TOWN OF GARNER

Town Council
Regular Session

January 19, 2021
7:00 p.m.

Garner Town Hall
900 7th Avenue
Garner, NC 27529
This regular meeting of the Council will be conducted virtually at 7:00 p.m.

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

The Council will call for a brief recess at 9:00 p.m.

B. PLEDGE OF ALLEGIANCE: Mayor Ken Marshburn

C. INVOCATION: Mayor Ken Marshburn

D. PETITIONS AND COMMENTS

This portion of the meeting is to receive comments from the public on items not included on this agenda. Since the Council is meeting virtually, interested parties can choose to appear live on the virtual meeting platform or provide written comments that will be shared with Council. An online form is available at https://www.garnernc.gov/government/town-council/town-council-agendas-and-minutes for more information on both options. The Council is interested in hearing your concerns but may not take action or deliberate on subject matter brought up during the Petitions and Comments segment. Topics requiring further investigation will be referred to the appropriate town officials or staff and may be scheduled for a future agenda.

E. ADOPTION OF AGENDA

F. PRESENTATIONS

G. CONSENT

1. Council Meeting Minutes .................................................................Page 5
   Presenter: Stella Gibson, Town Clerk

   Council regular meeting minutes from December 7 and 22, 2020 and January 4, 2021.
   Closed session meeting minutes from December 22, 2020.

   Action: Consider approving minutes

2. Auburn Village Phase 4 ................................................................. Page 24
   Presenter: Chris Johnson, Town Engineer

   The Engineering Department is seeking approval of four stop conditions in Auburn Village Phase 4 at the intersections of Maroon Court and English Violet Lane, Maroon Court and Desert Sand Lane, English Violet Lane and Desert Sand Court, English Violet Lane and Desert Sand Lane with basic traffic control measures.

   Action: Consider approving recommended stop conditions; Ordinance (2021) 5008
3. Lake Drive Project – Inter-municipal Agreement with City of Raleigh for Waterline Improvements

Presenter: Chris Johnson, Town Engineer

To authorize the execution of an inter-municipal agreement with City of Raleigh for the replacement of a 6" waterline on the Lake Drive improvement project.

Action: Consider approving and authorizing the Manager to execute the inter-municipal agreement with the City of Raleigh.

4. Budget Amendment – PD Vehicles

Presenter: David Beck, Finance Director

The Police Department has recently lost two vehicles that were involved in accidents and subsequently totaled by our insurance company. These vehicles need to be replaced in order to maintain an adequate number of vehicles in the PD fleet. Insurance proceeds of $23,000 received for these two vehicles along with other insurance settlements received year to date will be used to fund a portion of the replacement costs with the remainder coming from fund balance.

Action: Consider approving Ordinance (2021) 5009

5. Budget Amendment-Property Appraisal

Presenter: David Beck, Finance Director

Town Council authorized a property appraisal for two parcels under consideration for future parkland.

Action: Consider approving Ordinance (2021) 5010


Presenter: David Beck, Finance Director

Resolution declaring certain delinquent nuisance abatements as a lien on property. This resolution authorizes Wake County to add these abatement costs to Wake County property tax bills.

Action: Consider approving Resolution (2021) 2434

H. PUBLIC HEARINGS

Since the Council is meeting virtually, interested parties can participate in public hearings by either appearing live on the virtual meeting platform or providing written comments that will be shared with Council. An online form is available at https://www.garnernc.gov/government/town-council/town-council-agendas-and-minutes for more information on both options.
1. **CUP-SP-20-12, Saad Building, Phase II** ................................................................. Page 43
   Presenter: Alison Jones, Planner II
   
   Conditional Use Site Plan (CUP-SP-20-12) request submitted by Briarhaven Properties/Magdy Saad for 6,480 square feet of flex space on a 3.01 +/- acre site at 100 Bricksteel Lane. The property may be further identified by Wake County PIN# 1730-30-7514.

   Action: Consider approving with conditions

2. **Annexation Petition ANX-20-20, 105 Shore Drive** ............................................. Page 54
   Presenter: David Bamford, Planning Services Manager
   
   Voluntary satellite annexation petition (ANX-20-20) submitted by Rebecca Lakey to annex 0.70 +/- acres located at 105 Shore Drive into the Town of Garner corporate limits. The property is located along Shore Drive between Buffaloe Road and Lake Benson and may be further identified as Lot 5 of the Lake Shore Subdivision as well as Wake County PIN# 1609-89-5874.

   Action: Consider approving Ordinance (2021) 5004

3. **CUP-SP-20-09, Rand Village Apartments** .......................................................... Page 59
   Presenter: Jeff Triezenberg, Planning Director
   
   Conditional Use Site Plan (CUP-SP-20-09) request submitted by Cambridge Properties/Barrett Blackburn for a 264-unit apartment complex with garages and amenities on an 18.34 acre +/- site on the north side of Caddy Road where it intersects with US 401/Fayetteville Road. The property may be further identified by Wake County PIN# 0699-18-30659.

   Action: Consider approving with conditions

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**NEW/OLD BUSINESS**

1. **Contract Approval for Construction Drawings – Meadowbrook & Yeargan** ...... Page 71
   Presenter: Matt Roylance, Interim Parks Director
   
   Approve additional contracts with McAdams to provide more detailed cost estimates and phasing options for the future Meadowbrook and Yeargan parks.

   Action: Consider approving contracts with McAdams totaling $633,493 for 30% level construction drawings.

2. **Facility Naming Public Comment** ........................................................................ Page 118
   Presenter: Rodney Dickerson, Town Manager
   
   At the December 22, 2020 meeting, the Town Council discussed naming the Council Chambers after former mayor Ronnie S. Williams. In keeping with the Town's facility
naming policy, the Council will hear comments from the public on this potential facility naming.

Action: Accept public comment and determine next steps

3. Second Quarter Budget Update ................................................................. Page 121
Presenter: Mike Franks, Budget & Special Projects Manager

Staff will review updated revenue and expenditure estimates with Council. In addition, staff will make recommendations on potential budget amendments.

Action: Provide Feedback

4. FY 2022 Budget Kick Off Meeting .......................................................... Page 128
Presenter: Mike Franks, Budget & Special Projects Manager

Staff will provide an update on the FY 2022 Budget process and calendar.

Action: Provide Feedback

J. COMMITTEE REPORTS

K. MANAGER REPORTS
1. Garner info
2. Quarterly Financial Report
3. Building & Permit Report
4. GPAC @ Home Series
5. Fire Department 2020 By The Numbers

L. ATTORNEY REPORTS

M. COUNCIL REPORTS

N. CLOSED SESSION

Pursuant to N.C. General Statutes Section 143-318.11(a)(3) to consult with the Town Attorney regarding litigation and Section 143-318.11(a)(5) to discuss possible real estate acquisition and the Town’s negotiating position regarding such real estate.

O. ADJOURN
**Meeting Date:** January 19, 2021  
**Subject:** Council Meeting Minutes  
**Location on Agenda:** Consent  
**Department:** Administration  
**Contact:** Stella Gibson, Town Clerk  
**Presenter:** Stella Gibson, Town Clerk  

**Brief Summary:**
Council regular meeting minutes from December 7 and 22, 2020 and January 4, 2021.  
Closed session meeting minutes from December 22, 2020.

**Recommended Motion and/or Requested Action:**
Consider approving minutes

**Detailed Notes:**

**Funding Source:**
n/a

**Cost:**  
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**Manager’s Comments and Recommendations:**

**Attachments**

Yes: ○  No: ○

**Agenda Form Reviewed by:**

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This regular meeting of the Town Council was conducted at 7:00 p.m. at Garner Town Hall located at 900 7th Avenue, Garner.

COUNCIL PRESENT: Present: Mayor Ken Marshburn, Mayor ProTem Kathy Behringer, Council Members, Phil Matthews, and Gra Singleton

Demian Dellinger participated via TEAMS

CALL MEETING TO ORDER/ROLL CALL: Mayor Ken Marshburn

Staff Present: Rodney Dickerson-Town Manager, Matt Roylance-Asst. Town Manager-Operations, John Hodges-Asst. Town Manager-Development Services, Rick Mercier-Communications Manager, David Beck-Finance Director, Chris Johnson-Town Engineer, Jeff Triezenberg-Planning Director, David Bamford-Planning Services Manager, Alison Jones-Planner II, Reginald Buie-Senior Planner, Terri Jones-Town Attorney, and Stella Gibson-Town Clerk

PLEDGE OF ALLEGIANCE: Council Member Vance

INVOCATION: Council Member Vance invited Pastor Clanton of Wake Baptist Grove Church to deliver the invocation.

PETITIONS AND COMMENTS

ADOPTION OF AGENDA

Motion: Matthews
Second: Singleton
Vote: 5:0

CONSENT

New Rand Road Sidewalks - Change Order #1 (Moffat Pipe)
Presenter: Chris Johnson, Town Engineer

Change order to add curb and gutter and storm drainage along Town Dog Park property.

Action: Authorize the Town Manager to execute change order #1 with Moffat Pipe in the amount of $68,565.

Motion: Singleton
Mayor Marshburn explained that Council Member Dellinger will identify himself by name prior to asking questions and participating in deliberations, making motions, proposing amendments and voting. For all public hearings on the agenda, written comments may be submitted up to 24 hours after the public hearing and those should be submitted in writing to the Town Clerk.

PUBLIC HEARINGS

Mayor Marshburn explained the procedures to be followed during the following hearings and asked Council to disclose any bias, ex parte communications, any close familial, business or other associational relationship with an affected person, or have a financial interest in the outcome. Hearing none, the Clerk administered the Affirmation of Oath to the following: Nil Ghosh, Jule Smith, Keith Roberts, Jeff Hochanadel, Beth Blackmon, Brian Shelman, David Bamford, Gaby Lontos-Lawlor, Jeff Triezenberg, and Chris Johnson.

The following consented to a remote meeting: David Bamford, Alison Jones, Nil Ghosh, Beth Blackmon, Jeff Hochanadel, and Jule Smith.

UDO-20-04, Telecom Towers - Setback Radius
Presenter: Reginald Buie, Senior Planner

Text amendment request (UDO-20-04) submitted by Cello Partnership, Verizon Wireless through Faulk & Faulk to amend Article 5. Use Regulations B. 8 (c) 7. of the UDO to reduce the fall-zone setback requirements for certain telecommunications towers engineered to have a breakpoint. The applicant is submitting additional info for discussion which was requested at the October work-session.

Staff confirmed existing towers will be grandfathered in.

Mayor Marshburn closed the hearing and called for a motion.

Action: Refer to the Planning Commission for review

Motion: Singleton
Second: Matthews
Vote 5:0

Mayor Marshburn opened the hearing and asked Mr. Bamford and Ms. Jones to provide the staff report.

CUD-Z-20-06 & CUP-SB-20-06 - Old Stage Road Townhomes
Presenter: David Bamford, Planning Services Manager and Alison Jones, Planner II
Conditional use rezoning (CUD-Z-20-06) and associated conditional use subdivision plan (CUP-SB-20-06) requests submitted by Timmons Group to rezone 63.76 +/- acres from Single-Family Residential (R-40) to Multi-Family (MF-1 C231) Conditional Use for the development of a 318-unit townhome subdivision. The site is located on the west side of Old Stage Road, north of Vandora Springs Road and may be further identified as Wake County PIN 1700-26-8588

Mayor Marshburn opened the hearing and asked Mr. Bamford and Ms. Jones to provide the staff report.

Mr. Ghosh presented an overview of the project.

Beth Blackmon, project engineer, stated all technical review comments were included and the project is in compliance with the UDO. The site is denser than adjacent communities, however it is consistent with the future land use map.

Mr. Hochanadel, traffic engineer, reviewed the manner in which the traffic study was conducted as well as details of the proposed road improvements.

Council expressed concern regarding traffic safety, lane storage, driveway location, and right-of-way limitations. Mr. Hochanadel addressed each of Council’s concerns, however, of particular interest was straightening the curve in the road and improving site distance.

Mr. Hochanadel indicated the developer is willing, as the site plan continues, to work with staff and NCDOT to shift the driveway one way or the other to create the best and safest scenario and to determine the maximum site distance. Mr. Johnson proposed to address this matter during the construction drawing phase.

Brian Sherman, 165 Cedarcroft Drive, asked Council to consider and work with the applicant regarding the turn enhancements from Vandora Springs Drive to Old Stage Road and how it would affect the roundabout and the Buffalo Road project.

Jim Anthony, 924 Vance Street, Raleigh, owns land south of site, spoke as a supporter of project. He asked what the plan was to address the downstream sewer challenges the City of Raleigh identified. Ms. Blackmon and Mr. Roberts explained they worked with the City of Raleigh on downstream sewer capacities and this project will have its own pump station. Mr. Anthony stated he was an advocate for a more regional solution instead of a project by project solution.

Hearing no further comments Mayor Marshburn closed the hearing and called for a motion.

Move the Town Council accept staff’s statements regarding zoning consistency with the Garner Forward Comprehensive Plan, detailed in Section V of the staff report, as our own; and I therefore move further that the Town Council adopt Ordinance No. (2020) 4092 approving rezoning request CUD-Z-20-06 as it is reasonable and in the public interest because it will likely, allow household living that are attractive to younger families with children as well as older residents looking to maintain private but smaller outdoor spaces. Allow adequate buffers and usable open spaces that help to preserve and project adjacent housing stock.

Motion: Matthews
Second: Behringer
Vote: 5:0
Move the Council accept the staff statements regarding plan consistency in Section VII of this report as our own and find the application meets the 10 permit criteria in Section 3.14.D. and therefore approve CUP-SB-20-06, Old Stage Townhomes, with the five conditions to be listed on the permit that will be prepared by Staff, in conditions that staff will work with a developer and NCDOT to obtain the safest site line distance and best location for the driveway closest to the Popular Springs Baptist Church for the safety of all persons who drive on Old Stage Road and also who will be in that subdivision. Another condition is that we will encourage the developer and staff to work with NCDOT and to take any proposed improvements at Legend Road and Old Stage Road and take those dollars and look at improvements at the intersection of Vandora Springs Road and Old Stage Road to the left turn movement and some additional storage there to make that left turn lane safer and also to help allow the flow of traffic on Old Stage Road South.

Motion: Singleton
Second: Vance
Vote: 5:0

Annexation Petition ANX-20-04, 4500 Waterfield Drive
Presenter: David Bamford, Planning Services Manager

ANX-20-04 requested by SMP Property Group LLC; the site is located at 4500 Waterfield Drive, Wake County PIN: 1720843576; AREA: 6.19 +/- acres; ZONING: MXD-1; ASSOCIATED DEVELOPMENT PLAN: This is a request for public water and sewer for Advanced Concrete (CUP-SP-19-18) approved December 17, 2019.

Action: Adopt annexation Ordinance (2020) 4093

Motion: Matthews
Second: Behringer
Vote: 5:0

Annexation Petition ANX-20-18, 713 Wakeland Drive
Presenter: David Bamford, Planning Services Manager

ANX-20-18 submitted by Raleigh Home Group LLC; LOCATION OF PROPERTY: 713 Wakeland Drive; WAKE COUNTY PIN #: 1710972667; AREA: 0.34 +/- acres; This is a request for public water and sewer for a single-family building permit.

Action: Adopt annexation Ordinance (2020) 4094

Motion: Matthews
Second: Vance
Vote: 5:0

Annexation Petition ANX-20-19, Maxwell Drive, Jameson Subdivision
Presenter: David Bamford, Planning Services Manager

ANX-20-19 submitted by Homestead Developers LLC; LOCATION OF PROPERTY: Maxwell Drive; WAKE COUNTY PIN #: 1710972667; AREA: 0.34 +/- acres; ASSOCIATED DEVELOPMENT PLAN: This is a request
for public water and sewer for Jameson Subdivision (CUP-SB 16-08) approved August 20, 2018 for 38 lots.

Action: Adopt annexation Ordinance (2020) 4095

Motion: Matthews
Second: Vance
Vote: 5:0

NEW/OLD BUSINESS

Annexation Petition ANX-20-20, 105 Shore Drive
Presenter: David Bamford, Planning Services Manager

Annexation petition (ANX 20-20) 105 Shore Drive, Lot 5 Lake Shore Subdivision – Satellite annexation

Council Member Dellinger recused himself from this matter as he had a financial interest.

Action: Set public hearing for January 4, 2021; Approve Resolution (2020) 2432

Motion: Vance
Second: Matthews
Vote: 4:0

2021 Resurfacing List
Presenter: Chris Johnson

Mr. Johnson provided Council with the list of streets planned for the 2021 Resurfacing Contract.

Action: Approve street list as recommended and authorize staff to advertise the project in January 2021.

Motion: Singleton
Second: Matthews
Vote: 5:0

Parks Fee-in-Lieu Changes
Presenter: Matt Roylance, Asst. Town Manager-Operations

In response to Council feedback during the FY 2021 budget process, staff updated the fee-in-lieu calculation for park land and presented two options for consideration.

Action: Approve implementation of Option D, with an effective date of March 1, 2021.

Motion: Vance
Second: Singleton
Vote: 5:0
COMMITTEE REPORTS

Council Member Singleton reported a Public Works Committee meeting will be held on Thursday at 8:30 a.m. to discuss 3 items.

MANAGER REPORTS

- Garner info
- Building & Permit Report
- PRCR had a drive-through Christmas event down Main Street, which kicked off the 12 days of the Christmas pre-recorded concerts.
- Chamber Summit Awards Thursday night

ATTORNEY REPORTS

COUNCIL REPORTS

Behringer
- Reported trash lining both sides of Jones Sausage Road behind the middle school.
- Thanked staff for cleaning the All-America City sign on Garner Road.

Matthews
- Reported an individual on Timber Drive sleeping on a transformer amid a large amount of trash and asked if we could get him some help and off the street.

Mayor Marshburn stated that unfortunately there was not an easy solution. Mr. Dickerson added that he has attempted to contact with Wake County Human Services to discuss options - this is not simply a police issue. Mr. Dickerson asked that Council allow him and Mr. Roylance to continue reaching out to contacts at the County to explore options. Mayor ProTem Behringer suggested contacting Seth Friedman, Director of Passage Home in Raleigh.

Vance
- Reported car sales in the right-of-way of NC50 near Foley Station.
- Thursday is the Summit Awards – Economic Development is up for an award.
- Pearl Harbor- hats off to Veterans.

Dellinger
- Reported the Lions Club food drive is December 12 from 9:00 a.m. to 3:00 p.m. on Main Street.

Council Member Singleton had nothing to report.

Marshburn
- Asked if Council had any interest in moving back to virtual meetings. His preference is to continue in-person meetings. Council Member Matthews was in agreement and Mayor ProTem Behringer stated she was flexible as did Council Member Singleton. If the meeting was virtual, it is important public hearings still be conducted.

Mr. Dickerson responded we are looking at different technology options and the new features in Teams.
The Governor will make an announcement tomorrow; the current executive order ends Friday. The UNC health system is conducting COVID testing at Avery Street tomorrow and Thursday. Pre-registration is recommended. This testing is to target those who experience symptoms or have been around someone with COVID.

CLOSED SESSION

Pursuant to N.C. General Statutes 143-318.11(a)(5) to discuss possible real estate acquisition and the Town’s negotiating position regarding such real estate.

Council met in closed session to discuss several possible real estate transactions. No action was taken at this time.

ADJOURN: 11:15 p.m.

Motion: Singleton
Second: Vance
Vote: 5:0
This regular meeting of the Town Council was conducted at 7:00 p.m. at Garner Town Hall located at 900 7th Avenue, Garner.

CALL MEETING TO ORDER/ROLL CALL: Mayor Ken Marshburn

Mayor Ken Marshburn, Mayor ProTem Kathy Behringer, Council Members Phil Matthews, Gra Singleton, and Elmo Vance

Council Member Demian Dellinger participated via TEAMS

Staff Present: Rodney Dickerson-Town Manager, Matt Roylance-Asst. Town Manager-Operations, John Hodges-Asst. Town Manager-Development Services, Rick Mercier-Communications Manager, David Beck-Finance Director, Terri Jones-Town Attorney, and Stella Gibson-Town Clerk

Jeff Triezenberg-Planning Director, Gaby Lontos-Lawlor-Sr. Planner, Chris Johnson-Town Engineer, and Stacy Griffin-Principal Planner participated via TEAMS

PLEDGE OF ALLEGIANCE: Mayor ProTem Behringer

INVOCATION: Mayor ProTem Behringer

PETITIONS AND COMMENTS

ADOPTION OF AGENDA

Motion: Matthews
Second: Behringer
Vote: 5:0

PRESENTATIONS

Juneteenth Committee
Presenter: Rodney Dickerson, Town Manager

The Juneteenth Committee, appointed by Mayor Ken Marshburn, presented its findings over the last few months and offered a recommendation pertaining to Juneteenth awareness, education, and celebration.

CONSENT

Budget Amendment – Inspections
Presenter: David Beck, Finance Director

During the 11/24 work session, Council received a presentation from Mike Franks about utilizing some of the excess Inspections Department revenue for the purchase of new vehicles. It is mandated that Inspections generated revenues be used only for the support of that department. Purchasing these new vehicles will allow the Town to re-purpose several of the existing vehicles for needs within other departments as well as replacing vehicles that are in poor condition. Ten new vehicles will be purchased at an estimated cost of $30,000 per vehicle.
Action: Adopt Ordinance (2020) 4096

Budget Transfer-PRFM
Presenter: David Beck, Finance Director

As part of the PFRM project at the Avery Street Recreation Center, there are HVAC repairs that need to be coordinated with the roof replacement. Additional funding is needed in the PFRM budget to cover the total cost of the HVAC and roofing work. Public Works is going to transfer money out of their Facilities Repair and Maintenance line item over to the PFRM budget so that all the necessary can be completed.

Action: Adopt Ordinance (2020) 4097

Nuisance Abatements
Presenter: David Beck, Finance Director

Resolution declaring certain delinquent nuisance abatements as a lien on property. This resolution authorizes Wake County to add these abatement costs to Wake County property tax bills.

Action: Adopt Resolution (2020) 2433

Council Meeting Minutes
Presenter: Stella Gibson, Town Clerk

Regular and closed session minutes from the November 17 and 24, 2020 Council meetings.

