

**CITY OF TEMPLE MINUTES
REGULAR MEETING OF THE TEMPLE CITY COUNCIL
MONDAY, AUGUST 4, 2008 – 6:30 PM
TEMPLE CITY HALL**

CALL TO ORDER:

Mayor Ford called the regular meeting of the Temple City Council to order at 6:30 p.m. with the following members present constituting a quorum: Councilmember Richard Bracknell, Councilmember Larry Estvanko, Councilmember Larry Mann and Councilmember William Simmons. Absent: Hiley Miller

INVOCATION:

The invocation was given by Larry Boswell, Pastor at Temple First Baptist Church. Mayor Ford asked for a moment of silence in memory of Mr. Danny Carden and he also informed everyone that Mrs. Miller was not present tonight due to the birth of a healthy baby girl.

CITIZENS COMMENTS:

Mayor Ford opened the floor for citizen's comments.

Linda Walden, 440 Centerpoint Road, spoke and asked questions regarding the EAP Program, International Building Codes Ordinance, Temple Erosion and Sediment Policy Resolution, Employee Cross training, Ivey Lake Subdivision Letter of Credit, Insurance Deductible, Sidewalk Ordinance, Property Maintenance Ordinance, and the City of Temple Accounting Policy. She said she would like to either have a synopsis of each item on the agenda or either move citizen's comments to the last of the agenda.

Liz Pecor, Tallapoosa Street, spoke regarding the International Building Code Ordinance and the Temple Erosion and Sediment Policy Resolution. She stated that these items have already been adopted in August and October 2006. Ford advised her that they had been voted on by the council but was not done by ordinance or resolution.

COMMITTEE REPORTS:

Public Safety Committee: Simmons advised that they discussed looking at the police sub station that would be located across from Flying J's and also the police work schedules.

Public Works Committee: Mrs. Miller was absent so her committee report was read by Kim Pope, City Clerk. The public works committee department is currently operating under budget. Job descriptions was presented for approval but was postponed until the employee handbook is completed, reviewed, and approved. The final draft for the Deer Creek Lift station upgrade was reviewed and sent to the Carroll County Board of Education. Employee evaluations were reviewed. An Emergency Response Plan

for the water distribution system as well as the flushing program was presented and reviewed. A copy of the plan was submitted to EPD.

Personnel Committee: Estvanko said that the EAP program was discussed and he had a gentleman here tonight to give more information on the program. Cross training forms were distributed to department heads in order to allow employees to sign up for positions they are interested in. Estvanko has also been working with Chief Repetto on putting together a safety course for city employees.

Recreation Committee: Bracknell stated that we currently have three football teams with one waiting, two cheerleading squads and two fall baseball teams. Everything is in place for the installation of the water fountains. Thad has his three quotes for the water cannon purchase and he is in the process of getting a list of things that need to be done around the recreation. The new signs for the ball fields have been ordered. Thad Ferguson presented to the council a mission statement he had written for the recreation department.

Financial Committee: Mann said that after review of the budgets last week the general budget's revenues are a little lower than it should be and the expenditures is a little over budget with a heavy part of that being in the police department. He says to help that he is recommending that they only have one officer patrolling on the day shift instead of two and use the extra day time officer to cover training, vacation, and sick time. That would mean the chief, assistant chief, and the investigator would have to rotate shifts.

CONSENT AGENDA:

Bracknell motioned to approve the consent agenda as presented; seconded by Simmons. The motion carried 4-0.

