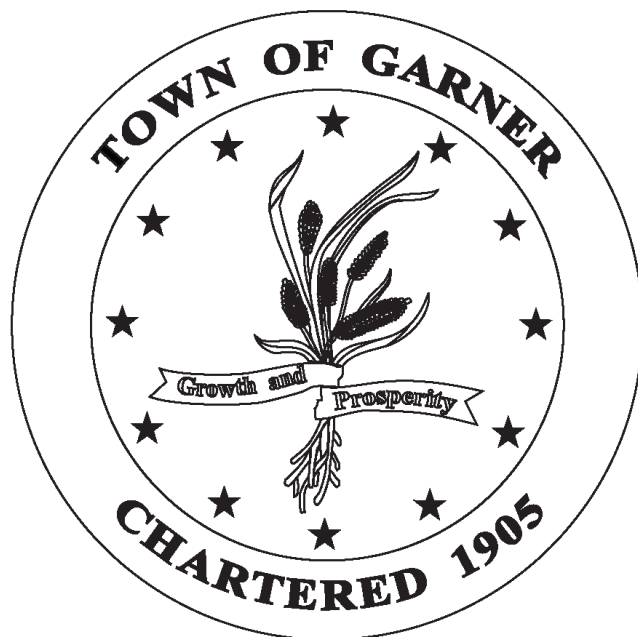


Town of Garner



Town Council Meeting
July 26, 2022

Garner Town Hall
900 7th Avenue
Garner, NC 27529

**Town of Garner
Work Session Meeting Agenda
July 26, 2022**

The Council will meet in a Work Session at 6:00 p.m. in the Ronnie S. Williams Council Chambers located at 900 7th Avenue.

A. CALL MEETING TO ORDER/ROLL CALL: Mayor Ken Marshburn

B. ADOPTION OF AGENDA

C. DISCUSSION/REPORTS

1. 2021 Parks Bond Update.....Page 3
Presenter: Maria Munoz-Blanco, PRCR Director

To provide an update on the 2021 Parks Bond projects and obtain Town Council direction for next steps of implementation.

Action: Receive as information and provide direction to staff for next steps

2. Proposed Extension of Solid Waste Contract with
All Star Waste Services 2022.....Page 29
Presenter: Forrest Jones, Public Works Director

All Star Waste Services currently provides solid waste collection and disposal services for the Town and has proposed extending the contract for an additional five years. Town staff recommends extending the contract due to uncertainty in the current market, and the vendor has provided excellent service during the current contract period.

Action: Consider approving a five-year contract extension with All Star Waste Services, LLC to provide solid waste services.

3. Appointments and Liaison Policy.....Page 40
Presenter: Terri Jones, Town Attorney

The Parks, Recreation and Cultural Resources Advisory Committee has recommended certain amendments to the Town's Parks and Recreation Ordinance, Chapter 12 of the Town Code of Ordinances. This has prompted a review of the role that the Mayor and Town Council should hold with respect to appointments to boards, commissions, and advisory committees.

Action: Provide direction to staff regarding the Chapter 12 amendments and the proposed Liaison Policy

- 4. Street Stub Completion Policy.....Page 48
Presenter: Jeff Triezenberg, Planning Director

Consideration for possible adoption of an official policy for objective circumstances under which a public street stub connection shall NOT be completed within the Town of Garner’s jurisdiction and when alternative connections shall be made. This policy would establish standards which apply to all development and redevelopment within the Town and its extra-territorial jurisdiction (ETJ). Policy is inclusive of purpose, need, standards and exemptions.

Action: Consider placing on next agenda as a Consent item to adopt the draft Street Stub Completion Policy.

- D. MANAGER REPORTS
 - 1. Pending Agenda Report

- E. COUNCIL REPORTS

- F. CLOSED SESSION

- G. ADJOURN

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: January 25, 2022		
Subject: 2021 Parks Bond Update		
Location on Agenda: Discussion/Reports		
Department: Parks, Recreation & Cultural Resources		
Contact: Maria Munoz-Blanco, PRCR Director		
Presenter: Maria Munoz-Blanco, PRCR Director		
Brief Summary: To provide an update on the 2021 Parks Bond projects and obtain Town Council direction for next steps of implementation.		
Recommended Motion and/or Requested Action: Receive as information and provide direction to staff for next steps		
Detailed Notes: Garner voters approved in November 2021 a bond proposition dedicating \$35.5 million to the development of new parks and rehabilitation of existing parks. This presentation provides information on the status of the new projects (Yeargan and Meadowbrook Parks) and staff recommendation for rehabilitation projects. Through this presentation, staff seeks to obtain Town Council direction for next steps of implementation of these projects.		
Funding Source: N/A		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations: 		
Attachments Yes: <input type="radio"/> No: <input checked="" type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	MMB	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

2021 Parks Bond Update

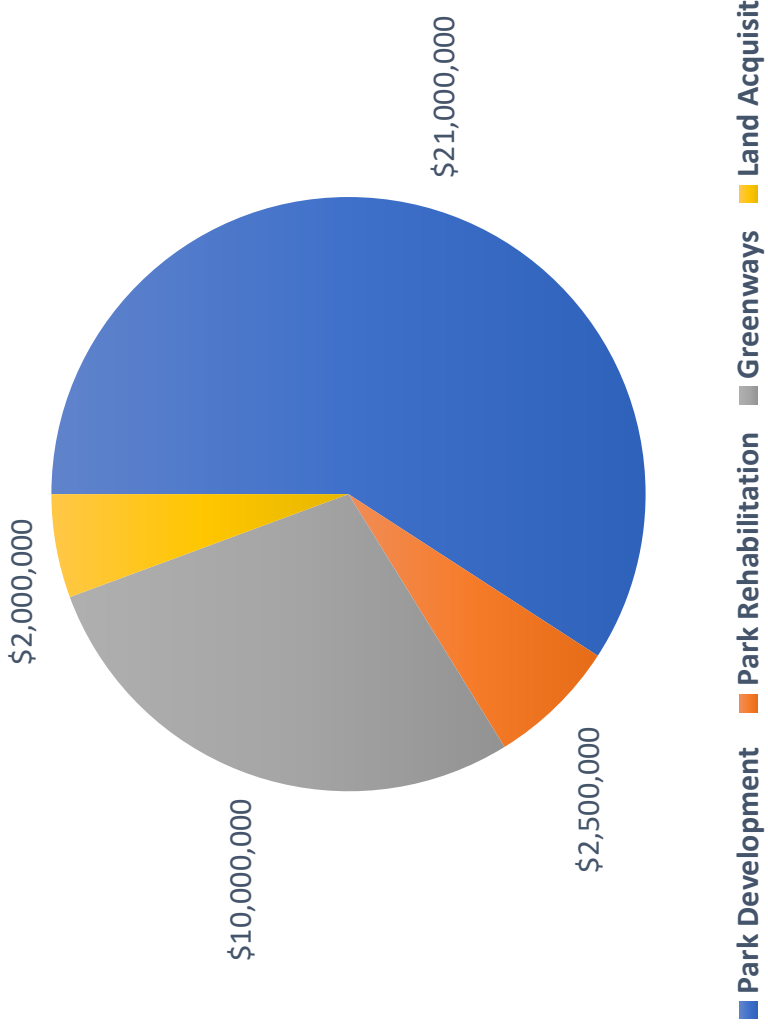
July 26, 2022

Purpose of the Presentation

- Brief Town Council on status and potential next steps for implementation of 2021 Parks Bond Projects
- Obtain Town Council direction on:
 - Potential use of Construction Manager at Risk (CMAR) approach for Yeargan Park
 - Location, budget, and approach for Park Rehabilitation projects

