

**Town of Garner  
Town Council Minutes  
June 22, 2010**

The Garner Town Council will met in regular session at 7:00 P.M. on Tuesday, June 22, 2010 in the Town Council Meeting Room

**COUNCIL MEMBERS PRESENT:** Mayor Williams, Mayor Pro-Tem Behringer, Council Members Kennedy and Johns. Council Members Marshburn and Singleton had an excused absence.

**STAFF MEMBERS PRESENT:** Hardin Watkins, Town Manager; Rodney Dickerson, Assistant Town Manager; Bill Anderson, Town Attorney; Brad Bass, Planning Director; Tony Beasley, Economic Development Director, Reggie Buie, Neighborhood Improvement Manager and Michelle Howell Public Information Officer

**CALL MEETING TO ORDER**

**PLEDGE OF ALLEGIANCE** - Council Member Kennedy

**INVOCATION** - Council Member Kennedy

**RESOLUTION RECOGNIZING THE LEADERSHIP OF GREENBRIER HOMEOWNERS ASSOCIATION**

This Resolution recognizes and commends the Greenbrier Homeowners Association for their leadership and accomplishments.

Action: Adoption of Resolution No. (2010) 2052

Motion: Behringer

Second: Kennedy

Vote: Unanimous

**RECOGNITION OF HOMEOWNER'S ASSOCIATION**

Hunter's Mark subdivision, Greg Harvey

**Recognition of Residential and Commercial Property of the Month**

Residential, 541 Avery Street, Dianne Jordan

Commercial, 205 Fidelity Court, Anfesa Matthews

**Presentation from Soroptimist International of Raleigh on Stop Human Trafficking**

Presenter: Patricia Witt, Chair of the Ending Violence Against Women & Girls Committee

Ms. Witt thanked the Council for the opportunity to speak stating she is anxious to share the exciting results from our STOP Human Trafficking Community Forum Series and how they accomplished them. She presented the following information:

As defined by the Trafficking Victims Protection Act of 2000, there are primarily two categories of human trafficking: Sex Trafficking and Labor Trafficking.

- Sex trafficking operations occur in highly visible venues such as street prostitution, as well as more underground locations such as closed-brothel systems that operate out of residential homes.
- Sex trafficking also takes place in a variety of public and private locations such as massage parlors, spas, strip clubs and other fronts for prostitution. Victims may start off dancing or stripping in clubs and are often coerced into more exploitative situations of prostitution and pornography.
- Labor trafficking/exploitation involves domestic servitude; sweatshop factories; construction sites; migrant agricultural work; the fishing industry; the food service, hotel and tourist industries; and panhandling.

- It is important to clarify that the crime of trafficking actually occurs when the victim is exploited for sex or forced labor - not when the victim is moved from one location to another.

As social service providers, you may come in contact with victims of sex or labor trafficking, but may mistake them as willing participants. It is vital to look beneath the surface when encountering these types of people and ask yourself if they are potential victims forced into these situations. As victims, they desperately need your help and compassion.

The law is comprehensive in addressing the various ways of combating trafficking, including prevention, protection and prosecution:

- The law authorizes **prevention** efforts that include public awareness and education programs.
- **Protection** and assistance for victims of trafficking under the law includes legal assistance and interpretation, job training and counseling programs.
- The TVPA establishes a new visa status, the **T visa**, which allows victims of severe forms of trafficking to become temporary residents of the United States. The T visa signifies a shift in the immigration law policy, which previously treated victims of trafficking as illegal aliens subject to deportation. The T visa is a critical tool as it will help keep victims in the United States legally so they can cooperate with you and serve as witnesses for the prosecution.
- The law makes victims of severe forms of trafficking eligible for benefits and services under Federal or state programs once they become certified by the U.S. Department of Health and Human Services. Once certified, trafficking victims will be eligible to apply for benefits and services under any Federal or state funded programs, to the same extent as refugees. Certified victims are also eligible for refugee cash, medical assistance and social services.
- Victims under 18 years of age do not need to be certified in order to be eligible for benefits and services. For these victims, the Department of Health and Human Services issues a "Letter of Eligibility" so that they have proof of eligibility for federally funded and administered benefits and services.

- New law enforcement efforts are now available through the law, making it easier to prosecute traffickers who are identified and convicted of trafficking offenses.

She reported that Triangle J supports and has agreed to co-sponsor a forum at a regional conference. This will be a general session to let everyone know what they are talking about. Next we will take a case study to see how it progressed through the system. Shirley Franklin former Mayor of Atlanta who made a significant impact while in office, has agreed to come and speak. She said she hopes the Council will consider joining them and will keep them informed of the exact date.

#### **PETITIONS AND COMMENTS**

#### **ADOPTION OF AGENDA - As Presented**

Motion: Johns  
Second: Behringer  
Vote: Unanimous

#### **CONSENT**

#### **Minutes from June 7, 2010**

Action: Minutes Approved

#### **Wake County Tax Report, April 2010**

The Wake County Board of Commissioners has approved non-cash rebates in the amount of \$2,230.75 for taxes from 2004 to 2008. These actions occurred in the period from April 1, 2009 to April 30, 2010 and are presented for approval.

Action: Tax Releases Approved

#### **Resolution Approving a Governor's Highway Safety Grant for Equipment and Maintenance**

This Resolution authorizes a grant for the Police Department in the amount of \$10,000 for a DMV Integration Service Application Module and Maintenance Agreement (traffic investigation software). There is no match required by the Town.

