated that by not annexing this property it would violate the Town's policies and would set a precedence on future annexations and create donut holes. Council Member Dellinger disagreed adding that while the Town has some policies, we have to make room for exceptions when they make sense. Council can evaluate other requests on a case-by-case basis.

Vote: 2:3 (motion fails)

Mayor ProTem Vance, Council Members Dellinger and Matthews voted nay.

Tier 1 Conditional Rezoning Request # CZ-24-001, 312 US Highway 70 East

Presenter: Erin Joseph, Assistant Planning Director

Tier 1 conditional zoning map amendment request submitted by Traci Dusenbury Tate of Halcon Companies, LLC to rezone approximately 5.04 +/- acres from Commercial Mixed Use (CMX) and Light Industrial (LI) to Commercial Mixed Use (CMX C300) Conditional. The site is located at 312 US 70 Highway East and may be further identified as Wake County PIN 1710991886.

Tracy Dusenberry Tate, with Halcon Development, gave a brief overview of the proposed project.

Council Member Singleton asked staff to confirm that there was only one access point on US 70 because the other access point has topography issues. Mr. Triezenberg confirmed this was the case.

Council Member Dellinger stated the need for easements and trails for future connectivity and suggested the possibility of working with WakeMed to obtain. Ms. Tate responded that they will make pedestrian connections to future medical offices but a master plan has not been prepared at this time.

Council Member Dellinger stated that the need for affordable housing is tremendous. Council Member Behringer stated she was glad to see more senior housing and Council Member Matthews added that connectivity would be good and he felt that this project would do well at this location.

There was no public comment.

Mayor Gupton closed the public hearing.

Action: Refer to the Planning Commission for consistency review and recommendation.

Motion: Vance
Second: Behringer
Vote: 5:0

NEW/OLD BUSINESS

CZ-PD-22-04, E Garner Road Assemblage (The Park at Garner Station)

Presenter: Jeff Triezenberg, Planning Director

Tier 2 Conditional Rezoning request (CZ-PD-22-04) submitted by McAdams to rezone 96.73 +/- acres from Multifamily 1 (MF-1), Single Family Residential (R-40) and Single Family Residential (R-12) to Planned Unit Development (PUD C281) Conditional for a mixed-use development consisting of a maximum of 350 townhomes, 600 apartments, and 35,000 square feet of commercial space. The site is located along the north side of E Garner Road between Creech Road and White Oak Ridge Drive and may be further identified as Wake County PIN(s) 1711833114, 1711827887, 1711923791, 1711925082, 1711933576, 1711838749, 1711833775, and a portion of 1711945676.

Mr. Collier Marsh, on behalf of the applicant, provided a brief overview of the revisions to the project. The applicant and his associates provided updated information on limiting the number of trees to be removed, traffic analysis reports as well as the overall density of the project.

Council agreed that while this was a large transformative project placed in a key area of Garner, there were still questions regarding the density of project, architectural standards, workforce housing, financial consistency, the road going through the park, school traffic and how the conditions were being interpreted.

Action: Continue to the April 2, 2024 Council meeting in order to give the applicant time to provide information regarding Council's concerns.

Motion: Vance
Second: Dellinger

Council Member Singleton suggested moving to the April 16, 2024 to ensure the applicant has enough time to gather the information. However, Council Member Matthews requested that a decision be finalized at the April 2, 2024 meeting.

Vote: 4:1

Council Member Singleton voted nay.

Park at Garner Station Development Agreement

Presenter: Terri Jones, Town Attorney

East Garner Holdings LLC and Gander Development LLC have proposed terms for a development agreement with the Town regarding public improvements and The Park at Garner Station master planned community CZ-PD-22-04.

Action: Continue to the April 2, 2024 Council meeting.

Motion: Vance
Second: Behringer
Vote: 4:1

Council Member Singleton voted nay.

Planned District Conditional Rezoning # CZ-PD-20-02, Mahler's Creek PRD

Presenter: Jeff Triezenberg, Planning Director

Planned district conditional rezoning request (CZ-PD-20-02) submitted by Burton Engineering to rezone approximately 8.68 +/- acres from Single-Family Residential (R-12) - now Residential 4 (R4) - and 63.87 +/- acres from Single-Family Residential (R-40) - now Rural Agricultural (RA) - to Planned Residential Development (PRD C12) Conditional - to be Residential 4 (R4 C212) - for the development of a residential community of approximately 170 single-family homes on three sizes of lots. The site is located along northwest of Bryan Road between the Everwood and Fox Haven subdivisions and may be further identified as Wake County PIN(s) 1720012472, 1720027137, and 1720019776.

Pam Porter provided an overview of the vision for this project and Council Member Dellinger asked about adding a condition regarding a minimum size of the porches and Rich Barta stated he was open to that.

Action: Adopt Ordinance (2024) 5259 with the additional condition that any front porch or stoop shall be a minimum of 5-feet in depth.

Motion: Vance
Second: Matthews
Vote: 5:0

MANAGER REPORTS

Talk of the Town

- The Spring Eggstravagana Event is on Saturday, March 23rd at Lake Benson Park from 10:00 a.m. to 12:00 p.m.
- A Community Open House will be held on Monday, March 25th at White Deer Park from 4:30 p.m. to 6:30 p.m. for the public to learn more about the inclusive playground and to provide feedback.
- Congressman Wiley Nickel submitted an application as part of the Consolidated Appropriations Act for \$500,000 to help with the Meadowbrook Dam Project. This was approved and signed by the President.
- Talk of the Town report.

ATTORNEY REPORTS

Ms. Jones introduced Erin Gibbs, the Town's new Assistant Town Attorney.

COUNCIL REPORTS

Behringer

- There is a light pole that has been laying down on the ground on White Oak Road that needs attention.
- There is a significant amount of trash on US 70 between Vandora Springs Road and Yeargan Road.

Singleton

- Stated he felt the Town should revisit the fee-in-lieu policy to be sure that it is updated.

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

CLOSED SESSION

Mr. Vance made a motion to move into a closed session pursuant to N.C. General Statutes Section 143.318.11(a)(5) to establish the amount of compensation and other material terms of an employment contract or proposed employment contract.

Motion: Vance
Second: Matthews
Vote: 5:0

RETURN TO REGULAR SESSION

Ms. Jones reported that Council met in closed session to discussion the execution of an employment agreement with Interim Town Manager, Jodi Miller.

ADJOURN: 10:15 p.m.