

**Town of Garner  
Town Council Agenda  
April 2, 2018**

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 Ronnie Williams, Mayor Pro Tem Ken Marshburn, Council Member Kathy Behringer, Council Member Jackie Johns, Council Member Buck Kennedy, and Council Member Gra Singleton

Staff Present: Rodney Dickerson-Town Manager, John Hodges-Asst. Town Manager-Economic Development, Tony Chalk-Town Engineer, BD Sechler-Human Resources Director, Pam Wortham-Finance Director, Jeff Triezenberg-Planning Director, Het Patel-Senior Planner-Transportation & Land Use, Joe Stallings-Economic Development Manager, William E. Anderson-Town Attorney, and Stella Gibson-Town Clerk

**PLEDGE OF ALLEGIANCE:** Mayor Ronnie Williams asked Mr. Price to lead the Pledge.

**INVOCATION:** Mayor Ronnie Williams

**PETITIONS AND COMMENTS**

**ADOPTION OF AGENDA**

Mr. Dickerson requested to add a Resolution authorizing the execution of a financing agreement and Mayor Pro Tem Marshburn requested to add a closed session pursuant to N.C. General Statutes 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: Johns  
Second: Marshburn  
Vote: 5:0

**PRESENTATIONS**

**Eagle Scout Project**

Presenter: T. Dean Price, Eagle Scout

Mr. Price presented details of a proposed Eagle Scout project across from the Rec Center in the railroad right-of-way. Council was supportive of the project but expressed concern regarding working in the railroad right-of-way as well as safety, installation of fence posts and benches, and language for the plaque for the boulder. Mr. Price was advised to coordinate with the railroad, Town staff, and the Downtown Garner Association to ensure the project is compliant with Town standards and fits into the

plans for downtown. Mr. Price asked that the Town sign-off as beneficiary of the project. Mr. Dickerson will review and respond.

## **CONSENT**

### **Health Plan Renewal for 2018/2019**

Presenter: BD Sechler, Human Resources Director

Approval of benefits plans, including health, dental, life, AD&D, short term disability and retiree medical for FY 18/19 beginning on July 1, 2018.

Action: Authorize Renewal

### **Ordinance Amending FY2017/2018 Operating Budget**

Presenter: Pam Wortham, Finance Director

Ordinance to establish the initial capital project fund that can be used for non-bond related projects for the US70 to White Oak Creek Outfall Sewer Project and amendment to the General Fund operating budget to appropriate funding.

Action: Adopt Ordinance (2018) 3902 establishing project and Ordinance (2018) 3903 establishing funding

Motion: Kennedy  
Second: Johns  
Vote: 5:0

## **PUBLIC HEARINGS**

### **Conditional Use Rezoning CUD-Z-17-06 (C-199) and Conditional Use Permit CUP-SP-17-31, Bannister Properties**

Presenter: Het Patel-Senior Planner-Transportation & Land Use

Request for a change in zoning for approximately 2.16 acres from Neighborhood Office (NO) to Service Business conditional use. Accompanying this rezoning request is a conditional use site plan for an office with storage. The site is located at 5413 Fayetteville Road.

Mr. Anderson stated this request was for consideration of a rezoning request and a quasi-judicial hearing for a conditional use permit and explained the procedures to be followed during the hearing. The Clerk administered the Affirmation of Oath to the following: Jeff Triezenberg, Het Patel, Sonny Bannister, and Larry Mack.

Mr. Anderson then asked the Council to disclose any exparte communications regarding this project. Mayor Pro Tem Marshburn reported visiting the site and speaking informally to the property owner, however, specific details of the project were not discussed. As this was not considered an exparte

communication, Mayor Williams opened the public hearing and asked Mr. Patel to provide the staff report.

Mr. Bannister stated this project is to provide additional storage for the current real estate office.

Mr. Mack asked to speak regarding placing a storage building on his property. Mr. Kennedy advised Mr. Mack to work with Planning Department staff on this matter.

