

**Town of Garner
Town Council
Work Session Minutes
June 28, 2010 - 6:00 P.M.**

The Garner Town Council will meet in a Work Session at 6:00 p.m. on Monday, June 28, 2010 in the Town Hall Council Meeting Room

Attending: Mayor Williams, Mayor Pro Tem Behringer, Council Members Marshburn, Singleton, Kennedy and Johns

STAFF MEMBERS PRESENT: Hardin Watkins, Town Manager; Rodney Dickerson, Assistant Town Manager; Bill Anderson, Town Attorney; Lin Jones, Finance Director; Brad Bass, Planning Director; Les Harmon, Fire Marshal and Tony Beasley, Economic Development Director

CALL MEETING TO ORDER

OLD/NEW BUSINESS

Ordinance Adopting Operating Budget for FY2010-2011

Presenter: Hardin Watkins, Town Manager

This Ordinance establishes anticipated fund revenues and departmental expenditures appropriated for the operation of the Town Government and its activities for the Fiscal Year beginning July 1, 2010 and ending June 30, 2011.

Mr. Watkins said a handout was given out tonight titled Budget in Brief, an overview of the Town of Garner Budget for Fiscal Year 2010-2011. He expressed his thanks to Michelle Howell, Public Information Officer for all her help in preparation of this document.

Mr. Jones handed out the adjustments to the recommended budget for FY2010-2011.

Mayor Williams asked if there were any questions or changes from Council.

Council Member Singleton said he would like to change the following:

Under Public Safety

10-5300 Fire add \$135,000 to \$1,260,000 totaling **\$1,395,000**

10-5400 Rescue decreased \$135,000 from \$270,285 totaling **\$135,285**

Mr. Singleton said these changes reflect the transfer of three personnel positions to the Garner Fire Rescue Department, Inc from the Garner Emergency Medical Service and Rescue, Inc. The total budget stays the same with these changes. He said the Garner Rescue funds should be transferred to the Fire Department by the end of the year.

Council Member Kennedy asked about the reserve account.

Mr. Watkins replied the contingency balance is \$101,100 with reductions of \$34,590 having an ending line item balance of \$66,510 which is for general purpose. The \$323,100 has been set aside in reserve funds if the Fire Department needs it.

Mayor Williams said if the Fire Department runs out of funds in September/October, they can come back and ask for the reserve funds because it is being held for them. The mayor asked if everyone understood. Matt Poole, Deputy Fire Chief and Steve Woodall, President of the Board of Directors both said yes.

Council Member Marshburn asked about the insurance reimbursement and why it was not included before.

Mr. Jones replied the increase rate came in after the original quote. The increase went up to 1% to cover everything needed. A new law required mental health/substance abuse has the same benefit levels as medical insurance.

Council Member Kennedy said he would like to see the following changes to the Agreement between the Fire Department and the Town of Garner.

- Change the makeup of the Fire Department Board of Directors
- Clarify Town ownership of Station #3
- Receive monthly balance sheets & year end financials
- Nepotism Clause: Board, management, throughout the ranks
- When audit (JA Lucas) is complete, make it available to the Town within 48 hours/or sooner
- Rescue workers to complete Hazmat & VMR training within 60 days (September 30 deadline for all decisions on whether to go to Fire Dept.)
- Rescue to provide a plan for disposition of all equipment
- Settle merger status of Garner EMS and Rescue, Inc. as soon as possible

Mayor Williams said staff will work on the changes with the additional revisions to the agreement.

Council Member Singleton said we need a letter to Council with the Garner Rescue concerns for the July 6th meeting.

Council Member Marshburn asked if there is enough time to receive all the information that is needed. He also asked what the original charter was for the contract between the Rescue and the Town. Mr. Watkins said the original charter was for 12 months.

Council Member Marshburn asked who decides on the status of medical transport and who is responsible. Mr. Watkins replied it would be their attorney. Mayor Williams said the County Commissioners also would decide.

Council Member Marshburn said this year's budget was not an easy one to do. He thanked staff for all their hard work. He said we need to continue to look for creative ways to move forward. He feels this budget is a realistic one and we need to make it work.

