

**Town of Garner
Town Council Regular Meeting Minutes
May 21, 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, Gra Singleton and Demian Dellinger

Staff Present: Jodi Miller-Interim Town Manager, John Hodges-Assistant Town Manager, Jeff Triezenberg-Planning Director, Terri Jones-Town Attorney, Max Harris-Legal Intern, Erin Joseph-Assistant Planning Director, Maria Munoz-Blanco-PRCR Director, Leah Harrison-Engineering Director, Sara Warren-Budget Director

PLEDGE OF ALLEGIANCE: Council Member Phil Matthews

INVOCATION: Council Member Phil Matthews

PETITIONS AND COMMENTS

None

ADOPTION OF AGENDA

Motion: Vance
Second: Matthews
Vote: 5:0

PRESENTATIONS

None

CONSENT

FY24 Pavement Maintenance Change Order

Presenter: Forrest Jones, Public Works Director

In order to complete the FY24 Pavement Maintenance Project, Public Works needs to process a change order to cover additional work related to crack sealing. This increase is based on the unit price provided in the original agreement.

Action: Authorize the Interim Manager to execute the change order for the additional crack sealing.

Bid Award - Solar-Powered Trash Compactors (Impact EcoVision Environmental Inc.)

Presenter: Katie Lockhart, Parks & Recreation Superintendent

On April 11, 2024, two vendors submitted proposals to the Solar-Powered Trash Compactors Project RFP, one of which met all the specifications set forth in the RFP. The apparent low responsive, responsible bidder is Impact EcoVision Environmental Inc. with a bid of \$16,420.

Action: Award project to Impact EcoVision Environmental Inc. and authorize the Interim Manager to execute contract.

FY24 PRCR Sponsorships, Donations, and Grant Budget Amendment

Presenter: Maria Munoz-Blanco, PRCR Director

The Parks, Recreation and Cultural Resources Department received sponsorships, donations, and a grant with a combined total of \$4,718.53 to support programming and the memorial bench program. A budget amendment is required to appropriate the funds to cover FY24 expenses.

Action: Approve the acceptance of the sponsorships, donations, and grant and the FY24 budget amendment Ordinance (2024) 5268.

White Deer Park Splash Pad Design Build Contract - Bar Construction Company, Inc

Presenter: Mariz Munoz-Blanco, PRCR Director

Consider approval of Bar Construction Company, Inc. for Design Build Services for the White Deer Park Splash Pad and authorize the Interim Manager to negotiate and execute the contract in an amount not to exceed \$1,431,000 for design and construction services including the establishment of a Guaranteed Maximum Price (GMP).

Action: Approve Bar Construction Company, Inc. & authorize the Interim Manager to negotiate and execute contract.

Council Meeting Minutes

Presenter: Stella Gibson, Town Clerk

Minutes from the April 16, April 30, and May 7, 2024 Council Meetings.

Action: Approve minutes.

Motion: Matthews

Second: Singleton

Vote: 5:0

PUBLIC HEARINGS

Mayor Gupton explained the procedures to be followed during this quasi-judicial hearing and asked Council to disclose any bias, ex parte communications, any close familial, business or other associational relationships with an affected person, or have a financial interest in the outcome. Hearing none, the Clerk administered the Oath to Harrison Cole, Chris Sandifer, Jeremy Keeny, Rich Kirkland, Erin Catlett, Joe Linsky and Jeff Triezenberg.

Special Use Permit Modification # SUP-SP-15-05 M23-01, Creech Road Solar

Presenter: Joe Linsky, Planner

Dogwood Creek Land Holdings, LLC is requesting approval of a modification to their original special use permit approval for solar farm use located on a tract of land at 816 Delta Street which may be further

identified as Wake County PIN 1711687465. The modification would reduce the area of the site to which the special use permit would apply.

Mr. Linsky presented the staff report.

Erin Catlett, Attorney for the applicant, shared a presentation of the plans being requested by the developer.

