

Town of Garner
Town Council Minutes
April 20, 2010

The Garner Town Council met in regular session at 7:00 P.M. on Tuesday, April 20, 2010 in the Town Council Meeting Room

COUNCIL MEMBERS PRESENT: Mayor Williams, Mayor ProTem Behringer, Council Members Kennedy, Johns, Marshburn and Singleton

STAFF MEMBERS PRESENT: Hardin Watkins, Town Manager; Rodney Dickerson, Assistant Town Manager; Bill Anderson, Town Attorney; Brad Bass, Planning Director; Lin Jones, Finance Director; Tony Beasley, Economic Development Director and Michelle Howell Public Information Officer

CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE - Mayor Williams

INVOCATION - Mayor Williams

COMMUNITY RECOGNITIONS

- Foley Station Neighborhood - Jessica Commins, HOA President
- Luzene Crispell, recipient of Residential Yard of the Month, 1304 W. Garner Road
- Charles "Chubby" Horton, Plant Manager, Martin Marietta Materials recipient of Commercial Property of the Month

PETITIONS AND COMMENTS - NONE

ADOPTION OF AGENDA: Council Member Singleton added a closed session pursuant to N.C.G.S. 143-318.11(a)(3) to discuss pending litigation, specifically, Angela Horton, et al v. Town of Garner, 10cvs0186.

Motion: Johns
Second: Marshburn
Vote: Unanimous

CONSENT

Minutes from April 5, 2010

Action: Minutes Approved

Wake County Tax Report, February, 2010

The Wake County Board of Commissioners has approved non-cash rebates in the amount of \$34,204.65 for taxes from 2004 to 2009. These actions occurred in the period from February 1, 2010 to February 28, 2010 and are presented for approval.

Action: Tax Releases Approved

Broughton Street Sidewalk Easements

The Town attorney recommends Merry C. Pippin and Harmon J. Pippin, Jr., 111 Broughton Street and Harold D. Hinton, Jr. 113 Broughton Street be compensated the sum of \$1,000 per household for their Broughton Street Sidewalk Easement.

Action: Compensation Approved

Motion: Kennedy

Second: Singleton

Vote: Unanimous

END OF CONSENT

Public Hearing on Historic Downtown Garner Plan

Presenters: Brad Bass, Planning Director; John Hodges, Executive Director, Garner Revitalization Association (GRA); and Eric Bosman, Urban College

The Historic Downtown Garner Plan objectives are to (1) facilitate a market-based planning approach to enhance the Downtown Area from Vandora Springs Road to Jones Sausage Road and (2) create a community-based vision to guide the character of future development in Downtown Garner and (3) develop an Action Plan to guide GRA and the Town of Garner over the next 10 years including public investment and phasing strategies. The Planning Commission met on April 12 and recommended approval.

Mr. Hodges said he is pleased to present this plan to the Council for consideration. This plan was recommended by the North Garner Plan and is a result of over one year's worth of hard work by many people including Town citizens who help put together this vision. Mr. Hodges stated that his plan gives some solid framework and includes concepts subject to change based on funding, land acquisition, and other factors. The Garner Revitalization Association and the Planning Commission recommends approval along with the Chamber of Commerce Board of Directors and the Board of Directors of the Garner Lions Club. He recognized members of the Steering Committee.

Mr. Eric Bosman, Urban College, presented a summary of the Planning Process and highlights of the Plan.

Phase one was the market analysis and pre-charette planning with the first effort concentrated on a detailed assessment of real estate market trends, challenges and opportunities and a specific recommended development program for a new downtown "activity center". The second component centered on physical conditions within the study area. The third component involved an effort to capture the community member's vision for the future and understand specific stakeholder's issues, concerns and desires. In addition, GRA established a Project Steering Committee comprised of elected officials, town staff and GRA board members to review and provide input into the analysis. Phase 2 was the design charette, an intense two week period in October 2009 where three significant outreach events were held. An open community visioning session was held on October 19, a half-day workshop with about 40 stakeholders was held on October 20 and the Planning Team spent the following week consolidating input from the two forums and prepared a preliminary design plan for an open community review forum on October 28. Phase 3 of the planning effort emphasized building partnerships based upon the concepts in Phase 2 and identifying the mechanisms, costs and priorities from implementing the plan's objectives. In early December, the Planning team, GRA and key Town staff met with a host of area leaders and stake holders,

many of whom were consulted in Phase 1. Finally, the refined designs, concepts and projects were presented to the Town Council at the annual planning retreat in February. The Council was in agreement to pursue the plan's implementation and a prioritization of initiatives into short, medium and long term phases.