Action: Approve minutes

Action: Approve Consent Agenda

Motion: Vance
Second: Matthews
Vote: 5:0

PUBLIC HEARINGS

Mayor Marshburn explained the procedures to be followed during this hearings and asked Council to disclose any bias, exparte communications, any close familial, business or other associational relationship with an affected person, or have a financial interest in the outcome. Hearing none, the Clerk administered the Affirmation of Oath to the following: Jay Priester, Ray Sorrell, Jeff Hochanadel, Barrett Blackburn, Jeff Triezenberg, Stacy Griffin, Gaby Lontos-Lawlor-Senior Planner, and Chris Johnson.

Wyatt Bone, Julie Miller, Erich Brann, Nate Thompson, Steve Warfield participated remotely.

Mayor Marshburn opened the hearing and asked Ms. Griffin to provide the staff report. Ms. Griffin consented to a remote hearing.

CUP-SP-19-27 Rand Village Commercial
Presenter: Stacy Griffin, Principal Planner

Conditional use site plan (CUP-SP-19-27) for a 26.92 acre site on the north side of US401 near the intersection of Ten Ten Road. A commercial subdivision plan was approved for this site on July 21, 2020.
This commercial site plan is for a 155,580 square foot wholesale-retail business, a gas station associated with the wholesale-retail business, and a 5,188 square foot restaurant. Other site plans will be forthcoming as the commercial project develops.

Council asked for clarification regarding the proposed reduction in parking spaces. Ms. Griffin responded that a study of use was conducted at other locations, and based on that, the reduction in parking would be adequate.

The Council was appreciative of the improvements to Hwy Ten Ten.

Charles Ray Sorrell, 10029 Fanny Brown Road, stated he is the co-owner of the property adjoining the north and west side. Mr. Sorrell asked that when sewer was installed would it be available to adjoining property. Mr. Johnson responded that the City of Raleigh requires that any property developed extends the sewer to properties that are upstream of it.

Action: Move Council accept the staff statements regarding plan consistency in Section V of this report as our own and find the application meets the 10 permit criteria in Section 3.14.D. and therefore approve CUP-SP-19-27, Rand Village Commercial site.

Motion: Singleton
Second: Matthews
Vote: 5:0

NEW/OLD BUSINESS

Approval of Funding Agreement for Schematic Design of Fire Station #5
Presenter: Matt Roylance, Asst. Town Manager-Operations

The Town of Garner, Wake County, and the Town of Fuquay Varina are interested in building a joint fire station and EMS station on Caddy Road in the McCullers area. This Memorandum of Understanding lays out the terms and funding required for schematic design of the station, which Wake County will manage on behalf of the parties.

Mr. Roylance stated that Fuquay’s staff is planning to discuss the bigger issue of how to prioritize their Town’s various fire stations at Council’s Retreat. Mr. Roylance stated Fuquay would have until the end of schematic design to decide if they would like to participate in building the joint fire station.

Capacity of the Station for Garner’s needs is 15,000 sq. ft. and 18,800 sq. ft. including Fuquay.

Chief Poole stated bay space that would include Garner and Fuquay’s needs should be developed at one time and cost share percentages could be evaluated from time to time.

Chief Poole also advised the issue is not only development of this area but also the access they have from Station 3 at Timber and Vandora Springs Road and the 401 Corridor. There is also concern with the existing service on 401 back toward the central part of Garner.

Action: Consider approving agreement subject to 1) final terms acceptable to Town Attorney and 2) approval of other parties.

Motion: Matthews
Second: Behringer
Vote: 5:0
GAHS Historic Depot Agreement
Presenter: Rodney Dickerson, Town Manager

The renovation of the Historic Garner Depot is close to completion. The Town has agreed to lease it to the Garner Area Historical Society to operate as a museum. The contract spells out the terms. They have asked for permission to serve beer and wine at various events on the property.

Council thanked the GAHS for their work on this project.

Mr. Dickerson provided an update on the improvements made to the Depot.

Action: Move forward with agreement

Motion: Singleton
Second: Behringer
Vote: 5:0

Action: Approve Ordinance (2020) 4098

Motion: Behringer
Second: Singleton
Vote: 5:0

Facility Naming
Presenter: Mayor Ken Marshburn

Mayor Marshburn appointed a committee to discuss the potential to apply the Facility Naming Policy to former Mayor Ronnie S. Williams. The committee presented their recommendation to hold a public comment period on January 19 to allow time for the public to respond.

Action: Hold public hearing on January 19

Motion: Singleton
Second: Matthews
Vote: 5:0

COMMITTEE REPORTS

Council Member Vance advised the Public Works Committee met to discuss the traffic calming policy and plan to discuss further at the January 2021 work session.

Mayor Marshburn stated the MOU Committee, formed to discuss the proposed merger of the GVFR becoming a Town department, met and the feels it would be helpful to bring in the services of a consultant to provide guidance. Mr. Roylance advised a consultant agreement will be brought forward in January.

MANAGER REPORTS

- Garner info
- Council Retreat Planning Update – February 10th and 11th have been reserved for the Retreat. Staff reached out to the School of Government and the facilitator would be conducting the Retreat virtually.
• Funding for Ackerman/Hebron project roundabout was released and the Town can start right-of-way acquisition. We are waiting to see if the Town will be responsible for utility relocations or handled by Duke Energy.
• We are starting to use expanded tools with TEAMS applications to better facilitate remote meetings in larger groups.

Council consensus to move forward with holding the Retreat.

ATTORNEY REPORTS

COUNCIL REPORTS

Singleton
• Thanked Public Works for the success of the fall pick up and repair of the potholes.
• Leaf pick-up by All Star went extremely well.

Behringer
• Encouraged citizens to be mindful of the curfew order.
• Asked for recommendations for the recently vacated position on the GVFR Board. This position serves as the Town’s liaison. Council consensus to appoint Stacy Colasse (who currently serves as an alternate. Vote: 5:0

Vance
• Thanks to staff for working hard and helping customers.

Marshburn
• Thanked staff for good work and reminded residents that the Government’s mandates were still in effect.

Council Member Matthews had nothing to report

Council wished everyone a Merry Christmas.

CLOSED SESSION
Council met in closed session to receive a report on issues relating to property acquisitions and accepted information from staff.

ADJOURN: 9:52 p.m.

Motion: Behringer
Second: Singleton
Vote: 5:0
This regular meeting of the Town Council was conducted at 7:00 p.m. at Garner Town Hall located at 900 7th Avenue, Garner.

**CALL MEETING TO ORDER/ROLL CALL:** Mayor Ken Marshburn

Mayor Ken Marshburn, Mayor ProTem Kathy Behringer, Council Members Phil Matthews, Gra Singleton, and Elmo Vance

Council Member Demian Dellinger participated via TEAMS

Staff Present: Rodney Dickerson-Town Manager, Matt Roylance-Asst. Town Manager-Operations, John Hodges-Asst. Town Manager-Development Services, Rick Mercier-Communications Manager, Joe Binns-Police Chief, David Beck-Finance Director, Terri Jones-Town Attorney, and Stella Gibson-Town Clerk

Jeff Triezenberg-Planning Director, David Bamford-Planning Services Manager, Reginald Buie-Senior Planner, and Chris Johnson-Town Engineer, participated via TEAMS

**CALL MEETING TO ORDER/ROLL CALL:**

**PLEDGE OF ALLEGIANCE:** Mayor Ken Marshburn

**INVOCATION:** Council Member Demian Dellinger

**PETITIONS AND COMMENTS**

**ADOPTION OF AGENDA**

Mayor Marshburn requested to add an item under New/Old Business to discuss Police recruit classifications.

**Motion:** Vance  
**Second:** Behringer  
**Vote:** 5:0

**PRESENTATIONS**

**Operation Coming Home**  
**Presenter:** Paul Kane and Douglas Ball

Operation Coming Home is a non-profit foundation that provides new custom homes to combat veterans injured in military operations or the families of fallen soldiers. Currently 22 homes have been built in Wake County with contributions from vendors and trade partners. This home will be built in the Oak Park Subdivision and they are requesting the Town waive permitting fees associated with this project (totaling $2,443.75).

**Action:** Approve request to waive permit fees
CONSENT

Approval of the Plan Reviewer Position
Presenter: Mike Franks, Budget & Special Projects Manager

Approve the classification of a plan reviewer position which was approved in the FY 2020 - 2021 budget.

Action: Approve position

Budget Amendment – Asset Forfeiture
Presenter: David Beck, Finance Director

The Police Department has approximately $16,200 in restricted asset forfeiture funds. Chief Binns has requested authorization to spend $2,800 out of the restricted funds to purchase GPD challenge coins. GPD uses the challenge coins as rewards to citizens and officers as well as for public relations efforts. They have almost exhausted their current supply of coins and did not include the cost of restocking them in the general fund budget.

Action: Approve Ordinance (2021) 4099

Buffalo Grove Subdivision
Presenter: Chris Johnson, Town Engineer

The Engineering Department is seeking approval of seven stop conditions in Buffalo Grove Subdivision at the intersections of Buffalo Grove Lane and Buffalo Road, Buffalo Grove Lane and Buffalo Springs Street, Old Rose Path and Buffalo Grove Lane, Old Rose Path and Bison Park Drive, Buffalo Springs Street and Orchard Peach Road, Bison Park Drive and Orchard Peach Road, Bison Park Drive and Buffalo Grove Lane with basic traffic control measures.

Action: Approve recommended stop conditions, Ordinance (2021) 5000

Clifford Glen Phase 1
Presenter: Chris Johnson, Town Engineer

The Engineering Department is seeking approval of one Stop Conditions in Clifford Glen Phase I at the intersection with Water Deer Court and Pronghorn Deer Court with basic traffic control measures.

Action: Approve recommended stop conditions, Ordinance (2021) 5001

Minglewood Townhomes Phase 1B
Presenter: Chris Johnson, Town Engineer

The Engineering Department is seeking approval of one stop conditions in Minglewood Townhomes Phase 1B at the intersections of Gosford Lane and Gilder Woods Drive with basic traffic control measures.

Action: Approve recommended stop conditions, Ordinance (2021) 5002
**Oak Park Phase 2**

Presenter: Chris Johnson, Town Engineer

The Engineering Department is seeking approval of four stop conditions in Oak Park Phase 2 at the intersections of Scoville Road and New Bethel Church Road, Hoyne Way and Scoville Road, Scoville Road and Belleforte Park Circle, Kim Bark Path and Belleforte Park Circle with basic traffic control measures.

Action: Approve recommended stop conditions, Ordinance (2021) 5003

Action: Approve Consent Agenda

Motion: Singleton  
Second: Matthews  
Vote: 5:0

**PUBLIC HEARINGS**

Mayor Marshburn explained the procedures to be followed during this hearing and asked Council to disclose any bias, exparte communications, any close familial, business or other associational relationship with an affected person, or have a financial interest in the outcome. Council Member Dellinger requested to recuse himself from this hearing.

Action: Approve Council Member Dellinger’s request to be recused.

Motion: Singleton  
Second: Matthews  
Vote: 4:0

Mayor Marshburn opened the hearing and asked Mr. Bamford to present the staff report. Mr. Bamford agreed to the virtual meeting.

**Annexation Petition ANX-20-20, 105 Shore Drive**

Presenter: David Bamford, Planning Services Manager

Voluntary satellite annexation petition (ANX-20-20) submitted by Rebecca Lakey to annex 0.70 +/- acres located at 105 Shore Drive into the Town of Garner corporate limits. The property is located along Shore Drive between Buffaloe Road and Lake Benson and may be further identified as Lot 5 of the Lake Shore Subdivision as well as Wake County PIN# 1609-89-5874.

Mayor ProTem Behringer asked if there were any responses or questions from the people that lived on Shore Drive. Mr. Bamford replied there were none. Staff did advertise on the Town’s legal ad website and the address was included.

In order to connect to water service an annexation is required. Voluntary annexations can be requested without the need for public water. Water connections are available on Buffaloe Road and would need to be extended down Shore Drive. Mr. Hodges advised Shore Drive is a private street that does not meet the Town’s standards and the City of Raleigh will not extend service because of that. The neighborhood would have to pay to bring the street up to standard as well as the extension of water unless some number of homes have wells that fail, then an exception could be made to extend service but still at property owners’ expense.

Action: Continue to the January 19 meeting for further discussion.
NEW/OLD BUSINESS

UDO 20-03 Residential Solar Panels
Presenter: Reginald Buie, Senior Planner

Text amendment request (UDO-20-03) to amend Article 5. Use Regulations K.3 (3) of the Unified Development Ordinance to allow ground-mounted solar systems on residential properties.

Action: Approve Ordinance (2021) 5005

Motion: Singleton
Second: Behringer
Vote: 5:0

UDO 20-05 Townhomes and Indoor Entertainment in the CBD
Presenter: Jeff Triezenberg, Planning Director

Text amendment request (UDO-20-05) submitted by the Planning Department in conjunction with the Downtown Garner Association to amend Article 5.1 Use Tables, Article 6.5.C.3. Minimum Lot Size, Article 6.9.A. Nonresidential Development Standards of the Unified Development Ordinance to provide greater flexibility in the design and density of townhomes, and to allow indoor entertainment uses - both in the Central Business District.

Staff clarified the proposed yard setbacks and sidewalk locations. There are no requirements in the UDO presently to require porches on this type of project. Staff has discussed with the applicant to consider some sort of separation from the public space from the sidewalk and outside space from the porch. The porch could be raised to create vertical separation or a fenced-in front yard to create physical space.

Action: Approve Ordinance (2021) 5006

Motion: Behringer
Second: Vance
Vote: 5:0

UDO 20-04 Telecom Towers – Setback Radius
Presenter: Reggie Buie, Senior Planner

Text amendment request (UDO-20-04) submitted by Cello Partnership, Verizon Wireless through Faulk & Faulk to amend Article 5. Use Regulations subsection B.8(c)7. of the UDO to reduce the fall-zone setback requirements for certain telecommunications towers engineered to have a break point.

Staff clarified individual towers over a certain height will need to come before Council as a special use permit.

Owners of adjacent affected properties will be required to submit written documentation expressing their concerns. Staff will work with the Town Attorney to develop the form.
Action: Consider adopting Ordinance (2021) 5007

Motion: Vance

Council Member Dellinger requested to amend the motion to include a notarized disclosure agreement which the Town Attorney will prepare. Council Member Vance was in agreement of the amendment.

Second: Behringer
Vote: 5:0

**Police Recruit Classification**
Presenter: Mike Franks, Budget & Special Projects Manager

The Police Department performed a study to review how other localities compensate recruits while they are completing Basic Law Enforcement Training (BLET). The review showed the Town of Garner compensates new recruits at a significantly lower rate than most peer jurisdictions. Staff is recommending a change in the Police Recruit position for new recruits while they are completing BLET from a salary grade of 11 to 22. Impact to the Town’s budget would be approximately $20K annually.

Action: Approve reclassification of Police Recruit position

Motion: Singleton
Second: Matthews
Vote: 5:0

**COMMITTEE REPORTS**

**MANAGER REPORTS**

Garner info
- Mr. Johnson reviewed highlights of the Capital Projects Status Report (Period Ending FY21-2Q).
- Due to the increase of COVID cases, Mr. Dickerson recommended closing Town Hall to the public effective January 3 through January 31 and then re-evaluate if an extension would be needed. Some positions lend themselves to employees teleworking, work shift rotations, or finding alternative work for employees to perform. Mr. Dickerson also proposed employees be ‘kept whole’ financially through January 31.

Action: Make staff whole for an undetermined amount of time at this point.

Motion: Singleton
Second: Vance
Vote: 5:0

**ATTORNEY REPORTS**

**COUNCIL REPORTS**

Marshburn
- Stated that while he prefers to meet in person, he recommended going back to virtual meetings for the remainder of the month and possibly continuing through February.

Action: Return to virtual meetings through February.
Singleton
- Asked that since Council will meet virtually for the next few meetings, if there was a plan to allow public hearings to happen. Mr. Dickerson responded there are features in TEAMS that will allow participation.
- Asked if staff could contact the Wildlife Commission regarding the large number of vultures in Town.

Behringer
- Congratulated Brittany Washington for being recognized as one of East Carolina University’s 40 Under Forty.
- Reported the roof on the house between Avery Street and GPAC was starting to fall.
- Distributed the Council’s rules and procedures and asked Council to look for changes that need to be made. Mayor Marshburn responded the procedures will be discussed during the planning retreat.

Vance
- Asked for a status of the Rec Center. Mr. Dickerson provided the update and noted the repairs are going well.
- Reported trucks are still parking on Jones Sausage Road at Amazon.

Dellinger
- Asked how the Parks survey is coming along. Mr. Roylance replied the comment period is through January 8, but to date, 350 responses had been received.

Council Member Matthews had nothing to report.

Mayor Marshburn acknowledged the Police Department for their coat drive. Chief Binns added the coats will be given away at the MLK Celebration and any left will go to charity.

**ADJOURN:** 9:04 p.m.
Meeting Date: January 19, 2021
Subject: Auburn Village Phase 4
Location on Agenda: Consent
Department: Engineering
Contact: Chris Johnson, PE
Presenter: Chris Johnson, PE

The Engineering Department is seeking approval of four stop conditions in Auburn Village Phase 4 at the intersections of Maroon Court and English Violet Lane, Maroon Court and Desert Sand Lane, English Violet Lane and Desert Sand Court, English Violet Lane and Desert Sand Lane with basic traffic control measures.

**Recommended Motion and/or Requested Action:**
Consider approving recommended stop conditions, Ordinance (2021) 5008

**Detailed Notes:**
See attached memo, maps, and ordinance.

**Funding Source:**
n/a

| Cost: n/a | One Time: ☐ | Annual: ☐ | No Cost: ☐ |

**Manager’s Comments and Recommendations:**

**Attachments**
Yes: ☐  No: ☐

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<th>Comments:</th>
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<td>Town Clerk:</td>
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</table>
TO: Rodney Dickerson, Town Manager

FROM: Chris Johnson, PE - Town Engineer

DATE: January 19, 2021

SUBJECT: Stop Conditions within Auburn Village Phase 4

The Engineering Department is recommending the following street intersections for stop conditions:

<table>
<thead>
<tr>
<th>Stop Condition</th>
<th>Through Street</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Maroon Court</td>
</tr>
<tr>
<td></td>
<td>English Violet Lane</td>
</tr>
<tr>
<td>2</td>
<td>Maroon Court</td>
</tr>
<tr>
<td></td>
<td>Desert Sand Lane</td>
</tr>
<tr>
<td>3</td>
<td>English Violet Lane</td>
</tr>
<tr>
<td></td>
<td>Desert Sand Lane</td>
</tr>
<tr>
<td>4</td>
<td>English Violet Lane</td>
</tr>
<tr>
<td></td>
<td>Desert Sand Lane</td>
</tr>
</tbody>
</table>

These stop conditions will serve as basic traffic control measures. The Engineering Department recommends amending the Town Code of Ordinances to include these stop conditions. Please let me know if there are any questions.

Attachment: Vicinity Map
ORDINANCE NO. (2021) 5008

AN ORDINANCE AMENDING SECTION 10-42b OF THE CODE OF ORDINANCES REGARDING STOP CONDITIONS

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GARNER, NORTH CAROLINA:

Section One. That Section 10-42b be and is hereby amended by adding the following stop intersections:

<table>
<thead>
<tr>
<th>STOP CONDITION</th>
<th>THROUGH CONDITION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maroon Court</td>
<td>English Violet Lane</td>
</tr>
<tr>
<td>Maroon Court</td>
<td>Desert Sand Lane</td>
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<tr>
<td>English Violet Lane</td>
<td>Desert Sand Lane</td>
</tr>
<tr>
<td>English Violet Lane</td>
<td>Desert Sand Lane</td>
</tr>
</tbody>
</table>

Section Two. That the above streets will be included alphabetically in the codification of this section.

Duly adopted this 19th day of January 2021.

__________________________________
Ken Marshburn, Mayor

ATTEST: _________________________________
Stella Gibson, Town Clerk
To authorize the execution of an inter-municipal agreement with City of Raleigh for the replacement of a 6" waterline on the Lake Drive improvement project.

The City of Raleigh has requested to replace the 6" asbestos cement (AC) waterline along Lake Drive due to age and maintenance risks associated with longevity of asbestos cement. The City drafted an inter-municipal agreement for the Town’s execution to memorialize a reimbursement agreement associated with the work.

Manager’s Comments and Recommendations:

Attachments
Yes: ☐  No: ☐

Agenda Form Reviewed by:

Initials:  Comments:

CJ
RD

Department Head:
Finance Director:
Town Attorney:
Town Manager:
Town Clerk:
The Lake Drive project is a Town project that consists of approximately 635 LF of road widening and sidewalk installation between Dullis Circle and NC 50 (Benson Road). The City of Raleigh has requested that the existing 6” asbestos cement (AC) waterline be replaced in conjunction with the project due to their long-term plan to replace AC waterlines due to risks of age and degradation of asbestos cement lines over time. The City has drafted an inter-municipal agreement to cover the additional costs of the waterline replacement above and beyond the original design scenario, which was limited to installation of new waterline bends at proposed storm drainage crossings.

The inter-municipal agreement as drafted by the City of Raleigh memorializes funding by the City for a maximum amount of $234,411. The total costs as outlined in the agreement shall not be exceeded without written approval by the City. The agreement language has been reviewed and approved by the Town Attorney.

**STAFF RECOMMENDATION**

Approve and authorize the Manager to execute the inter-municipal agreement with the City of Raleigh as submitted.
INTERMUNICIPAL AGREEMENT FOR WATER FACILITY UPGRADES FOR REIMBURSEMENT ON GARNER LAKE DRIVE ROAD IMPROVEMENTS

This AGREEMENT made and entered into this _____day of ______________, 2021, by and between the City of Raleigh, hereinafter referred to as “RALEIGH”, a North Carolina municipal corporation, and the Town of Garner, hereinafter referred to as “GARNER”, a North Carolina municipal corporation, for the purposes of reimbursement for the installation of certain water facilities, as requested by RALEIGH, within the Lake Drive Improvements, hereinafter referred to as “THE PROJECT”, which exceed the current scope of water replacements contemplated within the current plans for THE PROJECT.

WITNESSETH:

WHEREAS, THE PROJECT includes streetscaping along certain portions of Lake Drive from approximately Benson Road to Dullis Circle (hereinafter, the “PROJECT AREA”) to encompass improvements to road widening, curb and gutter, sidewalk, storm drainage infrastructure, and appurtenances; and

WHEREAS, RALEIGH, as owner of the water distribution system in the PROJECT AREA, desires to have certain water facility upgrades installed within the PROJECT AREA to improve existing water quality, and for hydraulic purposes; and

WHEREAS, this AGREEMENT is made pursuant to authority in North Carolina General Statutes §§160A - 460, et seq.