PLANNING AND ZONING: Nothing to discuss

OLD BUSINESS:

1. **125TH Anniversary:** Mayor Ford stated that August 28, 2008 is the 125th Anniversary for the City of Temple. He would like to have an all day celebration August 23, 2008 in honor of this. There was a discussion about whether we would have time to get this together or should we post pone it until September or October. Mayor Ford asked if any one would be interested in volunteering and several raised there hands.
2. **Watershed Protection Plan Update:** Mrs. Fox, Fox Environmental gave an update on the progress of the watershed protection plan. She stated that the finalized report should be submitted this week.
3. **ORDINANCE: Code of Ethics- 2nd Reading:** The second reading of the Code of Ethics Ordinance was done by publication by Mrs. Daley on August 4, 2008. Bracknell motioned to amend the ordinance by adding a \$15.00 filing fee per each complaint for administration cost; seconded by Simmons. The motion carries 3-0 with Estvanko abstaining. Bracknell motioned to adopt the Code of Ethics Ordinance with amendment; seconded by Simmons. The motion carries 3-0 with Estvanko abstaining.

4. **ORDINANCE: International Building Codes:** After discussion and the reading of the ordinance by Mrs. Daley, Mann motioned to waive the 1st read by a 2/3 votes and adopt the ordinance; seconded by Simmons. The motion carries 3-1 with Estvanko voting against.
5. **RESOLUTION: Temple Erosion and Sediment Policy:** After discussion, Mrs. Daley read the Temple Erosion and Sediment Policy resolution. Bracknell motioned to adopt the Erosion and Sediment Policy for Temple; seconded by Simmons. The motion carries 4-0.

NEW BUSINESS:

1. **EAP PROGRAM:** Ken McGowan, Director of the EAP Program at Tanner presented to the council a packet explaining the program. He stated that it is a program that would assist with personal problems that might affect job performance of employees and that the cost would be \$25.00 per employee per year. The \$25.00 would allow employees six visits per year. After discussion, Estvanko requested this proposal be sent to financial committee for review.

Mayor Ford requested to go back to the Code of Ethics Ordinance. He stated that since the ordinance was adopted; the ethics committee members need to be appointed. After discussion about the process of the appointment of the members; Bracknell motioned to appoint Dale Parrish as the council appointed member; seconded by Mann. The motion carries 3-0 with Estvanko abstaining.

Mayor Ford abstained when it came time for the appointment of the member by the mayor due to a pending ethics complaint against him. Mann asked due to the fact that he has an ethics complaint pending against him; he would like to go back to the appointment of Dale Parrish and withdraw his second and he would like to abstain also. The motion carries now 2-0 with Estvanko and Mann abstaining. Simmons motioned to appoint John Dufour as the next member; seconded by Bracknell. The motion carries 2-0 with Estvanko and Mann abstaining. Bracknell motioned to appoint Gene Merritt to the ethics committee; seconded by Simmons. The motion carries 2-0 with Estvanko and Mann abstaining.

After discussion of how the ordinance states that members have to be appointed and how to handle the appointment of the members with the mayor and some council members abstaining; Mrs. Daley suggested to postpone the appointment of the members until amendments could be made to the ordinance to add provisions if the mayor and council cannot make their recommendations.

2. **EMPLOYEE CROSS TRAINING:** Estvanko explained that he had given clarification of what this item was about earlier and there was nothing further to discuss on this item.
3. **LOCAL ASSISTANCE ROAD PROGRAM (LARP):** The Georgia Department of Transportation asked for communities to give a short list of short streets that need repaving and they will participate in the repaving. Mayor Ford asked the council to come up with roads within their districts. Miller recommended E. Buchanan Street, Villa Rosa Way (the intersection in front of Flying J's to Double D Road and the intersection of Villa Rosa Way). Mann recommended Villa Rosa Way and Double D Road, Estvanko recommended Wells Ave, and Bracknell recommended Old Bremen Road. After discussion of which streets was more in need; Simmons motioned to send the following streets to DOT: 1. Wells Ave, 2. E. Buchanan Street, 3. Villa Rosa Way, and 4. Double D Road; seconded by Estvanko. The motion carries 4-0.

