

**Town of Garner
Town Council Meeting Minutes
June 18, 2019**

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

CALL MEETING TO ORDER/ROLL CALL

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

Staff Present: Rodney Dickerson-Town Manager, John Hodges-Asst. Town Manger-Development Services, Forrest Jones-Public Works Director, Rick Mercier-Communications Manager, Brandon Zuidema-Police Chief, Lori Smith-Police Captain, Chris Johnson-Planning Director, BD Sechler-Human Resources Director, Alice Mahood-Intern, Jeff Triezenberg-Planning Director, and Pam Wortham-Finance Director, William E. Anderson-Town Attorney, Stella Gibson-Town Clerk

PLEDGE OF ALLEGIANCE: Council Member Gra Singleton

INVOCATION: Council Member Gra Singleton

PETITIONS AND COMMENTS

Chris McGinnis addressed Council regarding pending litigation at 4408 Jessup Drive.

ADOPTION OF AGENDA

Request to add closed sessions for litigation, real estate acquisition and personnel matters.
Request to add an item under Old/New Business to appoint acting finance director.

Motion: Marshburn
Second: Behringer
Vote: 5:0

PRESENTATIONS

CONSENT

Stop Condition Ordinance within McCuller's Walk Townhomes

Presenter; Chris Johnson, Town Engineer

Request to amend Town Code of Ordinances to include two stop conditions for Amber Acorn Avenue and Misty Pike Drive within the McCuller's Walk Townhomes.

Action: Consider adopting Ordinance (2019) 3978

Ordinance Amending Recreation Center Capital Project Ordinance

Presenter: Pam Wortham, Finance Director

Request to establish a budget for a grant that was appropriated to the Town by the General Assembly from DNCR in the amount of \$50,000. We are also requesting to budget interest earnings from the investment of bond proceeds and decrease the budget for the CDBG grant. This amendment will utilize the contingency dollars that were set aside at the beginning of the Rec Center project and establishes the budget for the underground power portion of the project, which are being transferred from the Street and Sidewalk Bonds.

Action: Consider adopting Ordinance (2019) 3979

Ordinance Amending FY 2018/2019 Operating Budget (Stormwater Repair)

Presenter: Pam Wortham, Finance Director

There is a partial stormwater pipe collapse on Lakeside Drive. This qualifies for Powell Bill funds, and we propose to utilize Powell Bill restricted fund balance to make this repair.

Action: Consider adopting Ordinance (2019) 3980

Ordinance Amending the White Oak Creek Sewer Outfall Project

Presenter: Pam Wortham, Finance Director

This amendment is to budget for the contract with North State Water & Sewer as approved by Town Council at the May 6, 2019 meeting. Construction costs will be budgeted at \$597,536 and a contingency of \$29,877. We propose to utilize a portion of the remaining Acreage fees (\$313,913) and a reimbursement from the City of Raleigh's sewer oversizing policy, estimated to be \$313,500.

Action: Consider adopting Ordinance (2019) 3981

Easements for Timber Drive Sidewalk Project

Presenter: William E. Anderson, Town Attorney

This Resolution of Intent is to acquire rights-of-way and easements needed for construction of sidewalks on Timber Drive, by negotiated purchase if possible or by eminent domain if necessary.

Action: Consider adopting Resolution (2019) 2379

Motion: Marshburn
Second: Behringer
Vote: 5:0

PUBLIC HEARINGS

NEW/OLD BUSINESS

Ordinance Adopting the FY2019/2020 Budget and Supporting Documents

Presenter: Mike Franks, Budget & Special Projects Manager

Review of proposed changes to the FY 2019/2020 Recommended Budget as well as review of the FY 2019/2020 Fee Schedule and Position Classification Plan as these will be approved as part of the budget. The Fee Schedule includes only formatting changes. The Position Classification Plan incorporates the recommended changes associated with the results of the Pay and Class studies in Police, Parks and Fire Departments. This budget also includes a tax rate increase of 2.75-cents.

Action: Consider adopting Ordinance (2019) 3982

Motion: Marshburn
Second: Kennedy
Vote: 4:1

Council Member Singleton voted nay.

Council Member Singleton stated he was opposed to the tax rate increase because he felt taxes were increased last year by adding the \$15 vehicle tax, which was dedicated to roadways and sidewalks throughout the Town. He added, this tax was a big impact last year.

Appointment of Interim Finance Director

Presenter: Rodney Dickerson, Town Manager

Mr. Dickerson advised Pam Wortham, Finance Director, will be retiring effective June 28. State Statutes require Town's to have a Finance Director at all times. A new Finance Director has been hired and is scheduled to start July 10. This request is to appoint Mike Franks as Interim Finance Director from June 28 through July 9.

Motion: Kennedy
Second: Marshburn
Vote: 5:0

COMMITTEE REPORTS

Mayor ProTem reported the Human Resources Committee conducted interviews to fill vacant positions on various boards and committees. Recommendations will be brought forth at the June 28 Work Session.

MANAGER REPORTS

- garner info
- Finance Report
- Building & Permit Report
- July 3rd Logistics

ATTORNEY REPORTS

COUNCIL REPORTS

Kennedy

- Requested to place discussion of an RFP for master planning at the Yeargan property on the July work session agenda. This was not included in the scope of the current planning.
- Asked if a Public Works Committee meeting was needed to discuss contract requirement terms and conditions or if discussion could be placed directly on an agenda.
- Confirmed additional change orders are forthcoming for the Rec Center project.

Singleton

- Clarified the Pine Ridge Apartment complex received Wake County affordable housing funding; this project is not subsidized, but is income based.

Marshburn

- Asked staff to contact the individuals who requested the Town recognize Council Member Jackie Johns, who passed away earlier this year, to see if they were still interested. If not, he requested Council address a tangible way to recognize Mr. Johns.

Behringer

- Asked for an update on moving the Depot. Mr. Dickerson advised he has been meeting with the Garner Area Historical Society and they are in the process of obtaining a site plan which should be complete within the next two weeks. Once complete, the site plan, a cost estimate, and a sample MOU will be presented to Council. If possible, this will be placed on the July 16 council meeting agenda.
- Asked if information had been received from NC DOT regarding the Don Rohrbaugh bridge. Staff advised DOT is aware of the problem with compaction of material under part of the structure and are developing scenarios of how to repair.
- Recognized Dean Locklear, a rising senior at Wake Christian Academy, who has an interest in government.

Vance

- Asked when the roadwork at US70 & Montague would begin? Mr. Johnson advised it would be the July/August time frame. Work will begin at Montague & Purvis in late June/July.
- Hwy 50 bridge replacement update – currently in the process of right-of-way acquisition. Goal is to put out for construction bids in the summer.

Mayor ProTem Marshburn, Council Members Kennedy and Singleton commended the Public Works Department for trimming the hedges at the Yeargan property site.

CLOSED SESSIONS

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.”

Pursuant to N.C. General Statutes Section 143-318-11(a)(5)) “to discuss possible real estate acquisition and the Town’s negotiating position regarding such real estate.”

Pursuant to N.C. General Statutes Section 143-318.11(a)(3) “to consult with the Town Attorney regarding litigation.”

Motion: Marshburn
Second: Kennedy
Vote: 5:0

RETURN TO REGULAR SESSION: 9:03 p.m.

Council Member Singleton reported no action was taken during the closed sessions.

ADJOURNMENT: 9:56 p.m.

Motion: Singleton
Second: Marshburn
Vote: 5:0