Harrison Cole, of Cypress Creek Renewables, stated that the proposed use will not endanger public health or safety. Any significant adverse impacts resulting from the use will be mitigated or offset including impacts on the natural environment and adequate assurances of continuing maintenance would be provided.

Jeremy Keeny, Licensed Professional Engineer and Land Surveyor, stated that the proposed use is consistent with the Town's adopted transportation plans.

Rich Kirkland, with Kirkland Appraisals, stated that this project will not have any impact on the adjoining property values, that it is compatible with the adjacent area and the proximate neighborhood.

Chris Sandifer, a Licensed Professional Engineer and Licensed Electrical Contractor, stated that there will be a small amount of traffic and that the project is compatible with the neighborhood.

There were no public comments. The applicant's presentation, staff report, and appraisal report were accepted as evidence in the record.

Action: Deny motion to approve modification of special use permit SUP-SP-15-05 M23-01.

Motion: Singleton
Second: Dellinger
Vote: 3:2 (motion passes)

Mayor ProTem Vance and Council Member Matthews voted nay.

FY25 Recommended Budget Public Hearing

Presenter: Sara Warren, Budget Director

Ms. Warren presented a brief recap of the process and citizen comments received to date.

This is the second of two public hearings for the FY25 Recommended Budget. This public hearing provides an opportunity for residents to provide feedback and ideas for the Town's FY25 Recommended Budget. The FY25 Recommended Budget was presented during the May 7, 2024 Council meeting. The first public hearing on the recommended budget was held during the regular Council meeting on April 2, 2024.

Citizens Rex Whaley and Troy Crawford provided their feedback regarding the Town budget.

Action: Hold a public hearing and receive public comment on the FY25 Recommended Budget.

NEW/OLD BUSINESS

Creech Road Transportation Update

Presenter: Leah Harrison, Engineering Director

Ms. Harrison provided an update of Creech Road transportation improvements.

Action: Provide information and presentation to Planning Commission and receive feedback from the Commission.

Motion: Singleton
Second: Vance
Vote: 5:0

COMMITTEE REPORTS

None.

MANAGER REPORTS

- Mr. Hodges provided the May Talk of the Town report.
- Ms. Miller shared that the Boat House will be open Friday, May 24th through Sunday, May 26th from 7:30 a.m. to 5:00 p.m. and Monday, May 27th from 8:30 a.m. to 6:00 p.m.
- The ETJ expansion request has been submitted to Wake County. We have now moved into the public comment and education phase. Information regarding this can be found on the Tows website.

ATTORNEY REPORTS

Ms. Jones introduced the Town's summer Legal Intern, Max Harris. Mr. Harris addressed the Council and gave his background.

COUNCIL REPORTS

Vance

- Thanked staff for preparing the Creech Road transportation report so quickly.

Dellinger

- Asked for a timeline on the completion of the VA Clinic. Mr. Hodges responded that they are targeting the complete construction at the end of the year and open in Spring 2025. Council Member Dellinger asked for a timeline of 540. Council Member Singleton shared that he found out via the radio that they plan to open within 90 days.
- Requested updates on any projects that have been approved and not started within 12 months of approval.

Behringer

- Shared that she and the Mayor attended the ribbon cutting of the next phase of 540. She was excited to see it open.

Singleton

- Thanked Ms. Harrison for the transportation information and thanked Ms. Warren for her work with the budget.

Matthews

shared that Monday is Memorial Day and that there will be a Memorial Day ceremony at Lake Benson Park at 9:00 a.m. Additional information can be found on the Town's website.

CLOSED SESSION

A closed session was requested pursuant to North Carolina General Statute 143-318.11A5 to establish terms of a proposed employment contract 143-318.11A6 to consider conditions of appointment of an employee.

Motion: Vance
Second: Behringer
Vote: 5:0

RETURN TO REGULAR SESSION

Council met in Closed Session to discuss a personnel matter. No action was taken.

ADJOURN: 9:45 p.m.