2021 Parks Bond - \$35.5 million

*Parks & Recreational
Projects Bond Question
approved by
75.17% margin
in November 2021*



New Parks: Completed to Date

Yeargan Park

- ✓ Master Plan adopted by Town Council in May 2021
- ✓ Phasing decision adopted by Town Council in January 2022
- ✓ Completion of 30% construction documents
- ✓ PARTF grant application submitted April 2022

Meadowbrook Park

- ✓ Master Plan adopted by Town Council in May 2021
- ✓ Phasing decision adopted by Town Council in January 2022
- ✓ Completion of 30% construction documents in Spring 2022
- ✓ Additional geotechnical study conducted in Spring 2022

New Parks: Cost Estimates

Yeargan Park

Cost estimate

- Full development - \$30,143,481
- Phase 1 development - \$17,297,802
- Potential savings from internal park road and new alternative sewer connection
- Escalating construction costs may negate savings

Meadowbrook Park

Cost estimate

- Full development – \$20,227,285
- Phase 1 development - \$7,131,343
- Pending results of additional geotechnical study

Construction Manager At Risk (CMAR)

- CMAR services are procured by RFQ
- After selection, the Town and the selected firm negotiate a contract for fair and reasonable fee
- The CMAR becomes be an integral member of the project team along with the architect/design team and Town staff

Pre-Construction	Construction
<ul style="list-style-type: none">• Integrate design with construction• Determine Guaranteed Maximum Price (GMP)	<ul style="list-style-type: none">• Implement GMP• Select trades competitively

New Parks: Next Steps

Yeargan Park

1. Obtain Town Council direction regarding the selection of a Construction Manager At Risk (CMAR) for the project
2. August agenda item for Town Council approval of contract 100% construction documents
3. If pursuing CMAR option, issue RFQ and plan future agenda item for Town Council contract approval

Meadowbrook Park

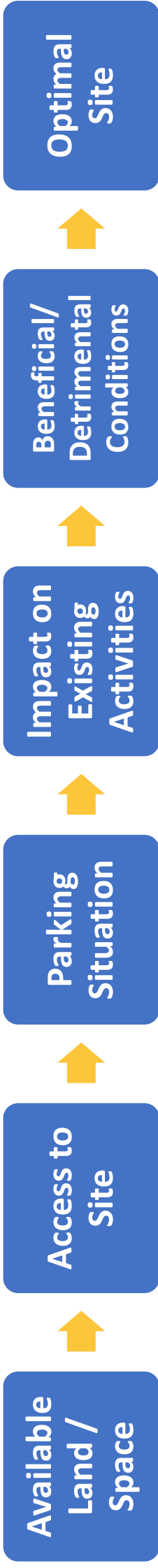
1. Complete review of additional geotechnical study
2. Pending above, obtain Town Council direction on the preferred recommendation of the geotechnical study
3. Pending above, plan for Fall 2022 agenda item for Town Council approval of contract 100% construction documents

Rehabilitation of Existing Parks

- Priorities identified by Council:
 - Inclusive playground
 - Splashpad / sprayground
 - Repairs
 - Tennis courts (Creech and South Garner)
 - Staff has identified Centennial Park as priority repair

