

**Town of Garner
Town Council
Work Session Minutes
April 27, 2010**

The Garner Town Council met in a Work Session at 6:00 P.M. on Tuesday, April 27, 2010 in the Town Hall Council Meeting Room to discuss the following:

Attending: Mayor Williams, Mayor Pro Tem Behringer, Council Members Marshburn, Singleton, Kennedy and Johns

STAFF MEMBERS PRESENT: Hardin Watkins, Town Manager; Rodney Dickerson, Assistant Town Manager; Bill Anderson, Town Attorney; Lin Jones, Finance Director; Sonya Shaw, Parks & Recreation Director; Cherry Gay, Parks & Recreation Bureau Manager; Britt Crews, Auditorium Supervisor; Les Harmon, Fire Marshal; Sheila Cain, HR Director and Tony Beasley, Economic Development Director

OTHERS PRESENT: Tim Maloney, Community Services Project Manager; Ed Johnson, CAMPO Executive Director and Deidra Ortega, sophomore at Garner Senior High School.

CALL MEETING TO ORDER

DISCUSSION

Regional Transit Rail Plan Proposal

Presenters: David Cooke, Wake County Manager
David King, TTA General Manager

A power point presentation was given to the Council on the Wake County Transit Plan.

In August 2009, the General Assembly of North Carolina passed House Bill 148 – *Congestion Relief/Intermodal Transport Fund*. The bill authorizes counties in the Triangle (Wake, Durham, Orange) the option to levy a ½ cent sales tax for public transportation purposes depending on approval of a referendum. Additionally, it authorizes Triangle Transit to increase its vehicle registration fee from \$5 to \$8 depending upon approval in Wake, Durham, and Orange County; and authorization for all counties the option to increase the vehicle registration fee up to \$7 for public transportation projects.

Wake County is working in partnership with Triangle Transit, Capital Area Metropolitan Planning Organization, and the twelve municipalities on the development of a transit plan for Wake County. This effort will address the transit service plan (bus and rail), financial plan, and governance structure. The Wake County Board of Commissioners has requested that this information be available before authorizing a referendum on the ½ cent sales tax option. Also prior to authorizing the referendum, Wake County will ask each municipality to enter into an interlocal agreement indicating support of the transit plan and the ½ cent sales tax referendum. The referendum is targeted for Fall 2011.

Mr. Cooke spoke about the Legislation (HB 148).

This legislation authorizes the ½ cent sales tax in Wake County and other urban counties with voter approval of a referendum. A regional vehicle registration fee increase (from \$5 to \$8). It requires the Wake County Board of Commissioners resolution and action by the Triangle Transit Board of Trustees. This authorizes a county vehicle registration fee (up to \$7). It requires Wake County Board of Commissioners action. This authorizes RTP to charge a property tax for public transportation projects (\$.10 per \$100). This requires that each county approve a “financial plan” prior to holding a referendum. Each county sales tax referendum is independent of the referendum results in other counties. It requires that the existing level of transit investment from local sources be maintained. It requires a strategy that links transit and affordable housing (for state matching funds).

Mr. Cooke went over Wake County Issues.

There are 12 municipalities with different concerns, goals and interests. Wake County is large with (857 square miles). The planning for a population increase of more than 600,000 people in the next 20 years is a concern. The majority of the municipalities see transit as an important part of their future.

Mr. Cooke went over Wake County’s approach.

All municipalities are involved in this process. To establish a dialogue on municipal decisions that is essential to the success of transit. To establish a dialogue on transit decisions that is essential to the success of the municipalities. Wake County wants to require an Interlocal Agreement with the municipalities. To document fundamental planning and implementation elements as such:

- Current baseline of transit services
- Governance
- Interlocal Agreement
- Service Plan
 - Bus, Light Rail, Commuter/Express Rail
- Financial Plan
- Performance/Accountability

Mr. Cooke went over the Interlocal Agreement. He said the municipalities agree to the following:

- Approve the Transit Plan
- Governance (How transit decisions are made)
- Support the ½ cent sales tax referendum
- Support the vehicle registration fee(s)
- Support transit oriented development
- Performance and financial metrics
- Identify a plan review process

Mr. Cooke went over the schedule.