4. **LETTER OF CREDIT-IVEY LAKE SUBDIVISION:** After discussion of how the letter of credit would work if the builder did not take care of everything by October 2008; Mann motioned to approve the letter of credit; seconded by Simmons. The motion carries 4-0.
5. **LITIGATION INSURANCE DEDUCTIBLE:** Mrs. Daley gave clarification on the \$25,000 deductible of the Walden's vs. the City of Temple litigation to the council. She stated she had checked on the date the lawsuit was filed and that it did fall under the \$25,000 deductible instead of the \$10,000 deductible.
6. **FEE SCHEDULE:** Postponed
7. **DEMO: POLICE DEPARTMENT CAMERA SYSTEM:** Chief Repetto gave a demonstration of the new camera system that the Temple Police Department has.
8. **POLICE DEPARTMENT WORK SCHEDULES:** Mann explained that because of budget restraints and revenues being low he is recommending that we only have one day shift officer. The office personnel (Chief, Assistant Chief, or the Investigator) would be the back up officer for the day shift. The extra day shift officer will rotate shifts in order to cover vacation, training, and sick leave time. The officer would still get their hours; but with this schedule it will cut out overtime for vacation, training and sick leave. Mayor Ford asked Mrs. Daley if this required a resolution due to it being a policy. She advised that due to this being temporary it would not need to be a policy; they could just advise the department head to carry out their wishes.
9. **SIDEWALK ORDINANCE:** Mrs. Daley explained that this ordinance was proposed due to the current zoning not having a sidewalk ordinance. The purpose of this ordinance is to create a pedestrian friendly right of way in the commercial areas. This would be for new commercial development; as well as for existing businesses that make some kind of renovations. Mrs. Daley read the Sidewalk Ordinance for the first time on August 4, 2008 and the second reading will take place on September 8, 2008.
10. **PROPERTY MAINTENCE ORDINANCE:** Postponed
11. **2008 MILLAGE RATE RESOLUTION:** Daley explained this resolution is only a resolution stating what the mayor and council had already approved at the July 26, 2008 Special Called Meeting.
12. **CITY OF TEMPLE ACCOUNTING POLICY RESOLUTION:** Mrs. Daley read over and explained the accounting policy resolution. Bracknell motioned to adopt the policy by resolution; seconded by Simmons. The motion carries 4-0.
13. **CONSIDERATION OF BIDS:**
 - a. **Well Pump – Recreation:** Bracknell explained that only one bid was received for the purchase of a well pump for the recreation department. He explained the purchase of this pump is critical due to the new sod. After discussion of how to handle this due to it being critical; Bracknell motioned to declare the purchase an emergency and accept the one bid; seconded by Simmons. The motion carries 4-0.
 - b. **Water Cannon – Recreation:** After discussion; Bracknell motioned to accept the lowest bidder (AGI \$6550.00); seconded by Mann. The motioned carries 4-0.
 - c. **Phone System – All Departments:** Bracknell said that he would like to see the phone expenses cut tremendously. He would like to find a phone system that would handle all departments instead of having all the different phone bills. After discussion; Bracknell recommended that we acquire three bids and send the bids to the financial committee for consideration.

MAYOR AND COUNCIL CLOSING COMMENTS:

Mann asked Mrs. Walden to get with him and a police officer later. He said he would like for her to give him information on an earlier statement she had made regarding a city employee stripping a city building and selling the contents. She stated that the GBI already had the information so she didn't need to give it to them.

Mayor Ford stated that he wanted to let the council know that all policies have to be adopted by resolution and all enforcements have to be adopted by ordinance.

EXECUTIVE SESSION: Simmons motioned to adjourn at 8:45 pm in order to go into executive session for the purpose of discussing personnel, legal, and real estate; seconded by Bracknell. The motion carries 4-0.

RETURN TO REGULAR SESSION: Bracknell motioned to return to regular session at 9:52 p.m.; seconded by Mann. The motion carried 4-0.

Bracknell motioned to postpone the September 1, 2008 Regular Council meeting until September 8, 2008 due to the Labor Day Holiday; seconded by Simmons. The motion carries 4-0.

ADJOURNMENT: With no further business; Mann motioned to adjourn at 9:55 pm; seconded by Bracknell. The motion carries 4-0.

Rick Ford - Mayor

Attest:

Kim Pope – City Clerk