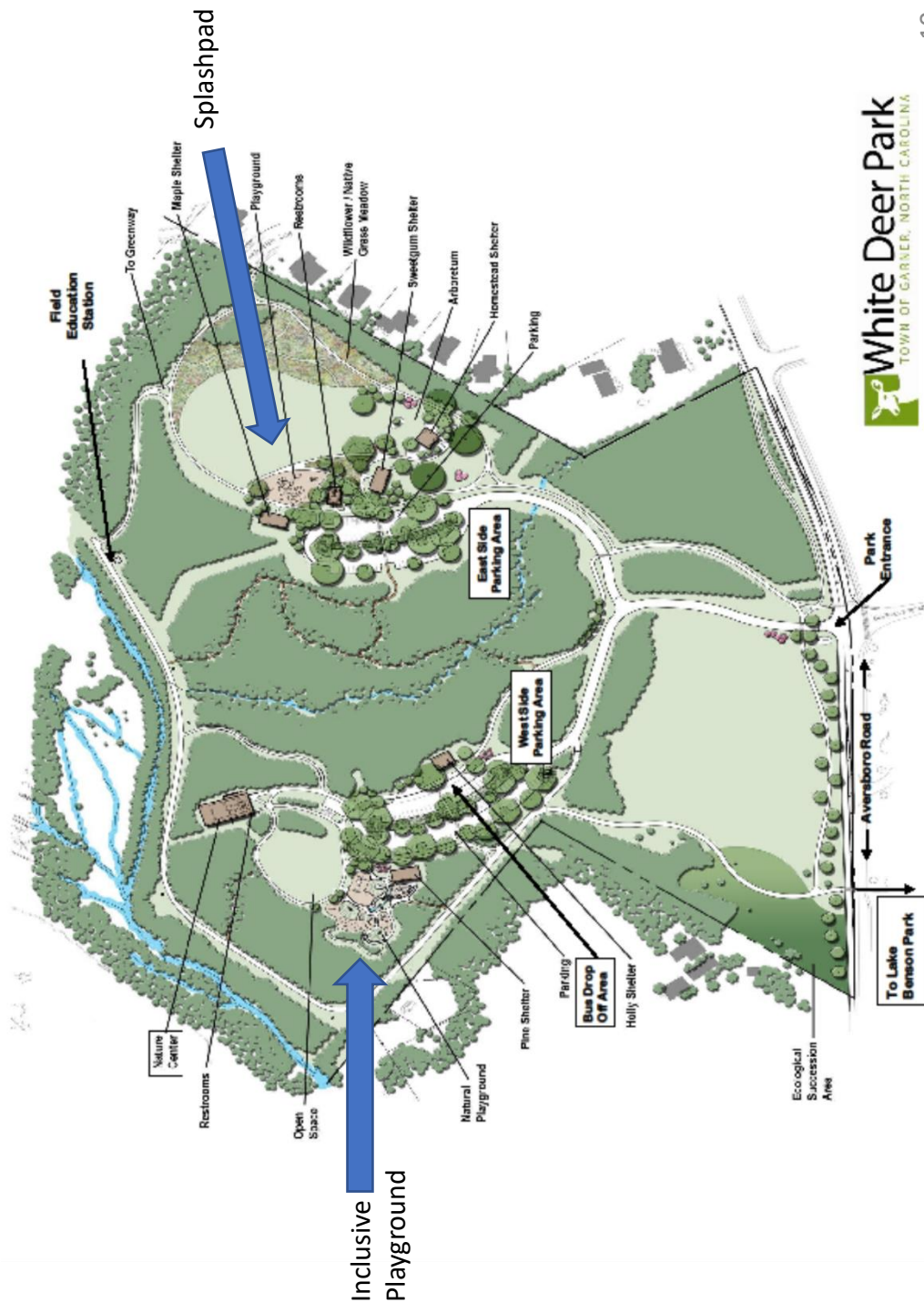
Inclusive Playground & Splashpad

- PRCR staff reviewed existing parks to identify optimal location for an inclusive playground and splashpad



White Deer Park Location

- Staff Recommendation:
- Inclusive playground on the West Side
 - Splashpad on the East Side



White Deer Park Location

Inclusive Playground

- Available land: Area where the Nature Playground was originally installed
- Access to the site: off Aversboro Road
- Parking: 72 spaces
- Other conditions:
 - Replaces deteriorated playground
 - Picnic shelter in close proximity
 - Adjacent to newly-installed Sensory Garden
 - Best location for calm areas to serve neurodiverse children

Splashpad

- Available land: Open lawn on east side of the park
- Access to the site: off Aversboro Road
- Parking: 80 spaces
- Other conditions:
 - Adjacent to restroom building
 - Picnic shelter and existing playground in close proximity
 - Greenway access through Timber Drive trailhead (as well as White Deer)
 - Location on the east side will limit parking competition

Splashpad Style Option A



Images: Park equipment from Gametime.com and PlaySL.com



Option B



Inclusive Playground



Images: Park equipment from Gametime.com and PlayLSI.com



Inclusive Playground & Splashpad

Next Steps

1. Obtain Town Council direction for location of inclusive playground and splashpad
2. Obtain Town Council direction for general design of splashpad
3. Plan for an August agenda item for Town Council approval of contract with design firm(s) to begin design process for these two projects
4. Future agenda item to revise White Deer Park Master Plan

Rehabilitation of Existing Parks

Centennial Park

- Playground in deteriorated conditions
- There is no sidewalk or easy access from the paved parking area off Bellarose Lake Way (adjacent to picnic shelter)



Rehabilitation of Existing Parks

Next Steps

1. Obtain Town Council direction for selecting Centennial Park for rehabilitation
2. Pending above, future agenda item for Town Council approval of contract with design consultant to begin design process

Greenways: South Garner Greenway Ext.

Completed to Date

- South Garner Greenway extension identified as priority for the 2021 Park Bond
 - ✓ Feasibility Study completed in 2019
 - ✓ McAdams contracted in June 2022 to revise and update Buffaloe Road alignment as the preferred option

Next Steps

1. Brief Town Council on report of Buffaloe Road alignment (Fall 2022)
2. Pending above, plan for agenda item for Town Council approval with design consultant

2021 Bond Parks Spending

PARKS & RECREATION	\$ 35,500,000
Committed - In Construction or Design	
Meadowbrook Phase 1 - Design	\$ 412,990
Meadowbrook Phase 1 - Construction	\$ 7,131,343
Yeargan Phase 1 - Design	\$ 699,740
Yeargan Phase 1 - Construction	\$ 17,297,802
South Garner Greenway	\$ 7,952,127
Tennis Courts - SGP, Creech	\$ 350,000
Centennial - Playground & ADA	\$ 400,000
Inclusive Playground	\$ 1,000,000
Sprayground/Splashpad	\$ 500,000
Other Park Rehabilitation	\$ 250,000

Garner Recreation Center

- Playground was not included in the master plan for the “Indoor Recreation Center”
- Staff has identified a playground as a highly desired amenity for camps and for families visiting GRC for league play and tournaments
- Preliminary estimates obtained by staff indicate a cost of \$400,000-450,000



Garner Recreation Center

Proposed Approach

- Staff would like Council support to revise the GRC Master Plan to be eligible for grants for this project
 - GameTime Healthy Play Initiative for National Demonstration Site – 08/05/2022 deadline
 - PARTF Accessibility for Parks – 11/01/2022 deadline

Next Steps

1. Obtain Council direction to pursue grant-funded playground at the Garner Rec Center multi-purpose field
2. Pending above, agenda item for Town Council to approve revision to “Indoor Recreation Center Master Plan” for eligibility for PARTF-AFP grant
3. Pending above, agenda item for Town Council to authorize application to PARTF-AFP grant (5:1 match)

Council Direction

- Use of CMAR Option for Yeargan Park
- Inclusive playground and splashpad
 - Location at White Deer Park
 - General style for splashpad
- Centennial playground and ADA access for rehabilitation project
- Planning / study and grant submittals for Garner Recreation Center playground

Appendices

Estimated Timeline

Preliminary &
Subject to Change

Inclusive Playground

Approval of Design Consultant Contract	August 2022
Notice to Proceed	September 2022
Design & Approval Process (est. 10 months)	September 2022-June 2023
Construction Bids	July/August 2023
Award of Bids	August/September 2023
Construction Process (est. 10 months)	October 2023-July 2024

Estimated Timeline

Preliminary &
Subject to Change

Yeargan Park

Task	Estimated Completion
Approval of Design Consultant Contract	August 2022
Notice to Proceed	September 2022
Project Initiation	October 2022
70% Construction Documents	December 2022
TRC Review / 90% Construction Documents	March 2023
100% Construction Documents	June 2023
Receive Bids	July/August 2023
Approval of Construction Contract	August/September 2023
Construction (est. 12 months)	October 2023-September 2024

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: July 26, 2022 <input type="button" value="v"/>		
Subject: Proposed Renewal of Solid Waste Contract		
Location on Agenda: Discussion/Reports		
Department: Public Works		
Contact: Forrest Jones, Public Works Director		
Presenter: Forrest Jones, Public Works Director		
Brief Summary: The Town's contract with its current vendor to provide solid waste services ends in fall 2022. Public Works staff proposes to renew the contract with the current vendor due to uncertainty in the current market and the excellent service provided by the vendor during the contract period.		
Recommended Motion and/or Requested Action: Provide direction to staff on renewing the solid waste services contract with the Town's current vendor.		
Detailed Notes: See attached presentation		
Funding Source: Funding for the solid waste services contract is included in Public Work's FY22/23 operating budget.		
Cost:	One Time: <input type="radio"/>	Annual: <input checked="" type="radio"/> No Cost: <input type="radio"/>
Manager's Comments and Recommendations: All Star Waste Services, the Town's current solid waste services provider, has provided excellent service delivery over the years with minimal complaints and disruptions. Town Council can renew the service contract with All Star Waste Services at its discretion.		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:		
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		



