

**Town of Garner
Town Council Regular Meeting Minutes
September 3, 2024**

The Council met at 6:06 p.m. in the Ronnie S. Williams Council Chambers at Town Hall, located at 900 7th Avenue, Garner.

CALL MEETING TO ORDER/ROLL CALL: Mayor Buddy Gupton

Present: Mayor Buddy Gupton, Mayor ProTem Elmo Vance, Council Members Kathy Behringer, Demian Dellinger, Phil Matthews, and Gra Singleton

Staff Present: Jodi Miller-Town Manager, John Hodges-Assistant Town Manager, Terri Jones-Town Attorney, Erin Gibbs-Assistant Town Attorney, Jeff Triezenberg-Planning Director, Erin Joseph-Assistant Planning Director, and Stella Gibson-Town Clerk

Town Attorney Jones reported that Council met with the Attorneys to discuss potential claims and the handling of claims. No votes or action was taken during the Closed Session.

CALL MEETING TO ORDER/ROLL CALL: Mayor Buddy Gupton

PLEDGE OF ALLEGIANCE: Council Member Phil Matthews

INVOCATION: Council Member Phil Matthews

Mayor Gupton thanked Council Member Matthews for the positive message in his prayer. He added that during the Closed Session, Council had a refresher course on being civil, being polite to our neighbors, and practicing the Golden Rule.

PETITIONS AND COMMENTS

None

ADOPTION OF AGENDA

Motion: Matthews
Second: Behringer
Vote: 5:0

PRESENTATIONS

None

CONSENT

None

PUBLIC HEARINGS

Voluntary Satellite Annexation Petition # ANX-24-007, 3412 & 3508 Benson Road

Presenter: Jeff Triezenberg, Planning Director

Voluntary satellite annexation petition (ANX-24-007) submitted by Collier Marsh to bring 46.42 +/- acres into the corporate limits of the Town of Garner. The property is generally located at 3412 Benson Rd and may be otherwise identified as Wake County PIN(s) 1618-45-5504, 1618-55-3160.

Staff advised this continuation is to allow timing for the annexation and rezoning to occur at the same time.

Action: Accept staff's request to continue the public hearing to the regular meeting of October 8, 2024.

Motion: Matthews
Second: Behringer
Vote: 5:0

Voluntary Contiguous Annexation Petition # ANX-24-002, 2311 Parkway Drive

Presenter: Jeff Triezenberg, Planning Director

Voluntary contiguous annexation petition (ANX-24-002) submitted by Beth Blackmon to bring 0.28 +/- acres into the corporate limits of the Town of Garner. The property is generally located at 2311 Parkway Drive and may be otherwise identified as Wake County PIN 0790516878.

Beth Blackmon, on behalf of the owners, stated that the reason for the continuation request was to allow the neighbors to not feel rushed and have more time to ensure their wishes were heard.

Action: Approve applicant's request to continue the Public Hearing to the regular meeting of October 22, 2024.

Motion: Singleton
Second: Matthews
Vote: 5:0

Voluntary Satellite Annexation Petition # ANX-24-006, 1951 US 70 Highway East

Presenter: Jeff Triezenberg, Planning Director

Voluntary satellite annexation petition (ANX-24-006) submitted by Matt Marsh to bring 5.62 +/- acres into the corporate limits of the Town of Garner. The property is generally located at 1951 US Highway 70 East and may be otherwise identified as Wake County PIN(s) 1730458256.

Jeff Triezenberg presented the staff report. There was no public comment.

Mayor Gupton closed the hearing.

Action: Adopt Ordinance (2024) 5289.