- Transit Plan and th Interlocal Agreement developed (summer/fall 2010)
- Transit alternatives analysis (summer/winter 2010)

- The municipalities and the county approve the Transit Plan and the Interlocal Agreement (winter 2010)
- The Board of Commissioners schedules the referendum
- The public votes on the referendum (fall 2010)

Mr. Cooke turned the meeting over to David King, TTA General Manager.

Mr. King gave a power point presentation to the Council on the draft action plan for public transportation in Wake County.

Special Transit Advisory Commission “STAC” Highlights

- STAC commissioned by CAMPO and DCHC (Capital Area MPO and Durham, Chapel Hill, Carrboro MPO)
- Regional cross section of 29 stakeholders
- Final Report published in May 2008
 - Buses, circulators, 56 miles of rail (\$2.27 billion, 2007 \$)
 - Assumed DMU vehicle technology except Chapel Hill to Durham LRT
 - Assumed no federal funds for first project
 - ½ cent sales tax

What is the Wake County component of the Regional Plan, Bus Service Expansion?

- Over 100 new buses total
- 75 new buses by end of 2013 primarily for express bus service between municipalities

Core bus recommendations for the Town of Garner

- Regional Express: Clayton/Garner to Raleigh
- Triangle Transit route 102: Garner to Raleigh
- CAT route 7: South Saunders Street
- All routes receive real-time passenger information and other bus amenities

Rail Transit Construction

- Transit Technology: Light Rail Transit (LRT) trains powered by electricity
- Project Description: NW Cary Station to Spring Forest Station
- Project Length: 17 miles
- Opening Date: December, 2019

Funding

- ½ cent sales tax
- \$10 increase in vehicle registration fee
- No Federal capital support for project is assumed
- Federal support and/or additional State and local support could accelerate project completion for some segments of the initial 17 miles
- Federal support and/or additional State and local support could also accelerate rail extensions north of Spring Forest and west of Cary

Questions & Answer Section:

Council Member Marshburn asked if this plan will impacted in the scope with 540.

Mr. King replied no.

Council Member Johns asked what if the public says no.

Mr. King replied it is not uncommon to lose out on the first time. We will look into the plan and reexamine.

Council Member Kennedy asked is there anything in it for Garner. He said Garner should not be overlooked and you cannot pass sales tax in Garner if Garner is not included in the game. He also asked if Garner needs to identify their transportation plan so that Garner is not left out in the final analysis.

Mr. King replied the redo includes Garner for placement of one or more stations. He said there may be a chance for Garner to identify where the rail will stop.

Council Member Kennedy asked if a plan can be developed to connect to Fuquay-Varina, Holly Springs, Apex and Wake Forest. Mr. King replied we are looking to improve the service in Garner and surrounding areas.

Mr. Watkins said Garner is in Raleigh's backyard and a light rail makes more sense for Garner then a commuter rail. He said we share a border with Raleigh, so if Garner is not connected to light rail we are left out. Mr. Watkins said he sees no future light rails pointed to Garner.

Mr. King said with light rail you have short station routes.

Mr. Watkins said commuter rail is much more expensive and it is not have as many frequent stops as light rail. He said it appears that Garner, South and East Wake have been left out in the plan.

Council Member Singleton asked if the sales tax increase passes, how the public will know if the passing of the sales tax referendum is for this project alone.

Mr. Cooke replied that everyone is putting money into transit. By an agreement with each other the additional money goes to new services. He said they would need a local agreement with regards to spending the money.

Council Member Marshburn asked with this proposal, over what period of time and dollars are to be raised.

Mr. King replied the revenue projections are on the conservative side and you can always ask Mike Walden N.C. State University Extension Economist his opinion.

Council Member Kennedy said this is a growing idea, if demand is there for commuter rail and light rail, then how do we educate the people to use the rail. What can Garner use to help people realize this.

Mr. Cooke replied it depends on where the stations are located and then promote the rail lines. You need density and development or the rails will not go to those stations. You will need to position Garner in that direction.

Mayor Williams stated the rail seems to be an easy sale due to the rising gas prices and the pollution.

Mr. Watkins said there needs to be a better connection to downtown Raleigh by using light rail, not commuter rail. Garner is a community made up with numerous people who work for government. Garner has three state credit unions, so that should tell you something. If the rail fee is available for less than \$6 to ride it, then it would work to take it to travel to downtown Raleigh.

Mr. Cooke asked what do we do to position Garner to be the next step. Ed Johnson, CAMPO replied you need to get the information to the decision makers and tell them Garner wants to be connected to downtown Raleigh.