WASTE SERVICES LLC

Town of Garner Quotation **2022** **8%**

	<u>Garbage</u>	<u>Recycle</u>	<u>Yard Waste</u>	<u>Total</u>	Annual per	AVG Annual Wake County
2021-22	9.75	2.28	5.54	\$ 17.57	\$210.84	251.38

NEW 2022-2023 \$ 10.53 \$ 2.46 \$ 5.98 \$ 18.98

6 mo CPI 12% **Discount 8%** 0.08

Landfill + \$5 per ton 0.33 July 1st 2022
Fuel Q1 \$1.25 0.38 3750

Rate	\$ (0.78)	\$ (0.18)	\$ (0.44)
Containers	10355	10419	10294
Monthly Savings	-8076.90	-1900.43	-4562.30
			-14539.63

<u>other Rates</u>	Now	New 2022
2nd Can	\$10.12	\$11.00
office Recycle	\$122.59	\$130.00
Bulky Waste	\$41.57	\$44.00
Plus 6 yards	\$18.12	\$20.00

TOWN OF GARNER

PROPOSED SOLID WASTE CONTRACT RENEWAL

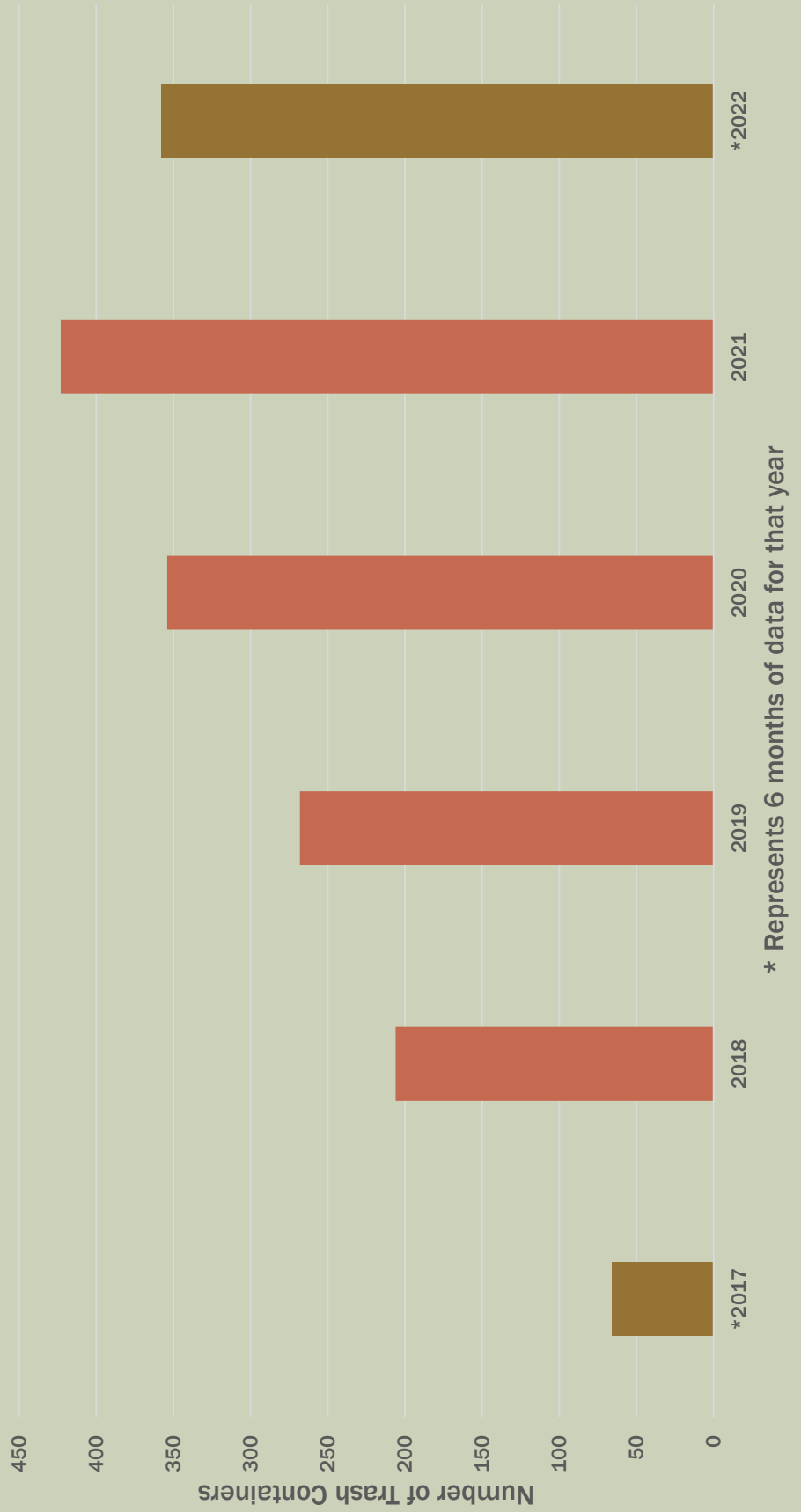
JULY 26, 2022

GARNER SERVICE DATA

- The Town currently has **11** different trash routes.
- We are currently serving **10,571** homes for weekly trash and yard waste and bi-weekly recycling collection.
- There are **183** additional residential trash rollouts and **495** additional residential recycle rollouts.
- On average we schedule **11** bulk items a month using our special collection.

NEW SET-UPS 2017-2022

New Set-Up a Year



TIMELINE

- **Initial Contract with All Star**
 - October 2009 - 2012
- **First Renewal**
 - October 2012 - 2017
- **Second Renewal**
 - October 2017 - 2022
- **Proposed Renewal**
 - October 2022 - 2027

