

**Town of Garner
Town Council
August 3, 2009
Minutes**

The Garner Town Council will meet in regular session at 7:00 P.M. on Monday, August 3, 2009 in the Town Council Meeting Room

CALL MEETING TO ORDER

ATTENDING: Mayor Williams, Mayor ProTem Kennedy, Council Members Behringer, Johns, Marshburn; Council Member Singleton has excused absence.

STAFF ATTENDING: Hardin Watkins, Town Manager; Rodney Dickerson, Assistant Town Manager, Brad Bass, Planning Director, Jenny Saldi, Senior Planner; Paul Cox, Public Works Director; Eric Copeland, Deputy Chief; Tony Beasley, Economic Development Director and Michelle Howell, Public Information Officer

PLEDGE OF ALLEGIANCE: A.J. Seay and Alex Lambert, Scout Troop #397

INVOCATION: Rev. Gary Tesh, New Life Church

PETITIONS AND COMMENTS: None

ADOPTION OF AGENDA: Mr. Watkins requested to remove the Closed Session due to the attorney's absence.

Motion: Johns
Second: Marshburn
Vote: Unanimous

CONSENT AGENDA

Resolution approving Governor's Highway Safety Grant for Equipment and Training

This Resolution authorizes a grant for the Police Department in the amount of \$95,540 for equipment, training or other traffic enforcement purposes. A match of \$16,845 will be required by the Town of Garner. Based on this grant, staff requests the position approved in FY 09-10 budget to begin January 2010 will be filled in October 2009.

Action: Adoption Resolution No. (2009) 2019 Accepting Grant; Authorize Position to be filled October 2009

Resolution Approving Law Enforcement Liaison (LEL) Grant

This Resolution authorizes a grant for the Police Department in the amount of \$10,000 for equipment, training or other traffic enforcement purposes; no matching funds are required.

Action: Adoption of Resolution No. (2009) 2020

Resolution to Establish 2010 Employee Holiday Schedule

The attached Resolution sets forth Town of Garner Employee holidays for 2010.

Action: Adoption of Resolution No. (2009) 2021

Ordinance Amending Fees and Charges for Solid Waste and Recycling

This ordinance establishes new rates for the solid waste and recycling fees for 2009 - 2010.

Action: Adoption of Ordinance No. (2009) 3561

Ordinance Establishing Stop Street Intersections

This Ordinance establishes stop street intersections in Phase 2 of the Tunbridge Subdivision.

Action: Adoption of Ordinance No. (2009) 3562

Ratify Change Order Batch No. 2 for White Deer Park Construction Project

Change Order Batch No. 2 in the amount of \$43,005.15 for the White Deer Construction Project was reviewed by the Council at the July 28 Work Session. The primary reason for this change is related to utility requirements from the City of Raleigh and N.C. Department of Transportation.

Action: Ratify Change Order Batch No. 2

Motion: Kennedy
Second: Johns
Vote: Unanimous

END OF CONSENT

Public Hearing on Conditional Use Permit, White Oak Business Park, Lot 23, CUP-SP-09-08

The Council will receive all testimony presented for quasi-judicial hearings; however the Council may delay consideration to a later time.

Presenter: Jenny Saldi

Tony M. Tate Landscape Architecture is requesting conditional use site plan approval for an office/warehouse building. The site is located at the intersection of Bricksteel Drive and Tinsteele Court. This site plan received a Conditional Use Permit on April 2, 2007. Since no work commenced on the project a new permit must be issued. The developer is interested in proceeding with the project and is again requesting approval of this Conditional Use Permit application. The Planning Commission unanimously recommended approval subject to the following: A zoning compliance permit shall be required prior to occupancy of the building to insure no additional improvements are required as a result of the future specific use.

Having being duly sworn, Jenny Saldi, Brad Bass and Tony Tate provided testimony.

Council Member Marshburn asked if this mirrors what was originally approved. Ms. Saldi said yes, with the exception of a slight increase in the building size.

Mr. Tony Tate, Tony Tate Landscape Architecture, South Park Drive, Durham, said this was a project that had been previously approved by the Council, but due to the decline in the economy the developer said he did not have anyone to move into the building. There is no specific tenant now, but he would like to keep the permit.