Council Member Kennedy said he was glad to see Garner is on the map for the rail system and thanked David Cooke and David King.

Mr. King said it is in Garner's hands to shape growth in the land use polices.

Directive: Update received

Community Performing Arts Venues

Presenter: Cherry Gay, Parks & Recreation Bureau Manager

A power point presentation was given to the Council on community performing arts venues.

Ms. Gay stated since January, she and Britt Crews, Auditorium Supervisor, have been researching auditoriums and theaters to compare their staffing, operating hours, funding sources, concessions, rental rates, performance series and sponsorships with the Garner Historic Auditorium. Ms. Gay said visiting similar facilities has provided valuable information in developing a plan of action to increase cultural arts programming in Garner.

Cherry Gay and Britt Crews collected information from community performing arts venues and they are as follows:

- The Clayton Center
- Holly Springs Cultural Arts Center
- Halle Center of Apex
- Paramount Theater City of Goldsboro
- Turnage Theatre City of Washington
- Lincoln Theatre Raleigh (Private for Profit Nightclub)

Ms. Gay went over the comparisons to all the venues above and compared them to the Garner Historic Auditorium. The features which were compared were seating capacity, full and part time employees, salaries, meeting rooms, rentals, bookings, operating budget, advertising budget, performance budget, traveling expenses, concessions, sponsorships and grants.

The revenue projections for Clayton is \$105,000; Holly Springs is 20-25% cost recovery; Halle Center 20(Apex)/80(artist) split; Paramount Theatre, artist fee and production costs and Turnage is 60-80% performance budget.

The Garner Historic Auditorium programming partners for 2009-2010. Partner books and pays for the performers. Town of Garner provides house, staff and shares publicity costs.

The auditorium split the ticket revenues. Some of the partners are Lorraine Jordan, Jordan Entertainment Agency, The Raleigh Concert Band and Magic of African Rhythm.

Cherry Gay went over what the next steps will be in the next 30 days.

- New improved web site to market auditorium for potential partners
- Develop a plan of action for securing performance partners
- Develop promotional packages to present to potential performance partners
- Develop citizen survey to assist with developing vision for GRA
- Determining promotional needs for GHA, i.e. series brochure, email distribution list
- Join the NC Presenters Consortium and develop list of other groups
- Develop list of grant offerings
- Determine our niche for auditorium size
- Volunteer recruitment for ushers and stage help
- Work with Public Works Department to develop economic ways to enhance outer appearance of the auditorium (i.e. signage, remove broken swing, replace overgrown bushes with low growing shrubs & perennials, enhance entryway etc.)
- Continue to search and establish partnerships
- Develop sponsorship program and actively seek event sponsors.

Questions & Answer Section:

Mr. Watkins said the Lincoln Theater brings in talent 3 to 4 times a week without subsidy.

Council Member Singleton asked if there are day and night time rentals for the auditorium. Ms. Gay replied yes.

Council Member Marshburn asked if a survey has been done on the average cost of a ticket a Garner citizen will pay. Ms. Gay replied the cost of tickets are around \$12-\$13-\$15, but sometime \$20-\$30 depending on the performance.

Council Member Singleton said the Garner Auditorium advertisement range is small compared to the other venues. The idea is to maximize the advertising and create a separate website to promote the auditorium. The auditorium does not us any billboards for advertisement. He said there are many ways to advertise and there is a need to do more.

Council Member Kennedy we have xx amount of dollars in fixed cost but what is the recovery of these costs.

Council Member Singleton said we need more money for advertising to promote the auditorium. He said the auditorium needs a sign so people can find it. He feels Council should help staff at budget time to increase the funding for advertising. Mr. Singleton said he appreciated Cherry & Britt working within the budget they have.

Council Member Marshburn asked if there are any grants to help with the funding.

Ms. Gay said staff will look into the grant options. She said it is possible to apply for grants in the next fiscal year. Ms. Gay said IT Department is working on the auditorium website.

Mr. Watkins said he would like to see Parks & Recreation work on the website. He felt there is more work to be done on this and they need to find their own niche.