PRICING

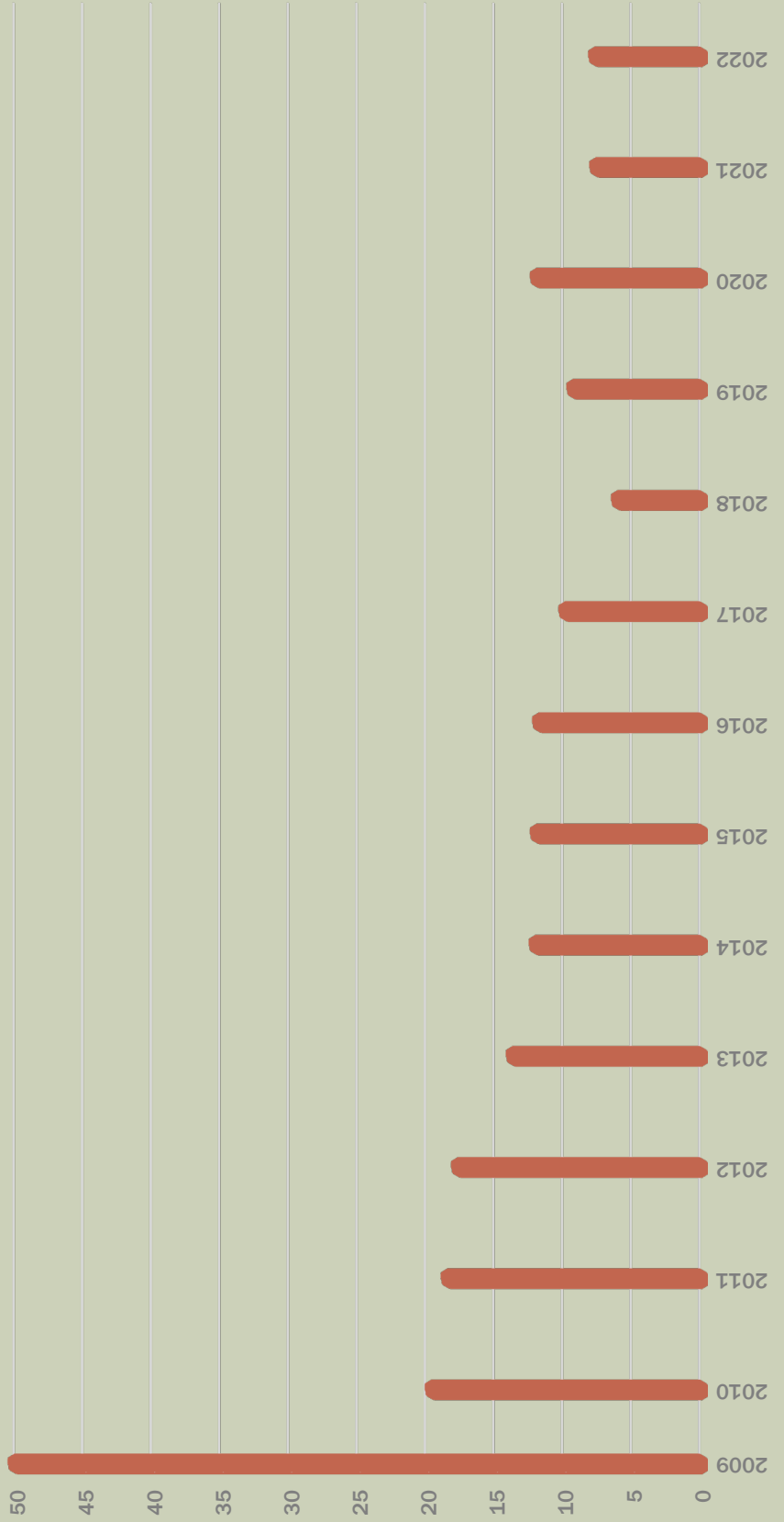
	CURRENT UNIT PRICE	PROPOSED UNIT PRICE
Residential Garbage	\$9.75	*\$10.34
Yard Waste	\$5.54	\$5.69
Residential Garbage (2 nd Unit)	\$10.12	\$10.39
Residential Recycling	\$2.28	\$2.34
Office Paper Recycling	\$122.59	\$125.90
Trash (> 6 yards)	\$41.57	\$42.69
Yard Waste (> 6 yards)	\$18.12	\$18.61
Bulky Waste (> 60 lbs.)	\$41.57	\$42.69

PRICING EXPLAINED

- **Consumer Price Index (CPI) actual increase for this year 2.7%**
- **Wake County Landfill tipping fee increase of \$5 per ton effective July 1, 2022. Based on our tonnage this represents approximately \$0.33 per household. This increase has been applied only to Residential Garbage pricing.**
- **Temporary Diesel Fuel surcharge above Base of \$3.40/gallon**

PERFORMANCE

Monthly Average of Missed Pick-Ups



REASONS TO RENEW CONTRACT

- **Continuity of service in current volatile market**
- **Proposed rates are comparable to or below neighboring jurisdictions**
- **High level of service = fewer complaints**
- **Renewal aligns with Town Policy and past practice**

RECOMMENDATION & NEXT STEPS

- **Move forward with renewal of five-year contract extension with All Star Waste Services, LLC to provide solid waste services.**
- **Final contract will come back to Council for approval in August/September 2022**
- **Alternative to renewing is seeking bids for contract service; 2-3 month to complete with up to a year transition phase for possible new service provider**

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: July 26, 2022 <input type="button" value="v"/>		
Subject: Appointments and Liaison Policy		
Location on Agenda: Discussion/Reports		
Department: Legal		
Contact: Terri Jones, Town Attorney		
Presenter: Terri Jones, Town Attorney		
Brief Summary: The Parks, Recreation and Cultural Resources Advisory Committee has recommended certain amendments to the Town's Parks and Recreation Ordinance, Chapter 12 of the Town Code of Ordinances. This has prompted a review of the role that the Mayor and Town Council should hold with respect to appointments to boards, commissions, and advisory committees.		
Recommended Motion and/or Requested Action: Provide direction to staff regarding the Chapter 12 amendments and the proposed Liaison Policy		
Detailed Notes: Town Council members and the Mayor may hold one elective office and one appointed office under State law, unless the appointment is an ex officio appointment. Section 21 of the Town of Garner Meeting Rules and Procedures governs how Town Council makes appointments to other bodies, including its own committees. For some time, the Mayor has been selecting the Council members who serve as liaisons to various boards, commissions, and committees. A policy is proposed to clarify this process.		
Funding Source: N/A		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager's Comments and Recommendations: 		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:		
Finance Director:		
Town Attorney:	TJ	
Town Manager:	RD	
Town Clerk:		



MEMORANDUM

TO: Mayor and Town Council
FROM: Terri Jones, Town Attorney
DATE: July 21, 2022
SUBJECT: Appointments and Liaison Policy

Pursuant to NCGS 160A-146, Town Council may create, change, abolish, or consolidate offices, positions, departments, boards, commissions, and agencies of the Town. Town Council has considerable latitude in determining appointments. Pursuant to NCGS 160A-146, “the council may create, change, abolish, and consolidate offices, positions, departments, boards, commissions, and agencies of the city government and generally organize and reorganize the city government in order to promote orderly and efficient administration of city affairs, subject to the following limitations:

- (1) The council may not abolish any office, position, department, board, commission, or agency established and required by law;
- (2) The council may not combine offices or confer certain duties on the same officer when such action is specifically forbidden by law;
- (3) The council may not discontinue or assign elsewhere any functions or duties assigned by law to a particular office, position, department, or agency.”

Pursuant to NCGS 160A-60, the Town Council has the authority to fix qualifications for appointive offices, but shall not have authority to waive qualifications for appointments if those qualifications are set in the Town Charter or State law. Residency within the Town limits is not required unless the Town Charter or an ordinance provides otherwise.