NOW, THEREFORE, GARNER and RALEIGH mutually agree to the following:

1.0 PROCUREMENT AND CONSTRUCTION

1.01 Procurement. GARNER, shall design, publicly bid, and administer the construction contract for THE PROJECT, which shall include the following water facilities upgrades: the replacement of 6-inch asbestos cement pipe with 6-inch ductile iron pipe within the PROJECT AREA (the “PUBLIC UTILITY UPGRADES”). THE PROJECT will be bid on a unit price basis in order to identify the actual cost of the PUBLIC UTILITY UPGRADES. GARNER shall pay the portion of the PUBLIC UTILITY UPGRADES comprising the estimated costs of GARNER’S original waterline design that involved replacing only waterline in conflict with proposed improvements from Benson Road to Dullis Circle (the “ORIGINAL WATERLINE REPLACEMENT”).

1.02 Construction. The PUBLIC UTILITY UPGRADES shall be built to RALEIGH construction standards pursuant to the Raleigh Public Utilities Handbook. GARNER shall provide as-built drawings to RALEIGH for the PUBLIC UTILITY UPGRADES at least
prior to acceptance of and reimbursement for the PUBLIC UTILITY UPGRADES by RALEIGH.

1.03 **Coordination.** GARNER shall provide RALEIGH regular construction status updates, at GARNER’s reasonable discretion, throughout THE PROJECT construction process and shall make reasonable efforts to notify RALEIGH of and include RALEIGH in scheduling all pre-bid, bid opening, pre-construction and monthly construction meetings.

1.04 **Inspection.** GARNER shall provide RALEIGH reasonable access to THE PROJECT work site for the purposes of periodic inspection of the PUBLIC UTILITY UPGRADES, including a final inspection of the PUBLIC UTILITY UPGRADES by RALEIGH, which shall occur no later than thirty (30) days after receipt of notice by RALEIGH of completion of the PUBLIC UTILITY UPGRADES.

1.05 **Project Changes.** In the event circumstances arise during construction of THE PROJECT which require material changes to the PUBLIC UTILITY UPGRADES, then GARNER shall promptly provide RALEIGH written notice of and a cost estimate for such changes. RALEIGH may then either terminate this Agreement pursuant to Section 3.0 of this Agreement or approve such changes by providing written notice to GARNER of its approval.

1.06 **Appointment of Personnel.** Each party shall, at such party’s reasonable discretion, select and appoint personnel to perform the functions of this Agreement.

2.0 **FUNDING**

2.01 **Costs.** RALEIGH will reimburse GARNER the actual costs of the PUBLIC UTILITY UPGRADES that exceed the GARNER’S cost of the ORIGINAL WATERLINE REPLACEMENT. Permit fees for the waterline required by the City of Raleigh Public Utilities Handbook will be waived. The estimated construction cost of RALEIGH’S portion of the PUBLIC UTILITY UPGRADES is not expected to exceed $234,411.00. Raleigh’s actual reimbursement shall be based on actual bid pricing. Raleigh’s reimbursement obligation shall not exceed $234,411.00 unless RALEIGH provides GARNER its prior written approval for such additional reimbursement(s). The Parties agree to amend this Agreement to reflect such additional reimbursements.

2.02 **Payment.** GARNER will issue payment to all consultants and contractors hired to carry out the PUBLIC UTILITY UPGRADES. GARNER will invoice Raleigh quarterly for the actual cost of consultant services, design and construction for the PUBLIC UTILITY UPGRADES. RALEIGH shall reimburse GARNER within thirty (30) days of receipt of such invoice.
3.0 TERM AND TERMINATION

3.01 Term. The term of this Agreement shall run from the date first referenced herein above through completion of THE PROJECT, which is expected to be complete by December 2022.

3.02 Termination. Either Party shall have the right to terminate its participation in this Agreement in the event (i) of a material breach of the terms and conditions of this Agreement by the other Party which has not been cured within ten (10) days following delivery of written notice thereof or (ii) a material change in the PUBLIC UTILITY UPGRADES under Section 1.05 herein above. Such termination shall be effective upon giving fourteen (14) days written notice to the other Party, such notice to be delivered to the following address:

Town of Garner: Rodney Dickerson, Town Manager
Town of Garner
900 7th Avenue
Garner, NC 27529

City of Raleigh Robert Massengill, Public Utilities Director
City of Raleigh
One Exchange Plaza, 6th Floor
P.O. Box 590
Raleigh, NC 27602

The roles and responsibilities of the Parties shall terminate within fourteen (14) days after receipt by the non-terminating party of such notice (the “TERMINATION DATE”), unless otherwise agreed in writing by both Parties. Such termination shall not relieve the Parties of their respective responsibilities under this Agreement for payment of their commitments as of the TERMINATION DATE. Within fifteen (15) days of the TERMINATION DATE, each Party shall account to the other Party for those items through the TERMINATION DATE which have been paid for and shall be reimbursed by the other Party pursuant to this Agreement. Such other Party shall make final payment within thirty (30) days of receipt of such accounting.

4.0 General Terms

4.01 Amendment. Any amendment to this Agreement to be effective must be in writing, signed by the Manager or other authorized representative of the Parties, and executed with the same formality and approvals as the foregoing Agreement.

4.02 Assignment. No party shall assign any portion of this Agreement or the rights and responsibilities hereunder to another person or entity who is not party to this Agreement without prior written consent of the Parties.
4.03 No Third-Party Beneficiaries. This Agreement is not intended for the benefit of any third party. The rights and obligations contained herein belong exclusively to the Parties hereto and shall not confer any rights or remedies upon any person or entity other than the Parties hereto.

4.04 Indemnification. Without waiving GARNER’s sovereign immunity, GARNER shall indemnify RALEIGH for any liabilities, damages, costs and claims arising from or relating to the negligent acts or omissions of GARNER committed in connection with this Agreement. This indemnification obligation shall survive the expiration or termination of this Agreement. This indemnification is limited to the insurance coverage applicable to GARNER’s negligent acts or omissions committed in connection with this Agreement. Such liability arises out of acts for which any defense of governmental, statutory, or common law immunity is not available. The indemnification provided for herein shall not be construed as a waiver of any applicable defense of governmental, statutory, or common law immunity, and shall not prevent GARNER from asserting any defense of such immunity; provided that if a court of competent jurisdiction determines that no such immunity applies, then the indemnity provided for herein shall apply.

4.04 Ethics Provision. The Parties acknowledge and shall adhere to the requirements of N.C. Gen. Stat. §133-32, which prohibits the offer to, or acceptance by any state or local employee of any gift from anyone with a contract with the governmental entity or from a person seeking to do business with the governmental entity.

4.05 Governing Law; Venue. This Agreement and the rights and obligations of the Parties hereto shall be interpreted, construed and enforced in accordance with the laws of the State of North Carolina and shall be enforced only in its General Court of Justice to the extent that any such actions will lie therein. The venue for any such action relating to this Agreement shall be Wake County Civil Superior Court.

4.06 Entire Agreement. The terms and provisions herein contained constitute the entire agreement by and between the Parties hereto and shall supersede all previous communications, representations or agreements, either oral or written between the Parties hereto with respect to the subject matter hereof.

4.07 Severability. If any provision of this Agreement shall be determined to be unenforceable by a court of competent jurisdiction, such determination will not affect any other provision of this Agreement.

4.08 Counterparts. This Agreement may be executed in several counterparts, each of which shall be deemed an original.

4.09 Non-Discrimination Assurances.
To the extent permitted by North Carolina law, the parties hereto for themselves, their agents, officials, employees and servants agree not to discriminate in any manner on the basis of race, color, creed, national origin, sex, age, handicap, or sexual orientation with reference to the subject matter of this Agreement. The parties further agree, to the extent
permitted by law, to conform with the provisions and intent of City of Raleigh Ordinance 1969-889, as amended. This provision is hereby incorporated into this Agreement for the benefit of the City of Raleigh and its residents, and may be enforced by action for specific performance, injunctive relief, or other remedy as provided by law. This provision shall be binding on the successors and assigns of the parties with reference to the subject matter of this Agreement.

(Signature page follows this page)
IN WITNESS WHEREOF, Raleigh has executed the foregoing with the signature(s) of its duly authorized officer(s), under seal, and GARNER has executed with the signature of the Town Manager, attested by its Town Clerk, with the official seal affixed, the day and year first above written.

This the _____ day of ______________, 2021.

BY:__________________________
Rodney Dickerson
Town Manager
rdickerson@garnernc.gov

Attest:

_________________________   ___________________________
Stella Gibson               Terri Jones
Town Clerk                Approved as to Form, Town Attorney
sgibson@garnernc.gov        tjones@garnernc.gov

City of Raleigh

BY:__________________________

City Manager

Attest:

_________________________   ___________________________
City Clerk                Approved as to Form, Raleigh City Attorney
### Town of Garner
#### Town Council Meeting
#### Agenda Form

**Meeting Date:** January 19, 2021  
**Subject:** Budget Amendment - PD Vehicles  
**Location on Agenda:** Consent  
**Department:** Finance  
**Contact:** David C. Beck, Finance Director  
**Presenter:** David C. Beck, Finance Director

**Brief Summary:**

The Police Department has recently lost two vehicles that were involved in accidents and subsequently totaled by our insurance company. These vehicles need to be replaced in order to maintain an adequate number of vehicles in the PD fleet. Insurance proceeds of $23,000 received for these two vehicles along with other insurance settlements received year to date will be used to fund a portion of the replacement costs with the remainder coming from fund balance.

**Recommended Motion and/or Requested Action:**

Consider adopting Ordinance (2021) 5009

**Detailed Notes:**

**Funding Source:**

Insurance proceeds and fund balance

**Cost:** $90,000  
**One Time:** ☐  
**Annual:** ☐  
**No Cost:** ☐

**Manager’s Comments and Recommendations:**

**Attachments**

Yes: ☐  
No: ☐

**Agenda Form**

Reviewed by:  

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ORDINANCE NO. (2021) 5009

ORDINANCE AMENDING ORDINANCE NO. (2020) 4065 WHICH ESTABLISHED THE OPERATING BUDGET

BE IT ORDAINED by the Town Council of the Town of Garner, North Carolina:

Section One. That the GENERAL FUND be amended as follows:

Revenue Amendment Request

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<th>DESCRIPTION</th>
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<td>10305000-465070</td>
<td>Insurance Proceeds</td>
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<td>$ 4,354</td>
<td>$ 36,500</td>
<td>$ 40,854</td>
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<td>Appropriated Fund Balance</td>
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<td>$ 2,838,366</td>
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<td>$ 2,891,866</td>
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TOTAL REVENUE INCREASE (DECREASE) $ 90,000.00

Expenditure Amendment Request

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<th>REVISED BUDGET</th>
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<tr>
<td>10605000-537451</td>
<td>Capital Outlay - Public Safety</td>
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<td>$ 459,877</td>
<td>$ 90,000</td>
<td>$ 549,877</td>
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TOTAL EXPENDITURE INCREASE (DECREASE) $ 90,000.00

Section Two. Copies of this ordinance shall be furnished to the Finance Director and the Town Clerk for their direction in the disbursement of the Town’s funds and for public inspection.

Duly adopted this 19th day of January 2021.

______________________________
Ken Marshburn, Mayor

ATTEST:

______________________________
Stella L. Gibson , Town Clerk
Town Council approved a property appraisal for two parcels under consideration for future parkland.

Recommended Motion and/or Requested Action:
Consider adopting Ordinance (2021) 5010

Funding Source:
Fee in lieu of parkland restricted fund balance

Cost: $1,500  One Time: ☑  Annual: ☐  No Cost: ☐

Manager’s Comments and Recommendations:
ORDINANCE NO. (2021) 5010

ORDINANCE AMENDING ORDINANCE NO. (2020) 4065 WHICH ESTABLISHED THE OPERATING BUDGET

BE IT ORDAINED by the Town Council of the Town of Garner, North Carolina:

Section One. That the GENERAL FUND be amended as follows:

Revenue Amendment Request

<table>
<thead>
<tr>
<th>ACCOUNT NUMBER</th>
<th>DESCRIPTION</th>
<th>PROJECT</th>
<th>CURRENT BUDGET</th>
<th>REVENUE CHANGE</th>
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<tr>
<td>10309000-496901</td>
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<td>$ 1,548,181</td>
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TOTAL REVENUE INCREASE (DECREASE) $ 1,500.00

Expenditure Amendment Request

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<td>$ 1,500</td>
<td>$ 5,800</td>
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TOTAL EXPENDITURE INCREASE (DECREASE) $ 1,500.00

Section Two. Copies of this ordinance shall be furnished to the Finance Director and the Town Clerk for their direction in the disbursement of the Town's funds and for public inspection.

Duly adopted this 19th day of January 2021.

Ken Marshburn, Mayor

ATTEST:

Stella L. Gibson, Town Clerk
Meeting Date: January 19, 2021
Subject: Nuisance Abatements - January 2021
Location on Agenda: Consent
Department: Finance
Contact: David C. Beck, Finance Director
Presenter: David C. Beck, Finance Director

Brief Summary:
Resolution declaring certain delinquent nuisance abatements as a lien on property. This resolution authorizes Wake County to add these abatement costs to Wake County property tax bills.

Recommended Motion and/or Requested Action:
Consider adopting Resolution (2021) 2434

Detailed Notes:

Funding Source:
n/a

Cost: One Time: ☐ Annual: ☐ No Cost: ☑

Manager’s Comments and Recommendations:

Attachments Yes: ☑ No: ☐

Agenda Form
Reviewed by: Initials: Comments:
Department Head: DCB
Finance Director: DCB
Town Attorney:  
Town Manager: RD
Town Clerk:
RESOLUTION NO. (2021) 2434

A RESOLUTION ASSESSING THE COST OF ABATEMENT AGAINST THE PROPERTY ON WHICH THE NUISANCE EXISTED

WHEREAS, the Town Council of the Town of Garner, pursuant to Chapter 160A of the North Carolina General Statutes and Chapter 6, Section 23 of the Town Code of the Town of Garner Ordinances has the authority to prevent, abate and declare unlawful nuisances and to make the cost of said abatement a lien against the premises where the nuisances existed, said liens to be collected in the nature of property taxes; and,

WHEREAS, the Town of Garner has abated nuisances on the below referenced properties in accordance with the Town Code referred to and has been unable to recover the abatement costs from the stated property owners; and,

WHEREAS, pursuant to North Carolina General Statutes 160A-193 the costs of the abatement involved with the abatement as well as the expenses of the action are a lien on the premises in the nature of a tax, which pursuant to North Carolina General Statutes 105-365.1 can be collected by a tax collector using the remedies provided by law;

NOW, THEREFORE BE IT RESOLVED THAT THE TOWN COUNCIL OF THE TOWN OF GARNER hereby confirms the cost of the abatement of the nuisances set out herein, pursuant to the General Statutes above referenced, confirms the same as liens against the premises, and requests the Wake County Tax Collector to collect the same in the nature of unpaid taxes:
<table>
<thead>
<tr>
<th>LOCATION</th>
<th>PROPERTY OWNER(S)</th>
<th>REAL ESTATE ID</th>
<th>COST</th>
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<tbody>
<tr>
<td>111 Rand Mill Rd</td>
<td>Gerri McLaughlin</td>
<td>21771</td>
<td>239.38</td>
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<tr>
<td>641 Springview Trl</td>
<td>Joyce Godwin</td>
<td>132625</td>
<td>100.00</td>
</tr>
<tr>
<td>1504 US 70 Hwy West</td>
<td>Garner Hotel LLC</td>
<td>182824</td>
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This resolution shall become effective upon adoption, recorded at the Wake County Registry and a copy thereof forwarded to the Tax Collector for Wake County.

Duly adopted this the 19th day of January 2021.

(Town Seal)

Ken Marshburn, Mayor

ATTEST:

Stella L. Gibson, Town Clerk
**Meeting Date:** January 19, 2021  
**Subject:** CUP-SP-20-12 SAAD Building Phase II  
**Location on Agenda:** Public Hearings  
**Department:** Planning  
**Contact:** Alison Jones, Planner II  
**Presenter:** Alison Jones, Planner II

**Brief Summary:**  
Conditional Use Site Plan (CUP-SP-20-12) request submitted by Briarhaven Properties/Magdy Saad for 6,480 square feet of flex space on a 3.01 +/- acre site at 100 Bricksteel Lane. The property may be further identified by Wake County PIN# 1730-30-7514.

**Recommended Motion and/or Requested Action:**  
Consider approval with conditions

See attached vicinity map. A neighborhood meeting was not required for this project as there is no rezoning that accompanies this plan request.

**Funding Source:**  
n/a

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<th>Annual:</th>
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**Manager’s Comments and Recommendations:**

**Attachments**  
Yes: ☐  No: ☐

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<tr>
<td>Town Clerk:</td>
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</tbody>
</table>
TO: Mayor and Town Council Members
FROM: Alison Jones, Planner II
SUBJECT: Conditional Use Permit # CUP-SP-20-12, SAAD Building Phase II
DATE: January 19, 2021

I. PROJECT AT A GLANCE

Project Number: CUP-SP-20-12, SAAD Building Phase II
Applicant: Briarhaven Properties, Magdy Saad
Owner: Briarhaven Properties, Magdy Saad
Plan Prepared by: Timmons Group

General Description -

- Proposed Use: Flex Space – Office Warehouse
- Project Location: 100 Bricksteel Lane
- Wake Count PIN(s): 1730-30-7514
- Zoning Classification: Mixed Use District 1 (MDX-1)

Key Meeting Dates –

- Planning Commission: December 21, 2020
II. BACKGROUND / REQUEST SUMMARY

The proposed use of the property is light industrial flex space.

The building is 6,480 square feet in area, with 5,280 square feet as warehouse and 1,200 square feet as office space.

The site is currently vacant.

The site is zoned Service Business (SB). Light industrial flex space is permitted in the Service Business zoning district in the town’s Unified Development Ordinance.

III. COMMUNITY INFORMATION

Overall Neighborhood Character: The predominant land use in this area is non-residential. White Oak Business Park consists of office, warehouse, and flex space uses. This business park and the surrounding commercial areas are zoned CR, MXD-1 and I-2 Conditional Use. Camelot subdivision is also in this vicinity, and this neighborhood is zoned R-15.

Neighborhood Meeting: A neighborhood was not required for this project because there is no rezoning required in this case.
IV. SITE PLAN PROJECT DATA

Acreage: 3.01 +/- acres

Minimum Lot Size/Dimensions: None

Setbacks:
- Front – 30’
- Rear – 0’
- Side – 0’
- Corner – 30’

Building Size: 6,480 sq ft total
Building Material and Color: The building will be constructed of brick and metal siding.

Landscape and Buffer Requirements:

Tree Cover: The plan is meeting the requirement of 10% with existing vegetation to remain undisturbed.

Street Buffers:
- A 15-foot buffer (horizontal distance separation only) along Bricksteel Lane and Raynor Road frontage.

Street Trees:
- Bricksteel Lane: 7 required; 7 provided
- Raynor Road: 11 required; 11 provided

Perimeter Buffers: 7.5-foot perimeter buffer for east and south sides of the project.

Vehicular Service Area: VSA plantings are provided as screening in the form of shrubs as well as canopy trees.

Building Perimeter: 10% of total plant points required, 10% will be provided.
Environmental Features: This site does not contain FEMA designated floodplain, however there are wetlands on this site.

Fire Protection: The Inspections Department has reviewed the plan for fire protection and given their approval.

Parking: Parking is based on 1 per 300 square feet of gross floor office area and 1 per 2 employees on maximum shift but not less than 1 per 5,000 square feet of gross floor area

- **Required:** 12 (1 accessible)
- **Proposed:** 12 (1 accessible)

Lighting: Proposed lighting meets the requirements of the Lighting Ordinance as well as meeting staff recommendations for LED fixtures. All fixtures have zero uplight, low glare and a warm white light exhibiting a color temperature of no more than 4,000 K (Kelvin).
Infrastructure: **Water/Sewer** - Connection to the City of Raleigh public sanitary sewer and water system will occur through existing infrastructure.

**Stormwater Management:** Saad Building Phase 2 is a commercial development site that is not located within the watershed protection area. This site is subject to stormwater water quality requirements for nitrogen only. A previous study was done for White Oak Business Park East to demonstrate that detaining water would be detrimental to the downstream watershed so no water quantity is required at this site. The development of this site remains under the 3.6 pounds per acre per year threshold for nitrogen and therefore no nitrogen offset payment is required with the development of this site.

**Site Access:** The site will be accessed from Bricksteel Lane.

**Frontage Improvements:** Saad Building Phase II is located at the southeast corner of Raynor Road and Bricksteel Lane. The building will be served by a single driveway off Bricksteel Lane. Both frontage streets are currently built to their ultimate section. On Bricksteel Lane, sidewalk is intended to only be installed on the north side of the road and is, therefore, not required along this site frontage. Sufficient
sidewalk to provide a connection from the building to the public sidewalk on the north side of the street will be included in this development. Street lighting will be installed along Raynor Road.

V. SITE PLAN CONFORMITY WITH APPLICABLE ADOPTED TOWN PLANS AND POLICIES

2018 Garner Forward Transportation Plan:
The 2018 Garner Forward Transportation Plan does not provide any roadway, bicycle and pedestrian, or transit improvements along Raynor Road. This project, as proposed, may be found to be in conformity with the Transportation Plan.

Parks, Recreation and Cultural Resources Comprehensive Master Plan:
A review of the Parks, Recreation & Cultural Resources Comprehensive Master Plan revealed no plan recommendations in the project area; therefore, this project, as proposed, may be considered consistent with the Parks, Recreation & Cultural Resources Comprehensive Master Plan.

Unified Development Ordinance Regulations:
After sufficient review and plan revisions, staff finds that this project, as now proposed, may be considered consistent with the regulations of the Unified Development Ordinance so long as the following project specific conditions are met:

1. Prior issuance of building permit payment of Engineering Inspection Fees shall be paid to the Town of Garner.
2. Prior to issuance of building permit, payment of Public Utilities Fees shall be paid to the City of Raleigh.