The study area for the Historic Downtown Garner Plan represents a subarea of the North Garner Plan. The area is roughly bounded by Highway 70 on the south, parcels adjacent to Garner Road on the north, Jones Sausage Road on the east and Vandora Springs Road on the west. The study area encompasses a geographic area of approximately 660 acres and includes 572 parcels.

Garner's birth is linked to the construction of the North Carolina railroad in the 1850's. Garner's Station was established with the construction of a post office in 1878 and the Town was incorporated in 1883. The Town's historic heart extends along the railway from Benson Road to New Rand Road. As the Town experienced continued growth over the last several dates, most of the area's new residential development has occurred south of Highway 70 and the Downtown area. As residential growth moved south, so did the Town's retail and commercial centers. Today Highway 70 separates much of the Town's population from the historic downtown area. If steps can be taken to enhance the visibility of Downtown Garner, the area can once again anchor the north side of Town and regain its place as a focal point of activity.

The Action Plan for the Historic Downtown Garner Plan outlines key projects and initiatives over the next 5 to 20 years to bring the Downtown Plan into reality. The first phase of implementation is focused upon identifying a significant anchor for the extended Town Center, marketing the concept to identify implementation funds and to build support and momentum and implementing a series of key infrastructure improvements. Planning, design and construction of major facilities can typically take 3 to 5 years. Phase 2 has a 5 to 10 year time frame and focuses upon completing the Town Center green space and surrounding the open space and new anchors with supporting commercial and residential development. Phase 3 includes build out of the envisioned residential areas surrounding the extended Town Center and construction of improvements associated with the Arts and Culture Gateway at Benson Road and the envisioned Sports and Recreation Complex along Garner Road between Creech Road and Jones Sausage. The Detail Project, Design and Action Plans are set forth in the Historic Downtown Garner Plan that will be on file in the Planning Department and the Clerks office.

Council Member Marshburn said he appreciated the work done by Mr. Bosman and Urban Collage and is impressed with the vision. He asked if there are any obstacles that still stand out as a significant challenge, i.e., the railroad separating the area. Mr. Hodges said this is a challenge, but maybe in the future we can overcome some of those obstacles. Another obstacle is branding, taking the assets we have and help understand how to use them.

Council Member Kennedy asked if it is envisioned this plan and its businesses, retail and commercial development will compete with the White Oak Shopping Center or complimenting. Mr. Hodges said he feels it will be very complimentary, adding that with improved visibility, shoppers can visit small boutiques and shops in the downtown areas and then shop at the larger stores. He said we need to attract more independent businesses, there is a different price point than at White Oak and should attract different retail and restaurants. Council Member Kennedy asked if this market analysis can be beneficial to prospective businesses. Mr. Hodges said many people looking at the area have concerns about opening businesses due to lack of visibility. With this plan we can begin showing people what we will have to market.

Council Member Johns asked how many businesses has he shown that expressed concern. Mr. Hodges said they have shown the Bryan Building collectively to at least two dozen businesses over last year. People usually like the character of the area, but are concerned with traffic and visibility. With this plan, we would be able to take advantage of the US 70 traffic.

Mr. Jeff Denny, 103 Oldefield Lane in Garner said he is honored to serve as Chairman of the Garner Revitalization Association (GRA). As part of the Committee, he said GRA approves and believes in this plan. This plan has certain strategic investments that will make way for private investments and presents unique opportunities. People will be able to choose where they want to live. Garner has tremendous things happening now, specifically in Parks and Recreation. This plan has a tenancy to change Garner over the next 20 years.

Helen Cleereman, 1018 Northview Street said she commended the folks that worked on the plan and said this is a very good plan; she particularly liked the historic art center and said it was enhancing. Ms. Cleereman said to call Main Street downtown is a misnomer; she said it is not in the psyche of the Garner citizens. She said she feels downtown would work better as a commercial area. The drawback is the railroad tracks, she said she felt they are too dangerous. Again she said it is a good plan, a good concept and a lot of work has gone into the planning. She asked about the access on the other side of US 70. Mr. Hodges said there is tentative approval from NCDOT for a left turn eastbound.

Elmo Vance, 140 Valley Cruz, Garner. Mr. Vance said he has been part of Garner Revitalization Association for a number of years including his position as Chair. He said he appreciates the Council allowing them to go this far with the conceptual plan. He said Mr. Bosman made personal contact with people living in this area. If properly executed with cooperation of people in Garner, this will be a good plan.

Paul Capps, 100 Logger Lane Garner said he applauded the decision makers and said the plan is exciting and offers great vision. He said he would like to move gradually on this plan and said we must have government intervention, but too much is bad. We must have the ground work and infrastructure started by the Town. He said he doesn't live downtown, but Garner is his home. He said he applauded the plan; he owns commercial property in downtown Garner. Things for a while had died down, but are coming back with this vision.