The Town of Garner Meeting Rules and Procedures, adopted September 7, 2010, and amended on September 22, 2015, governs appointments to other bodies and offices (see the attached excerpt for the full text). While traditionally the Mayor has selected the Town Councilmembers who will serve as liaisons for Town boards, commissions, and committees, this authority is not specifically provided in State law, the Town Charter, or the Town Code of Ordinances. In order to clarify the Mayor’s authority to designate liaisons to boards and committees, a proposed policy is included for your consideration.

State law allows local government elected officials to hold one other appointed office (NCGS Section 128-1.1). There is an exception to the dual office holding role if the appointed office is ex officio. Pursuant to NCGS 128-1.2, unless the appointment provides otherwise, whenever Town Council appoints a Councilmember to another board or commission, the individual

appointed is considered to be serving the other board or commission as a part of the individual's duties of office as the Mayor or a Councilmember. This type of ex officio appointment is not considered to be a separate office in violation of the dual office holding rule.

Pursuant to Robert's Rules of Order, the rights of an ex officio member are the same as other members unless otherwise stated in the bylaws or regulations of the body. Generally, the term of an ex officio member is concurrent with the term of an elected official. It is a common misconception that an ex officio member is a non-voting member.

There may be entities for which it would be beneficial for one or more Councilmembers to have full membership rights, including the right to vote, in order to protect the Town's interests. This may be especially important when the Town has created the nonprofit and contributes significant funding or delegates authority to that entity. There are other entities, like Planning Commission, where independence is required or others, such as advisory committees, where independence is preferred. For these types of entities, a liaison role would be appropriate. A summary chart of current Councilmember appointments is attached. The recent Transparency Act restricts Councilmembers from voting on contracts or appropriations to nonprofits, if a Councilmember serves as an officer or director of the nonprofit, with the exception of nonprofits created by a State or local government.

The Town's website lists the following boards, committees, and commissions: Board of Adjustment, Planning Commission, Parks, Recreation and Cultural Resources Committee, Senior Citizen's Advisory Committee, Veterans Advisory Committee, Downtown Garner Association, and Library Commission (Wake County). The Town Council also appoints members and a Council liaison to the Garner Fire-Rescue Board. Town Council no longer appoints the officers or directors of the Garner Economic Development Corporation (GEDC); however, Mayor Pro Tem Vance is currently a member of the board.

The Board of Adjustment and Planning Commission are proscribed by State law in Chapter 160D. Town Council must adopt an ordinance for the appointment of the Board of Adjustment with at least five members each appointed for three-year terms. The Board of Adjustment may have alternate members. This ordinance is found in UDO § 3.4. While there is no restriction on whether a Council member may be appointed to the Board of Adjustment, it is unusual for a Town Council member to be appointed to serve on a Board of Adjustment. Town Council must adopt an ordinance for the appointment of the Planning Commission with at least three members. This ordinance is found in UDO § 3.3. State law, NCGS § 160D-301 dictates what duties may be assigned to the Planning Commission. While there is no restriction on whether a Council member may be appointed to the Planning Commission, given that the Planning Commission is required by State law to provide a recommendation to Town Council on the comprehensive plan and all zoning text and map amendments, it would be unusual for a Town Council member to be appointed to serve on the Planning Commission. For both the Board of Adjustment and Planning Commission, some of the members must be residents of the ETJ and those members are appointed by the Board of County Commissioners.

Neither the Senior Citizen's Advisory Committee or the Veterans Advisory Committee were created by State law or Town Ordinance. It is my understanding the assigned Council member serves as a liaison rather than a member of either committee.

The Downtown Garner Association (DGA) was initially created by the Town and the initial members were appointed by the Town of Garner Board of Alderman. According to the current bylaws, the Town Council no longer has a role in appointments to the board of directors; however, currently Councilmembers Behringer and Dellinger serve as regular members of the board.

The Parks, Recreation and Cultural Resources Advisory Committee was created by ordinance found at Chapter 12 of the Town's Code of Ordinances. The Committee consists of 9 citizens of the town appointed by Town Council for three year terms. According to the current ordinance language, the Town Council:

"may designate one (1) of its own members to serve as a regular member of the committee or as an ex officio member in addition to his other duties. Such member shall serve on the committee for the duration of his term as council member and, whether regular or ex officio, shall have the same rights, duties and responsibilities as any other member of the committee."

The existing language is confusing as to the role of a Councilmember on the Committee and may not conform to the current expectations and process. The PRCR Advisory Committee has recommended amendments to Chapter 12. One of the amendments covers the appointment of members of the Committee. The proposed amendment to Section 12-26(c) would read:

The town may designate one (1) of its own members to serve as a regular member of the committee in addition to their other duties. Such member shall serve on the committee as appointed by the town, and shall have the same rights, duties and responsibilities as any other member of the committee.

Changing the language to the "town" makes it less clear with regards to who has the authority to appoint or select the Town Councilmember and making the member a regular rather than an ex officio member may result in a potential violation of the dual office rule. While Council could appoint a Councilmember to serve as a regular member of the PRCR Advisory Committee, the term would be the regular three-year term from appointment and would not automatically expire when the Councilmember resigns from office or is not re-elected to office. Appointment as a regular member could violate the dual office holding rule if that individual holds another appointed position. A liaison is not a member of a board or commission and has no right to vote nor any established right to participate in meetings. The liaison role would not violate the dual office holding rule.

With respect to the proposed PRCR amendment, if the Town Council wants to have a Councilmember serve only as a liaison, then I would recommend deleting Section 12-26(c) in its entirety.

I would recommend the following language if Town Council wanted the option of having a Councilmember serve as a member of the PRCR Committee:

The town council may designate one (1) of its own members to serve as an ex officio member in addition to his or her other duties. Such member shall serve on the committee for the duration of his or her term as council member and shall have the same rights, duties, and responsibilities as any other member of the committee.

Attachments: Chart of Appointments

Excerpt of Town of Garner Meeting Rules and Procedures

Proposed Liaison Policy

CHART OF CURRENT COUNCIL MEMBER APPOINTMENTS

Board or Commission	Member/Liaison Role Appointed By:	Appointment	Legal Authority
Law and Finance Committee	Member Mayor	Matthews Behringer	
Public Works Committee	Member Mayor	Singleton Vance	
Human Resources Committee *Nominations Committee	Member Mayor	Dellinger Vance	Rules § 21
Planning Commission	Liaison Mayor	Singleton	GS § 160D-301 UDO § 3.3
Board of Adjustment	Liaison Mayor	Matthews	GS § 160D-302 UDO § 3.4
PRCR Advisory Board	Liaison/Member Mayor/Council	Dellinger	GS § 160A-146 Code § 12-26
Senior Citizens Advisory Committee	Liaison Mayor	Singleton	
Garner Volunteer Fire Rescue Board	Liaison Mayor	Behringer	
Veterans Advisory Committee	Liaison Mayor	Matthews	

EXCERPT OF TOWN OF GARNER MEETING RULES AND PROCEDURES

21. Appointments

The Council may consider and make appointments to other bodies, including its own committees, if any, only in open session. The Council may not consider or fill a vacancy among its own membership except in open session. The Mayor shall not have a right to vote on appointments that come before the Council except in the event of a tie on a motion to appoint.