VI. PLANNING COMMISSION NOTES AND RECOMMENDATION
The Planning Commission reviewed this request at their December 21, 2020 meeting. By a unanimous vote, the Planning Commission confirmed staff’s findings in Section V that CUP-SP-20-12, SAAD Building Phase II, is in conformity with adopted town plans and policies. Staff recommendations for this site plan request (CUP-SP-20-12) conformity are highlighted in the motion worksheets on the following pages.
Choose one (1) of the following two (2) options: *(staff recommendation is highlighted below)* if not accepting staff recommendation, please select your own finding from below options.

1. Find **Consistent** with Town plans and ordinances and **Approve**:  
2. Find **Inconsistent** with Town plans and ordinances and **Deny**:

Please find the correlating motion option below to make your motion (number 1 or 2):

1. Find **Consistent** with Town plans and ordinances and **Approve**:

   “I move that the Council accept the staff statements regarding plan consistency in Section VII of this report as our own and find the application meets the 10 permit criteria in Section 3.14.D. and therefore approve CUP-SP-20-12, SAAD Building Phase II with the two conditions to be listed on the permit that will be prepared by Staff.”

   **Optional (conditions – mark, fill in and read all that applies):** ...and including the following reasonable conditions necessary to address the impacts of the proposed development on:

   ____ adjoining property,
   ____ the existing natural and man-made features of the site,
   ____ off-site and on-site traffic flow,
   ____ public utilities,
   ____ such other public services or goals of the Comprehensive Growth Plan or the Transportation Plan that may be negatively impacted by the proposed development *(enumerate plan services/goals)*:

   ____________________________________________________________
   ____________________________________________________________

   **Condition #1:**
   ____________________________________________________________

   **Condition #2, etc.:**
   ____________________________________________________________
2. Find **Inconsistent** with Town plans and ordinances and **Deny**:  

“I move that the Council find the application does not meet one or more of the criteria in Section 3.14.D. for granting a special use permit,

*(Check and read all that apply – include stated reason/evidence)*

1. The proposed use **will** endanger the public health or safety  
   *because/as evidenced by* ___________________________;  
2. The proposed use **will** substantially injure the value of adjoining or abutting property;  
   *because/as evidenced by* ___________________________;  
3. The proposed use **does not comply** with all applicable provisions of this UDO;  
   *because/as evidenced by* ___________________________;  
4. If completed as proposed, the development will **not** comply with all requirements of this section;  
   *because/as evidenced by* ___________________________;  
5. The proposed use will **not** be compatible with the proximate area in which it is to be located;  
   *because/as evidenced by* ___________________________;  
6. The proposed use is **inconsistent** with the Transportation Plan, other relevant adopted plans and policies, and the stated purpose and intent of this UDO (the fact that the use is permitted under certain circumstances in the zoning district creates a rebuttable presumption that the proposed use is in harmony with the intent of the UDO as relates to the general zoning plan);  
   *because/as evidenced by* ___________________________;  
7. The proposed use is **incompatible** with adjacent uses in terms of building scale, site design, buffering and screening, operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);  
   *because/as evidenced by* ___________________________;  
8. Any significant adverse impacts resulting from the use will **not** be mitigated or offset, including impacts on the natural environment;  
   *because/as evidenced by* ___________________________;  
9. The public safety, transportation and utility facilities and services will **not** be available to serve the subject property while maintaining sufficient levels of service for existing development;  
   *because/as evidenced by* ___________________________;  
10. Adequate assurances of continuing maintenance have **not** been provided;  
    *because/as evidenced by* ___________________________;  

and therefore, deny SAAD Building Phase II – CUP-SP-20-12.
Project: Saad Building II
Applicant: Briarhaven Properties LLC
Owner: Briarhaven Properties LLC
Location: Raynor Road
Pin #: 1730307514

Proposed Use: Flex Space / warehouse
Current Zoning: MXD-25 C25
Acreage: 2.96
Overlay: None
Voluntary satellite annexation petition (ANX-20-20) submitted by Rebecca Lakey to annex 0.70 +/- acres located at 105 Shore Drive into the Town of Garner corporate limits. The property is located along Shore Drive between Buffaloe Road and Lake Benson and may be further identified as Lot 5 of the Lake Shore Subdivision as well as Wake County PIN# 1609-89-5874.

Recommended Motion and/or Requested Action:
Adopt Annexation Ordinance (2021) 5004

Manager’s Comments and Recommendations:

Attachments Yes: ☐ No: ☐
Owner: Rebecca Lakey
Location: 105 Shore Drive
Area: 0.7 acres
Pin: 1609895874
TO: Mayor and Town Council

FROM: David Bamford, AICP; Planning Services Manager

SUBJECT: Annexation: ANX-20-20, 105 Shore Drive

DATE: January 19, 2021

ANNEXATION APPLICATION: ANX-20-20

OWNERS: Rebecca Lakey

CONTIGUOUS / SATELLITE: Satellite

LOCATION OF PROPERTY: 105 Shore Drive

WAKE COUNTY PIN #: 1609-89-5874

REAL ESTATE ID #: 0022354

AREA: 0.7 +/- acres

ZONING: R-20

ASSOCIATED DEVELOPMENT PLAN: None – existing home on Lot 5 of Lake Shore Subdivision

RECOMMENDATION: Adopt annexation ordinance

KEY DATES:

SET PUBLIC HEARING: December 7, 2020

PUBLIC HEARING: January 4, 2021 / Continued January 19, 2021

ANNEXATION EFFECTIVE: January 19, 2021
ORDINANCE NO. (2020) 5004

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF GARNER, NORTH CAROLINA

WHEREAS, the Town Council of the Town of Garner has been petitioned under G.S. 160A-58.1 to annex the area described below; and

WHEREAS, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at 900 7th Avenue in the Town of Garner Town Hall at 7:00 PM on January 4, 2021, after due notice by the News & Observer on December 18, 2020, and

WHEREAS, the Town Council finds that the area described therein meets the standards of G.S. 160A-58.1(b), to wit:

a. The nearest point on the proposed satellite corporate limits is not more than three (3) miles from the corporate limits of the Town of Garner;

b. No point on the proposed satellite corporate limits is closer to another municipality than to the Town of Garner;

c. The area described is so situated that the Town of Garner will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits;

d. No subdivision, as defined in G.S. 160D-802, will be fragmented by this proposed annexation;
WHEREAS, the Town Council further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the Town Council further finds that the petition is otherwise valid, and that the public health, safety and welfare of the Town of Garner and of the area proposed for annexation will be best served by annexing the area described;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Garner, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-58.2, the following described non-contiguous territory is hereby annexed and made part of the Town of Garner as of January 19, 2021.

(ANX 20-20) 105 Shore Drive – Satellite annexation;
Located at 105 Shore Drive off Buffaloe Road; Wake County PIN # 1609-89-5874;
Lot 5 of Lake Shore Subdivision in Book of Maps 1967, Page 7; totaling 0.70 +/- acres.

Section 2. Upon and after January 19, 2021, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Garner and shall be entitled to the same privileges and benefits as other parts of the Town of Garner said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Garner shall cause to be recorded in the office of the Register of Deeds of Wake County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Wake County Board of Elections, as required by G.S. 163-288.1.

Adopted this 19th day of January 2021.

______________________________
Ken Marshburn, Mayor

ATTEST:

______________________________
Stella L. Gibson, Town Clerk
Meeting Date: January 19, 2021
Subject: CUP-SP-20-09 Rand Village Apartments
Location on Agenda: Public Hearings
Department: Planning
Contact: Stacy Griffin, Principal Planner
Presenter: Jeff Triezenberg, Planning Director

Brief Summary:
Conditional Use Site Plan (CUP-SP-20-09) request submitted by Cambridge Properties/Barrett Blackburn for a 264-unit apartment complex with garages and amenities on an 18.34 acre +/- site on the north side of Caddy Road where it intersects with US 401/Fayetteville Road. The property may be further identified by Wake County PIN# 0699-18-30659.

Recommended Motion and/or Requested Action:
Consider approval with conditions

Detailed Notes:
See attached vicinity map. A neighborhood meeting was not required for this project as there is no rezoning with this request. The applicant did have neighborhood meetings for this project as part of the Conditional Use Subdivision request approved in July 2020.

The public hearing was opened on January 4, 2021 and continued until January 19, 2021.

Funding Source:
n/a

Cost:

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Manager’s Comments and Recommendations:

Attachments
Yes: ○ No: ○

Agenda Form
Reviewed by:

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<th>Department Head:</th>
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<th>Town Attorney:</th>
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<tr>
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</table>
TO: Mayor and Town Council
FROM: Stacy Griffin, AICP; Principal Planner
SUBJECT: Conditional Use Permit # CUP-SP-20-09, Rand Village Apartments
DATE: January 19, 2021

I. PROJECT AT A GLANCE

Project Number: CUP-SP-20-09, Rand Village Apartments
Applicant: Cambridge Properties, Inc. (Barrett Blackburn)
Owner: Cambridge-Garner, LLC
Plan Prepared by: Bohler Engineering

General Description -
Proposed Use: Multi-Family - Apartments
Project Location: Fayetteville Road and Caddy Road
Wake Count PIN(s): 0699-18-3059
Zoning Classification: Multi-Family 2 (MF-2)

Key Meeting Dates –
Neighborhood Meeting: Not required. Meetings were held March 26, 2020 as part of CUD-Z-19-11/CUP-SB-19-04 with follow up letters sent on April 17, 2020 and July 27, 2020
Planning Commission: December 21, 2020
Town Council Public Hearing: January 19, 2021
II. BACKGROUND / REQUEST SUMMARY

Rand Village was approved as a Conditional Use Subdivision Plan (CUP-SB-19-04) on July 21, 2020.

This is the second Conditional Use Site Plan that follows the subdivision and conditional rezoning. This particular plan is for 264 apartment units on the north side of Caddy Road.

There are five apartment buildings as well as a clubhouse and garages. The complex also has amenities including a pool, dog park, and pickleball courts.

The site is zoned Multi-Family 2 Conditional Use. All of the uses being presented under this site plan are allowed in the zoning district.

III. COMMUNITY INFORMATION

Overall Neighborhood Character: This project is located on the south side of US 401 and Caddy Road. This apartment development is part of the larger Rand Village development which includes commercial uses on the north side of US 401. There are other commercial and retail businesses located in close proximity.

Neighborhood Meeting: A neighborhood meeting was not required for this project since there is no rezoning associated with this case; however, the applicant did hold a neighborhood meeting as part of the original conditional commercial subdivision and rezoning process and followed up with two letters to residents after the initial meeting was held.
IV. SITE PLAN PROJECT DATA

Acreage: 18.34 +/- acres

Minimum Lot Size/Dimensions: 5,000 square feet

Setbacks: Front – 35’
Rear – 25’
Side – 15’
Corner Side – 25’

Building Sizes:
**Building Material and Color:** The apartment buildings will be constructed of fiber cement and brick veneer. At least 50% of the building facades will be finished with the brick/masonry veneer (US 70/401 overlay)

**Landscape and Buffer Requirements:**

**Tree Cover:** The plan calls for 13.8% tree coverage (12.3% preserved and 1.5% replacement), meeting the requirement of 10%.

**Street Buffers:**
- A 7.5 foot buffer (horizontal distance separation only) along US 401 Frontage and a 15 foot buffer along Caddy Road.

**Street Trees:**
- Trees provided along both street frontages every 40 feet as required.

**Perimeter Buffers:** There are 35-foot perimeter buffers on the north and south and a 25-foot perimeter buffer on the eastern property line.

**Vehicular Service Area:** VSA plantings are provided as screening in the form of shrubs as well as canopy trees in planted islands.

**Building Foundation:** 10% of total plant points required. Plant points are distributed around each of the buildings.
Environmental Features: This site does not contain FEMA designated floodplain.

Fire Protection: The Inspections Department has reviewed the plan for fire protection and given their approval.

Parking: Parking for apartments is based on the number of bedrooms in each apartment unit (1 bedroom = 1.5 spaces; 2 bedroom = 2 spaces; 3 bedrooms = 2.5 spaces) plus one space for every four units for visitor parking.

- **Required**: 522
- **Proposed**: 425 (including garage spaces)
- In keeping with the authorized flexibility in administration (Section 7.4.C.), the applicant is requesting a 18.6% reduction in required parking.
- Applicant has presented a parking study which states that 396 spaces is sufficient. That would equate to 1.5 spaces per unit, regardless of the number of bedrooms with no extra provision for guest parking.
The largest parking reduction granted by Town Council to this point has been 15% (Evolve at Timber Creek apartments).

**Lighting:** Proposed site lighting meets the requirements of the Lighting Ordinance as well as meeting staff recommendations for LED fixtures. All fixtures have zero uplight, low glare and a warm white light exhibiting a color temperature of no more than 4,000 K (Kelvin).

**Infrastructure:** *Water/Sewer* - The parcels will be connected to the City of Raleigh public water and sewer systems.

*Stormwater Management:* Rand Village Apartments is a multifamily development site that is located within the watershed protection area. This site is subject to stormwater water quality requirements for nitrogen and 85% TSS removal as well as water quantity requirements for the 1-, 10- and 25-year storm events. This development plan proposes a wet retention pond to treat impervious surface from the development. This device will satisfy all water quality and water quantity requirements at this site for nitrogen, 85% TSS removal and will detain the 1-, 10- and 25-year storm events. A
nitrogen offset payment will also be required as part of this development.

**Site Access:** The site will be accessed from Caddy Road.

**Frontage Improvements:** Rand Village Apartments are located on the northeast corner of US401 and Caddy Road. As part of the overall Rand Village Subdivision, road frontage along US401 will be widened and curb, gutter, and sidewalk will be installed within the existing right-of-way. This development will not have direct access to US401. Access will be provided via two driveways on Caddy Road. A dedicated right turn lane from northbound US401 onto Caddy road will be installed. Caddy Road will be improved to a Town of Garner minor collector street. It will be widened and curb, gutter, and sidewalk will be installed. Additional right-of-way will be dedicated to accommodate the new road section.

V. SITE PLAN CONFORMITY WITH APPLICABLE ADOPTED TOWN PLANS AND POLICIES

**2018 Garner Forward Transportation Plan:**

The 2018 Garner Forward Transportation Plan recommends Fayetteville Road as a six-lane divided arterial. The Plan does not provide any recommendations for pedestrian or bicycle facilities. With the proposed roadway widening, and construction of curb, gutter and sidewalk, this project may be considered consistent with the recommendations of the 2018 Garner Forward Transportation Plan.

**Parks & Recreation, Open Space & Greenways Master Plan:**

A review of the Parks and Recreation, Open Space and Greenways Master Plan revealed no plan recommendations in the project area; therefore, this project, as proposed, may be considered consistent with the Parks & Recreation, Open Space & Greenways Master Plan.

**Unified Development Ordinance Regulations:**

After sufficient review and plan revisions, staff finds that this project, as now proposed, may be considered consistent with the regulations of the Unified Development Ordinance so long as a parking reduction is grant by the Town Council and the following project specific conditions are met:

1. Prior issuance of building permit payment of Engineering Inspection Fees shall be paid to the Town of Garner.

2. Prior issuance of building permit proof of nitrogen offset payment to an approved mitigation bank must be provided to the Town of Garner.

3. Prior to issuance of a building permit, payment of Public Utilities Fees shall be paid to the City of Raleigh.
4. All public road improvements (to include sidewalk, curb, gutter, road widening) on the north side of Caddy Road shall be completed prior to the first residential certificate of occupancy being granted on the north side of Caddy Road.

VI. PLANNING COMMISSION NOTES AND RECOMMENDATION

The Planning Commission reviewed this request at their December 21, 2020 meeting. By a unanimous vote, the Planning Commission confirmed staff’s findings in Section V that CUP-SP-20-09, Rand Village Apartments, is in conformity with adopted town plans and policies. Staff recommendations for this site plan request (CUP-SP-20-09) conformity are highlighted in the motion worksheets on the following pages.
CUP-SP-20-09 Rand Village Apartments

Conditional Use Permit Motion Worksheet

Choose one (1) of the following two (2) options: (staff recommendation is highlighted below) If not accepting staff recommendation, please select your own finding from below options.

1. Find Consistent with Town plans and ordinances and Approve:

2. Find Inconsistent with Town plans and ordinances and Deny:

Please find the correlating motion option below to make your motion (number 1 or 2):

1. Find Consistent with Town plans and ordinances and Approve:

“I move that the Council accept the staff statements regarding plan consistency in Section VII of this report as our own and find the application meets the 10 permit criteria in Section 3.14.D. and therefore approve CUP-SP-20-09, Rand Village Apartments, with the four conditions to be listed on the permit that will be prepared by Staff.”

Optional (conditions – mark, fill in and read all that applies): ...and including the following reasonable conditions necessary to address the impacts of the proposed development on:

- adjoining property,
- the existing natural and man-made features of the site,
- off-site and on-site traffic flow,
- public utilities,
- such other public services or goals of the Comprehensive Growth Plan or the Transportation Plan that may be negatively impacted by the proposed development (enumerate plan services/goals):

____________________________________________________________
____________________________________________________________

Condition #1:
____________________________________________________________

Condition #2, etc.:  
____________________________________________________________
2. Find **Inconsistent** with Town plans and ordinances and **Deny**:

“I move that the Council find the application does not meet one or more of the criteria in Section 3.14.D. for granting a special use permit,

*(Check and read all that apply – include stated reason/evidence)*

1. The proposed use **will** endanger the public health or safety *because/as evidenced by ___________________________________________;*

2. The proposed use **will** substantially injure the value of adjoining or abutting property; *because/as evidenced by ___________________________________________.*

3. The proposed use **does not comply** with all applicable provisions of this UDO; *because/as evidenced by ___________________________________________.*

4. If completed as proposed, the development will **not** comply with all requirements of this section; *because/as evidenced by ___________________________________________.*

5. The proposed use **will not** be compatible with the proximate area in which it is to be located; *because/as evidenced by ___________________________________________.*

6. The proposed use is **inconsistent** with the Transportation Plan, other relevant adopted plans and policies, and the stated purpose and intent of this UDO (the fact that the use is permitted under certain circumstances in the zoning district creates a rebuttable presumption that the proposed use is in harmony with the intent of the UDO as relates to the general zoning plan); *because/as evidenced by ___________________________________________.*

7. The proposed use is **incompatible** with adjacent uses in terms of building scale, site design, buffering and screening, operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts); *because/as evidenced by ___________________________________________.*

8. Any significant adverse impacts resulting from the use will **not** be mitigated or offset, including impacts on the natural environment; *because/as evidenced by ___________________________________________.*

9. The public safety, transportation and utility facilities and services will **not** be available to serve the subject property while maintaining sufficient levels of service for existing development; *because/as evidenced by ___________________________________________.*

10. Adequate assurances of continuing maintenance have **not** been provided; *because/as evidenced by ___________________________________________.*

and therefore, deny Rand Village Apartments – CUP-SP-20-09.
Project: Rand Village Apartments
Applicant: Cambridge Properties LLC
Owner: Joseph Rand Revocable Trust
Location: Caddy Rd
Pin #: portion of 0699183059

Proposed Use: Apartments- 266 Units
Current Zoning: Multi-Family MF-1 C224
Acreage: 18.34
Overlay: US 401/ US 70
Meeting Date: January 19, 2021  
Subject: Contract Approval for Construction Drawings – Meadowbrook & Yeargan  
Location on Agenda: Old/New Business  
Department: Parks, Recreation and Cultural Resources  
Contact: Matt Roylance, Interim Parks Director  
Presenter: Matt Roylance, Interim Parks Director  

Brief Summary:  
Approve additional contracts with McAdams to provide more detailed cost estimates and phasing options for the future Meadowbrook and Yeargan parks.

Recommended Motion and/or Requested Action:  
Council consider approving contracts with McAdams totaling $633,493 for 30% level construction drawings.

Detailed Notes:  
The master planning work for the future Meadowbrook and Yeargan park properties is nearly complete. In order to keep both projects moving so they can be considered for the Town’s upcoming bond referendum, staff requests authorization to contract with McAdams for the next phase of work - 30% level construction drawings. This scope of work will provide a more refined cost estimate and will allow Council to discuss phasing options for both parks.  
NOTE: Each park has two proposals attached - one for professional/design services, and one for technical services like surveying and geotechnical work. The cost noted below combines all four proposals to show a total cost.

Funding Source:  
Parks fee in lieu funds  
Cost: $633,493  
| One Time: ☑ | Annual: ☐ | No Cost: ☐ |

Manager’s Comments and Recommendations:

Attachments  
Yes: ☑  No: ☐  

Agenda Form Reviewed by:  
Initials:  
Comments:  
Department Head:  
MR  
Finance Director:  
Town Attorney:  
Town Manager:  
RD  
Town Clerk:
Review

- Master plan work nearing completion
- Desire to keep work moving in preparation for bond referendum
- Early estimates suggest park costs will exceed bond funds
- Council requested more accurate cost estimates and phasing options
Meadowbrook

- Survey and Geotechnical - $88,210
- Engineering - $50,665
- Architecture - $56,100
- Civil/Infrastructure/Landscape Architecture - $45,150
- Cost Estimating + Phasing Study - $19,465
- Other - $32,155
- Total = $291,745
Yeargan

- Historical Survey - $8,957
- Survey and Geotechnical - $70,920
- Engineering - $49,240
- Athletics - $45,250
- Architecture - $66,000
- Civil/Infrastructure/Landscape Architecture - $43,600
- Cost Estimating + Phasing Study - $27,206
- Other - $30,575
- Total = $341,748
Schedule

▪ February 2021 – Project Initiation
▪ March/April 2021 – Construction Drawings, Preliminary Cost Estimates
▪ May 2021 – Phasing Study
▪ June 2021 – Final Cost Estimates and 30% Construction Drawings
Total Cost and Funding Options

- Meadowbrook = $291,745
- Yeargan = $341,748
- Total = $633,493

- Funding source = Parks Fee in Lieu (current balance = $1.5M)
- Option to reimburse Fee in Lieu from future bond funds (no need to decide tonight)
Staff Recommendation

- Approve the contracts with McAdams for 30% constructions drawings
- Budget amendment to follow on future agenda
December 22, 2020

Mr. Matthew Roylance  
Assistant Town Manager  
Town of Garner  
900 7th Avenue  
Garner, North Carolina  27529

Re: Meadowbrook Park – Topographic and boundary survey, Natural resources  
Town of Garner, North Carolina  
TOG-18020

Dear Mr. Roylance,

We are pleased to present the following proposal for the Topographic and Boundary Survey services for the future Meadowbrook Park for the Town of Garner.

