

**Town of Garner
Town Council Work Session
March 31, 2009**

The Garner Town Council met in Work Session at 6:00 PM on Tuesday, March 31, 2009 in the Town Council Meeting Room.

CALL MEETING TO ORDER

Attending: Mayor Williams, Council Member & Mayor Pro-Temp Kennedy, Council Member Singleton, Council Member Behringer, Council Member Johns, Council Member Marshburn

Staff Attending: Hardin Watkins, Town Manager; Rodney Dickerson, Assistant Town Manager; Tony Beasley, Economic Development Director; Tom Moss, Police Chief; Eric Copeland, Deputy Police Chief; Sheila Cain, HR Director; Phil Faucette, IT Director; Judy Bass, Town Clerk

Garner EMS/Rescue - Basic Life Support Transport Service

Presentation by Captain Haywood, accompanied by Chief Frederick Garner EMS & Rescue Squad Non-Emergency Services

The Garner Basic Life Support Transport Service opened on December 15, 2008. The service has from 8 to 9 transports per day. The Transport Service is the only one based in Wake County. This service takes patients with disabilities and special needs to medical appointments such as, doctor's visits, rehab therapy and nursing home locations. There are fees for the transport which is a flat rate of \$202.60 to be paid by insurance companies and a charge for mileage which also may be paid by the insurance companies. What the insurance companies do not reimburse for mileage, the difference will be charged to the Patient. Looking to the year 2016, the Basic Life Support Transport Service goal is to not enter into any budget requests from the Town. The EMS/Rescue section is fully funded by Wake County. The location for the Basic Life Support Transport Service is located at 990 Vandora Springs Road, Garner and the phone number is (919)773-7355. The Transport Service is renting space behind the Garner EMS station.

Action: No Action Required

Collective Bargaining Legislation in U.S. Congress

Presentations by Sheila Cain, HR Director and Tom Moss, Police Chief

The Public Safety Employer-Employee Cooperation Act – H.R. 413 would require all state and local governments to engage in collective bargaining with their police, fire and EMS personnel. The bill was first introduced in 1995 and the 2007 bill (H.R. 980) passed in the House by a landslide of 314 to 97; a veto-proof margin. The bill was pulled from the Senate by the sponsor due to unrelated amendments and the illness of Senator Kennedy. According to the NCLM, it is likely that we will see some movement on this bill after Memorial Day.

H.R 413 is very problematic and controversial for states such as North Carolina without collective bargaining that will ultimately be required to spend limited resources on collective

bargaining instead of providing services to citizens. Those states that have collective bargaining also take issue with H.R. 413 because it essentially federalizes what many consider essentially a state and local function. Under the bill, the Federal Labor Relations Authority (FLRA) is charged with determining whether or not states are in “substantial compliance” with the federal law. This agency is also charged with developing regulations with which states will be forced to comply. The NCLM has sent local elected officials notices outlining this issue and requested same to voice their opposition on the matter.

Directive: Contact, Senators, Kay Hagan & Richard Burr to oppose this bill

Public Records Law Training

Presentation by Phil Faucette, IT Director

Email & Document Management - State Law NCGS 123 & 132
Public Records, Emails, Retention Schedule & Policies

Directive: Staff to assist Council Members with the use of Town email to be published on Garner web site. Set up time with Council Members for any assistance they may need.

White Deer Park Project Construction Update

Presentation: Tony Beasley, Economic Development Director

1. Update on the construction progress for the last 3 weeks
2. Update on work scheduled for last week and this week
3. Update on current issues

Action: Received Update; Schedule next site visit at April Work Session

Police Department’s JAG Grant Application from U.S. Dept of Justice Update

Presentation: Eric Copeland, Deputy Police Chief

The Police Department is eligible for a Justice Assistance Grant (JAG) through the U.S. Department of Justice in the amount of \$46,626. No local match is required.

This grant program is authorized by the American Recovery and Reinvestment Act of 2009. Some of the stated purposes of the Recovery Act are: to preserve and create jobs; to promote economic recovery and to assist those most impacted by the recession.

Staff met to consider possible uses for the money and how the impact of the economic recession had affected the department. With past JAG grants we have always purchased equipment, but in looking at the true spirit of this grant we felt that we should try to follow the primary performance measures of the grant in preserving and creating jobs.

In FY 2007, the department was allowed to create an overhire position for Police Officer. This position allowed the department to maintain constant staffing levels in providing police services. Because of the economic recession we chose not to fill this position when it became vacant in the fall of 2008. The total cost for the first full year to hire the officer is \$54,267 for

salary and fringe benefits. We are projecting that we can cover the remaining cost, approximately \$7,641 with lapsed salary funds.

Eight of the twelve Wake municipalities plus the Wake County Sheriff's Office received these JAG grant awards this year. This type of award requires the local units of government to apply with a single, joint application. The local police departments have agreed that the City of Raleigh will submit the application and that all request for reimbursements will be made through them. It is scheduled to go before the Raleigh City Council on April 7th.

The Department may also be interested in applying for additional sworn positions under the recently released COPS Hiring Recovery Program. This competitive grant program will provide 100% funding of the entry-level salaries and benefits for a period of three (3) years.

Action: Memorandum of Understanding of both parties, City of Raleigh and Town of Garner

Economic Downturn Update

Presentation: Hardin Watkins, Town Manager

Items:

- Wake County Economy is one of the strongest in the Southeastern U.S.
- Garner Budgeting recommendations on 2%-4% department cuts will be presented to Council in April 2009. There has been significant savings on such projects as Rex Building, sidewalk construction and resurfacing pricing.
- For Future Revenue Projections we rely on the NCLM Guide for estimates, economists and financial experts at UNC School of Government.
- Tax Data based upon data from Wake County Revenue Collector, Town staff believes that property tax collections will hold steady and we will meet our FY 08-09 projections.
- Benefits Review Team is preparing recommendations in conjunction with the FY09-10 Budget.
- National Stimulus Resources will not be a windfall for local governments. The Town is likely to receive \$46,000 in assistance through JAG program. The Town may also submit an application for some COPS funding for over a 3 year period. An indirect source of assistance will be the increased funding likely to be received by Wake County for neighborhood stabilization programs. This may be a resource for our neighborhood improvement efforts.
- Local Perspective is good news and development activity has increased. Permit applications for twelve businesses have been applied for. There are also four Chamber Grand Openings.

Action: No Action Required, Mr. Watkins to check on tax data regarding percentages

Board Reports

Council Member Marshburn

- He stated that the Raleigh Civic Symphony Concert at the Garner Historic Auditorium held on March 29th at 4:00 PM was outstanding.

Council Member Singleton

- He thanked the Town staff for all their hard work at the Seven Churches Road Race held on March 29th at 2:00 PM.

Closed Session pursuant to NC.G.S. 143-318.11 (a) (5) to consult with Council on matters pending litigation: Edge of Auburn and Nuisance enforcement action on Ken Mizelle. Updates on Town of Garner V. James Badger, Lorenzo Brooks V. Town of Garner and potential litigation.

Motion: Marshburn

Second: Singleton

Adjournment: 9:30

Motion: Marshburn

Vote: Unanimous

Respectfully Submitted,
Catherine Reynolds