

Minutes: January 6, 2014

**CITY OF TEMPLE MINUTES  
TEMPLE CITY COUNCIL  
MONDAY, JANUARY 6<sup>TH</sup>, 2014 @ 6:30 PM  
TEMPLE CITY HALL**

**CALL TO ORDER:**

City Clerk Angie Costner called the regular scheduled Council Meeting to order at 6:35pm with the following members present constituting a quorum: Council Member Hiley Miller; Council Richard Bracknell; Council Member William Simmons (via telecommunications); Council Member Howard Walden and Council Member Penny Ransom and Mayor Lester Harmon.

Judge Betty Cason presided over the swearing in of the newly elected officials: Mayor Lester Harmon, Council Member Howard Walden and Council Member Penny Ransom

**INVOCATION:** The invocation was given by Mayor Lester Harmon

**CITIZENS COMMENTS:** None

**COMMITTEE MEETING REPORTS:**

**Public Safety:** No Report

**Community Development:** No Report

**Recreation:** No Report

**Personnel:** No Report

**Senior Center:** No Report

**Financial:** No Report

**Public Works:** No Report

**CONSENT AGENDA:** Minutes approval, Budget, Community Development, Public Safety, Recreation, Senior Center and Financial: Council Member Hiley Miller motioned to approve the consent agenda; seconded by Council Member Richard Bracknell. Mayor Harmon then asked was there any discussion? Council Member Howard Walden asked what minutes were being approved on the consent agenda. Council Member Hiley Miller explained to Council Member Howard Walden where the minutes were located in the council packets. Council Member Howard Walden inquired about the minutes from the Dec. 12<sup>th</sup> meeting. City Clerk Angie Costner told him she would check for a meeting on December 12. Council Member Hiley Miller amended the motion to approve the consent agenda with the December 2 and December 9 minutes. Council Member Howard Walden had a correction on the December 2 minutes where Council Member Terron Bivins made a motion to go into executive session and apparently she seconded her own motion according to the minutes. It was actually Council Member Hiley Miller that made the second. That should be corrected. Council Member Hiley Miller making a

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motion to approve the consent agenda with the corrections; Council Member Richard Bracknell seconded. Motion carried 5-0

**NEW BUSINESS:**

- 1.) **Elect Mayor Pro Tempore:** Council Member Penny Ransom made the motion to nominate Hiley Miller as Mayor Pro-Tempore; Council Member Howard Walden seconded. Mayor Harmon asks for any discussion. Motion carried 4-1 with Hiley Miller abstaining.
- 2.) **Resolution to change signature cards at all banks used by the City of Temple:** Mayor Harmon asked how many people we have on the signature cards at the bank. Council Member Richard Bracknell stated that the ones that should be on the signature cards at the bank are the Mayor, Mayor Pre Tempore, City Administrator, and City Clerk. The Police Chief only on the police accounts. Council Member Richard Bracknell made a motion to remove Kim Pope, Rick Ford, Larry Mann, and Richard Bracknell from the city's various accounts at any and all banks used by the City of Temple and to add Mayor Harmon, Mayor pro-tem Hiley Miller and City administrator Timothy Hill; Council Member Hiley Miller seconded. Mayor Harmon asks for any discussion. Motion carried 5-0.
- 3.) **Request for City Administrator Timothy Hill to work with Three Rivers RDC to update the Comprehensive Plan:** Mayor Harmon calls for a motion. Council Member Hiley Miller makes a motion to approve that Mr. Hill be allowed to work with Three Rivers RDC; seconded by Council Member Richard Bracknell. Motion carried 5-0
- 4.) **Reappointment of Planning and Zoning Members:** Council Member Penny Ransom makes a motion to nominate Randy Williams; seconded by Council Member Howard Walden. Mayor Harmon asks for discussion. Motion carried 5-0. Council Member Howard Walden motions to reappoint Linda Williams; seconded by Council Member Penny Ransom. Motion carried 5-0. Mayor Lester Harmon nominated Burt Stevens for his appointment; seconded by Council Member Penny Ransom. Motion carried 5-0.
- 5.) **Reappointment of Committee Members:** Mayor Lester Harmon states that he will not appoint any committee members.

