

**Town of Garner  
Board of Aldermen  
October 21, 2008**

The Garner Board of Aldermen met in regular session at 7:30PM on Tuesday, October 21, 2008 in the Town Hall Board Room.

Attending: Mayor Williams, Mayor ProTem Kennedy, Alderman Behringer, Alderman Marshburn, Alderman Johns Alderman Singleton

**CALL MEETING TO ORDER**

**PLEDGE OF ALLEGIANCE** - Alderman Behringer

**INVOCATION** - Alderman Behringer

Cherry Gay, Special Events Manager, presented recordings used by two local radio stations advertising the upcoming Ralph Stanley concert to be held at the Garner Historic Auditorium on November 15, 2008.

**PRESENTATION OF RECOGNITION OF HEROIC ACTIONS**

The Board recognized and commended John Hinson, Kerry Stancil, Jenny Hampton and Amanda Turner, all Rex Wellness employees that saved the life of Mr. Albert Smith at the facility. Mr. Smith went into sudden cardiac arrest and these employees performed CPR and used an automated external defibrillator (AED), ultimately saving his life.

**PETITIONS AND COMMENTS**

**ADOPTION OF AGENDA**

Alderman Singleton asked to add an item to discuss traffic calming issues in Greenbrier.

Motion: Behringer  
Second: Singleton  
Vote: Unanimous

**CONSENT**

**Wake County Tax Report, October 2008**

The Wake County Board of Commissioners has approved non-cash rebates in the amount of \$6,881.77 for taxes from 2003 to 2008. These actions occurred in the period from August 1 through August 31, 2008 and are presented for approval.

Action: Approve Tax Releases

### **Resolution Declaring Trash Collection Projects**

Resolution No. (2008) 1993 declares the Town's unprepared trash pick-up as special projects for 2009 as provided by our solid waste ordinance. The Spring unprepared cleanup will be on March 23, March 30 and April 6, 2009. Pickup dates for the fall unprepared waste cleanup will be November 2, November 9 and November 16, 2009. These projects will be based on the normal garbage collection routes.

Action: Adopt Resolution No. (2008) 1993

### **Ordinance Establishing Stop Street Intersections**

Ordinance No. (2008) 3527 establishes stop street intersections in the Breezeway South subdivision.

Action: Adopt Ordinance No. (2008) 3527

Motion: Kennedy  
Second: Singleton  
Vote: Unanimous

### **END OF CONSENT**

### **Amendment to the Unified Development Ordinance and the Official Zoning Map establishing the Garner Road Overlay District**

Mr. Bass reported this amendment creates a zoning overlay district for Garner Road which proposes to improve conditions related to signage, landscaping, parking, and limiting outside storage in order to support opportunities for new business locations and promote a commitment to quality community appearance. This amendment has been under consideration for over a year and half with numerous meetings by an appointed steering committee and the Board of Aldermen. The Planning Commission and staff recommend approval of the Garner Road Overlay District.

Mr. Bass clarified the landscaping treatments will vary from site to site in some instances where there is a large expanse of asphalt, curb and gutter will be installed.

Action: Adopt Ordinance No. (2008) 3528

Motion: Behringer  
Second: Marshburn  
Vote: Unanimous

### **Garner Transportation Plan Steering Committee Appointments**

The Board of Aldermen will appoint up to twelve individuals to a Steering Committee that will work with staff and the consultant on the Garner Transportation Plan update. Staff suggests the group should represent a cross-section of interests across the entire community. The attached memo provides recommendations for these appointments.

Action: Appointed Alderman Ken Marshburn, Mayor ProTem Buck Kennedy, Norm Karr, Carol Hutchison, Charles Williams, Ralph Smith, Douglas Ball, Donna Sorrell, Neal Padgett, Keith Roberts, Fred Huebner, Ronnie Thompson, Tim Montgomery and Jim Hunnicutt to this Committee  
Motion: Singleton  
Second: Johns  
Vote: Unanimous

#### **Main Street Streetscape Design Steering Committee Appointments**

The Board of Aldermen will appoint up to twelve individuals to a Steering Committee that will work with staff and the consultant to develop a streetscape plan for Garner Road and Main Street. Staff and John Hodges of the Garner Revitalization Association have worked jointly to develop a list of individuals for appointments to this committee. The attached memo provides recommendations for these appointments.

Action: Appointed Aldermen Behringer and Singleton, Clint Ferrell, Elmo Vance, John Hodges, Nina Roselle, Stephon Smith, Steven Saad, Steve Kolacz, Bill Berry and Roderick Henry (if interested) to his Committee.  
Motion: Kennedy  
Second: Behringer  
Vote: Unanimous

#### **Resolution Adopting Local Tax on Heavy Equipment**

Senate Bill 1852 adopted in August 2008 removes certain heavy equipment from the property tax base, but provides a means for replacing the lost revenue through a tax of 0.8% percent on the gross receipts from the short term rental of heavy equipment. This bill becomes effective January 1, 2009. The only business in Garner that will be subject to this new law will be Ditch Witch of North Carolina. Property value lost will be approximately \$63,500, but it is anticipated the revenue received from the new tax will offset any property tax reductions. The Wake County Revenue Department will assess and collect this tax for the Town as part of our contract for the collection of taxes.