PROJECT UNDERSTANDING

Project Description:  
It is our understanding the Town is seeking the development of 30% construction drawings for a 120-acre tract known as the Meadowbrook property. The park is located at 8025 Country Club Dr Garner, NC and 8101 Hebron Church Road Garner, NC (PIN: 1629850981, 1629653937)
The project team will provide a multidisciplinary design approach to involve following professional services.

Service provided in current scope:

  > UAS Flight and Data Services  
  > Ground Topographic Survey  
  > SUE investigation  
  > Detail wetland delineation and verification  
  > Preliminary Geotechnical investigation

Additional services needed for 30% construction drawings will be provided as an addendum to this contract:

  > Stormwater engineering  
  > Civil engineering  
  > Landscape Architecture  
  > Architecture  
  > Structural engineering  
  > MEP engineering  
  > Cost Estimation
PROPOSED SERVICES + FEES:
To expedite the process we are proposing the following scope to be approved at the earliest and release the survey team for initial site investigation:

UAS Flight and Data Services
FEE: $18,725

McAdams UAS flight crews will perform all flights under Part 107 regulations and will acquire if necessary the FAA airspace authorizations to perform such tasks. Once any necessary authorization has been granted flight plans will be prepared to complete the project mission. LIDAR and Aerial Photography will be collected within the project limits. Ground Control points and Photo Identification points will be established for the project site, recording the northings, eastings, and elevations for each on NAD83 and NAVD88 datum. The data collected from the UAS will be validated with the collected points. Aerial data will be processed in accordance to ASPRS Accuracy Standards for Digital Geospatial Data, as well as any regulation required by the Board of Examiners for Engineers and Land Surveyors. Ground classification will be extracted from the LIDAR data and used to develop a develop a digital terrain model to define the existing topography. The aerial survey will be merged with information collected from the topographic survey for Hebron Church Road, Skyline Dr, Country Club Dr, and Battle Field Dr for the subject property’s frontage. Deliverable will be a signed and sealed Existing Conditions Survey to be incorporated into the engineers plan set.

* An allowance for lift rental fees not to exceed $1,200 has been added for two (2) days rental in the cost table.

Topographic and Boundary Survey:
Boundary Survey:
FEE: $21,800

Perform a boundary survey of the subject properties (Wake County PINs 1629850981 & 1629653937) in accordance with the Standards of Practice for Land Surveying in North Carolina. The survey will be performed using the North Carolina State Plane Coordinate System, NAD 83 adjustment as the basis of bearing. A closed traverse loop will be performed along the property boundary. Pertinent site features within and on the property boundary including structures, wells, fences, etc. will be located in the field. Evidence of property lines will be in the field and used in conjunction with deeds and plats of record to retrace the property boundary. Corners missing or destroyed will be reset per North Carolina Standards of Practice. Any apparent property overlaps, gaps, gores, etc. will be in the field and referenced in the survey. The results of the boundary survey will be shown on a signed and sealed Existing Conditions Survey to be incorporated into the engineer’s plan set.
Ground Topographic Survey:

FEE: $13,250

Perform a ground topographic survey to locate the road frontages and extended limits of Hebron Church Road, Country Club Lane, Battle Field Drive, the existing buildings and structures located on the subject properties, storm and sanitary sewer lines and inverts, SUE designations performed under Task B2.30, and any features not accessible to the UAS flight. The finish floor elevations will be measured for occupied structures only. The ground survey will be merged with information collected from the UAS flight and shown on a signed and sealed Existing Conditions Survey to be incorporated into the engineers plan set.

Exclusion:
Edges of larger tree canopy coverage will be surveyed with this scope of work. If additional details such as detail tree survey with species identification and caliper sizes is required, additional fees shall apply.

Streams & Wetlands Location Survey:

FEE: $18,225

Perform a ground survey to locate stream channels, stream buffer points and wetland flags delineated during the tasks associated with Task Code A4.70. The locations will be shown on a signed and sealed Existing Conditions Survey to be incorporated into the engineer’s plan set.

Utility Designation (Private Utility Locating)/Level B:

FEE: $7,500

Conductive utilities will be marked utilizing Geophysical prospecting techniques in conjunction with radio, audio, and electromagnetic equipment. Multiple utility sweeps will be performed to identify any unknown conductive utilities. All non-conductive utilities will be marked utilizing above ground features utility plats and/or as-built, and recollections. Utilities will be marked utilizing standard marking paint and/or flags and whiskers in accordance with APWA standard code to ensure accuracy in the collection of the information. Basic Maintenance of Traffic will be provided. Basic MOT includes the following: cones and signs as needed. Client will ensure that there is access to all areas inside and outside of the building so a thorough locate, and sweeps can be performed.

This locate will not include sewer or storm services, mains or laterals. This locate will also not include drainage from roof drains or include any information regarding clean outs. These systems can be calculated by surveyors when gathering invert data.
Natural Resources

Delineation Re-flagging:
FEE: $1,440

The detailed surface water and wetland delineation has already been performed for this site. For this scope the team will hang delineation flags for surveying.

Preliminary Geotechnical Investigation:
FEE: $4,950

This scope assumes maximum 10 feet of cut and fill depth.

Field Services
> The field services scope of work will include the following:
> An S&ME representative will visit the site for reconnaissance and mark test locations using handheld GPS equipment.
> We will contact NC 811 to mark public underground utilities in the vicinity of the boring locations.
> We will perform 7 hand auger borings with Sowers dynamic cone penetrometer (DCP) tests at approximate 1-foot intervals to depths of up to about 5 feet below existing ground surface. Hand auger boring locations are shown on the attached Proposed Test Location Plan.
> Water levels will be measured at completion of hand auger borings. Hand auger borings will be backfilled with soil cuttings to the ground surface.

Report
A preliminary geotechnical report will be prepared based on the results of field testing and engineering analyses. The report will include the following:
> Summary of project information.
> Summary and brief discussion of near-by geotechnical projects completed by subconsultant.
> Description of field exploration and sampling methods.
> Test Location Plan.
> Hand auger boring logs indicating Unified Soil Classification System (USCS) classifications.
> General description of the site, regional geology, and subsurface conditions.
> Water levels observed in completed hand auger borings at termination of drilling.
> General information regarding soil conditions encountered and their impact on proposed development.
> Preliminary discussion of anticipated suitable foundation type(s) based on assumed structure types and general subsurface conditions encountered to depths explored.
> Preliminary site grading recommendations, to include site preparation, repair of unsuitable subgrade soils, excavation issues and use of on-site soils for structural fill.
> An electronic, PDF, copy of the report will be submitted.
Limitations

> The generalized subsurface information to be obtained is intended to convey trends in subsurface conditions. The boundaries between strata will be approximate and idealized and will be developed by interpretations of widely-spaced borings. Therefore, actual subsurface conditions may vary between test locations.

> Soil test borings have limitations with assessing debris in existing fills (if present) and test pits may be needed to further evaluate the subsurface conditions at this site.

> The consultant cannot be held responsible for damage to utility lines or subsequent loss of service if utility locations are not made known to us or are improperly located by others.

Project Management:

FEE: $1,120

Managing a design team on a complex project across multiple disciplines requires a great deal of coordination between team members, subconsultants, Town staff, stakeholders and elected officials. This task includes email and phone coordination with involved parties (staff, stakeholders and elected officials), project updates and internal coordination with team members (scheduling, etc.), and design coordination and technical meetings with internal team members and subconsultants.

EXPENSES

Expenses shall be considered reimbursable and include but are not limited to the following:

> Courier Trips;
> Prints/Mylars/Copies;
> Mileage;
> Site Plan Submittal Fees;

COMPENSATION FOR SERVICES

MCADAMS proposes to provide the services outlined with budgets as shown below plus reimbursable expenses:

<table>
<thead>
<tr>
<th>Task Number</th>
<th>Task Name</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>UAS, Topographic and Boundary Survey</td>
<td>$79,500</td>
<td></td>
</tr>
<tr>
<td>Natural Resources</td>
<td>$1,440</td>
<td></td>
</tr>
<tr>
<td>Preliminary Geotechnical Investigation</td>
<td>$4,950</td>
<td></td>
</tr>
<tr>
<td>Lift rental for two (2) days (Allowance)</td>
<td>$1,200</td>
<td></td>
</tr>
<tr>
<td>Project Management</td>
<td>$1,120</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$ 88,210</strong></td>
<td></td>
</tr>
</tbody>
</table>
Extra Services

Additional Services:

When requested by the Owner and confirmed by the Owner and/or Firm in writing, the Firm shall perform services in addition to those described above in this Agreement and the Owner shall compensate the Firm by hourly charges in accordance with the attached Rate Schedule.

PROJECT SCHEDULE

The Firm’s services shall be performed as expeditiously as is consistent with professional skill and care and the orderly progress of the project. The following is the expected schedule for completion of work on this project:

Schedule to be mutually agreed upon between Owner and Firm.

The time limits and schedule set forth above have been agreed to by the Owner and Firm, but the time limits and schedule shall be extended for (1) reasonable cause, or for (2) any delays associated with the Firm’s work on the project that are not the sole responsibility of the Firm.

OWNER RESPONSIBILITIES

Owner shall be responsible for the following:

- Notification to proceed
- Timely approval of sketches presented for Owner approval
- Timely providing of information from other professional services (architect, geotechnical engineer, etc.), as described hereinabove
- Payment of all application and permit fees
- Payment of invoices in accordance with Item 1 of Terms and Conditions
- Notification to Firm of any problems, in accordance with Item 2 of Terms and Conditions

EXCLUSIONS

The following services are not included in this Agreement:

- Off-site utility extensions or roadway improvements (may be quoted if required)
- Off-site stormwater management facilities, revisions to the existing stormwater infrastructure or analysis of “downstream” stormwater system (will be quoted if required)
- Coordination meetings or conference calls in addition to scope of services mentioned (can be quoted once scope is clarified).
- Wetlands permitting (will be quoted if required)
- Traffic Impact Analysis.
- Color graphics for meetings or marketing purposes (will be quoted if required)
- Permit application, plans review or re-review fees
- Revised directives from Owner after work has begun
> Acquisition of easements; preparation of off-site easements
> Flood studies or FEMA.
> Court appearances for litigation, or preparation for same
> Legal advertisements for construction contracts
> Detail soils investigations, borings, or compaction tests
> Any costs incurred by Owner due to changes required by the approving authority or their inspectors

GENERAL CONDITIONS
> The attached “Terms and Conditions” shall apply to this Agreement.
> This proposal is valid for 30 days from the above date.
> Reimbursable expenses will be billed in accordance with the attached Rate Schedule.
> Owner is responsible for all application and permit fees.

CONCLUSION
We appreciate this opportunity to propose our services. We are eager to pursue this project further and thank you for your consideration.

Sincerely,
MCADAMS

Rachel Cotter
Civic Spaces, Director

ACCEPTANCE
By: ___________________________ Date: __________
Name: ___________________________
Title: ___________________________

ACCOUNTING INFORMATION
Billing Contact: ___________________________
Billing Contact Email Address: ___________________________
December 22, 2020
Update: January 12, 2021

Mr. Matthew Roylance
Assistant Town Manager
Town of Garner
900 7th Avenue
Garner, North Carolina 27529

Re: Meadowbrook Park – Professional Services to complete 30% construction drawings
Town of Garner, North Carolina
TOG-18020

Dear Mr. Roylance,

We are pleased to present the following proposal to provide professional services IN ADDITION TO the Topographic and Boundary Survey services for the future Meadowbrook Park for the Town of Garner. The following scope includes tasks needed to be completed for schematic 30% drawings in order to find out the total costs of full build out that would inform the decision for phase one of construction.

**PROJECT UNDERSTANDING**

Several amenities are proposed for Meadowbrook site including renovation of existing building and proposed new buildings.

**Scope of Services**

- Small community Center - 1 story building approximately 10,000 square feet
- Renovation of Existing Clubhouse - Assumed approximately 3,000 square feet
- Renovation of existing putt putt golf
- Amphitheater - Small stage with canopy and on grade terraced seating bowl
- Event Lawn
- Tennis courts
- Playground
- Spray ground

**Site structures include**

- Pergola
- Trellises at viewpoint
- Small shelter at trailhead
- Large shelter and restrooms at Event Lawn
- Large shelter at fairway
- 4 small shelters
Large shelter with restrooms, pump room, and concessions
2 large shelters at pond
Kayak/canoe launch pier
Sketches and precedent images for storytelling concept

The project team will involve a multidisciplinary design approach to include the following professionals to supplement McAdams professional services:

**Architecture**
Teri Canada, AIA, NOMA, LEED AP  
401 Foster Street, Suite B1  
Durham, NC 27701  
919.495.6059

**Mechanical/Electrical/Plumbing Engineering (MEP)**
William Smith  
Stanford White, Inc.  
PO Box 19944  
Raleigh, NC 27619  
919-832-8120

**Structural Engineering**
Robert Macia  
Scalene Design  
55 Fayetteville St., Suite 300  
Raleigh, North Carolina 27601  
919-810-9965

**Cost Estimation**
MBP  
Karen Houser, CCM, LEED AP  
505 Independence Parkway, Suite 101  
Chesapeake, VA 23320  
571-294-0404

**General Assumptions:**

This proposal is based on the following assumptions:

> The scope of this proposal is for preliminary design services for on-site improvements (as described above) only. A separate contract will be necessary for preparation of future phases (i.e. 60% and final construction drawings, bid phase services, construction administration or additional investigations other than those described herein), along with the design of any identified offsite improvements (e.g. utility extensions, offsite roadway/intersection improvements, signal modifications, etc.).

> Traffic planning/engineering services (i.e. traffic impact analysis, design of offsite traffic improvements, signal design, etc.) are outside the scope of this agreement.

> If changes in the project scope result from significant modifications to specific project site plans as directed by the Owner or other unforeseen influences to the design and management scope of the project, additional services by the consultant will be warranted. A supplemental scope and fee estimate will be provided as necessary.

> Construction documents provided in this proposal will be completed at a Schematic Design (SD) level (30%).

> Permitting services are not included within this scope of work. A list of anticipated permits shall be provided.

> The Town shall provide access to the sites and any adjacent areas which may be applicable to completing the enclosed scope of services. This may require the Town to gain permission from landowners for access to the properties which are not owned by Town of Garner.
Any additional consultants or services beyond those specifically indicated within the proposal, will be additional.

PROPOSED SERVICES
We propose the following services described in this section.

PROJECT INITIATION

Project Kick-Off + Master Plan Details + SHPO Coordination

TOTAL FEE: $17,025

Project Kickoff:

FEE: $2,245

Conduct a virtual planning kickoff meeting to:
  > Confirm goals and objectives;
  > Confirm the elements proposed in the master plan;
  > Address any Town questions regarding project scope, program or deliverables;
  > Review project opportunities and constraints; and
  > Establish project schedule.

Master Plan Details + SHPO Coordination:

FEE: $14,780

> The design team will digitalize the proposed site elements as depicted in the Master Plan. The design team will refine any elements of the design that need additional consideration. These may include updates due to the on-going discussions with agency reviewers, adjacent property easement or real-property acquisition to provide additional vehicular access, additional comments from the Parks and Recreation Advisory Board, Parks and Recreation Director, Town Manager or decision makers.

> The team will communicate with SHPO on the proposed master plan and receive feedback on compliance with National Historic Register requirements on land development and impact.

> The team will also communicate with the Planning Department and SHPO regarding utility (water and sewer) extension and access road through the site.

> This phase also includes further development of features including:
  o Playground theming and equipment selection,
  o Schematic design for custom amenities supplemented with sketches and precedent images;
  o Development of a materials pallet (furnishings, paving, signage, low-voltage lighting);
  o Event lawn;
  o Hardscape materials and furnishings pallet;
Ramps and handrails, seat walls, raised planters, retaining wall system (height and aesthetic only; coordinated with structural design and details);

> Landscape buffers and other plantings required by the Town’s Unified Development Ordinance (plant type only);
> Landscape plantings above and beyond code requirements (location and type only with a selected plant pallet and precedent imagery); and
> Limited pedestrian and landscape lighting (location and fixture selection only – parking lot lighting, wiring and electric engineering by others).

The scope of this task includes one round of Town comments based on any of the items listed above.

This digitalized, refined concept design will serve as the basis for 30% construction drawings (schematic Design).

30% CONSTRUCTION DRAWINGS (SCHEMATIC DESIGN)

Stormwater Engineering:
TOTAL FEE: $10,900

Meadowbrook Assumptions:
> The proposed stormwater control measures on the site will not be considered jurisdictional as defined by the North Carolina Dam Safety Law of 1967, as amended.
> The Town of Garner will be the only permitting authority for stormwater management.
> No riverine flood study nor watershed conservation determination is required for the development of this site. Any riverine flood study work identified as required will be quoted at the appropriate time.

Preliminary Stormwater Impact Analysis
FEE: $4000

Prepare an abbreviated Stormwater Impact Analysis/Memo for the Meadowbrook Site Plan to layout the stormwater management requirements for the site. Fee assumes that the site will utilize two and that any Green Stormwater Infrastructure (GSI) applications not utilized for nutrient purposes will not require compliance with NCDEQ Minimum Design Criteria (MDCs).

Preliminary Design for Stormwater Control Measures
FEE: $4500

Single sheet design and preparation of construction drawings for two above-ground stormwater control measure as required in the approved site Stormwater Impact Analysis for the Yeargan site. Not to include design and preparation of construction drawing details for GSI measure(s) for the Meadowbrook site.
Stormwater Management Coordination + Permitting

FEE: By hourly charges in accordance with the attached Rate Schedule
Estimate $2400

Coordination with Town of Garner and respond to comments and revise preliminary design, as necessary.

Mechanical, Electrical, Plumbing Services

FEE: $23,540

The subcontractor for this scope of work will prepare schematic documents for Meadowbrook Park at a 30% design level. Design will be initially structured for a single phase of construction. Schematic documents will include basic plans and basic system descriptions on plan only, no spec manual) at a level of detail that will allow for preliminary cost estimating by others. A Schematic Design narrative will also be included. Schematic documents will be submitted to the Town for review and comment.

Services rendered under this scope include:

Mechanical Engineering:
> Plumbing
> Fire Protection
> Heating, ventilating and air-conditioning (HVAC)

Electrical Engineering:
> Power
> Building Lighting
> Site Lighting
> Fire Alarm

Structural Engineering:

FEE: $16,225

> Establish Owner and LA/Architect’s design expectations, building criteria, and system preferences.
> Assist with defining the scope and identifying soil boring locations for geotechnical engineering report.
> Structural system comparisons based on Owner and LA/Architect’s criteria and concepts. Provide recommendation(s) for appropriate structural solutions.
> Provide structural drawings and details typically including foundation plans, floor framing plans, roof framing plans, lateral system drawings, associated details, sections and material schedules.
> Attend local (Raleigh-Durham area) team meetings when requested.
> Review construction cost estimates prepared by contractor, CM, or cost consultant.
> Revit modelling and coordination of structural model with design team.
> Review and response to contractors’ bid phase requests for information.
> Response to RFIs, submittal and shop drawing review, and make site visits during construction phase.

**Exclusions**
> Structural engineering related to any public art sites is not included.
> We have assumed the superstructures for the zip line and ropes courses will be engineered by vendors for those systems. Subcontractor will engineer foundations and supporting structures required by the vendors.

**Architecture:**

FEE: $56,100

The architecture scope for Meadowbrook Park includes schematic design services for three building structures.
> Develop SD Level documents per state construction requirements
> Attend owner review meetings per contract schedule.
> Create Outline Specifications
> Preliminary Rendered image of each building

**Civil Engineering, Infrastructure Design, Landscape Architecture:**

FEE: $45,150

The Project Team will prepare schematic construction documents at a 30% detail level. It is assumed the master plans will be structured for a single phase of construction to get the overall costs for full buildout. Schematic construction documents will include 30% design for architecture, site engineering, landscape architecture, tennis court design, and mechanical/electrical engineering. Details and plan notes will be developed to a level of detail that will allow for accurate cost estimating of all projects. Construction documents will be submitted to the Town for review at the schematic design stage (30% Construction documents) for one round of comments. Any required project specifications will be submitted in written note format on the plan set and does not include a separate project specifications manual.

**30% Construction Drawings to include Preliminary:**
> Existing Conditions Plan (Site Survey);
> Grading with rough cut/fill quantities;
> Stormwater collection and conveyance (piping) with preliminary pipe sizing;
> Erosion control plan and sequence for the project;
> Site Plan;
> Hardscape Plan;
> Landscape Plan – Code Required;
> Landscape Plan – Enhanced;
> Site lighting and furnishings Plan; and
> Limited Details (standard only. Custom details will be represented by precedent imagery or sketches).

This task also includes preliminary coordination with agency regulators to confirm all regulatory requirements. Following preliminary design coordinate, preliminary plan review of projects with appropriate governing bodies to review schematic plans with local regulations. Agencies to include within this general review step (but are not limited) to; NCDOT, NCDEMLR, NCDEWQ, Town of Garner Planning Department and Technical Review Committee; City of Raleigh Public Works, Wake County Environmental Health Department.

Cost Estimates:

FEE: $13,225 (Each additional reconciliation meeting $1,000/ meeting)

A cost estimate and written report will be provided for 30% construction document set. A draft estimate will be submitted for review and comment and final estimate will be submitted after addressing the comments for any phasing adjustments. The cost estimate will be prepared using recent bid data and industry standards and include escalation and all soft costs.

Phasing Study:

FEE: $6,240

This task also includes completing a phasing study for the first phase of site development. It will involve maximum two (2) meetings with the Council- to present initial phasing concept and finalize the phasing after receiving comments from the council members. The final exhibit will show phase lines on the site plan and highlighted amenities to be constructed in the first phase.

Project Management:

FEE: $13,630

Managing a design team on a complex project across multiple disciplines requires a great deal of coordination between team members, subconsultants, Town staff, stakeholders and elected officials. This task includes email and phone coordination with involved parties (staff, stakeholders and elected officials), project updates and internal coordination with team members (scheduling, etc.), and design coordination and technical meetings with internal team members and subconsultants.