Action: Adoption of Resolution No. (2010) 2054 Accepting Grant

#### **Resolution Approving a Governor's Highway Safety Grant for Regional Law Enforcement Initiatives**

This Resolution authorizes a grant for the Police Department in the amount of \$10,000 for costs associated with planning, preparing and assisting in reporting activities during Click It or Ticket and Booze It and Lose It Campaigns. There is no match required by the Town.

Action: Adoption of Resolution No. (2010) 2055 Accepting Grant

**Resolution Approving a Governor's Highway Safety Grant for Traffic Safety Personnel**

This Resolution authorizes a grant for the Police Department in the amount of \$92,521 for personnel costs. This is a continuation of last year's grant. A match of \$39,653 is required by the Town and is already funded and included in the budget.

Action: Adoption of Resolution No. (2010) 2056 Accepting Grant

**Ordinance Amending 2009 - 2010 Operating Budget**

This budget amendment recognizes end of the year revenues, budget transfers and earned interest. These transactions are detailed in the enclosed memo.

Action: Adoption of Ordinance No. (2010) 3585

**Certificate of Public Convenience and Necessity**

The Police Chief recommends approval of the request for Certificate of Public Convenience and Necessity for the Blue Diamond Limousine Service to be located at 7931 Fayetteville Road in the McCullers' Crossing Shopping Center.

Action: Certificate of Public Convenience and Necessity Issued

**Resolution to Set Hearing on Annexations, ANX-10-04 & ANX-10-05**

Curtis and Meredith Tart, 405 Penny Street, ANX-10-04 and Keith and Nancy Lada, 505 Woodland Road, ANX-10-05 have submitted annexation petitions related to the previous requests for utility connections. The petitions are sufficient under state law to proceed with the annexation process. This Resolution sets July 20, 2010 as the public hearing date on the annexation.

Action: Adoption of Resolution No. (2010) 2057

**Resolution Authorizing Sale of Surplus Property**

Staff requests authorization to declare the property as surplus to be sold on the GovDeals on-line auction website. GovDeals is an E-bay type municipal on-line auction group that has been recommended by the N.C. League of Municipalities.

Action: Adoption of Resolution No. (2010) 2058

Motion: Kennedy  
Second: Johns  
Vote: Unanimous

**END OF CONSENT**

**OLD/NEW BUSINESS**

**Request to Terminate the Contract between Garner Emergency Medical Service and Rescue, Inc. and the Town of Garner for Rescue Services**

The Town Council has been considering a transition of rescue services from Garner Emergency Medical Service and Rescue, Inc. (GEMS) to the Garner Volunteer Fire Rescue Department, Inc. (GVFR). The contract with GEMS calls for a 12 month written notice of termination. Staff recommends the Town of Garner immediately send GEMS written notice of the Town's intent to terminate the contract no later than June 30, 2011.

Mr. Dickerson reported that a work group has been looking into issues of transition of rescue services from the Garner EMS to the Garner Fire Department. The work group has been trying to settle on an exact date and is looking at personnel issues as it relates to transitioning staff trained for emergency medical services to staff trained for fire fighting. The transfer is planned to occur no later than June, 2011; however through subsequent meetings they hope to come to an agreement before that time.

Council Member Kennedy explained the Council took action on June 7, 2010 to merge rescue operations in the Town of Garner from Garner EMS to the Garner Fire Department. Mr. Dickerson said the first meeting was to talk about personnel, qualifications and certifications and how transition will work. Different certifications are required for Rescue staff and Fire Fighters and the salaries are different. There was discussion regarding equipment; the agreement with Garner Emergency Medical states that any equipment purchased by the Town will come back to Town. For example the rescue truck that was funded 100% will belong to the Town. The Committee will take a look at other equipment. The second meeting continued discussions regarding personnel.

Council Member Johns asked if the personnel will have time to be certified prior to the merger. Mr. Dickerson said two of the three staff had solid qualifications; the third is in the process of getting qualification which can be received in a few months.

Action: Authorize staff to send written notification to Garner Emergency Medical Service and Rescue, Inc. to terminate the contract to provide rescue services inside the Town limits effective on a date no later than June 30, 2011.

Motion: Behringer  
Second: Johns  
Vote: Unanimous

**Update on Town of Garner FY2010 - 2011 Operating Budget.**

As requested by Council Member Kennedy, Mr. Watkins presented highlights on the 2010 - 2011 operating budget and encouraged everyone to visit the Town's website for details

**Committee Reports - None**

## **Manager Reports**

1. Star Tracker
2. Invested Funds
3. Building Permit Activity

## **Attorney Reports - None**

## **Council Reports**

Council Member Kennedy

- He reported the roadways and parks that are maintained by Public Works are in good shape and said "Garner looks good."

Council Member Johns

- He asked the status of the striping on Main Street and Montague Street. Mr. Watkins said staff will follow up but he feels the crews will stay on top of that.

Mayor Pro Tem Behringer

- She reported attending Town Hall Day and said it was very informative.
- She attended a Garner Volunteer Fire-Rescue, Inc. Board of Directors meeting when the audit report was presented. They are working with the auditors to finalize the report which will be presented in July.

**Adjournment: 8:15 PM**

Motion: Council Member Kennedy

Vote: Unanimous

Respectfully Submitted

Judy Bass, Town Clerk