

**Town of Garner  
Board of Aldermen  
December 1, 2008**

The Garner Board of Aldermen met in regular session at 7:00 PM on Monday, December 1, 2008 in the Town Hall Board Room.

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

**CALL MEETING TO ORDER**

**PLEDGE OF ALLEGIANCE** - Alderman Marshburn

**INVOCATION** - Alderman Marshburn

**PETITIONS AND COMMENTS**

Deuce Wall representing Garner Baseball thanked the Board for the opportunity to present this request. He said that Garner Baseball has served the community for 53 years providing recreation for kids from age 8 to 18. With the Town's help, the program has grown from one field to four facilities. In the past kids have been leaving this program to a higher level and more competitive program. The Garner Baseball Board of Directors addressed this problem two years ago by introducing its own competitive league called the Express League. The growing program now has teams in the 8, 9, 10, 11, 12 and 14 year old range representing the Town of Garner. The 12-year-old age group has been invited to play in Cooperstown, NY. The team will spend a week with 95 other teams from across the US, not only playing baseball, but also learning life skills. The cost is \$745 per person, including coaches. Mr. Wall requested the Town consider donating any amount; perhaps pay the cost for one player. Mr. Wall introduced each one of the players. The Board commended them for their accomplishment, but took no action on the funding request.

Action: No Action Taken

**REQUEST FROM MISS GARNER SCHOLARSHIP PAGEANT ASSOCIATION FOR FEE WAIVER**

The Miss Garner Scholarship Association requested the Town consider waiving Auditorium rental fees for the Miss North Carolina wardrobe event to be held on January 4, 2009. The Board felt they have been supportive of this organization in the past and took no action on this request.

Action: No Action Taken

**ADOPTION OF AGENDA**

Motion: Marshburn  
Second: Singleton  
Vote: Unanimous

**CONSENT**

**Ordinance Amending 2008 - 2009 Operating Budget**

This Ordinance amendment initiates the transfer of \$6,000 from Retention Pond Maintenance revenues to cover costs involved in repairs of the existing storm water retention pond located near the Church of Nazarene. The current pond is not presently holding water.

Action: Adopt Ordinance No. (2008) 3538

Motion: Singleton

Second: Behringer

Vote: Unanimous

**End of Consent**

**Public Hearing on Conditional Use Rezoning and Conditional Use Subdivision, CUD-Z-08-06 and CUP-SB-08-06, White Oak Business Park**

Mayor Williams announced the public hearing and asked that anyone providing testimony to come forward and take the oath. Taking the oath were Tony Tate, Steve Smith and Brad Bass.

Mayor Williams requested Board members reveal any exparte communications regarding the project. Hearing none, he asked staff to present the staff report.

Mr. Bass reported that Tony M. Tate Landscape Architecture is requesting a change in zoning from Industrial 2 (C-147) to Industrial 2 (C-157), Conditional Use District and Conditional Use Subdivision approval for a five lot commercial subdivision. The site is located near Spaceway Court and Brick Steel Lane.

In the discussion there was some confusion regarding which lots were affected by the rezoning. To clarify, Mr. Bass reported and Mr. Tate agreed that lots 2, 4, 9, 10 and 11 were included in this rezoning request and will be reflected in an amended Ordinance.

A motion was made that this request complies with the Town of Garner Comprehensive Growth Plan and the request is reasonable and in the public interest, because it will likely allow appropriate types of business at the described location which will provide opportunities for access to goods and/or services useful in the surrounding area.

Action: Adopt Ordinance No. (2008) 3539 as modified to allow rezoning of lots 2, 4, 9, 10 and 11.

Motion: Singleton

Second: Kennedy

Vote: Unanimous (Mr. Johns stepped out and did not participate in this vote)

Action: Application CUP-SB-08-06 is complete and in compliance; Grant Permit with the following revised condition: The pipe running east from the junction box at the southeast corner of lot 5 will need to be reviewed when lots 4 or 9 are developed which will include reinstallation and probably resizing of said pipe in a manner acceptable to the Town Engineer.

Motion: Singleton, revised permit with one condition

Second: Behringer

Vote: Unanimous (Mr. Johns stepped out and did not participate in this vote)

### **Special Use Site Plan, SUP-SP-08-08, Bryan-Lee Funeral Home Crematorium**

BRL Engineering is requesting conditional use site plan approval for an additional building on the Bryan-Lee Funeral Home property located at 1200 Benson Road. The applicant requested continuance of the public in order to meet with the adjoining property owner.

Action: Continue Hearing until December 16, 2008

Motion: Singleton

Second: Johns

Vote: Unanimous

### **COMMITTEE REPORTS**

Aldermen Singleton reported the Veterans' Memorial Committee met on November 13, 2008. The Committee was presented a new project plan which involves restructuring of the member's roles. The next meeting is scheduled for January 13, 2009.

Mr. Watkins reported a meeting with members of the N.C. Department of Transportation (NCDOT). The meeting was primarily intended to get clarification on the time schedules for the Timber Drive Extension. The NCDOT staff will get back with staff with this schedule. Other discussions regarding New Rand Road and NC 50 were very helpful. Signalization of New Bethel Church Road and NC 50 has been approved. The proposed roundabout at Buffaloe Road and Vandora Springs Road was discussed. NCDOT will contact staff if this project gets approved. The NCDOT staff informed Town staff that short falls of federal funding may delay future projects.

### **MANAGER REPORTS**

1. Star Tracker Update.
2. November Sign Enforcement Report
3. Planning Commission Summary
4. Reminder of the White Deer Dash on December 13. Approximately 35-50 people have registered.

### **ATTORNEY REPORTS**

Requested Closed Session pursuant to N.C.G.S. 143 318 11a5 (Purchase interest in real property)

## BOARD REPORTS

Alderman Kennedy

- Contacted Cherry Gay in Parks and Recreation regarding December events; he added the Police Christmas Dinner at the Senior Center 12/18.
- He thanked Tony Beasley and John Hodges for the presentation summarizing observations from the visit to seven cities in Metro Atlanta

Alderman Singleton

- He began a discussion on the type of market analysis done by some of the Georgia communities. Alderman Singleton said if the Town does any type of market analysis he felt we need to take a survey of our housing stock and inventory in town; an inventory will also help in revising the sewer allocation policy. He said the construction of housing in downtown Raleigh has been the reason for success in the revitalization.

Alderman Johns

- He requested the Board consider changing their title from Alderman to Commissioner. The Board agreed to place this matter on the December 16 agenda for discussion.

Alderman Behringer

- Thanked the Town for the opportunity to visit the Atlanta area.
- Reported the leaves were not picked up in the Penny Street area. Mr. Watkins said the Republic staff worked Friday and Saturday and as of today is a day and a half behind. They are working diligently with assistance from the Public Works staff when needed.

Alderman Marshburn

- Thanked the Town for the opportunity to visit the Atlanta area.

Mayor Williams

- He reported Harold Webb is the new Wake County Commissioners' Chair and Lindy Brown is the Vice Chair.
- He reminded everyone of the Christmas tree lighting on December 5 and the Christmas Parade on December 6.

The Board entered into closed session under N.C.G.S. 143-318.11 (a)(5) to discuss possible real estate acquisition and the Town's negotiating position regarding such real estate.

Motion: Kennedy  
Second: Behringer  
Vote: Unanimous

After a motion and second, the meeting returned to regular session and adjourned.

**ADJOURNMENT: 9:30**

Motion: Kennedy  
Vote: Unanimous

Respectfully Submitted,

Judy Bass