Mayor Williams said we are keeping in pace with every Wake County municipality.

Council Member Kennedy said the budget team had a tough job, but they made it much easier for Council.

Mayor Pro Tem Behringer said the citizens did not have a tax increase with this budget year. She said we have a tight budget and nothing has been done lightly. She thanked the staff for their hard work and good management.

Council Member Singleton thanked the staff and said it is a bare bones budget.

Council member Marshburn said the RIF (Reduction in Force) policy was not an easy decision, but it is a part of the process. This just shows the difficult cycle we are in.

Council Member Johns said we need to start looking out for next year. Tax payers should be proud of us because we did not increase the taxes.

Action: Adoption Ordinance (2010) 3586 as amended;
10-5300 Fire add \$135,000 to \$1,260,000 totaling **\$1,395,000**
10-5400 Rescue decreased \$135,000 from \$270,285 totaling **\$135,285**

Motion: Kennedy
Second: Singleton
Vote: Unanimous

Human Resource Recommendations for Advisory Board Appointments

Presenter: Council Member Gra Singleton

The Human Resources Committee will be making recommendations for appointments to the Planning Commission, Board of Adjustment and the Senior Citizens Advisory Committee.

Planning Commission and Board of Adjustment applications for ETJ representation will be submitted for consideration at a later date.

Parks & Recreation Advisory Committee has three vacancies. The Parks & Recreation Director is updating the requirements to serve on this Committee. Since the Committee does not meet in July and August; applications will be considered for appointment at a later date.

Action: Committee Members Appointments Approved

Planning Commission: Reappointment Carol Hutchison, expires 2012
New Appointment Jim Hunnicut, inside position, expires 2012

Board of Adjustment: Thomas Teabo and Phillip Belvin, regular inside positions,
expires 2013

Jeanette Hagwood, inside alternate, expires 2013

Motion: Singleton
Second: Behringer
Vote: Unanimous

REPORTS

Combustible Landscaping Materials Update

Presenters: Les Harmon, Fire Marshal

A memo was given to Council by Les Harmon, Fire Marshal. Mr. Harmon said the Combustible Landscaping Materials were last discussed on April 27, 2010. Since then, there have been five municipalities within Wake County that have addressed this issue. Cary and Raleigh have generally followed suit with the same requirements as Apex and Morrisville. Knightdale is still the only municipality that addresses the issue by changes in their building construction ordinance.

The Inspection Department is currently working on a “Frequently Asked Questions” document. This information will be included on the town web site and submitted to the local news outlets for information and publication.

Mayor Williams asked if there was any problem to changing the effective date one month later. Mr. Harmon replied no.

Council Member Singleton said the effective date could be January 1, 2011 for existing and for new construction the effective date can be December 1, 2010.

The effective date will be changed to February 1, 2011 for existing and new construction.

Action: Update Received
Revised Ordinance and bring back to July 6, 2010 meeting for adoption

Hialeah Service Area Agreement Update

Presenter: Rodney Dickerson, Assistant Town Manager

Mr. Dickerson presented a memo regarding the Hialeah Subdivision water contamination issue.

He said in May 2009, the Town of Garner was informed of a contaminated water system in the Hialeah Community located off Garner Road in Wake County. Since that time we have met with several concerned parties, including Wake County, City of Raleigh Public Utilities, Aqua America, Johnston County Utilities, PWSS and two property owners to address the problem. The subdivision is not in the Garner town limits or ETJ; however, it is in our Urban Service Area. The nearest public water connection in Wake County is about 1.8 miles away. If Garner were to undertake a project to provide this community with water, the property owners of Hialeah would be assessed the cost of running the water line. Estimated construction cost would be in excess of \$650,000 spread among 26 properties and that doesn't include rehabilitation of the internal distribution system or easement acquisition.

The City of Raleigh, who operates and maintains the municipal utility system, will be running a main transmission line down Hwy 70 in about a year, but a tie-in would also be assessed and is not soon enough for the present situation. This is a community of working class and elderly individuals; therefore, water is a major concern, although secondary to health.