EXPENSES

Expenses shall be considered reimbursable and include but are not limited to the following:
MCADAMS proposes to provide the services outlined with budgets as shown below plus reimbursable expenses:

<table>
<thead>
<tr>
<th>Task Name</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Kick-Off + Master Plan Refinement</td>
<td>$17,025</td>
</tr>
<tr>
<td>Stormwater Engineering</td>
<td>$10,900</td>
</tr>
<tr>
<td>Mechanical, Electrical, Plumbing Services</td>
<td>$23,540</td>
</tr>
<tr>
<td>Structural Engineering</td>
<td>$16,225</td>
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<tr>
<td>Architecture</td>
<td>$56,100</td>
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<tr>
<td>Civil Engineering, Infrastructure Design, Landscape Architecture</td>
<td>$45,150</td>
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<tr>
<td>Cost Estimates</td>
<td>$13,225</td>
</tr>
<tr>
<td>Phasing Study + Council Meetings (2)</td>
<td>$6,240</td>
</tr>
<tr>
<td>Project Management</td>
<td>$13,630</td>
</tr>
<tr>
<td>Expenses</td>
<td>$1,500</td>
</tr>
<tr>
<td><strong>GRAND TOTAL</strong></td>
<td><strong>$203,535</strong></td>
</tr>
</tbody>
</table>

**Extra Services**

**Additional Council Meetings:**

FEE: $1,530 (per meeting)

The project team will attend additional council meetings if requested. It is assumed that the meetings will be for maximum two hours to be attended by two project team members. Any additional material preparation needed for specific meetings will be considered additional scope and will require scope amendment.

**Additional Services:**

When requested by the Owner and confirmed by the Owner and/or Firm in writing, the Firm shall perform services in addition to those described above in this Agreement and the Owner shall compensate the Firm by hourly charges in accordance with the attached Rate Schedule.

**PROJECT SCHEDULE**

The Firm's services shall be performed as expeditiously as is consistent with professional skill and care and the orderly progress of the project. The following is the expected schedule for completion of work on this project:

Schedule to be mutually agreed upon between Owner and Firm.
The time limits and schedule set forth above have been agreed to by the Owner and Firm, but the time limits and schedule shall be extended for (1) reasonable cause, or for (2) any delays associated with the Firm’s work on the project that are not the sole responsibility of the Firm. The tentative schedule is described below:

- Notice to Proceed: January 2021
- Project Initiation: February 2021
- 30% Construction drawings and preliminary cost estimates: March-April 2021
- Phasing Study: May 2021
- Final 30% Construction drawings and cost estimates: June 2021

**OWNER RESPONSIBILITIES**

Owner shall be responsible for the following:

- Notification to proceed
- Timely approval of sketches presented for Owner approval
- Timely providing of information from other professional services (architect, geotechnical engineer, etc.), as described hereinabove
- Payment of all application and permit fees
- Payment of invoices in accordance with Item 1 of Terms and Conditions
- Notification to Firm of any problems, in accordance with Item 2 of Terms and Conditions

**EXCLUSIONS**

The following services are not included in this Agreement:

- Off-site utility extensions or roadway improvements (may be quoted if required)
- Off-site stormwater management facilities, revisions to the existing stormwater infrastructure or analysis of “downstream” stormwater system (will be quoted if required)
- Coordination meetings or conference calls beyond the scope of this project (can be quoted once scope is clarified).
- Wetlands permitting (will be quoted if required)
- Traffic Impact Analysis.
- Color graphics for meetings or marketing purposes (will be quoted if required)
- Permit application, plans review or re-review fees
- Revised directives from Owner after design has begun
- Acquisition of easements; preparation of off-site easements
- Flood studies or FEMA.
- Additional submittal of stormwater design for jurisdictional approval by State regulatory organizations such as NCDENR-DWQ, Dam Safety, or the like (can be quoted if determined to be required).
- Court appearances for litigation, or preparation for same
- Legal advertisements for construction contracts
- Detail soils investigations, borings, or compaction tests
- Any costs incurred by Owner due to changes required by the approving authority or their inspectors
GENERAL CONDITIONS

> The attached “Terms and Conditions” shall apply to this Agreement.
> This proposal is valid for 30 days from the above date.
> Reimbursable expenses will be billed in accordance with the attached Rate Schedule.
> Owner is responsible for all application and permit fees.

CONCLUSION

We appreciate this opportunity to propose our services. We are eager to pursue this project further and thank you for your consideration.

Sincerely,

MCADAMS

Rachel Cotter
Civic Spaces, Director

ACCEPTANCE

By: ___________________________ Date: ______________

Name: ___________________________

Title: ___________________________

ACCOUNTING INFORMATION

Billing Contact: ___________________________

Billing Contact Email Address: ___________________________

Billing Contact Phone Number: ___________________________

Billing Address: ___________________________
December 22, 2020
Update: January 12, 2021

Mr. Matthew Roylance
Assistant Town Manager
Town of Garner
900 7th Avenue
Garner, North Carolina 27529

Re: Yeargan Park – Historic Structures Survey, Topographic and Boundary Survey, Natural Resources Town of Garner, North Carolina TOG-18020

Dear Mr. Roylance,

We are pleased to present the following proposal for Historic Structures Survey and Topographic and Boundary Survey services for the future Yeargan Park for the Town of Garner.

**PROJECT UNDERSTANDING**

**Project Description:**
It is our understanding the Town is seeking the development of 30% construction drawings for a 72-acre tract known as the Yeargan property. The park is located at 607 E Garner Road, Garner (PIN 1721021090, 1721027050, 1721033394) The project team will provide a multidisciplinary design approach to involve following professional services.

Service provided in current scope:
- Historic Structures Survey
- UAS Flight and Data Services
- Ground Topographic Survey
- SUE Investigation
- Detail Wetland Delineation and Verification
- Geotechnical Investigation

Additional services needed for 30% construction drawings will be provided as an addendum to this contract:
- Stormwater Engineering
- Civil Engineering
- Landscape Architecture
- Architecture
- Structural Engineering
- MEP Engineering
- Cost Estimation
PROPOSED SERVICES + FEES:
To expedite the process we are proposing the following scope to be approved at the earliest and release the survey team and historian for initial site investigation. (Alphanumeric task numbers are for internal coding purposes):

Historic Structures Survey:
FEE: $8,957

The purpose of an HSSR (Historic Structures Survey Report) is to identify historic properties (above-ground buildings, structures, objects, or sites) that are listed in or eligible for listing in the National Register of Historic Places (NRHP). HSSRs are prepared as part of the Section 106 compliance process required for all projects that are federally licensed, permitted, funded, or approved. Our understanding is that park development may require a permit from the U.S. Army Corps of Engineers, and consultation with the State Historic Preservation Office (SHPO) may be required. Once NRHP listed or eligible properties, if any, are identified, the U.S. Army Corps of Engineers can consult with the SHPO to determine if the project will affect such historic properties. The HSSR can be used in the regulatory compliance process, if required, and as a planning tool for the Town of Garner and local stakeholders.

The Yeargan Farm has been assigned survey site number (WA2256) by the SHPO. The farm was documented at the reconnaissance level by the SHPO in 1992, but it has not been formally evaluated for the NRHP. Also, on the site is the “Dupree House,” which may have been used as a Civil War field hospital. All services included herein are based on the master plan report prepared by McAdams.

Task I: Background Research

- Review the HPOWEB online GIS to identify similar properties of the same age and architectural style as the Yeargan House (“comps”).
- Conduct research in local Wake County repositories, the SHPO, and interview the property owner or other appropriate local informants.
- Conduct other background research to be used in developing a site-specific history and historic contexts and to identify comparable properties.

Task II: Site Visit/Fieldwork

- Photograph, document, and map all buildings, outbuildings, site features, and landscapes using guidance provided by the SHPO’s Architectural Survey Manual (2008).
- Photograph comparable properties in Wake County, as required by the SHPO.

Task III: Reporting

- Prepare a HSSR that meets the SHPO’s Standards for Historic Structures Survey Reports (September 2019). The report will include a transmittal letter, project description, maps of the subject parcel and preliminary Area of Potential Effects, appropriate background history and context for the Yeargan Farm, an illustrated description of the house, comparable properties, and statements of NRHP eligibility using the NRHP Criteria.
- Completed GIS data, SHPO Access database and printed survey forms (required by the SHPO).
Once RGA completes the report, McAdams or the Town of Garner may submit it to the SHPO for their thirty (30)-day review period.

**Task IV: Virtual Council Meeting**

- Project team will conduct a virtual information meeting (Duration maximum one hour) to inform the council of the results of the HSSR.

**Assumptions**

- The Town of Garner will arrange access to the property.
- RGA will follow all state and local Covid-19 regulations during fieldwork and research tasks.

**Topographic and Boundary Survey:**

**UAS Flight and Data Services:**

**FEE:** $14,850

McAdams UAS flight crews will perform all flights under Part 107 regulations and will acquire if necessary the FAA airspace authorizations to perform such tasks. Once any necessary authorization has been granted flight plans will be prepared to complete the project mission. LIDAR and Aerial Photography will be collected within the project limits. Ground Control points and Photo Identification points will be established for the project site, recording the northings, eastings, and elevations for each on NAD83 and NAVD88 datum. The data collected from the UAS will be validated with the collected points. Aerial data will be processed in accordance with ASPRS Accuracy Standards for Digital Geospatial Data, as well as any regulation required by the Board of Examiners for Engineers and Land Surveyors. Ground classification will be extracted from the LIDAR data and used to develop a digital terrain model to define the existing topography. The aerial survey will be merged with information collected from the topographic survey of East Garner Road for the subject property’s frontage. Deliverable will be a signed and sealed Existing Conditions Survey to be incorporated into the engineers’ plan set.* An allowance for lift rental fees not to exceed $1,200 has been added for two (2) days rental in the cost table.

**Boundary Survey:**

**FEE:** $16,200

Perform a boundary survey of the subject properties (Wake County PINs 1721021090, 1721027050 & 1721033394) in accordance with the Standards of Practice for Land Surveying in North Carolina. The survey will be performed using the North Carolina State Plane Coordinate System, NAD 83 adjustment as the basis of bearing. A closed traverse loop will be performed along the property boundary. Pertinent site features within and on the property boundary including structures, wells, fences, etc. will be located in the field. Evidence of property lines will be located in the field and used in conjunction with deeds and plats of record to retrace the property boundary. Corners missing or destroyed will be reset per North Carolina Standards of Practice. Any apparent property overlaps, gaps, gores, etc. will be located in the field and
referenced in the survey. The results of the boundary survey will be shown on a signed and sealed Existing Conditions Survey to be incorporated into the engineers’ plan set.

**Ground Topographic Survey:**

**FEE:** $10,600

Perform a ground topographic survey to locate the road frontages and extended limits of Garner Road and Eagle Rare Lane, the existing buildings and structures located on the subject properties, storm and sanitary sewer lines and inverts, SUE designations performed under Task B2.30, and any features not accessible to the UAS flight. The finish floor elevations will be measured for occupied structures only. The ground survey will be merged with information collected from the UAS flight and shown on a signed and sealed Existing Conditions Survey to be incorporated into the engineer’s plan set.

**Exclusion**

Edges of larger tree canopy coverage will be surveyed with this scope of work. If additional details such as detail tree survey with species identification and caliper sizes is required, additional fees shall apply.

**Streams & Wetlands Location Survey:**

**FEE:** $8,800

Perform a ground survey to locate stream channels, stream buffer points and wetland flags delineated during the tasks associated with Task Code A4.70. The locations will be shown on a signed and sealed Existing Conditions Survey to be incorporated into the engineer’s plan set.

**Utility Designation (Private Utility Locating)/Level B:**

**FEE:** $5,500

Conductive utilities will be marked utilizing Geophysical prospecting techniques in conjunction with radio, audio, and electromagnetic equipment. Multiple utility sweeps will be performed to identify any unknown conductive utilities. All non-conductive utilities will be marked utilizing above ground features utility plats and/or as-built, and recollections. Utilities will be marked utilizing standard marking paint and/or flags and whiskers in accordance with APWA standard code to ensure accuracy in the collection of the information.

Basic Maintenance of Traffic will be provided. Basic MOT includes the following: cones and signs as needed. Client will ensure that there is access to all areas inside and outside of the building so a thorough locate, and sweeps can be performed.

This locate will not include sewer or storm services, mains or laterals. This locate will also not include drainage from roof drains or include any information regarding clean outs. These systems can be calculated by surveyors when gathering invert data.
Natural Resources
TOTAL FEE: $7,700

Detailed Surface Water/Wetland Delineation:
FEE: $5,500

A detailed delineation of surface waters and wetlands present on the tract will be completed in general accordance with 1987 Corps of Engineers Wetland Delineation Manual and the appropriate regional supplement and the NC Division of Water Resources Methodology for Identification of Streams. Sequentially numbered flags will be hung in the field around the boundaries of wetlands and at the start/end points of stream channels. A report of our findings will be provided including the stream types present, flag numbers and features to be surveyed, general permitting guidance, and a map of the surface waters, wetlands, and riparian buffers present on the property.

Surface Water/Wetland Verification:
FEE: $2,200

With property owner permission, the delineation along with the appropriate wetland data, stream identification and jurisdictional determination forms will be provided to the USACE for their verification of the delineation. This will involve a site meeting with a representative of the USACE for issuance of a preliminary jurisdictional determination that is suitable for permitting purposes.

Preliminary Geotechnical Investigation:
FEE: $4,950

Field Services
The field services scope of work will include the following:

- This scope assumes maximum 10 feet of cut and fill depth.
- An S&ME representative will visit the site for reconnaissance and mark test locations using handheld GPS equipment.
- We will contact NC 811 to mark public underground utilities in the vicinity of the boring locations.
- We will perform 8 hand auger borings with Sowers dynamic cone penetrometer (DCP) tests at approximate 1-foot intervals to depths of up to about 5 feet below existing ground surface. Hand auger boring locations are shown on the attached Proposed Test Location Plan.
- Water levels will be measured at completion of hand auger borings. Hand auger borings will be backfilled with soil cuttings to the ground surface.

Report
A preliminary geotechnical report will be prepared based on the results of field testing and engineering analyses. The report will include the following:

- Summary of project information.
Summary and brief discussion of near-by geotechnical projects completed by S&ME.
Description of field exploration and sampling methods.
Test Location Plan.
Hand auger boring logs indicating Unified Soil Classification System (USCS) classifications.
General description of the site, regional geology, and subsurface conditions.
Water levels observed in completed hand auger borings at termination of drilling.
General information regarding soil conditions encountered and their impact on proposed development. Preliminary discussion of anticipated suitable foundation type(s) based on assumed structure types and general subsurface conditions encountered to depths explored.
Preliminary site grading recommendations, to include site preparation, repair of unsuitable subgrade soils, excavation issues and use of on-site soils for structural fill. An electronic, PDF, copy of the report will be submitted.

Limitations
The generalized subsurface information to be obtained is intended to convey trends in subsurface conditions. The boundaries between strata will be approximate and idealized and will be developed by interpretations of widely spaced borings. Therefore, actual subsurface conditions may vary between test locations.
Soil test borings have limitations with assessing debris in existing fills (if present) and test pits may be needed to further evaluate the subsurface conditions at this site.
The consultant cannot be held responsible for damage to utility lines or subsequent loss of service if utility locations are not made known to us or are improperly located by others.

Project Management:
FEE: $1,120

Managing a design team on a complex project across multiple disciplines requires a great deal of coordination between team members, subconsultants, Town staff, stakeholders, and elected officials. This task includes email and phone coordination with involved parties (staff, stakeholders, and elected officials), project updates and internal coordination with team members (scheduling, etc.), and design coordination and technical meetings with internal team members and subconsultants.

EXPENSES
Expenses shall be considered reimbursable and include but are not limited to the following:
Courier Trips;
Prints/Mylars/Copies;
Mileage;
Site Plan Submittal Fees
COMPENSATION FOR SERVICES

MCADAMS proposes to provide the services outlined with budgets as shown below plus reimbursable expenses:

<table>
<thead>
<tr>
<th>Task Name</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Historic Structures Survey</td>
<td>$8,957</td>
</tr>
<tr>
<td>Topographic and Boundary Survey</td>
<td>$55,950</td>
</tr>
<tr>
<td>Natural Resources</td>
<td>$7,700</td>
</tr>
<tr>
<td>Preliminary Geotechnical Investigation</td>
<td>$4,950</td>
</tr>
<tr>
<td>Lift rental for two (2) days</td>
<td>$1,200</td>
</tr>
<tr>
<td>Project Management</td>
<td>$1,120</td>
</tr>
<tr>
<td><strong>TOAL</strong></td>
<td><strong>$79,877</strong></td>
</tr>
</tbody>
</table>

Extra Services

Additional Services:

When requested by the Owner and confirmed by the Owner and/or Firm in writing, the Firm shall perform services in addition to those described above in this Agreement and the Owner shall compensate the Firm by hourly charges in accordance with the attached Rate Schedule.

PROJECT SCHEDULE

The Firm’s services shall be performed as expeditiously as is consistent with professional skill and care and the orderly progress of the project. The following is the expected schedule for completion of work on this project:

Schedule to be mutually agreed upon between Owner and Firm.

The time limits and schedule set forth above have been agreed to by the Owner and Firm, but the time limits and schedule shall be extended for (1) reasonable cause, or for (2) any delays associated with the Firm’s work on the project that are not the sole responsibility of the Firm.

OWNER RESPONSIBILITIES

Owner shall be responsible for the following:

- Notification to proceed
- Timely approval of sketches presented for Owner approval
- Timely providing of information from other professional services (architect, geotechnical engineer, etc.), as described hereinafter
- Payment of all application and permit fees
Payment of invoices in accordance with Item 1 of Terms and Conditions
Notification to Firm of any problems, in accordance with Item 2 of Terms and Conditions

EXCLUSIONS
The following services are not included in this Agreement:

- Off-site utility extensions or roadway improvements (may be quoted if required)
- Off-site stormwater management facilities, revisions to the existing stormwater infrastructure or analysis of “downstream” stormwater system (will be quoted if required)
- Coordination meetings or conference calls outside of the project scope (can be quoted once scope is clarified).
- Wetlands permitting (will be quoted if required)
- Traffic Impact Analysis.
- Color graphics for meetings or marketing purposes (will be quoted if required)
- Permit application, plans review or re-review fees
- Acquisition of easements; preparation of off-site easements
- Flood studies or FEMA.
- Court appearances for litigation, or preparation for same

GENERAL CONDITIONS

- The attached “Terms and Conditions” shall apply to this Agreement.
- This proposal is valid for 30 days from the above date.
- Reimbursable expenses will be billed in accordance with the attached Rate Schedule.
- Owner is responsible for all application and permit fees.

CONCLUSION
We appreciate this opportunity to propose our services. We are eager to pursue this project further and thank you for your consideration.

Sincerely,

MCADAMS

Rachel Cotter
Civic Spaces, Director
ACCEPTANCE

By: _____________________________  Date: __________

Name: ___________________________

Title: _____________________________

ACCOUNTING INFORMATION

Billing Contact: ___________________________

Billing Contact Email Address: ___________________________

Billing Contact Phone Number: ___________________________

Billing Address: ___________________________

_________________________________________
December 22, 2020  
Update: January 12, 2021

Mr. Matthew Roylance  
Assistant Town Manager  
Town of Garner  
900 7th Avenue  
Garner, North Carolina 27529

Re: Yeargan Park – Professional Services to complete 30% construction drawings  
Town of Garner, North Carolina  
TOG-18020

Dear Mr. Roylance,

We are pleased to present the following proposal to provide professional services IN ADDITION TO the Topographic and Boundary Survey services for the future Meadowbrook Park for the Town of Garner. The following scope includes tasks needed to be completed for schematic 30% drawings to find out the total costs of full build out that would inform the decision for phase one of construction.

PROJECT UNDERSTANDING

Several amenities are proposed for Yeargan Park site. The scope for renovation or adaptive reuse of existing buildings on site are excluded from this scope of work.

**Scope of Services**

**Maintenance Building**
> 1 story building approximately 2,000 square feet

**Outfitters Station**
> 1 story building approximately 1,000 square feet

**Concessions + Restroom + Shelter at Event Lawn**
> 1 story building approximately 2,800 square feet

**Miscellaneous site structures including**
> Retaining/climbing wall
> Picnic shelters and weather shelters – large and small size
> Outdoor stage
> Boardwalk
> Athletic fields- natural turf and artificial turf
The project team will involve a multidisciplinary design approach to include the following professionals to supplement McAdams professional services:

**Architecture**
HobGood Architects  
409 Hillsborough St  
Raleigh, NC 27603  
919-828-7711

**Structural Engineering**
Robert Macia  
Scalene Design  
55 Fayetteville St., Suite 300  
Raleigh, North Carolina 27601  
919-810-9965

**Athletics & Field Design**
Dan Dodd, PLA  
The Dodd Studio, LLC/ FitFields  
dan@FitFields.com  
314 Tom Hall St.  
Ft. Mill SC 29715

**Mechanical/Electrical/Plumbing Engineering (MEP)**
William Smith  
Stanford White, Inc.  
PO Box 19944  
Raleigh, NC 27619  
919-832-8120

**Cost Estimation**
MBP  
Karen Houser, CCM, LEED AP  
505 Independence Parkway, Suite 101  
Chesapeake, VA 23320  
571-294-0404

**General Assumptions:**
This proposal is based on the following assumptions:

> The scope of this proposal is for preliminary design services for on-site improvements (as described above) only. A separate contract will be necessary for preparation of future phases (i.e. 60% and final construction drawings, bid phase services, construction administration or additional investigations other than those described herein), along with the design of any identified offsite improvements (e.g. utility extensions, offsite roadway/intersection improvements, signal modifications, etc.).

> Traffic planning/engineering services (i.e. traffic impact analysis, design of offsite traffic improvements, signal design, etc.) are outside the scope of this agreement.
If changes in the project scope result from significant modifications to specific project site plans as directed by the Owner or other unforeseen influences to the design and management scope of the project, additional services by the consultant will be warranted. A supplemental scope and fee estimate will be provided as necessary.

Construction documents provided in this proposal will be completed at a Schematic Design (SD) level (30%).

Permitting services are not included within this scope of work. A list of anticipated permits shall be provided.

The Town shall provide access to the sites and any adjacent areas which may be applicable to completing the enclosed scope of services. This may require the Town to gain permission from landowners for access to the properties which are not owned by Town of Garner.

Any additional consultants or services beyond those specifically indicated within the proposal, will be additional.

PROPOSED SERVICES

We propose the following services described in this section.

PROJECT INITIATION

Project Kick-Off + Master Plan Refinement:

TOTAL FEE: $15,445

Project Kickoff:

FEE: $2,245

Conduct a virtual planning kickoff meeting to:

> Confirm goals and objectives;
> Confirm the elements proposed in the master plan;
> Address any Town questions regarding project scope, program, or deliverables;
> Review project opportunities and constraints; and
> Establish project schedule.