Directive: Update received

Pine Straw Restrictions

Presenters: Sandy Teal, Inspections Director
Les Harmon, Fire Marshal

Mr. Harmon presented Council with a memorandum to Sandy Teal, Inspections Director, referencing combustible landscaping materials. He said there are only two municipalities within Wake County, Apex, Chapel Hill and Knightdale that have addressed the issue of combustible landscaping materials and each in a widely divergent approach. Mr. Harmon said it appears that there are three options to handling this subject.

Option 1: The Towns of Apex & Chapel Hill adopted an Ordinance amendment that prohibits the use of pine straw or any other materials with a fire rate of spread of more than 24 inches per minute to be placed, kept, or stored within 10 feet of buildings with combustible exterior construction. Detached single family residential homes are exempt from these regulations in both jurisdictions. Each town has their own municipal fire department and each town has placed this requirement within their Fire Prevention Ordinance for enforcement. Each town has alerted new development by not allowing the presence of pine straw within the landscape provisions of their DUO. Both towns have based their ordinance amendment based on testing data documented in a joint effort by the National Institute of Standards Technology, the Building and Fire Research Station.

Option 2: Knightdale's approach was to amend the UDO by prohibiting the use of vinyl on townhouses and apartment structures. Residential building walls and trim details, but excluding soffits and fascia, may be vinyl provided:

- a. The vinyl is at least nine (9) feet above the ground level of the applicable building; and
- b. Commercial density sprinkler heads shall be provided and thereafter maintained on all balcony and breezeway corridors; and
- c. The ceiling material for all breezeways and balconies shall achieve a two (2) hour fire rating; and
- d. All fire/draft stops within attic areas shall be constructed to achieve a two (2) hour fire rating; and
- e. All soffits shall be constructed of non-combustible material

Option 3: Do nothing and let weather and the human factor contribute as much to the life of a wildfire's the fuels do. High winds, lack of rain, low humidity, and high temperature can contribute to a fire such as the Pin Knoll Townhouse fire in Raleigh. This fire is somewhat analogous to the much quoted "100 year flood". Improperly discarded smoking material was determined to have started the fire. The recent fire of detached single family houses on Armadale Lane in Raleigh appears to have been started by an unattended outdoors grill fire.

Raleigh's Law & Finance Committee recommended to their Council to ban pine straw within 10 feet of any structure, commercial, townhomes and apartments. This does not include single family homes. The Town of Morrisville has the same ban as Raleigh and placed it into their Code of Ordinance.

Questions & Answer Section:

Council Member Marshburn asked if Knightdale grandfathered in existing structures.

Mr. Harmon replied no, this only applies to new construction. He said Knightdale placed this in their Ordinance in 2007 and has never been challenged.

Attorney Anderson asked if Raleigh had this restriction for their Town limits or ETJ.

Mr. Harmon replied it depends on how Raleigh incorporated it into their Ordinance.

Attorney Anderson asked if anybody has banned pine straw through their UDO.

Mr. Harmon replied Apex has and uses the assistance of the Fire Department to enforce the Ordinance.

Mr. Harmon said for Garner this would be a zoning violation. The Planning Department would enforce the Ordinance.

Mr. Watkins said this should be enforced by the Fire Department and be written into their contract.

Attorney Anderson said it can be done and but written into the contract as another service. Mr. Anderson said he would have to look into their contract.

Council Member Kennedy said pine straw is the leading combustible material. He felt that there needs to be a solid base on all combustible materials with all the details before a decision can be made. He said let's not just jump right into it.

Chapel Hill Ordinance addresses the combustible landscaping materials as prohibited.

No pine straw or any other material with a fire rate of spread more than 24 inches per minute shall be placed, kept or stored within ten feet of buildings with combustible exterior construction. Single family residential homes are exempt.

Attorney Anderson asked if Garner has these provisions in their Town codes.

Mr. Teal replied we have provisions in our landscape ordinance and maybe it will cover the issue of combustible landscape material. He said he would look into it for the details.

Council Member Kennedy said we need to make our own provisions and separate townhomes verses single family residents. To make any changes it would be hard to exclude single family as it is as valuable as the multi-family structures.

Council Member Singleton said single family residents can make their own decision on what they want for landscaping. The apartment and townhome residents do not have a choice because that decision is made for them. He feels the residents that live in the apartments and townhomes need a voice. He said we need to inform the public on the fire hazards of all combustible landscape material.

Mr. Teal said the state fire code as currently written does not include single family dwellings and they cannot regulate them.

Council Member Marshburn asked Mr. Harmon if he had a recommendation.
Mr. Harmon replied he did not have a recommendation.