Early on Aqua America, a private utility company, did some preliminary investigating and believed that there was a strong possibility of tying the customers on to its private system in a neighboring subdivision. However, the Utilities Commission was not in favor of the option because the burden of cost recovery would be placed on all of Aqua's existing customers. The nearest public line is located in the Pine Hollow Subdivision in Johnston County. Johnston County was involved from the start and graciously agreed to provide water if the other options were not viable. This is important because local governments are eligible for Disadvantaged Community Assistance Funding. This State funding will not only assist with the cost of the main line from Johnston County but also assist with repairing lines within the subdivision.

Recently, the Johnston County Board of Commissioners passed a resolution agreeing to provide water to Hialeah and to apply for Disadvantaged Community Funds. The Wake County Board of Commissioners passed a resolution agreeing to allow Johnston County to cross the county line with its public utility. These were the first official steps in alleviating a serious environmental and public health concern. The next step is for the Town of Garner, City of Raleigh, Wake County and Johnston County to agree to a memorandum of understanding stipulating what provisions will be placed on the water line. For example, since the water line is in Garner's Urban Service Area, it will become part of the Raleigh system when Garner annexes that area. Another important stipulation is whether anyone else will be allowed to tie on to the line and if so, under what conditions. All the details can be worked out while the water line project is underway.

Town Council will have to endorse the Memorandum of Endorsement when it comes up for signing.

Action: Update Received

Economic Downturn Update

Presenter: Lin Jones, Finance Director

Mr. Jones presented the monthly Economic Update,

Action: Update Received

Council Member Johns

- He reported that on Bayberry Lane in the Bainbridge Subdivision, there has been trouble on the weekends. He said he spoke with Chief Zuidema last weekend to have an unmarked police car patrol the area. Mr. Watkins will contact Chief Zuidema and check on the status.

- He reported mud on Montague Street.

Council Member Marshburn

- He said he was please to see the School Acres project going so well. Mr. Watkins said the Town is now on its second neighborhood. Mr. Watkins said Mr. Buie, Neighborhood Improvement Manager, will set up dates and times for the ride along with Council, to start on a list of things to do.

Mayor Pro Ten Behringer

- She said there have been some excellent results with the City of Raleigh for the Women’s Club water rates. The City of Raleigh crossed the Women’s Club lines with the baseball fields and that is the reason fees have been so expensive.
- She reported on Yeargan Road and Mechanical Blvd by the railroad tracks the grass is very tall on both sides of the tracks and needs to be mowed.

Council Member Singleton

- He said his father is doing better and he thanked everyone for their concerns. He said all the paving looks good. He asked when the striping on Main Street will be completed.

Mr. Watkins replied he spoke with Frank Powell, Town Engineer and Mr. Powell said there are only one or two vendors that do striping and they are backed up with work. Mr. Watkins asked Mr. Powell t obtain prices on striping by the City of Raleigh’s vendor.

Mayor Williams

- He asked Mr. Watkins to update Council Members Marshburn and Singleton on Olde School Commons parking lot paving. Mr. Watkins said we have an agreement for the parking lot with the apartment manager.
- He reminded Council of the 12:00 luncheon at Rush Hour Carting tomorrow.
- He asked if anyone would like to volunteer to serve on the James R. Stevens Service Award Committee. Mayor Pro Tem Behringer volunteered to be on the committee.

Town Manager

Mr. Watkins went over the details for the July 3rd celebration with Council

Closed Session Pursuant to N.C.G.S. 143-318.11(a)(3) to consult with the Town Attorney regarding matters involving potential litigation as to which the Town Attorney attests a claim of attorney-client privilege.

Motion: Marshburn
Second: Kennedy
Vote: Unanimous

The Council returned to the Work Session.

Action: Adopt Change Order Number 9 for White Deer Park Project

Motion: Marshburn
Second: Kennedy
Vote: Unanimous

There being no further business the meeting was adjourned.

ADJOURNMENT: 8:32 P.M.

Motion: Marshburn
Second: Johns
Vote: Unanimous

Respectfully Submitted,
Catherine Reynolds
Deputy Town Clerk