Master Plan Details:

FEE: $13,200

The design team will digitalize the proposed site elements as depicted in the Master Plan. The design team will refine any elements of the design that need additional consideration. These may include updates due to the outcomes of the proforma, on-going discussions with agency reviewers, adjacent property easement or real-property acquisition to provide additional vehicular access, additional comments from the Parks and Recreation Advisory Board, Parks and Recreation Director, Town Manager or decision makers.

This phase also includes further development of features including:

> Playground theming and equipment selection,
> Development of a materials pallet (furnishings, paving, signage, low-voltage lighting);
> Event lawn;
> Hardscape materials and furnishings pallet;
> Ramps and handrails, seat walls, raised planters, retaining wall system (height and aesthetic only; coordinated with structural design and details);
> Landscape buffers and other plantings required by the Town’s Unified Development Ordinance (plant type only);
> Landscape plantings above and beyond code requirements (location and type only with a selected plant pallet and precedent imagery); and
> Limited pedestrian and landscape lighting (location and fixture selection only – parking lot lighting, wiring and electric engineering by others).
> The scope of this task includes one round of Town comments based on any of the items listed above.

This digitalized, refined concept design will serve as the basis for 30% construction drawings (schematic Design).

30% CONSTRUCTION DRAWINGS

Stormwater Engineering:

TOTAL FEE: $15,250

Assumptions:
> The proposed stormwater control measures on this site will not be considered jurisdictional as defined by the North Carolina Dam Safety Law of 1967, as amended.
> The Town of Garner will be the only permitting authority for stormwater management.
> No riverine flood study is required for the development of this site. Any riverine flood study work identified as required will be quoted at the appropriate time.

Preliminary Stormwater Impact Analysis

FEE: $4,000

Prepare a Stormwater Impact Analysis (SIA) for submittal with the Yeargan Site Plan application to meet the stormwater management requirements for the site. Fee assumes one primary above-ground stormwater control measure will be required to treat stormwater runoff from this site. Green Stormwater Infrastructure (GSI) applications not utilized for nutrient purposes will not require compliance with NCDEQ Minimum Design Criteria (MDCs).

Preliminary Watershed Conservation Area Mapping

FEE: $5,750
McAdams will delineate hydrology and create a hydrologic model. McAdams will provide preliminary flood water surface elevations for the proposed layout and will map the 100-year water surface onsite, for use as a buffer.

**Preliminary Design for Stormwater Control Measures**

**FEE:** $3,500

Single sheet design and preparation of construction drawings for one above-ground stormwater control measure as required in the site Stormwater Impact Analysis for the Yeargan site. Not to include design and preparation of construction drawing details for GSI measure(s) for the Yeargan site.

**Stormwater Management Coordination + Permitting**

**FEE:** By hourly charges in accordance with the attached Rate Schedule - Estimate $2,000

Coordination with Town of Garner regarding low-density vs. high-density regulations and determination of any future permitting needs related to the Yeargan parcels. Respond to comments and revise preliminary design, as necessary.

**Mechanical, Electrical, Plumbing Services**

**FEE:** $20,790

The subcontractor retained for this scope of work will prepare schematic documents for Yeargan Park at a 30% design level. Design will be initially structured for a single phase of construction. Schematic documents will include basic plans and basic system descriptions on plan only, no spec manual) at a level of detail that will allow for preliminary cost estimating by others. A Schematic Design narrative will also be included. Schematic documents will be submitted to the Town for review and comment. Services rendered under this scope include:

**Mechanical Engineering:**
- Plumbing
- Fire Protection
- Heating, ventilating and air-conditioning (HVAC)

**Electrical Engineering:**
- Power
- Building Lighting
- Site Lighting
- Fire Alarm

**Structural Engineering:**

**FEE:** $13,200
Establish Owner and LA/Architect’s design expectations, building criteria, and system preferences.

Assist with defining the scope and identifying soil boring locations for geotechnical engineering report.

Structural system comparisons based on Owner and LA/Architect’s criteria and concepts. Provide recommendation(s) for appropriate structural solutions.

Provide structural drawings and details typically including foundation plans, floor framing plans, roof framing plans, lateral system drawings, associated details, sections and material schedules.

Attend local (Raleigh-Durham area) team meetings when requested.

Review construction cost estimates prepared by contractor, CM, or cost consultant.

Revit modelling and coordination of structural model with design team.

Review and response to contractors’ bid phase requests for information.

Response to RFIs, submittal and shop drawing review, and make site visits during construction phase.

Exclusions

Structural engineering related to any public art sites is not included.

We have assumed the superstructures for the zip line and ropes courses will be engineered by vendors for those systems. Subcontractor will engineer foundations and supporting structures required by the vendors.

Athletics:

**FEE: $ 45,250**

Scope for athletics includes:
Proposed - 2 Natural Grass Full Size Soccer/Multi-Purpose Sport Fields (225,000 SF)
Proposed - 1 Natural Grass Soccer/Multi-Purpose Championship Field (112,000 SF)
Proposed - 2 Synthetic Turf Full Size Soccer/Multi-Purpose Sport Fields (225,000 SF)
+/- 560,000 SF of Total Sport Field Design Area

The tasks associated with the scope are as follows:

- Review concept plan and base information and suggest changes as needed.
- Review geotechnical report
- Review water source location, pressure, and flow for irrigations
- Coordinate with McAdams on any additional site plan changes.
- Base and Block Set Up Coordination
- Layout Plan

- Grading Plan
- Drainage Plan
- Field Details
- Fencing/Netting Details
- Irrigation Strategy and Plan
- Irrigation Details
- Specifications
- Field Only Items - Opinion of Probable Cost
- Coordinate with Storm Water Engineers
> Review Final Erosion Control and SMW Plans
> Coordinate with overall Site Utility Plan
> Provide assistance to the Cost Estimators.

Architecture:

FEE: $66,000

The architectural scope will include schematic design for structures including small structures @300sf, Large Structure and weather Structures @400 sf, 1 outfitter station and restroom @1,000 sf, 1 restroom, shelter and pump house combination @ 2,800 sf, and a Bandshell for the Event Space.

- Schematic layout in Plan/Section as well as digital models showing buildings in context
- Material options and finishes to be shown in 3D renderings, casework details
- Plans/Sections/Elevations with material selections and spec outline

Civil Engineering, Infrastructure Design, Landscape Architecture:

FEE: $43,600

The Project Team will prepare schematic construction documents at a 30% detail level. It is assumed the master plans will be structured for a single phase of construction to get the overall costs for full buildout. Schematic construction documents will include 30% design for architecture, site engineering, landscape architecture, athletic field design, and mechanical/electrical engineering. Details and plan notes will be developed to a level of detail that will allow for accurate cost estimating of all projects. Construction documents will be submitted to the Town for review at the schematic design stage (30% Construction documents) for one round of comments. Any required project specifications will be submitted in written note format on the plan set and does not include a separate project specifications manual.

30% Construction Drawings to include Preliminary:

- Existing Conditions Plan (Site Survey);
- Grading with rough cut/fill quantities;
- Stormwater collection and conveyance (piping) with preliminary pipe sizing;
- Erosion control plan and sequence for the project;
- Site Plan;
- Hardscape Plan;
- Landscape Plan – Code Required;
- Landscape Plan – Enhanced;
- Site lighting and furnishings Plan; and
- Limited Details (standard only. Custom details will be represented by precedent imagery or sketches).
This task also includes preliminary coordination with agency regulators to confirm all regulatory requirements. Following preliminary design coordinate, preliminary plan review of projects with appropriate governing bodies to review schematic plans with local regulations. Agencies to include within this general review step (but are not limited) to: NCDOT, NCDEMLR, NCDEWQ, Town of Garner Planning Department and Technical Review Committee; City of Raleigh Public Works, Wake County Environmental Health Department.

**Cost Estimates:**

**FEE:** $20,966 (Each additional reconciliation meeting $1,000/meeting)

A cost estimate and written report will be provided for 30% construction document set. A draft estimate will be submitted for review and comment and final estimate will be submitted after addressing the comments for any phasing adjustments. A second round of estimates will be provided for 30% construction costs for phasing documents. The cost estimate will be prepared using recent bid data and industry standards and include escalation and all soft costs.

**Phasing Study:**

**FEE:** 6,240

This task also includes completing a phasing study for the first phase of site development. It will involve maximum two (2) meetings with the Council- to present initial phasing concept and finalize the phasing after receiving comments from the council members. The final exhibit will show phase lines on the site plan and highlighted amenities to be constructed in the first phase. Any additional revisions or meeting required for this task will be additional scope.

**Project Management:**

**FEE:** $13,630

Managing a design team on a complex project across multiple disciplines requires a great deal of coordination between team members, subconsultants, Town staff, stakeholders and elected officials. This task includes email and phone coordination with involved parties (staff, stakeholders and elected officials), project updates and internal coordination with team members (scheduling, etc.), and design coordination and technical meetings with internal team members and subconsultants.

**EXPENSES**

Expenses shall be considered reimbursable and include but are not limited to the following:

- Courier Trips;
- Prints/Mylars/Copies;
- Mileage;
MCADAMS proposes to provide the services outlined with budgets as shown below plus reimbursable expenses:

<table>
<thead>
<tr>
<th>Task Name</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Kick-Off + Master Plan Refinement</td>
<td>$15,445</td>
</tr>
<tr>
<td>Stormwater Engineering</td>
<td>$15,250</td>
</tr>
<tr>
<td>Mechanical, Electrical, Plumbing Services</td>
<td>$20,790</td>
</tr>
<tr>
<td>Structural Engineering</td>
<td>$13,200</td>
</tr>
<tr>
<td>Athletics</td>
<td>$45,250</td>
</tr>
<tr>
<td>Architecture</td>
<td>$66,000</td>
</tr>
<tr>
<td>Civil Engineering, Infrastructure Design, Landscape Architecture</td>
<td>$43,600</td>
</tr>
<tr>
<td>Cost Estimates</td>
<td>$20,966</td>
</tr>
<tr>
<td>Phasing Study</td>
<td>$6,240</td>
</tr>
<tr>
<td>Project Management</td>
<td>$13,630</td>
</tr>
<tr>
<td>Expenses</td>
<td>$1,500</td>
</tr>
<tr>
<td><strong>TOAL</strong></td>
<td><strong>$261,871</strong></td>
</tr>
</tbody>
</table>

**Extra Services**

**Additional Council Meetings:**

FEE: $1,530 (per meeting)

The project team will attend additional council meetings if requested. It is assumed that the meetings will be for maximum two hours to be attended by two project team members. Any additional material preparation needed for specific meetings will be considered additional scope and will require scope amendment.

**Additional Services:**

When requested by the Owner and confirmed by the Owner and/or Firm in writing, the Firm shall perform services in addition to those described above in this Agreement and the Owner shall compensate the Firm by hourly charges in accordance with the attached Rate Schedule.

**PROJECT SCHEDULE**

The Firm’s services shall be performed as expeditiously as is consistent with professional skill and care and the orderly progress of the project. The following is the expected schedule for completion of work on this project:

Schedule to be mutually agreed upon between Owner and Firm.
The time limits and schedule set forth above have been agreed to by the Owner and Firm, but the time limits and schedule shall be extended for (1) reasonable cause, or for (2) any delays associated with the Firm’s work on the project that are not the sole responsibility of the Firm. The tentative schedule is described below:

- Notice to Proceed: January 2021
- Project Initiation: February 2021
- 30% Construction drawings and preliminary cost estimates: March-April 2021
- Phasing Study: May 2021
- Final 30% Construction drawings and cost estimates: June 2021

**OWNER RESPONSIBILITIES**

Owner shall be responsible for the following:

- Notification to proceed
- Timely approval of sketches presented for Owner approval
- Timely providing of information from other professional services (architect, geotechnical engineer, etc.), as described hereinabove
- Payment of all application and permit fees
- Payment of invoices in accordance with Item 1 of Terms and Conditions
- Notification to Firm of any problems, in accordance with Item 2 of Terms and Conditions

**EXCLUSIONS**

The following services are not included in this Agreement:

- Off-site utility extensions or roadway improvements (may be quoted if required)
- Off-site stormwater management facilities, revisions to the existing stormwater infrastructure or analysis of “downstream” stormwater system (will be quoted if required)
- Coordination meetings or conference calls outside the scope of services proposed (can be quoted once scope is clarified)
- Wetlands permitting (will be quoted if required)
- Traffic Impact Analysis
- Color graphics for meetings or marketing purposes (will be quoted if required)
- Permit application, plans review or re-review fees
- Revised directives from Owner after design has begun
- Acquisition of easements; preparation of off-site easements
- Flood studies or FEMA.
- Additional submittal of stormwater design for jurisdictional approval by State regulatory organizations such as NCDENR-DWQ, Dam Safety, or the like (can be quoted if determined to be required)
- Court appearances for litigation, or preparation for same
- Legal advertisements for construction contracts
- Detail soils investigations, borings, or compaction tests
- Any costs incurred by Owner due to changes required by the approving authority or their inspectors after schematic design cost estimates are approved
GENERAL CONDITIONS
>
The attached “Terms and Conditions” shall apply to this Agreement.
>
This proposal is valid for 30 days from the above date.
>
Reimbursable expenses will be billed in accordance with the attached Rate Schedule.
>
Owner is responsible for all application and permit fees.

CONCLUSION
We appreciate this opportunity to propose our services. We are eager to pursue this project further and thank you for your consideration.

Sincerely,

MCADAMS

[Signature]
Rachel Cotter
Civic Spaces, Director

ACCEPTANCE

By: ________________________________ Date: __________

Name: ________________________________

Title: ________________________________

ACCOUNTING INFORMATION

Billing Contact: ________________________________

Billing Contact Email Address: ________________________________

Billing Contact Phone Number: ________________________________

Billing Address: ________________________________

______________________________
At the December 22, 2020 meeting, the Town Council discussed naming the Council Chambers after former mayor Ronnie S. Williams. In keeping with the Town’s facility naming policy, the Council will hear comments from the public on this potential facility naming.

Recommended Motion and/or Requested Action:
Accept public comment and determine next steps

Manager’s Comments and Recommendations:

Attachments Yes: ☐ No: ☐  
Agenda Form Reviewed by:  

| Department Head: | RD |  
| Finance Director: |  |  
| Town Attorney: |  |  
| Town Manager: | RD |  
| Town Clerk: |  |
Mayor’s Office Memorandum

TO: Town Council

FROM: Mayor Ken Marshburn

DATE: December 22, 2020

SUBJECT: Ronnie S. Williams Naming

Section 9000.3 C of the Facility Naming Policy grants Town Council authority to “Recognize outstanding accomplishments by an individual for the good of the community. The quality of the contribution should be considered along with the individual’s length of service to the community”:

A. Proposed Facility or Feature. Council Chambers in Garner Town Hall


C. Justification. Ronnie S. Williams, a native of Garner, was involved in public service in his hometown, for more than three decades. He served for twenty (20) years on the Board of Aldermen (since renamed the Town Council). In 2005 he was elected Mayor, a position he held until 2019. During his tenure of service, Garner grew from a small town to a fast-growing suburb of more than 30,000 residents. Accomplishments during his Mayoral terms included: renovations of the auditorium of the Old Garner High School (now known as the Garner Performing Arts Center); opening of the 96 acre White Deer Park; dedication of the Garner Veterans Memorial in Lake Benson Park; and the Town’s designation as an All-America City in 2013. In the same year, voters approved a $35.7 million bond program that resulted in the construction of a new Town Hall, new Police headquarters, and a new Recreation Center.

His leadership extended beyond his service as Mayor to include: Chair of the Wake County Mayors Association; at-large member of the Board of Directors of the NC League of Municipalities; and Chair of the Capital Area Metropolitan Planning Organization.

He served his Country as a soldier in the US Army and was deployed to Vietnam from 1969 to 1970. He subsequently became a member of American Legion Post 232 and Garner VFW Post 10225. In civilian life he served as a first responder and as a volunteer with Garner EMS and the Garner Volunteer Fire Department.

His proudest accomplishment was holding the Office of Mayor of his beloved Town of Garner. He often commented on how proud he was to serve as Mayor of the Town. He knew, and was known by, most of the residents of the Town and could readily recognize and call by name so many of his constituents. His untimely death in September 2020 resulted in an outpouring of condolence and remembrance by his many friends and acquaintances.
In loving memory of one who gave his life to service, it is recommended that the governing seat of the Town be named “The Ronnie S. Williams Council Chambers”.

D. **Community Support.** Community support can be evidenced by the multiple successful terms in public office. Recommend that a public comment period be held at the January 19, 2021 Council meeting.

E. **Family Support.** Contact with the family has been favorable.
**Meeting Date:** January 19, 2021  
**Subject:** Second Quarter Budget Update  
**Location on Agenda:** Presentations  
**Department:** Administration  
**Contact:** Mike Franks, Budget Manager  
**Presenter:** Mike Franks, Budget Manager

**Brief Summary:**
Staff will review updated revenue and expenditure estimates with Council. In addition, staff will make recommendations on potential budget amendments.

**Recommended Motion and/or Requested Action:**
Provide Feedback

**Detailed Notes:**
Staff has reviewed revenue and expenditure trends through the second quarter of FY 2021. Using this information, staff will review updated projections with Council. In addition, staff will make recommendations on potential budget amendments.

**Funding Source:**
n/a

**Cost:**
<table>
<thead>
<tr>
<th>One Time:</th>
<th>Annual:</th>
<th>No Cost:</th>
</tr>
</thead>
</table>

**Manager’s Comments and Recommendations:**

**Attachments**
<table>
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<tr>
<th>Yes:</th>
<th>No:</th>
</tr>
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</table>

**Agenda Form Reviewed by:**

<table>
<thead>
<tr>
<th>Department Head:</th>
<th>Initials:</th>
<th>Comments:</th>
</tr>
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<tbody>
<tr>
<td>MR</td>
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<tr>
<th>Finance Director:</th>
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<tr>
<td>RD</td>
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<tr>
<th>Town Attorney:</th>
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<tr>
<th>Town Manager:</th>
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<table>
<thead>
<tr>
<th>Town Clerk:</th>
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</tbody>
</table>
FY 2020-2021 Second Quarter Budget Update
Presentation Summary

- Discuss Current Financial Trends
- Recommendation
- Discussion
FY 2021 History

• Based on the uncertain impact of COVID-19, staff prepared a worst-case budget
  • This included significant expenditure and revenue projections

• Council and staff agreed that quarterly updates would be provided to make any necessary adjustments

• As part of current update, staff reached out to departments to determine if any adjustments were required to maintain baseline operations
## Current Revenue Trends

<table>
<thead>
<tr>
<th>Revenue</th>
<th>FY 2019 - 2020</th>
<th>FY 2020 - 2021</th>
<th>FY 2020 - 2021</th>
<th>FY 2020 - 2021</th>
<th>Inc/(Dec)</th>
<th>% Inc/(Dec)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Actual</td>
<td>Council Approved</td>
<td>Revised</td>
<td>Current Estimate</td>
<td>Over Revised</td>
<td>Over Revised</td>
</tr>
<tr>
<td>Property Taxes</td>
<td>20,760,114</td>
<td>23,075,723</td>
<td>23,075,723</td>
<td>23,075,723</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Permits and Fees</td>
<td>2,602,144</td>
<td>2,587,080</td>
<td>2,587,080</td>
<td>2,582,080</td>
<td>(5,000)</td>
<td>-0.19%</td>
</tr>
<tr>
<td>Sales Tax and Other Taxes</td>
<td>7,316,039</td>
<td>5,834,338</td>
<td>5,834,338</td>
<td>7,685,000</td>
<td>1,850,662</td>
<td>31.72%</td>
</tr>
<tr>
<td>Intergovernmental Revenue</td>
<td>3,355,483</td>
<td>3,288,318</td>
<td>3,298,833</td>
<td>3,285,151</td>
<td>(13,682)</td>
<td>-0.41%</td>
</tr>
<tr>
<td>Programming Fees</td>
<td>550,101</td>
<td>589,710</td>
<td>589,710</td>
<td>262,325</td>
<td>(327,385)</td>
<td>-55.52%</td>
</tr>
<tr>
<td>Investment Earnings</td>
<td>534,029</td>
<td>450,000</td>
<td>450,000</td>
<td>100,000</td>
<td>(350,000)</td>
<td>-77.78%</td>
</tr>
<tr>
<td>Other Revenue</td>
<td>354,615</td>
<td>202,500</td>
<td>206,854</td>
<td>202,500</td>
<td>(4,354)</td>
<td>-2.10%</td>
</tr>
<tr>
<td><strong>Total General Fund Revenues</strong></td>
<td>$35,472,525</td>
<td>$36,027,669</td>
<td>$36,042,538</td>
<td>$37,192,779</td>
<td>$1,150,241</td>
<td>3.19%</td>
</tr>
<tr>
<td>Other Financing Sources</td>
<td>5,061,141</td>
<td>4,667,865</td>
<td>6,007,757</td>
<td>6,007,757</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Total Available Resources</strong></td>
<td>$40,533,666</td>
<td>$40,695,534</td>
<td>$42,050,295</td>
<td>$43,200,536</td>
<td>$1,150,241</td>
<td>2.74%</td>
</tr>
</tbody>
</table>
# Current Expenditure Trends