Clint Ferrell, 1121 Golden Grain Road, Garner, said he has been in Garner 20 years and went to school here. He said he came back to Garner after college. He is a commercial realtor and was invited to GRA about 3 years ago. The North Garner Plan and this plan have created new vision. This is currently a depressed area, but the location is prime, being six miles from the center of Raleigh. This is a nice piece of real estate for development or focus point; there will be tax base that we want, and public image notoriety. A focus on the idea of putting funds in that area will have a ripple effect on improving property values. The Town started with an overlay district to clean up Garner Road. This is the next phase and shows leadership in making public investment; storm waters improvement guidelines will help with density and a master plan.

Evelyn Whitaker, 122 US Hwy 70 said she has owned this property for 22 years. She said she lives alone and wants to remain living there for rest of life. She does not want to move; she doesn't want to relocate, and doesn't want to live in a townhouse. She said she did that in New York.

Mr. Hodges thanked every one for their comments. He said all of the drawings are conceptual and we will continue to take public comments into consideration which is an important part of plan and gives it framework. This plan will allow us to have a true revitalization effort.

Mayor Williams closed the public hearing.

Council Member Kennedy said it was fun serving on the Steering Committee, but hard work for Urban Collage. He said he was never disappointed in Mr. Bosman's efforts in engaging community and not disappointed on the output of the product in the plan. There was good attendance of the steering committee and engagement from the community. Overall, he said this was started 15 months ago and has come beyond anything he could envision. He suggested that Mr. Bosman put the Town on his list of references.

Council Member Marshburn said this plan is concise and really provides solid focus on revitalization. It will not accomplish much on its own; implementation of this plan will take cooperation of Town citizens and continued work from all of us. He presented three challenges: 1) He said he believes we have taken an important first step by spending the time and money and we must continue to be diligent and provide leadership, 2) He said citizens should learn as much as they can and support the plan, discuss with friends and neighbors and work with the Town and recommend any changes you see, 3) He said he encouraged the business sector to come to the area and take advantage of opportunities of investment.

Mayor Pro Tem Behringer said this community can not stand still and we plan to move the community forward. She said we don't know when we will have the end product, but she urged the Council to accept, approve and move forward with this plan.

Council Member Singleton, having served on the Steering Committee had viewed this in a negative light when we first started due to several constraints. This plan captures the North Garner area with an important part of the plan being the intersection of Garner Road and NC 50. The Town has invested millions in this area with improvements to the Historic Auditorium, Avery Street, the Senior Center and the ball field. No one is making plans for anyone to leave their house. It is not our goal to displace any one. He said to Mrs. Whitaker that she will be able to stay in her home as long as she wants. He said Mr. Bosman has done an outstanding job and he appreciated his time and his willingness to be familiar with the area. He also said this is a concept and it can be 5, 10,15 or 20 years before completion.

Council Member Johns also said that no one will have to move unless they want. He said this is a great plan and it looks good. We have to consider the state of economy and know it will be 5, 10 15 years before this can begin; some of us will never see this develop. He said he feels the economy will not change in next 5 to 7 years. We look forward to improvement and look forward to Old Garner coming back to life, although there are many drawbacks. At least we have something on paper that we need to draw our attention to; he said he looks forward to seeing improvements; although he is not sold that it will happen.

Action: Adoption of Historic Downtown Garner Plan

Motion: Marshburn

Second: Behringer

Vote: Unanimous

Request from About Face II, Inc. for the Town of Garner to Serve as Agent for the North Carolina Governors Crime Commission Grant and the 21st Century Learning Grant

Presenter: Robin Flow, About Face II, Inc. Director

In an effort to effectively provide services for the youth and families that reside in the Town of Garner, About Face II, Inc. would like to apply to the following grants; North Carolina Governors Crime Commission for the 2010-2011 funding cycle, and the 21st Century learning grant. This grant must be submitted through a government agency. The Governors Crime Commission administers the State's juvenile justice and state criminal justice federal block grant. The 21st Century is an afterschool learning grant. If agreed, the Town of Garner will serve as the Applicant agent and sign the appropriate signature pages. About Face II, Inc. will complete the application process and submit required forms and receipts to the Town on a monthly basis for verification reimbursement for funds spent. About Face must expend the agencies funds first and receive reimbursement from the grantors once the funds have been expended pertaining to the operation of the project.

Ms. Flow said in an effort to continue to serve students, she has an opportunity to apply for grants; each grant requires fiscal agent. She said she is asking again that the Town become the agent when they receive the grants.