Mr. Teal said for other landscape materials such as mulch the price is double from pine straw. For pine straw of 1000 sq ft is \$150 and the mulch for 3" depth is \$360 installed.

Mr. Watkins said with a single family home you are in control. The apartment and townhome residents cannot control others living there and what might happen.

Mayor Pro Tem Behringer said we need to help people who cannot help themselves. She said we cannot put a price on a child's life.

Council Member Singleton said this may affect people's insurance. He said he liked the way Chapel Hill Ordinance reads which is short and concise.

Council Member Kennedy said we need more information and details on a much broader scope to understand about combustible landscaping materials.

Attorney Anderson asked if Council is more interested in the multi-family then single family. He said if you are only looking into multi-family, then you can put it into the Town code and this is easy to do. Attorney Anderson said it would take a simple code item to address the existing and new multi-family structures. He said you can exclude the typical detached single family home.

Council Member Kennedy said there should be an educational program for citizens to understand the ramifications.

Directive: Update received
 Scheduled for return on June 29th work session

Consideration of Amendment to Town's Personnel Policies

Presenter: Sheila Cain, HR Director

Sheila Cain presented Council with a memorandum to Hardin Watkins, Town Manager referencing the personnel policy addition of Reduction in Force Policy (RIF). Ms. Cain said the policy was reviewed by Bill Anderson, Town Attorney.

The Town of Garner presently does not have a policy in place to address the application of a reduction in force (RIF). RIF's policies are commonly included in municipal policy manuals. Reductions in force may result from changes in programs, cutbacks in funding and/or economic circumstances, reorganization or decreased workload.

This reduction in force policy is suggested for inclusion in the Town of Garner Personnel Manual. The RIF policy is a combination of two local municipal policies (Apex and Cary) and Wake County's policy. The majority of the policy text models Wake County's policy as they have applied their RIF's policy in three RIF's processes. The policy outlines the procedures for determining reductions, severance pay, transition assistance, reinstatement, RIF appeal and a severance pay agreement form.

Staff's recommendation is for Council to consider approval of the policy at the May 3 meeting.

Questions & Answer Section:

Council Member Marshburn asked for clarification on option or provision and what does it mean. The policy states in order to possibly prevent or minimize the impact of a reduction in force, the Town Manager, in his sole discretion, may implement creative measures such as reducing work schedules, temporary reassignment of employees or other such measures.

Ms. Cain replied yes you have the choice to choose the creative measures such as reducing work schedules, temporary reassignment of other such measures.

Mr. Watkins said there needs to be more clarification on what temporary reassignment measures means.

Council Member Kennedy said this is not the first order of business at this time because of the struggling economy. He asked if seniority takes precedence or should performance take precedence.

Ms. Cain replied in the police department section states that performance is first and then seniority. Council Member Kennedy suggested the wording be changed.

Council Member Kennedy asked how much is the employee's retirement hurt by this policy.

Ms. Cain read the retirement section of the policy which states: Employees whose positions have been designated for elimination may be eligible for a full or reduced retirement through the North Carolina Local Government Employees' Retirement System.

As allowed under G.S. 128-27 (a2) the Town Council may approve a discontinued service retirement allowance for employees who are at least 55 years of age and have 20 years of creditable service, or a reduced discontinued service allowance for employees who are 50-54 years of age and have 20 years of creditable service. Employees granted a discontinued service retirements are not eligible for severance pay.

Ms. Cain said you are not at fault if you are retiring and meet the unreduced qualifiers. You are held harmless with full benefits. You would receive the same benefit as who met the maximum qualifier. She said she will look into all the questions and then respond to Council.

Directive: Update received
May 3 Council meeting for approval

Local Buying Within the Town of Garner and Wake County

Presenter: Rodney Dickerson, Assistant Town Manager

Mr. Dickerson stated that the Town is in the process of rewriting this policy.

Mr. Dickerson explained the local buying responsibility. The local buying responsibility states that it is the desire of the Town to purchase from vendors located within the Town of Garner and Wake County whenever possible. This can be accomplished by insuring that local vendors who have goods or services available which are needed by the Town are included in the competitive purchasing process. The Town has a responsibility to its residents; however, to ensure that maximum value is obtained for each public dollar spent. *The Town cannot and will not make purchasing decisions solely on the basis of vendor residence.* Rather, the Town will endeavor to encourage local vendors and suppliers to compete for all Town business.