The Council shall use the following procedure to make appointments to various other boards and offices: The Town Clerk shall cause a public advertisement of committee and board vacancies on an annual basis and shall at any time receive applications from individuals interested in serving. When positions are scheduled for appointment a nominations committee shall be formed of two members of the Council. The nominations committee may seek advice from staff in the appropriate department regarding qualifications of an applicant. The nominations committee of the Council shall review applications, seek interested and qualified candidates, make a report on nominations received and reviewed, and make its recommendations for appointment(s), if any. The nominating committee may submit a slate containing as many nominees as there are vacancies to be filled on a particular board. Each Council member then votes for or against the slate as presented.

22. Committees and Boards

The Council or the Mayor, as appropriate, may establish and appoint members for such temporary and standing committees and boards as are needed to help carry on the work of Town government. Any specific provisions of law relating to particular committees or boards shall be followed.

The requirements of the Open Meetings Law shall apply to all committees and boards that either (a) are established by the County, or (b) are comprised of Council members.

PROPOSED LIAISON POLICY

The Mayor may assign the Mayor or one or more Councilmembers to serve as liaison to any Town board or committee or any external organization, board, or committee as requested, including State, County, and regional bodies.

The Mayor shall make the liaison assignments during the organizational meeting of the Council or at such later time as required by resignation of Councilmembers or requests by external organizations.

The term of the liaison assignment will be from the date of the assignment until the next organizational meeting.

The duty of the liaison shall be to attend the assigned board or committee meetings and to report back to the full Council. The role of the liaison is to be a representative of the Town and a point of contact for the committee or organization and the public with respect to the purposes and actions of the board or committee.

The liaison is not a member of the board or committee and shall have no voting rights, but shall serve in an ex officio capacity.

If an external organization, board, or committee requests that the liaison serves as a member of the board or committee, then Town Council shall appoint the Mayor or a Councilmember as an ex officio member of the board or committee in accordance with the Appointments rules and procedures.

In order to confirm that Town elected officials are in compliance with State laws regarding dual office holding and transparency, the Mayor and all Councilmembers shall provide the Town Clerk and/or Town Attorney with a list of all appointed positions held by the individual and all organizations for which the individual is an officer or director, and a copy of the bylaws or applicable statutory provisions pertaining to the organization, board, committee, or appointed body.

Town of Garner
Town Council Meeting
Agenda Form

Meeting Date: July 26, 2022		
Subject: Street Stub Completion Policy		
Location on Agenda: Discussion/Reports		
Department: Planning		
Contact: Jeff Triezenberg, AICP, GISP; Planning Director		
Presenter: Jeff Triezenberg, AICP, GISP; Planning Director		
<p>Brief Summary:</p> <p>Consideration for possible adoption of an official policy for objective circumstances under which a public street stub connection shall NOT be completed within the Town of Garner’s jurisdiction and when alternative connections shall be made. This policy would establish standards which apply to all development and redevelopment within the Town and its extra-territorial jurisdiction (ETJ). Policy is inclusive of purpose, need, standards and exemptions.</p>		
<p>Recommended Motion and/or Requested Action:</p> <p>Consider placing on next agenda as a Consent item to adopt the draft Street Stub Completion Policy.</p>		
<p>Detailed Notes:</p> <p>This policy was presented to Town Council at the May 31 work session and again at the July 5 regular meeting. Section I and Section III contain edits since the meeting of July 5 in an attempt to balance a usable policy with the concerns and questions expressed by Council.</p>		
Funding Source:		
Cost:	One Time: <input type="radio"/>	Annual: <input type="radio"/> No Cost: <input checked="" type="radio"/>
Manager’s Comments and Recommendations:		
Attachments Yes: <input checked="" type="radio"/> No: <input type="radio"/>		
Agenda Form Reviewed by:	Initials:	Comments:
Department Head:	JST	
Finance Director:		
Town Attorney:		
Town Manager:	RD	
Town Clerk:		

TOWN OF GARNER POLICY ON COMPLETION OF STREET STUBS

I. Purpose and Applicability

To adopt official policy for objective circumstances under which a public street stub connection shall **not** be completed within the Town of Garner's jurisdiction and when alternative connections shall be made. This policy establishes standards which apply to all development and redevelopment within the Town and its extra-territorial jurisdiction (ETJ). The Town Council may amend this policy from time to time upon the discovery of additional safety or quality of life issues not adequately addressed by existing objective criteria and standards.

II. Need

It is a stated objective of the Town of Garner's Strategic Plan to support top-quality transportation in pursuit of growing and maintaining a robust, diversified economy. To that end, the Town's long-range plans (*Garner Forward Comprehensive Plan* and *Transportation Plan*, and the *2010 Transportation Plan*) call for the need to improve interconnectivity of streets in Garner, to allow for the efficient flow of traffic. Existing Town regulations (Unified Development Ordinance), professional staff opinions and transportation planning best practices note that a top-quality interconnected transportation network:

- improves public safety response time to residents by providing multiple means of access;
- reduces travel time and distance between neighborhoods by providing alternative travel paths;
- maintains an acceptable quality of life in the residential neighborhoods by preventing excessive through traffic on local streets where individual lots have direct access onto the street; and
- maintains the traffic carrying capacity of thoroughfare and collector streets.

In general, cul-de-sacs and incomplete (dead end) streets demote connectivity, increase travel times and vehicle miles traveled, and increase traffic volumes on and reduce performance of thoroughfares and collectors.

At the time of subdivision, stub streets may be necessary and required for any one of the following reasons:

- A. To fulfill the required number of future ingress/egress points for the subdivision based on how many lots are being created;
- B. To provide required access to an existing otherwise landlocked parcel;
- C. To ensure that maximum block lengths are not being exceeded;
- D. To achieve the required minimum connectivity index for the subdivision; or

E. To meet a “significant” recommendation of the Town’s adopted transportation plan.

As these stubs are the first part of a future to-be-completed street, they are not required to meet design standards for a permanent termination or turn-around because the assumption is that the stub will be completed at a future date; rather, they are only required to meet temporary turn-around design requirements. While the standards ensure an acceptable level of turn around capability for emergency response vehicles and termination of other public infrastructure (i.e. temporary water line blow off valves), the standards are minimal and meant to be temporary.

Stub streets in older subdivisions built prior to the establishment of temporary turn-around standards offer additional challenges since some are left completely unconstructed, while those constructed do not accommodate the efficient or practical turn around of fire, emergency response, or waste services vehicles. In the case of the latter, incomplete connections create the need to retrofit the dead-end, which typically includes both construction and right-of-way acquisition costs, as well as movement and retrofit of utility infrastructure.