Council Member Kennedy asked for a history of the organization. Ms. Flow said since 2004 there were 35 - 50 students approximately 10 each year. She has an operating budget of \$89,000 to \$112,000. The budget was cut last year by Wake County, but the organization was able to sustain by assistance from Poplar Springs Church and the Town of Garner.

Council Member Johns said it was wonderful for Dr. Brooks at Poplar Springs Church to open his church doors; this is a task and he said he admired her for her courage to face this challenge.

Mr. Jones said there have not been any problems in the past with the accounting.

Action: Request Approved

Motion: Johns

Second: Marshburn

Vote: Unanimous

Consideration of Endorsement of Building Financial Capacity Guidelines

Presenter: Hardin Watkins, Town Manager

These guidelines called Building Financial Capacity (Attachment 1) contain ideas for budgeting, Capital Improvement Financing and Improved Stewardship of Town Resources. This document contains ideas for short term internal budget and management initiatives, longer term and external initiatives and external partnering initiatives. This was presented to the Council at the March 30 work session and discussed again at the April 6 meeting. This final document contains ideas discussed at those meeting.

Action: Approved Guidelines

Motion: Behringer

Second: Marshburn

Vote: Unanimous

Committee Reports

Law and Finance. The Committee met regarding tethering of animals. The Committee will review some new information received and will schedule another meeting.

Manager Reports

1. Star Tracker; there are currently 25 open requests. Mr. Watkins referring to item #2008.012, New Rand resurfacing reported that NC Department of Transportation (NCDOT) selected a contractor in March and work will begin in April or May. There is another item, #2009.141, New Rand Road drainage problems that will require NCDOT to coordinate any maintenance work with the street resurfacing project. Staff will continue to monitor.
2. Building Activity March
3. Personnel Report March
4. Investment Report March
5. Present Decision Packages and Update on FY2010-2011 Budget

Mr. Watkins proposed the following budget meeting schedule:

- 1st Draft budget to Town Council on April 30.
- Work Session immediately following May 3 Council Meeting (decision packages, agency emergency services)
- Work Session #2: May 11 - daytime (teacher recognition at 7pm); May 13 - anytime; or May 14 - daytime (pancake breakfast in AM)
- Work Session #3: May 18 following Town Council Meeting

The Council agreed to a budget work session following the May 3 meeting, a meeting on May 13 from 1:00 until 7:00 and a work session after the May 18 meeting. Council Member Singleton requested that the meeting on May 3 not include emergency services.

Attorney Reports - None

Council Reports

Mayor Williams

- He reported that Town Hall Day will be held on June 16. We will try and have lunch with some of the Wake County delegates
- He commended staff on the Earth Day Event. Mr. Watkins said there were approximately 585 people attending.
- He reported that Tookie's Grill will open for lunch on Wednesday and breakfast on Thursday.

Council Member Kennedy

- He asked if the New Rand Road sidewalk project is in the CIP. Mr. Dickerson confirmed the sidewalk project is in the CIP.

Council Member Singleton

- He complimented Paul Ray on his quick response when dealing with tall grass complaints.

- He mentioned a few houses that have been vacant for a while and asked if there is a way to do something about those, maybe contact the owner to see if they wanted to sell.
- He asked for an update in trimming the shrubbery and trees at the crosswalk on Aversboro Road going into White Deer Park. Mr. Beasley said Forrest Jones in the Public Works Department is coordinating that effort.

Council Member Johns

- He reported that at the house located on New Rand Road going south, the first house on the left just passed Sheldon Place voiced a complaint that a construction company working in the area is "throwing" rocks in his yard and in his driveway; it makes it difficult for him to cut his grass.

Mayor Pro Tem Behringer

- She reported that vacant lots on either side of 316 West Garner Road need to have the grass cut.
- She reported a meeting with the Garner Volunteer Fire Department Board of Directors. She asked them to be mindful that the Town does not have much money to work with in the upcoming budget preparations.

Council Member Marshburn

- He commended all involved in the Litter Sweep held last weekend.
- He asked if other Council members would be interested in the Ethics Training via Webinar. Council Member Kennedy is interested as well as Attorney Anderson. The Clerk will arrange this to be done in the afternoon prior to the July work session.

Closed session pursuant to N.C.G.S. 143-318.11(a)(3) to discuss pending litigation, specifically, Angela Horton, et al v. Town of Garner, 10cv50186.

Motion: Singleton
 Second: Johns
 Vote: Unanimous

Return to Regular Session

Adjourn 10:00
 Motion: Johns
 Vote: Unanimous

Respectfully Submitted,

Judy Bass, Town Clerk