Mr. Dickerson spoke about preferences and how a local government can establish a preference for local bidders.

Local governments have no statutory authority to establish preferences of any kind and are bound by the "lowest responsible bidder" standard when awarding contracts that are subject to the bidding requirements. The fact that a bidder is local cannot, by itself, be a basis for awarding a contract to a higher bidder. Some argue that doing business with local companies will help build and maintain the local government's tax base. Local governments do have authority to engage in local economic development, but his authorization does not include the use of the contracting function to provide what amounts to a subsidy to a local company that is not otherwise the lowest responsible bidder.

In some cases, local companies may provide better, more cost-effective, or more timely service. These factors can legally be considered under the lowest responsible bidder standard, which explicitly allows consideration of quality, performance, and time. Local governments are not, however, entitled to *assume* that a local company will be superior in these areas and should be careful to document the basis for a decision based on these factors.

Local governments can promote local businesses by making sure they are given notice of opportunities to bid and can use local businesses for convenience when purchasing small items

or obtaining quotes for informal bids. The governing board could legally adopt a policy of sending individual notice of bidding opportunities only to local bidders, since the statute does not require such notice in the first place and local governments may have authority to establish a local preference for contracts that are not subject to the competitive bidding requirements. Boards considering this option should evaluate whether the loss of competition and potential cost savings is outweighed by the benefit to be gained from promoting local businesses in this way.

Mr. Dickerson spoke of three points of interest.

- 1-competitive bids as clarified in the State Statutes
- 2-competitive bid not based on cost or price applies only to services
- 3-non competitive purchase of bid under \$30 thousand, for an informal bid such as (services and/or products wanted) Short term

Questions & Answer Section:

Council Member Marshburn asked if this is the guide the Town will use in purchasing. Mr. Dickerson said this statement is in our draft policy.

Directive: Update received

Presentation Regarding ConAgra Redevelopment Initiative

Presenter: Tony Beasley, Economic Development Director

Mr. Beasley presented the Council with a memorandum to Hardin Watkins, Town Manager explaining the background and action steps with the ConAgra Foods Garner Plant.

Mr. Beasley said the Town and Wake County Economic Development have spent a lot of time trying to ensure the presence of ConAgra in Garner since the accident on June 9, 2009. On March 3, 2010, ConAgra made the decision to close the Garner Plant and relocate the production of Slim Jims to Troy, Ohio. It was truly a business decision, but our team (Town of Garner, NC Dept of Commerce, and Wake County Economic Development) presented the best offer possible and had left no stones unturned. However, the efforts of our Town during the days after the accident and still today, made an impression on the management team. During their announcement they pledged to give the Town their property and a cash gift of \$3 million (\$2.5 for a community center and \$500,000 for property marketing/maintenance) in appreciation for the outpouring of kindness received during their time of need.

It was a way to help the Town replace the lost jobs and tax revenue and to provide the seed money for the construction of the Community Center the Town as wanted to build for over 25 years. ConAgra Foods, Inc. Executive Vice-President Greg Smith noted that ConAgra was particularly interested in helping fund a Town facility that would provide lasting benefits and regular use by displaced workers, injured workers, and family members of the deceased and all emergency service providers that helped during the accident recovery. This level of generosity is unsurpassed.

In review, since the gift of the property from ConAgra was announced, it has been stated that ConAgra's and Town's primary goal is creation of jobs and tax base equal to the level prior to the explosion of the Garner Slim Jim Plant.

After several meetings with Wake County Economic Development (WCEDC), Town staff, and conversations with multiple brokers and real estate professionals, it became clear that we needed to take time to properly analyze the property as it relates to its maximum potential and to inventory the current assets and their marketability. Out of these meetings, it was also determined that the Town needed to make sure that when the gift of the property is received that it was not placed under the often burdensome restrictions of local government, but under the control of a not for profit Redevelopment Authority, with a governance structure approved by Town elected officials.

While there are many action steps in this process, we feel the first and most pressing is for the property to be evaluated through a land use feasibility study that will help provide the basis for all future decisions. This study would look at geographical limits, environmental limits, the multitude of possibilities for redevelopment and ideas how it might be used keeping plant and current infrastructure in place. It would also look at the possibility of how to change or mitigate any barriers to redevelopment.