Action: Adopt Resolution No. (2008) 1994  
Motion: Johns  
Second: Singleton  
Vote: 4-1, Alderman Marshburn

#### **Ordinance Amending the Town Code to Change the Board of Alderman Regular Meeting Time**

As discussed at the October 6 meeting, the Board agreed that it would be appropriate and in the public interest to begin the regularly scheduled meetings at 7:00 PM unless otherwise announced.

Action: Adopt Ordinance No. (2008) 3531

Motion: Kennedy  
Second: Behringer  
Vote: Unanimous

#### **Resolution to Change Time of Board of Aldermen Work Sessions**

As discussed at the October 6 meeting, the Board agreed that it would be appropriate and in the public interest to begin the regularly scheduled Work Sessions at 6:00 PM unless otherwise announced.

Action: Adopt Resolution No. (2008) 1995

Motion: Singleton  
Second: Behringer  
Vote: Unanimous

#### **Greenbrier Traffic Calming Update**

Action: Direct staff to move traffic barricades by Friday, November 7; conduct new traffic studies; bring suggestions for traffic calming and plan for additional traffic studies; continue to move forward on the traffic calming policy

Motion: Singleton  
Second: Kennedy  
Vote: Unanimous

#### **Human Resources Committee Recommendation**

Action: Appoint Clint Ferrell as the outside member of the Board of Adjustment

Motion: Singleton  
Second: Johns  
Vote: Unanimous

#### **COMMITTEE REPORTS**

Alderman Marshburn reported the Wake County Growth Task Force canceled the October meeting to be rescheduled in January 2009.

Mayor Williams reported attending the CAMPO meeting and said the Committee will work on having an equal number of projects for each community.

1. Star Tracker
2. Investment Report
3. Statement of Revenues and Expenditures
4. Mr. Watkins presented an economic update which included the revenue forecast and measures that will be taken to monitor the Town's situation.
5. The new karate instructor, Gary Crawford, began teaching classes today. Mr. Crawford comes to the Town with a clean background

check and previous experience. Mr. Crawford has worked with growing classes before and agrees to start students with their current belts for participants in the previous program at Avery Street. The classes will be held on Tuesday and Thursday through November 13, 2008.

6. The search for a Parks and Recreation Director will continue with the assessment center to be held on October 27 and 28. The numbers of applicants have been narrowed down to eight. He invited the Board members to join them for an applicant orientation at 9:00 on the November 27.
7. Tony Beasley, a current employee in the Inspections Department has been reassigned on a temporary basis as Special Project Coordinator. He is ready to get a number of projects moving, which include touring comparable downtown areas and looking at Town Hall campuses. One of his projects will be looking into a timeline for the process of hiring an Economic Development Director by February.

Alderman Singleton said he is not in favor of hiring the Economic Development Director at this time and said he felt we should wait until the next quarter, March or April. He also recommended the Board consider waiting until 2009 - 2010 fiscal year to hire the Public Information Officer and the Neighborhood Coordinator. The Board requested discussions of this matter continue at the October worksession.

8. The Employee Recognition Luncheon will be held tomorrow at 11:30.

**K ATTORNEY REPORTS** - Mr. Anderson requested closed session on easement acquisition and potential litigation.

**L BOARD REPORTS**

- Alderman Behringer

Attended the Garner Revitalization Association meeting and reported new tenants on Main Street.

She attended the North Carolina League of Municipalities Conference and noted this was a beneficial and informative program.

She expressed concerns that the Garner Historic District signs can not be installed until the City of Raleigh utility projects are completed and she asked if anything could be done to move this project along. Mr. Watkins said this matter was discussed today at an agenda meeting and he reported the Planning Director, Town Engineer and a representative from the City of Raleigh Utilities Department will meet to discuss a solution.

She reported a neighbor had gas cans and items taken from his truck. Even though she reported the person who had stolen these items, the Police were not able to do anything unless he was caught in the act. She said she was told this person is a known drug felon and asked if there is anything that can be done. Alderman Marshburn suggested the

person was likely under supervision of the Court System and perhaps this matter can be reported to them.

- Mayor Williams

He thanked Mr. Watkins for the public recognition of the Rex Wellness employees for saving Mr. Smith's life.

He reported speaking to the Garner Magnet High School Beta Club and noted there were 120 students inducted.

- Alderman Singleton

Thanked Mr. Watkins for putting the hero recognition together. For many years he has been asking the meetings be televised and this is an example of the type of events that the public should be aware of.

He requested Parks and Recreation staff look into signage in order to identify the picnic shelters at Lake Benson Park.

- Mayor ProTem Kennedy

The 10<sup>th</sup> anniversary of Towne Players which included three playwrights was a success.

The annual Rotary Oyster Fest was a success and will continue to improve.

He said he felt the letter from Secretary Tippet on the Timber Drive East project was confusing and asked for clarification from staff.

- Alderman Marshburn

He thanked the town staff for the assistance in the annual Rotary Club Oyster Fest.

- Alderman Johns

He reported a pothole on Methodist Drive near the Papa John building.

**Closed Session to pursuant to N.C.G.S. N.C. 143-318.11(a) (5) regarding Real Estate Transactions and N.C.G.S. 143-318.11(a) (6) Prospective litigation.**

Adjournment: 10:10