## Department Expenditures

<table>
<thead>
<tr>
<th></th>
<th>FY 2019 - 2020 Actual</th>
<th>FY 2020 - 2021 Council Approved</th>
<th>FY 2020 - 2021 Revised</th>
<th>FY 2020 - 2021 Current Estimate</th>
<th>Inc/(Dec) Over Revised</th>
<th>% Inc/(Dec) Over Revised</th>
</tr>
</thead>
<tbody>
<tr>
<td>Governing Body</td>
<td>379,300</td>
<td>446,020</td>
<td>448,455</td>
<td>408,455</td>
<td>(40,000)</td>
<td>-8.92%</td>
</tr>
<tr>
<td>Administration</td>
<td>1,536,793</td>
<td>1,583,122</td>
<td>1,592,322</td>
<td>1,547,322</td>
<td>(45,000)</td>
<td>-2.83%</td>
</tr>
<tr>
<td>Finance</td>
<td>884,843</td>
<td>942,292</td>
<td>993,857</td>
<td>993,857</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Economic Development</td>
<td>351,603</td>
<td>382,378</td>
<td>382,378</td>
<td>370,878</td>
<td>(11,500)</td>
<td>-3.01%</td>
</tr>
<tr>
<td>Planning</td>
<td>739,458</td>
<td>924,975</td>
<td>1,130,540</td>
<td>1,120,540</td>
<td>(10,000)</td>
<td>-0.88%</td>
</tr>
<tr>
<td>Building Inspections</td>
<td>1,022,901</td>
<td>1,377,200</td>
<td>1,377,200</td>
<td>1,322,200</td>
<td>(55,000)</td>
<td>-3.99%</td>
</tr>
<tr>
<td>Engineering</td>
<td>636,640</td>
<td>826,759</td>
<td>898,963</td>
<td>888,963</td>
<td>(10,000)</td>
<td>-1.11%</td>
</tr>
<tr>
<td>Information Technology</td>
<td>779,061</td>
<td>796,814</td>
<td>809,774</td>
<td>760,774</td>
<td>(49,000)</td>
<td>-6.05%</td>
</tr>
<tr>
<td>Police</td>
<td>7,852,045</td>
<td>8,336,098</td>
<td>8,293,186</td>
<td>8,263,186</td>
<td>(30,000)</td>
<td>-0.36%</td>
</tr>
<tr>
<td>Fire and Rescue</td>
<td>3,404,401</td>
<td>4,265,938</td>
<td>4,333,138</td>
<td>4,333,138</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Public Works</td>
<td>7,774,201</td>
<td>9,366,534</td>
<td>10,126,412</td>
<td>10,026,412</td>
<td>(100,000)</td>
<td>-0.99%</td>
</tr>
<tr>
<td>Parks, Recreation and Cultural Resources</td>
<td>4,541,178</td>
<td>2,436,915</td>
<td>2,448,880</td>
<td>2,148,880</td>
<td>(300,000)</td>
<td>-12.25%</td>
</tr>
<tr>
<td>Debt Service</td>
<td>3,773,106</td>
<td>4,095,858</td>
<td>4,095,858</td>
<td>4,095,858</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Special Appropriations</td>
<td>1,792,226</td>
<td>2,411,672</td>
<td>2,604,883</td>
<td>2,604,883</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Transfers</td>
<td>2,877,762</td>
<td>2,502,959</td>
<td>2,514,449</td>
<td>2,514,449</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>38,345,518</strong></td>
<td><strong>40,695,534</strong></td>
<td><strong>42,050,295</strong></td>
<td><strong>41,399,795</strong></td>
<td><strong>(650,500)</strong></td>
<td><strong>-1.55%</strong></td>
</tr>
</tbody>
</table>

## Direct Expenditures

<table>
<thead>
<tr>
<th></th>
<th>FY 2019 - 2020 Actual</th>
<th>FY 2020 - 2021 Council Approved</th>
<th>FY 2020 - 2021 Revised</th>
<th>FY 2020 - 2021 Current Estimate</th>
<th>Inc/(Dec) Over Revised</th>
<th>% Inc/(Dec) Over Revised</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel</td>
<td>16,263,714</td>
<td>18,340,953</td>
<td>18,340,953</td>
<td>17,947,953</td>
<td>(393,000)</td>
<td>-2.14%</td>
</tr>
<tr>
<td>Operating</td>
<td>16,012,451</td>
<td>18,708,962</td>
<td>20,011,751</td>
<td>19,754,251</td>
<td>(257,500)</td>
<td>-1.29%</td>
</tr>
<tr>
<td>Capital</td>
<td>3,191,591</td>
<td>1,142,660</td>
<td>1,183,142</td>
<td>1,183,142</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Transfers</td>
<td>2,877,762</td>
<td>2,502,959</td>
<td>2,514,449</td>
<td>2,514,449</td>
<td>-</td>
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<td><strong>Total</strong></td>
<td><strong>38,345,518</strong></td>
<td><strong>40,695,534</strong></td>
<td><strong>42,050,295</strong></td>
<td><strong>41,399,795</strong></td>
<td><strong>(650,500)</strong></td>
<td><strong>-1.55%</strong></td>
</tr>
</tbody>
</table>
Staff Recommendations

- Staff recommends that Council consider the approval of a Full Time Public Safety IT Position
  - This function is currently being performed by a Part Time employee that is schedule to depart of June 30th
  - The approval of this position would allow for several months of knowledge transfer which is critical for this position
  - The FY 2021 cost would be approximately $30,000 and could be absorbed by the IT Department
  - The net recurring cost would be approximately $50,000

- Staff also recommends the approval of a net $0 funding adjustment associated with the equity study
  - This is necessary based on changes that occurred following the studies original approval
Meeting Date: January 19, 2021

Subject: FY 2022 Budget Kick Off

Location on Agenda: Old/New Business

Department: Administration

Contact: Mike Franks, Budget Manager

Presenter: Mike Franks, Budget Manager

Brief Summary:
Staff will provide an update on the FY 2022 Budget process and calendar.

Recommended Motion and/or Requested Action:
Provide Feedback

Detailed Notes:
Staff will provide a review of the FY 2021 Budget and an initial high level forecast for FY 2022. In addition, staff will review the budget process and calendar with Council.

Funding Source:
n/a

Cost: One Time: ☐  Annual: ☐  No Cost: ☑

Manager’s Comments and Recommendations:

Attachments Yes: ☑  No: ☐

Agenda Form Reviewed by: Initials: Comments:

Department Head: MR

Finance Director:

Town Attorney:

Town Manager: RD

Town Clerk:
FY 2021-2022 Budget Process Overview
Presentation Summary

- Overview of Budget Challenges and Process
- Review Key Dates
- Discussion
FY 2021 Review

• Significant uncertainty based on COVID-19

• Utilized multi-year budget to review the Town’s long term financial outlook

• The budget included a tax rate of $.4971 per $100 of assessed value, which was an increase of 3.5 cents above the revenue-neutral rate of $.4621 per $100 of assessed value

• The budget included funding for various initiatives
  • Various public safety initiatives
  • To implement the pay equity study
  • Recurring funding for PFRM
  • One-time funding to prepare for the November 2021 Bond Referendum
FY 2022 Outlook

- Current baseline forecast indicates continued revenue growth that should be sufficient to cover baseline requirements
  - This is a preliminary forecast that will be refined in the coming months

- Multiple competing priorities remain based on population growth and increased workloads
FY 2022 Budget Process

- Will continue the multi-year approach and utilize similar review process as in prior years

- Will focus on refining future year forecasts and funding recommendations to align with Council’s long-term vision

- The primary goal will be to adequately address current year requirements while establishing a framework for future budget decisions
FY 2022 Budget Process

• Departments will be tasked with providing both a baseline budget, a five year staffing model and any significant five year operating impacts for review

• The Town’s Budget Team will meet with individual departments to review their operating budget and current year decision packages

• The multi-year requests will be reviewed as part of the multi-year budget
FY 2022 Budget Process – Operating Review

• Departments enter baseline funding requirements into the Town’s financial system

• This allows the budget team and departments to review current year requests and prior year actuals at the same time

• Decision packages are also reviewed with departments and ranked based on established criteria
## FY 2022 Budget Process – Operating Review

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FY 2022 Budget Process – Multi-Year Budget

• Staff will utilize recent trends and current projections to determine baseline revenue and expenditure growth

• Multi-year staffing model, CIP and staff knowledge will be used to highlight upcoming initiatives/challenges

• The goal will be to review future projects/initiatives impacting the operating budget so the framework for future budgetary decisions can be agreed upon
Schedule

- CIP/Bond Update.................................................................January 26th
- Departments submit budget materials..............................January 29th
- Third Quarter Review + Budget Update .........................February 23rd
- Departments Meet with Budget Team...........Mid February thru March
- Third Quarter Approval and Budget Public Hearing..........March 16th
- Finalize CIP/Bond Decisions..............................................March 30th
- Individual Budget Meetings with Council...........March 29th – April 2nd
- Recommended Budget Presented to Council......................May 3rd
- Budget Review (All Day)......................................................May ??
- FaceBook Live Event on the Budget.................................May 12th
- Budget Public Hearing......................................................May 18th
- Additional Budget Session (if necessary).........................May ??
- Proposed Council Adoption.............................................June 7th
Reports
## Building Activity by Type and Proposed Use for

### Addition

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<tr>
<th>Proposed Use</th>
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### Alteration

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### Electrical

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## Mechanical

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<table>
<thead>
<tr>
<th>Owner's</th>
<th>Contractor</th>
<th>Proposed Use</th>
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</thead>
<tbody>
<tr>
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<td>MATTAMY HOMES LLC</td>
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</tr>
<tr>
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<td>SINGLE FAMILY DWELLIN</td>
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<tr>
<td>New Building</td>
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<td>Alteration</td>
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<td>Addition</td>
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<td>Inside Town Limits</td>
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<td>2201757</td>
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**PropAddress**
- 343 WHITE OAK RIDGE DRIVE
- 347 WHITE OAK RIDGE DRIVE
- 351 WHITE OAK RIDGE DRIVE
- 100 HOYNE WAY
- 105 VERDE GLEN DRIVE

**Owner's**
- PULTE HOME COMPANY LLC
- PULTE HOME COMPANY LLC
- MATTAMY HOMES LLC
- MATTAMY HOMES LLC
- VGG HOLDINGS

**Contractor**
- PULTE HOME COMPANY LLC
- PULTE HOME COMPANY LLC
- MATTAMY HOMES LLC
- MATTAMY HOMES LLC
- GITTO ENTERPRISES INC

**Type of Improvement**
- New Building
- New Building
- New Building
- New Building
- New Building

**Proposed Use**
- TOWNHOME
- TOWNHOME
- TOWNHOME
- SINGLE FAMILY DWELLING
- SINGLE FAMILY DWELLING

**Owner's Phone**
- 919-816-1100
- 919-816-1100
- 919-816-1100
- 919-233-3886
- 919-809-2860

**Contractor's Phone**
- 704-543-4922
- 704-543-4922
- 704-543-4922
- 919-233-3886
- 919-809-2860
Memorandum

To: Rodney Dickerson, Town Manager
From: David C. Beck, Finance Director
Date: January 19, 2021
Subject: Financial Reports for 2nd Quarter FY 2020-21

CC: Town Council

Attached is a statement of revenues and expenditures for FY 2021 through December 31, 2020. We are six months, or approximately 50% into the budget year.

The report shows that year-to-date, the Town has collected approximately 50.6% of estimated revenues. A few revenue highlights include:

- Most property tax revenues are collected beginning in November through mid-January. As of the end of December, we have collected 65.8% of the budgeted property tax revenue.
- Sales tax revenues received through the month of September are up 7.3% over the previous fiscal year.
- Interest and investment earnings year to date are only 16.6% of the prior year total.
- The Town's total assessed value on our year-to-date property tax billings is 28.6% higher than this time last year.

Please review the attached Analysis of Revenues for additional information. I have also included the Sales Tax Tracker so you can see our monthly progress for that revenue stream. After year over year declines in March, April, and May related to the pandemic, we saw a surprising turn in June. The trend line has fluctuated a bit but continues to remain positive as we have seen year over year growth in July, August, and September.

Overall, the report shows that the Town has expended approximately 43.3% of its budget. At the same point in the previous fiscal year, the Town had spent 42.6% of its budget. Some of the major expenditures so far include:

- Annual dues and subscriptions as well as several annually contracted services are paid at the beginning of the year.
- The Town has made the annual premium payment for workers compensation insurance.
- The Town has paid principal and interest debt service payments, accounting for 13.8% of all expenditures to date and 61.5% of the total budgeted amount for debt service.
- The Town has experienced thirteen pay periods year to date and expended approximately 45.8% of the budget for personnel.

It remains difficult to predict the longer term impacts the COVID-19 pandemic will have on Town revenues. There has been a positive trend in sales tax while investment earnings and recreational revenues continue to lag well behind the prior year. Overall, we have fared better than expected so far this year but with a good deal of uncertainty still remaining I believe continuing a conservative fiscal approach is a good idea. Please let me know if you have any questions.
## Town of Garner

### Statement of Revenues and Expenditures

For the Period July 1, 2020 - December 31, 2020

### For Internal Use Only

#### Revenues

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget</th>
<th>Actual</th>
<th>(Under)</th>
<th>Percentage of Budget</th>
<th>Actual Prior Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ad valorem taxes</td>
<td>$23,075,723</td>
<td>$15,185,431</td>
<td>($7,890,292)</td>
<td>65.8%</td>
<td>$12,637,525</td>
</tr>
<tr>
<td>Other taxes and licenses</td>
<td>$5,834,338</td>
<td>$2,021,193</td>
<td>($3,813,145)</td>
<td>34.6%</td>
<td>$1,878,399</td>
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<tr>
<td>Intergovernmental revenues</td>
<td>$3,272,333</td>
<td>$1,430,683</td>
<td>($1,841,650)</td>
<td>43.7%</td>
<td>$1,403,145</td>
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<tr>
<td>Permits and fees</td>
<td>$2,587,080</td>
<td>$1,425,163</td>
<td>($1,161,917)</td>
<td>55.1%</td>
<td>$1,508,632</td>
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<tr>
<td>Sales and services</td>
<td>$589,710</td>
<td>$101,163</td>
<td>($488,547)</td>
<td>17.2%</td>
<td>$296,014</td>
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<tr>
<td>Investment earnings</td>
<td>$450,000</td>
<td>$32,920</td>
<td>($417,080)</td>
<td>7.3%</td>
<td>$198,754</td>
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<tr>
<td>Other revenues</td>
<td>$233,354</td>
<td>$133,058</td>
<td>($100,296)</td>
<td>57.0%</td>
<td>$127,769</td>
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<tr>
<td>Other Financing Sources</td>
<td>$6,007,757</td>
<td>$962,211</td>
<td>($5,045,546)</td>
<td>16.0%</td>
<td>$77,767</td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td>$42,050,295</td>
<td>$21,291,823</td>
<td>($20,758,472)</td>
<td>50.6%</td>
<td>$18,128,005</td>
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#### Expenditures

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget</th>
<th>Actual</th>
<th>(Under)</th>
<th>Percentage of Budget</th>
<th>Actual Prior Year</th>
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</thead>
<tbody>
<tr>
<td>Governing body</td>
<td>$448,455</td>
<td>$192,338</td>
<td>($256,117)</td>
<td>42.9%</td>
<td>$207,509</td>
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<td>Administration</td>
<td>$1,592,322</td>
<td>$694,337</td>
<td>($897,986)</td>
<td>43.6%</td>
<td>$654,404</td>
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<td>Finance</td>
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<td>$479,155</td>
<td>($514,702)</td>
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<tr>
<td>Economic development</td>
<td>$382,378</td>
<td>$196,924</td>
<td>($185,454)</td>
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<td>$164,084</td>
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<tr>
<td>Economic incentives</td>
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<td>Planning</td>
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<td>Inspections</td>
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<td>($791,457)</td>
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<td>Engineering</td>
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<td>$362,745</td>
<td>($536,218)</td>
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<td>Information technology</td>
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<td>($507,904)</td>
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<td>Police</td>
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<td>($4,433,071)</td>
<td>46.5%</td>
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<td>Fire services</td>
<td>$4,333,138</td>
<td>$2,166,218</td>
<td>($2,166,920)</td>
<td>50.0%</td>
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<tr>
<td>Public works</td>
<td>$10,126,412</td>
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<td>($5,617,360)</td>
<td>44.5%</td>
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<td>Parks and recreation</td>
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<td>$758,087</td>
<td>($1,690,793)</td>
<td>31.0%</td>
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<td>Debt service</td>
<td>$4,095,858</td>
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<td>Special appropriations</td>
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<td>$785,930</td>
<td>($9,618,856)</td>
<td>55.9%</td>
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<td>Capital Outlay - VERT &amp; PFRM</td>
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<td>($848,613)</td>
<td>28.1%</td>
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<td>Transfers out</td>
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<td>Contingency</td>
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<td>($20,000)</td>
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<td><strong>Total expenditures</strong></td>
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<td>($23,826,590)</td>
<td>43.3%</td>
<td>$16,856,196</td>
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#### Revenues over Expenditures

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<thead>
<tr>
<th>Description</th>
<th>Budget</th>
<th>Actual</th>
<th>Percentage of Budget</th>
<th>Actual Prior Year</th>
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<td>Revenues over Expenditures</td>
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### Property Tax Collections

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<tr>
<td>Collections--Current Year</td>
<td>$15,129,291</td>
<td>$12,591,243</td>
</tr>
</tbody>
</table>

*Note: Does not include DMV taxes collected in Sept. - will not be received until mid-to-late Oct.*

<table>
<thead>
<tr>
<th>Collection % Budget</th>
<th>65.93%</th>
<th>61.54%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Collection % Value/Levy (both DMV &amp; Wake Co)</td>
<td>66.40%</td>
<td>66.73%</td>
</tr>
</tbody>
</table>

### Property Tax Billings (from Wake County & DMV)

<table>
<thead>
<tr>
<th>Through Month Ending</th>
<th>12/31/2020</th>
<th>12/31/2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Real Property</td>
<td>$3,979,499,872</td>
<td>$3,041,603,671</td>
</tr>
<tr>
<td>Personal Property</td>
<td>298,106,954</td>
<td>235,061,706</td>
</tr>
<tr>
<td>Public Service Property</td>
<td>149,052,313</td>
<td>148,748,820</td>
</tr>
<tr>
<td>Vehicles</td>
<td>138,227,206</td>
<td>124,175,086</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$4,564,886,345</td>
<td>$3,549,589,283</td>
</tr>
<tr>
<td><strong>Percent Change</strong></td>
<td><strong>28.60%</strong></td>
<td></td>
</tr>
</tbody>
</table>

### Sales Tax Distributions

<table>
<thead>
<tr>
<th>Through Month Ending</th>
<th>12/31/2020</th>
<th>12/31/2019</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sales Taxes</td>
<td>$1,936,041</td>
<td>$1,803,906</td>
<td>7.32%</td>
</tr>
</tbody>
</table>

*Sales tax revenues for July 2020 will not be received until mid-October.*

### Building Permit Fees

<table>
<thead>
<tr>
<th>Through Month Ending</th>
<th>12/31/2020</th>
<th>12/31/2019</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fees Collected</td>
<td>$542,957</td>
<td>$753,068</td>
<td>-27.90%</td>
</tr>
</tbody>
</table>

### PRCR Fees

<table>
<thead>
<tr>
<th>Through Month Ending</th>
<th>12/31/2020</th>
<th>12/31/2019</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recreation Fees</td>
<td>$24,033</td>
<td>$132,517</td>
<td>-81.86%</td>
</tr>
<tr>
<td>Facility Rentals</td>
<td>$24,420</td>
<td>$113,501</td>
<td>-78.49%</td>
</tr>
</tbody>
</table>
# Town of Garner
Selected Balance Sheet accounts
As of December 31, 2020

## FOR INTERNAL USE ONLY

<table>
<thead>
<tr>
<th>ASSETS</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash in Bank</td>
<td>$4,453,978</td>
</tr>
<tr>
<td>Petty cash and change funds</td>
<td>$1,396</td>
</tr>
<tr>
<td>NC Cash Management Trust investments</td>
<td>$17,534,858</td>
</tr>
<tr>
<td>PFM Investments</td>
<td>$10,121,148</td>
</tr>
<tr>
<td>Police Asset Forfeiture account</td>
<td>$16,356</td>
</tr>
<tr>
<td>Receivables &amp; Inventory (excluding Taxes &amp; Assessments)</td>
<td>$254,248</td>
</tr>
</tbody>
</table>

$32,381,985

<table>
<thead>
<tr>
<th>LIABILITIES</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Accounts Payable</td>
<td>$61,545</td>
</tr>
<tr>
<td>Bonds on deposit for Planning/Engineering</td>
<td>$224,306</td>
</tr>
<tr>
<td>Rental Deposits</td>
<td>$9,042</td>
</tr>
<tr>
<td>Deferred Revenue</td>
<td>$14,795</td>
</tr>
</tbody>
</table>

$309,687

| Accounts Payable | $61,545 |
| Bonds on deposit for Planning/Engineering | $224,306 |
| Rental Deposits | $9,042 |
| Deferred Revenue | $14,795 |

$309,687
### Total Sales Tax

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>July</td>
<td>520,229.46</td>
<td>498,774.44</td>
<td>580,047.78</td>
<td>472,028.17</td>
<td>656,314.09</td>
<td>13.15%</td>
<td>184,285.92</td>
<td>39.04%</td>
</tr>
<tr>
<td>August</td>
<td>509,450.67</td>
<td>553,606.86</td>
<td>597,824.52</td>
<td>472,028.17</td>
<td>612,156.78</td>
<td>2.40%</td>
<td>140,128.61</td>
<td>29.69%</td>
</tr>
<tr>
<td>September</td>
<td>528,999.51</td>
<td>545,449.03</td>
<td>608,082.56</td>
<td>472,028.17</td>
<td>667,569.95</td>
<td>9.78%</td>
<td>195,541.78</td>
<td>41.43%</td>
</tr>
<tr>
<td>October</td>
<td>469,265.88</td>
<td>549,184.89</td>
<td>624,898.63</td>
<td>472,028.17</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>November</td>
<td>548,549.88</td>
<td>599,609.66</td>
<td>620,533.56</td>
<td>472,028.17</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>December</td>
<td>624,951.54</td>
<td>642,966.52</td>
<td>669,802.42</td>
<td>472,028.17</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>January</td>
<td>435,833.14</td>
<td>470,795.04</td>
<td>519,383.60</td>
<td>472,028.17</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>February</td>
<td>419,544.70</td>
<td>464,443.92</td>
<td>525,003.03</td>
<td>472,028.17</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>March</td>
<td>552,768.53</td>
<td>641,439.91</td>
<td>596,756.44</td>
<td>472,028.17</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>April</td>
<td>531,452.26</td>
<td>598,934.03</td>
<td>500,833.93</td>
<td>472,028.17</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>May</td>
<td>562,702.59</td>
<td>623,281.64</td>
<td>580,040.12</td>
<td>472,028.17</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>June</td>
<td>589,321.27</td>
<td>648,523.88</td>
<td>696,135.41</td>
<td>472,028.17</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Totals</td>
<td>6,293,069.43</td>
<td>6,837,009.82</td>
<td>7,119,342.00</td>
<td>5,664,338.00</td>
<td>1,936,040.82</td>
<td>150,085.96</td>
<td>519,956.32</td>
<td></td>
</tr>
</tbody>
</table>

Note: Sales tax revenues received from the state run three months behind, for example sales taxes received in October 2020 are for July 2020 taxable sales.