Mr. Beasley recommended the Council proceed immediately with said study payable with ConAgra's gift funds.

During the time the study is being completed, the following action steps need to be initiated and implemented over the next 6 months:

- Research other communities who have had an opportunity similar to ours and go visit and discuss what was successful and what wasn't and gain insight in how to make sure we maximize our efforts in getting the most economic potential out of the property in jobs and tax base. (Ones that we will want to see are Myrtle Beach, SC, Charleston, SC and Ft McPherson, Ga. which were given military base property)
- Research communities in NC that have created Redevelopment organizations and meet with them to evaluate which format would best suit our needs. It will be imperative to have it structured up front to accomplish the end results that are desired.
- Make a report to Town Council on findings and present an immediate action plan intermediate action plan.
- Creation of a Redevelopment Organization
 - Study property analysis and draft a short term and long term master plan.
 - Study legal requirements, restrictions, and options
 - Create a marketing program for the property
 - Seek partners for redevelopment
 - Take possession of property
 - Property Development

- Property Disposition

Until the funds become available from ConAgra to cover the cost of the study and fees associated with the creation of the Redevelopment Organization, our economic development partner, Wake County Economic Development has agreed to front the cost and then be reimbursed once funds become available. We believe ConAgra will provide funds in a timely manner upon request. WCEDC has economic development business partners that provide the services needed and it is our desire to begin the site evaluation as soon as possible.

1. Proceed with said study payable with ConAgra's gift funds.
2. Staff's recommendation for Council to authorize the Economic Development Department to move forward on the ConAgra Redevelopment Initiative project as outlined above.

Questions & Answer Section:

Council Member Marshburn asked who will make up the partners for redevelopment.

Mr. Watkins replied a Quasi Governmental Unit and our attorney along with experts in the field.

Council Member Marshburn asked if we can keep the control over this venture.

Mr. Watkins replied yes, on who will develop this site and what goes in there.

Council Member Marshburn asked the cost of this organization project.

Mr. Beasley replied \$16,000 max.

Mayor Williams asked if Garner has an agreement between ConAgra and the Town of Garner.

Mr. Beasley said Mr. Watkins needs to have that conversation with ConAgra.

Mayor Williams said some citizens would like to see some of the money go to the Veteran's Memorial.

Mr. Watkins said a three million dollar donation was made from ConAgra. \$2.5 million was designated for a community center and the rest is for marketing the facility. ConAgra said to let them know when we need the money.

Council Member Singleton asked if the property goes to the redevelopment project.

Mr. Beasley replied yes.

Council Member Kennedy said the large dollar gift creates some attention. He asked are the dollars to be used for a community center for Garner or for a center in the community of Garner.

Mr. Watkins replied Greg Smith said we want to make a contribution towards a community center in Garner. ConAgra feels Garner needs a community center so anyone can walk into the facility and be able to use it.

Mayor Pro Tem Behringer said she heard Mr. Smith say the same thing. She said she was sorely disappointed with some organizations that are coming in and wanting some of this money. Ms. Behringer said we need to follow through in what ConAgra wanted us to do and use the money in the matter they set forth.

Mr. Watkins said there is a possibility to add funds into the Capital Improvement Program for the Veteran's Memorial site.

Directive: Update received
 Proceed with Land Use Feasibility Study
 Move forward on Redevelopment Initiative Project
 Work session in six months
 Town Council for approval in December

REPORTS

Main Street Grant Application Update

Presenter: John Hodges, GRA Executive Director

John Hodges stated on April 5, 2010, the Council authorized Garner Revitalization Association (GRA) to prepare and submit a grant proposal to the North Carolina Main Street Solutions Fund on behalf of the Town. The Montague Street Enhancement Project, identified as a high priority project in the Historic Downtown Garner Plan, was determined to be the most appropriate project for this proposal.

Mr. Hodges presented details of the proposal along with a draft plan of the street cross section diagrams on Montague Street.

The grant request was for \$300,000 with a required match of \$300,000 from the Town plus the additional amount required completing the project. The resulting project plan is estimated to cost \$1,522,974 plus right of way acquisition estimated at \$400,000. Gateway signs were also proposed for each end of Montague Street at an estimated \$20,310. Funding from the former Friends of Historic Garner for gateway signs originally proposed for each end of Main Street has been suggested to cover the cost. The total project price included in the grant proposal was \$1,943,284. After subtracting the cost of signage, the grant amount and the mandatory match, this leaves an additional cost of \$1,322,974.