Carol Hutchison, Planning Commission Chair, reported the Planning Commission met on July 13 and unanimously recommended approval as conditioned.

Mayor Williams closed the public hearing.

Action: Find Application Complete; Granted Permit with the following Condition: A zoning compliance permit shall be required prior to occupancy of the building to insure no additional improvements are required as a result of the future specific use.

Motion: Marshburn

Second: Kennedy

Vote: Unanimous

Public Hearing Regarding Golden State Foods Incentive Agreement

Presenter: Rodney Dickerson

The purpose of this hearing is to receive public comment regarding the Town's interest in a new facility located at 1400 N. Greenfield Parkway. The Town proposes to provide a development incentive in the amount of \$100,000 to be made out of future tax revenues. This incentive is based on anticipated capital investment by Golden State Foods totaling approximately \$23,500,000; such improvements will provide economic benefits to the Town by enhancement of the taxable property and the Town's industrial and business prospects by an anticipated hiring and/or transferring of 200 employees in 2009-2010 and an anticipated 15-25 additional employees within five (5) years thereafter. Mr. Dickerson stated that Golden State foods engages in food and condiments and has several locations internationally. The Town Council approved an incentive in 2007. The action tonight is to approve the Incentive Agreement.

Mayor Williams opened the Public Hearing.

Council Member Johns asked how many employees were transferred from other locations and how many were hired here. Mr. Jim Brooks representing Golden State Foods said there will be 200 employees to start. Of those, 125 will be transferred from Greensboro and another 75 will be hired from this area within the next 90 days. Mr. Brooks said there was a Job Fair held at Wake Community College. The offices in Greensboro and Suffolk Virginia were consolidated into the office in Garner. Mr. Brooks said construction is complete and they will be moving into the office next week.

Mr. Brooks said he appreciates the community support regarding this site. The rail access was a big part of the objective in coming to Garner as well as the distance location for distributions services. Another reason was they wanted to find a community where their associates would be happy to live.

Scout Troop #397 was attending the meeting toward earning a merit badge. For their information, Mayor ProTem Kennedy explained that McDonalds was a significant customer of Golden State Foods. Mayor ProTem Kennedy said incentives are sometimes used to entice businesses to come to Garner. Mr. Brooks explained to the scouts that two rail cars of French Fries will leave the facility for a restaurant each day and that from the north, 800 rail cars a year send fries to McDonald's restaurants.

Council Member Marshburn asked the salary ranges for employees. Mr. Brooks explained the administrative and office staff will average around \$50,000. The warehouse employees range between \$30,000 to \$45,000, drivers between \$50,000 and \$70,000. Mr. Brooks said there are about 100 drivers, 65 warehouse staff and about 35 office staff.

The Council allowed the scouts to ask a couple of questions. The first question was how many people will be displaced as a result of this move. The Company offered incentives for people to come to Garner, but unfortunately some did not want to make the move. Golden State Foods is proud of its relationship with their employees and offered a healthy incentive package for those who did not move and in addition are working with the new Federal Express facility that just opened in Greensboro to help place some of those employees. The second question was how much air pollution do you think this will cause. Mr. Brooks said they have a fleet of trucks that will eventually be replaced with trucks that will use electricity while at the facility rather than gas and will be run from bio-diesel fuel. The refrigerator system will operate from gas rather than freon that has fewer carbon emissions. Many improvements will be made from new technology. Mr. Brooks said they are a clean business and since they are out to feed people, they try to be environmental as friendly as possible.

Action: Receive Public Comment; Authorize Execution of Agreement

Motion: Johns
Second: Behringer
Vote: Unanimous

Old/New Business

Contract with Cascade Engineering for 65 Gallon Recycling Containers

Presenter: Paul Cox

The Town of Garner requested bids for 65 gallon recycling containers. The bids were evaluated for responsiveness. All bids had some irregularities (deviations from the specifications.) The deviations were minor. The bid solicitation provided that the Town reserved the right to waive irregularities. The Cascade Engineering bid was the lowest bid. After evaluating the Cascade Engineering bid in detail, management recommends that none of the irregularities is a material deviation. Mr. Cox said the bid amount is below the budgeted amount.