Finally, another important consideration is that the amount of funding available from traditional federal, state, and local revenue sources for new major roadway capacity projects continues to shrink. Therefore, the need to interconnect streets becomes more important to ensure the overall capacity for trips and mobility within the community. By completing stub connections and improving connectivity, the Town can facilitate:

- cheaper service deliveries,
- faster and/or shorter emergency responses,
- less congestion at signalized intersections,
- offer alternative routing for crash- or construction-related street closures, and
- create more opportunities for walking and accessing new developments.

III. Stub Street Completion Standards

In general, stub streets shall be completed when determined to have been (or be) necessary to meet the requirements of items “A.” through “E.” identified in Section II of this policy.

- For item “A.”, the entire subdivision, inclusive of all phases, shall be considered in determining the number of lots created and the resulting number of external connection points required along the entire subdivision’s perimeter.
- For item “B.”, the determination of landlocked parcels shall be based on the existing geography at the time of the proposed adjoining development’s application submission. A parcel opposite the stub must have frontage on another public street, free of environmental constraints directly adjacent to that frontage, to not be considered landlocked.

- For item “C.”, the maximum block length of the zoning district(s) at the existing street stub and the proposed zoning of the potential completed connection shall be considered. Where two or more zoning districts are involved, the district with the longer maximum block length shall control.
- For item “D.”, the entire subdivision, inclusive of all phases, shall be considered in determining the number of links and nodes for calculating the connectivity index value.
- For item “E.”, any recommendation for a roadway expected to carry more than 1,500 vehicles per day shall be deemed “significant” (a Minor Collector designation or higher).

Additionally, any stub that does not ~~to~~ conform to any other applicable regulatory requirement of the Unified Development Ordinance (i.e. temporary dead-end streets in excess of 1,000 feet) shall also be completed (connected through or permanently terminated) so as to eliminate said non-conformity.

Unless exempted below, a vehicular stub connection *must* be completed between new development/redevelopment and abutting properties. Completion does not preclude recommendations to implement proactive traffic calming measures to reinforce desired traffic speeds.

IV. Exemptions & Bicycle/Pedestrian Considerations

Notwithstanding the requirement to satisfactorily resolve non-conformities, ~~t~~The following exemptions are identified and hereby established:

1. **Excessive Traffic.** To the greatest extent possible, local street completions are to be designed in a manner that avoids the use of such streets by substantial through traffic. In keeping with that objective, ~~an the following~~ exemption is provided: for existing stubs from major subdivisions where driveway access to individual residential lots has not been minimized. Studies indicate that such streets should have “local” volumes of less than 1,500 vehicles per day. If a sealed traffic study determines that completion of an otherwise required stub will cause traffic volumes to exceed the following thresholds along the completed street, completion of that existing stub may be waived.

~~Existing stubs where driveway access to individual residential lots has not been minimized indicate that a street should have “local” volumes of less than 1,500 vehicles per day. If a sealed traffic study determines that completion of an otherwise required stub will cause traffic volumes to exceed that threshold along the completed street, completion of that existing stub may be waived.~~

- Stub has full cross-section (back of curb to back of curb) and sidewalk: 1,500 vpd;
- Stub without full cross-section, but with sidewalk: 1,200 vpd;
- Stub without full cross-section and no sidewalk: 750 vpd.

2. **Environmental Considerations.** Older stubs often pre-date critical FEMA floodplain regulations and designations of streams as subject to the Neuse Buffer Rule. These regulations and designations are known to dramatically increase the costs associated with completing these stubs which brings about more focused consideration of these costs as compared to the magnitude of the benefits that may be gained. It is recognized by this policy that unless such a stub has been identified in an adopted transportation plan, and/or the street is identified as needing to carry traffic volumes equivalent to a Major Collector or higher, completion of the stub may be waived. Such exemption would typically be based on situations where environmental compliance is either unattainable (as directed by USACE and NCDEQ) or the cost of such permitting is highly impractical for the benefit provided by completing the stub connection. Such environmental exemptions shall be submitted for review/approval by the Town Engineer.
3. **Redundancy.** Completion of a stub may also be waived if not necessary to minimally meet the requirements of items “A.” through “E.” identified in Section II of this policy. In that case, completion of two or more stubs in close proximity to each other may be considered redundant. Where existing stubs exceed the minimum requirements – leading to a consideration of being redundant, priority for completion will be assigned according to the following ranked criteria:
 - a. The connection with the lowest projected traffic volume.
 - b. The connection where the existing stub cross-section is most complete (curb, gutter, sidewalk, etc.).
 - c. The connection with the shortest existing stub length.

The Town’s Unified Development Ordinance (UDO), Comprehensive Plan, and Transportation Plan all recommend mitigation measures for pedestrian and bicycling modes of travel, including interconnectivity and construction of proposed greenway trails and sidewalks. Improvements should be considered for all transportation modes to ensure that the Town is providing equitable accessibility for all residents. Additionally, by providing residents with alternate transportation options, there is the possibility that shorter trips will be completed by walking or bicycling, as opposed to driving.

Therefore, whenever the completion of a stub is waived, and in the absence of environmental considerations, a pedestrian or multi-use path connection shall be provided where the existing stub already has sidewalks/side-paths or is slated to have sidewalks/side-paths as part of an adopted transportation plan or capital improvement plan.

REPORTS



Town Manager's Office Memorandum

TO: Mayor and Town Council

FROM: Rodney Dickerson, Town Manager

DATE: July 21, 2022

SUBJECT: August Pending Agenda Items

The following items are currently planned for the August Council Meetings. These items are subject to change.

Tuesday, August 1 – Regular Meeting

Presentations

None at this time

Consent

1. PRCR Advisory Committee Ordinance Update

Public Hearings

1. ANX-22-07 – 401 Assemblage
2. CZ-SP-21-02 – Greenbrier Park (Continued)
3. SUP-SP-22-02 – INQ 4300

Old/New Business

1. CZ-MP-21-10 – Bennett Assemblage
2. CZ-22-05 – 2967 Benson Road
3. CZ-MP-22-05 – White Oak Storage
4. Lake Drive SOW#3 – Construction Administration Services

Reports

None at this time

Closed Session

None at this time

Tuesday, August 16 – Regular Meeting

Presentations

None at this time

Consent

1. ANX-22-08 – Old Stage Townhomes

Public Hearings

1. SUP-SP-22-03 – Caddy Road Public Safety Facility

Old/New Business

1. Yeargan/Meadowbrook 100% Construction Design Contract – McAdams
2. Wake BRT Southern Corridor Update

Reports

1. Talk of the Town Monthly Update
2. Development Services Monthly Update

Tuesday, August 30 – Work Session

Discussion

1. Street & Sidewalk Bond Projects Update
2. ARP Guidelines Discussion
3. Developer Agreement Discussion and Training

Reports

1. Pending Agenda Report