Because of the short time frame to submit the grant a meeting with the Council was not able to convene and consider the cost of the project. Should the project be selected and Council chooses not to fund the additional costs, we will decline the grant prior to the award announcement. The grant announcement will be made around the beginning of May.

Mr. Hodges said we were not committing to any dollar amounts as yet. We will know something by next week about the grant proposal. There is a window of time once a decision is made to keep or withdraw. The project needs to be completed in one year or 12 months.

Mr. Hodges felt this project can be completed in this time frame. The Highway 70 intersection is not included in this grant.

Council Member Kennedy said the overall cost seems reasonable.

Council Member Marshburn said the wording on the previous document said not expected to be significantly higher.

Council Member Johns said there may be grading issues and burying the underground utilities.

Council Member Kennedy said there is a hump in the street that obscures the view and needs to be fixed.

Council Member Singleton said it is difficult to do this grant at this time and at this cost. He said we need to look at the budget first.

Directive: Update received

Economic Downturn Update

Presenter: Lin Jones, Finance Director

Mr. Jones reported on the following items:

- National outlook from Wells Fargo Economic Group monthly outlook for April 7, 2010
- Federal reserve Chairman Ben Bernanke's Testimony to Congress
- Harry Davis, PhD at Appalachian State University
- North Carolina outlook

Property tax collection through March 31, 2010 & 2009

Total collection 6-30-2010 - \$15,174,000

Collection percentage 95.7%

Total collection 6-30-2009 - \$14,856,000

Collection percentage 95.6%

Property taxes, including vehicles through March 31

Billed through March 31, 2010 - \$15,815,704

Billed through March 31, 2009 - \$15,509,143

Increased in taxed billed - \$306,561

Percentage increase 1.98%

Budgeted percentage increase .50%

Sales and Use Tax Revenue

Collections year ending June 30, 2010 - \$2,414,197

Collections year ending June 30, 2009 - \$2,627,810

Decrease in collections - \$213,613
Percentage decrease 8.13%

Sales tax collections to date and budget to date

Collection to date - \$2,414,197
Budget to date - \$2,345,000
Collections to date over budget- \$69,197

Directive: Update received

Quarterly Financial Report

Presenter: Lin Jones, Finance Director

Lin Jones presented to Council a statement of revenues and expenditures for the period of July 1, 2009 through March 31, 2010.

Directive: Update received

FY2010-2011 Budget Preparation Update

Presenter: Hardin Watkins, Town Manager

Mr. Watkins said staff will have a draft proposed budget to present to Town Council on Friday, April 30. It will be balanced without the use of fund balance.

Budget Meeting Schedule

May 03: Special Budget Work Session following regular meeting
May 13: Additional Budget Work Session 1:00-7:00
May 18: Work Session following regular meeting
June 07: Public Hearing
June 22: FY 2010-2011 budget adoption

Capital projects and decision packages combined total approximately \$201,000, representing a mere 9/10 of 1% of the overall budget total.

From previous reports, revenues are projected to be lower than our current year. Projections show revenue declining by 2.25% or \$510,000 for FY 2010-2011.

Mr. Watkins said the FY 2010-2011 proposed budget will be extremely lean. There will not be much cushion for operational surprises or unexpected expenses during the year.

The Town cannot predict or control the behavior or action of the State of North Carolina regarding budgetary or fiscal matters. This unpredictability does not allow staff to be completely confident in all state-controlled or stat-handled revenue sources that the Town relies upon.

Other areas of uncertainty that may impact the FY 2010-2011 budget include the Garner Volunteer Fire Rescue Department, Inc. and Garner EMS/Rescue.

There is uncertainty with each agency that may impact the Town's FY 2010-2011 budget outlook. Staff will look t the Ad Hoc Work Group on Fire & Rescue and the entire Town Council for guidance. Each agency will be reviewed in greater detail at the May 13, 2010 Special Budget Session.

In closing Mr. Watkins commended staff for all their hard work in putting the lean budget together.

Directive: Update received

There being no further business the meeting was adjourned.

ADJOURNMENT 10:35 P.M.

Motion: Marshburn
Second: Behringer
Vote: Unanimous

Respectfully Submitted,
Catherine Reynolds, Deputy Town Clerk