Motion: Vance
Second: Dellinger
Vote: 5:0

Tier 1 Conditional Rezoning # CZ-24-002, Gateway 540

Presenter: Erin Joseph, Assistant Planning Director

Tier 1 conditional district rezoning request submitted by Beth Blackmon of Timmons Group, to rezone 97.15 +/- acres from Highway District (HD) and Residential-30 (R-30) (Wake County) to Light Industrial (LI C311) Conditional. The site is located at 3530, 3540, 3544, and 3550 Parrish Farm Road; 3933 and 4009 Benson Road; 7001 and 7013 Cleveland School Road; and 5600 Painters Road; which may be further identified by Wake County PIN #'s 1618802326, 1618803562, 1618714274, 1618801117, 1618804161, 1618804796, 1618809958, 1618816547 and 1618917330.

Attorney Jason Barron from Morningstar Law Group presented on behalf of the applicant.

Don Maynard spoke about his displeasure with “waste services” that would potentially impact this area, such as bars, outdoor athletic and entertainment, and convenient stores with fuel cells.

Janice Foggiano shared her concerns about the impact this project would place upon their neighborhood, their privacy, peace and quiet as well as significant traffic congestion.

Bryan Thompson shared his concerns regarding the increased traffic during school times as well as the significant traffic impacts this would bring to their neighborhood.

Council Member Dellinger noted some inconsistencies with the project and proposed uses.

Council Member Vance stated that is a high priority site in Garner and there was concern as to what uses would be on the property. Adding that the Town and the developer should work together to bring in businesses that will benefit the Town and that further conversations should be had to identify a joint vision.

Council Member Singleton inquired if there would be further road improvements based upon the businesses that would end up on this property. Sean Brennan, Traffic Engineer, responded that it would depend on what the land use is. Mr. Brennan also noted that they were conservative with their numbers in the TIA.

Council Member Matthews shared his optimism for the project coming to the area.

Mayor Gupton suggested that everyone take two weeks to further collaborate and refine the vision and bring this project back to Council for further discussions.

Action: Continue the meeting to September 17, 2024 to allow for further discussion.

Motion: Vance
Second: Behringer
Vote: 5:0

Mayor Gupton asked Planning Director Jeff Triezenberg what the best way is to make the next meeting as productive as possible. Mr. Triezenberg responded that staff would meet with the developer and take a look at the conditions to see what can be added to provide more clarity.

NEW/OLD BUSINESS

None

COMMITTEE REPORTS

Council Member Vance reported that the Affordable Housing Taskforce met on August 26, 2024 and will be meeting again in the latter part of September. The intent is to provide Council with status reports as to where they are and what they are doing.

Council Member Matthews reported that the Veterans Committee will be meeting on September 9, 2024 at White Deer Park.

MANAGER REPORTS

- Town Manager Miller advised that the Citizens Police Academy started this evening. It is a 12-session program and 19 residents signed-up to participate. She also stated that this was a great opportunity to share information about our Police Department.
- Festival Latino is on September 13, 2024 starting at 6:00 p.m. at the Rec Center.

ATTORNEY REPORTS

Town Attorney Jones reported that we have a new legal intern starting for the fall semester, Ludny Jean-Baptiste, a current night student at Central School of Law.

COUNCIL REPORTS

Behringer

- There are two very large shrubs at 108 West Garner Road that need to be trimmed back.
- In front of Garner Rec Park, there are overhanging tree branches that need to be trimmed.
- There is a pole on Jones Sausage Road heading south before the intersection with East Garner Road that appears to be bent over into the lane of traffic.

Matthews

- On Timber Drive there is a wooden fence across from Sully's that is falling out into the sidewalk.
- At Phillips Street and Aversboro there is a junk pile in the front yard. Assistant Town Manager Hodges advised that both of these items are currently being addressed.

Singleton

- At the intersection of Frederick and Lakeside there is a very large pile of yard waste that needs to be cleaned up. Mayor Gupton encouraged people to use the Garner Info app to report sightings and concerns.

Dellinger

- Requested that the Development Update Report graphs related to CO's be updated for the next meeting. He also requested projections on the pace of projects and population estimating.

ADJOURN: 7:14 p.m.