Action: Find that the Cascade Engineering bid conforms substantially with the specifications, including specifically that the volume conforms substantially with the specifications, the catch bar and assembly conform substantially with the specifications, the pigment conforms substantially with the specifications and the substitution of a heavier cart conforms substantially with these specifications and Cascade Engineering is the lowest responsible bidder; Award Contract to Cascade Engineering

Council Member Marshburn asked if the carts were the color of the one in the room. Mr. Cox said staff plans on using brown carts.

Motion: Marshburn
Second: Behringer
Vote: Unanimous

Letter Supporting Habitat House at 1714 Cranston Road

Action: Authorize Mayor to Send Letter of Support to Wake County Community Development

Committee Reports - None

Manager Reports

1. Star Tracker. Mr. Watkins reported item No. 2007.063 which is a yard maintenance program. This item has been on hold until the Town had a Neighborhood manager. Mr. Buie is working on this project.
2. Planning Commission Summary
3. On July 28, 2009, we received notice that the grant submitted under the COPS Hiring Recovery Program (CHRP) had been awarded by the US Department of Justice. This grant provides funding for a period of three years for current entry-level salary and fringe benefits for one (1) full-time sworn officer. The estimated amount of federal funds to be awarded is \$172,356. There is no local match and we are required to retain all officers for at least 12 months from the time the grant expires.
4. National Night Out is Tuesday August 4, 2009 from 6:00 P.M. to 8:00 P.M. It will be held at Target at White Oak Crossings with food and inflatables for the kids. The Police Department will have the Seat Belt Convincer, the DWI Simulator, McGruff and Office Taylor and his K9 bandit. The Pinewinds Apartments Clubhouse will have a pig picking.
5. Mr. Watkins reported that a label may be purchased that can be stamped on top of the garbage cart to provide instructions. The labels are \$1.00 or \$2.00 depending on size. Corporate sponsorship can be obtained which allows a company logo. Michelle Howell will continue to research the possibilities.

Mayor Williams

- Alex and Mary Lee are the recipients of the James R. Stevens Award. They will be honored at a banquet on Saturday, August 22 at 1:00.

Mayor ProTem Kennedy

- He reported being contacted by a developer regarding extension of sewer to 6117 Fayetteville Road. He asked Mr. Watkins to have someone make contact to inform them of the process.
- He asked if the City of Raleigh had returned an executed contract for the Rand Mill Park waterline easement. The Clerk will check on the status.
- He said he continues to get compliments regarding the smooth riding and walking surfaces in Greenbrier.

Council Member Johns

- He asked if there are any plans for sidewalks from Purvis to NC 50. Since the City of Raleigh is installing the water line, it may be less expensive to construct sidewalks at the same time. Mr. Bass said this will be reviewed during the Transportation Plan and Streetscape Plan discussions. If recommended, funding will need to be evaluated. Mr. Johns said it would save the Town money if completed as a part of this construction project since they will be taking out trees. Mr. Watkins said staff has met with NC Railroad to discuss trying to save some of those trees since they are the organization requiring removal.

- He reported that near Main and Montague Street some hydrants have been replaced and spaced three feet apart. Mr. Bass said he will check into this.
- Several couches have been left at the apartments on Kentucky Drive and at 321 Montague Street.
- He reported the trash pile located near the former Winn Dixie building has not yet been removed.

Council Member Behringer

- She expressed agreement with Council Member Johns regarding the sidewalks and would like to see the plans on a list at some point.
- She reported a meeting with Tony Beasley and Reggie Buie regarding neighborhood improvement goals and objectives. It is a great comprehensive plan.
- She commended the Public Works Department on their quick responses, even to small things.

Council Member Marshburn

- He asked if there is any interest to develop a statement of decorum on how meetings will flow as well as developing time frame for comments; perhaps look at a more orderly structure. He would like to discuss this at a work session.
- He commended Chief Moss on his farewell tour, noting he recently spoke at the Rotary Club; he represents the Town well.

Adjournment: 8:30
 Motion: Kennedy
 Second: Singleton