May Williams asked Mr. Triezenberg to present the staff report for the conditional use permit.

Hearing no further comments, Mayor Williams closed the public hearing and called for a vote.

Action: Adopt Ordinance (2018) 3904

Motion: Marshburn  
Second: Kennedy  
Vote: 5:0

Action: Approve CUP-SP-17-31 with no site-specific conditions

Motion: Marshburn  
Second: Singleton  
Vote: 5:0

## **NEW/OLD BUSINESS**

### **Raynor Road Bridge Design Services**

Presenter: Tony Chalk, Town Engineer

Mr. Chalk reminded Council that during the replacement of the bridge on Raynor Road there is a need to have greenway access incorporated into the design of the project. NCDOT has forwarded an agreement to formalize design considerations along with a revised estimate of services. The agreement includes a more refined cost estimate. Council consensus to fund the project through the transportation bond if it meets requirements and if funding is available. If not, funding is proposed through the general fund. A \$40,000 payment is due at the time of contract execution.

Action: Authorize execution of agreement; fund through transportation bond

Motion: Kennedy  
Second: Singleton  
Vote: 5:0

## **COMMITTEE REPORTS**

## **MANAGER REPORTS**

- garner info
- Realtor Legislative Reception – April 26 at 5:30 p.m.
- Representative Rosa Gill is planning to have Town Hall meeting in Garner on, April 12 at 6:30 p.m. This is a nonpartisan event to update the public on matters from last year’s session and what items may come from the short session. Mr. Bridges has been asked to work with Ms. Gill on this event.
- Community Shred Day - April 14 at 9:00 a.m.
- Law & Finance Committee Meeting – April 9 at 8:00 a.m.
- Significant process has been made on the Police Departments use of holiday bank hours. The Town began the process of reducing the number of hours to 147 or less in anticipation of paying out the balance to start fresh from January 1. At this time the Town’s liability is approximately \$93,000. Proposed funding is through Town-wide lapse salaries.

## **ATTORNEY REPORTS**

Mr. Anderson requested to add a closed session per N.C. General Statutes 143.318.11(a)(3)) “to consult with the Town Attorney regarding litigation” regarding various chronic land use issues at 1100 Benson Road and 135 White Cap Lane.

## **COUNCIL REPORTS**

Marshburn

- Asked about an additional crosswalk at the new YMCA. Staff advised this request was forwarded to NCDOT and are awaiting a response.

Singleton

- Urged Council to consider the installation of curb and gutter near Garner Rec Park to make continuous curb and gutter along Garner Road. Mr. Chalk advised this may be appropriate to be combined with several small sidewalk projects that are outstanding.
- Council Member Singleton also asked about possible funding from the Rec Center to provide upgrades at the Avery Street Rec Center to make it a nicer facility. Mr. Dickerson stated staff will investigate possible funding sources.

Kennedy

- Asked that staff ensure mud was removed from the metal being installed at the Rec Center.
- Stated he was in support of the work on the depot, and supported more broadly, work moving forward for a museum for Garner.

Behringer

- Reported speaking with the Downtown Development Manager about arranging a Tour of the depot for Council.

Council Member Johns had nothing to report.

Mr. Chalk reported the project at the GPAC parking lot is moving forward; piping was installed last week, stone should be introduced for curb and gutter soon. Paving of this parking lot and resurfacing in front of the GPAC will be done at the same time toward the end of the project.

Mr. Dickerson recognized the Garner 101 Citizens Academy participant who was present.

**CLOSED SESSION**

Pursuant to N.C. General Statutes 143.318.11(a)(3) “to consult with the Town Attorney regarding litigation” relating to various chronic land use issues at 1100 Benson Road and 135 White Cap Lane.

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

Pursuant to N.C. General Statutes 143-318.11(a)(6) “to discuss the qualifications, competence, performance, character, fitness, or conditions of appointment of an individual public officer or employee.”

**RETURN TO REGULAR SESSION AND ADJOURNMENT:** 10:45 a.m.