City Attorney Cynthia Daley reported that in the organizational part of the Charter under Rules of Procedure 2.20 (b)" All committees and committee chairs and officers of the city council shall be appointed by the mayor and shall serve at the pleasure of the mayor. The mayor shall have the power to appoint new members to any committee at any time."

Mayor Lester Harmon then asked for closing comments

**MAYOR AND COUNCIL CLOSING COMMENTS:**

Council Member Richard Bracknell: None

Council Member Hiley Miller: None

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Council Member William Simmons: None

Council Member Howard Walden:

Council Member Howard Walden made a motion to amend the agenda; seconded by Council Member Penny Ransom. Mayor Harmon calls for discussion. Council Member Penny Ransom states we have an issue with our records and she makes a motion to amend the agenda to discuss the issue in which city records are being kept and at that point if anything needs to be done we will direct the city administrator so that everyone understands what we will be directing as a council for the city administrator to look into and then come back to the council as to what they should do. Council Member Howard Walden withdraws his original motion and seconds Council Member Penny Ransom. Motion carried 5-0.

Council Member Penny Ransom made a motion to take immediate action and to discuss what the immediate action would be. Mayor Lester Harmon said we have heard Council Member Penny Ransom suggestions could he get a second; seconded by Council Member Miller. Mayor Harmon then opens the floor for discussion.

Linda Walden addressed the Mayor and Council and discussed some of the trouble that she has had in obtaining City records in the past.

Motion carried 5-0

Council Member Howard Walden states that he has one other item of interest if we could amend the agenda to talk about the ordinances and how they are adopted and we are not adhering to the charter as far as the reading of the ordinances. Mayor Lester Harmon says from now on we are going to go by what the charter says, he asked Council Member Howard Walden if he was comfortable with that or did he want to discuss it some more. Council Member Howard Walden says the main concern was the juvenile ordinance that was just done. He thinks that we need to get back to doing them to adhere to the charter. Mayor Harmon asks Council Member Howard Walden if it is ok that from this point on we will make sure we read the ordinances correctly and as the charter says. Council Member Howard Walden says as long as we are following the charter.

Council Member Penny Ransom: She is all for using the people here and the position they are in. She asks that Mr. Hill if you come across anything that you can find or if something was not done. It is her goal to get things corrected. Anything that you come across bring it to the council please.

Mayor Lester Harmon: Would like to say welcome Mr. Hill, he is excited about having you as our new city administrator and he looks forward to help him do his job. Mr. Hill has Mr. Harmon's number 24/7.

Mayor Harmon addressed Mr. Brian Acree who had a comment:

Mr. Acree stated that he noticed that there was a council member missing tonight, Mr. Simmons, his presence is not here. How do we know who we are talking to on the other end of the phone? How do we know it is not his brother or someone else saying I. What is the validation of this? Does the charter say you have to be here present in body or just present in spirit? Mayor Harmon states that there is a new Georgia Law that says Mr. Simmons can do this and this is Mr. Simmons that he is speaking to. He is comfortable with that.

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Mayor Harmon then recognized Linda Walden

Linda Walden stated that she has a problem with the juvenile curfew ordinance that went into effect in December. It was not read in fact Mrs. Cynthia Daley said basically the ordinance says. That is not what the charter says the charter says the charter says you should read the ordinance and that is an ordinance that your police department is enforcing so you may want to take a second look at that. Mayor Harmon thanked Mrs. Walden for her comments.

Dawn Adkins then asks are we going to be able to talk like this all the time or are we going to have to request to talk 3-days before. It is a lot easier to ask questions after we have listened to y'all talk and not before so we would like to know if we are going to be able to have input in our government.

Mayor Lester Harmon states that as the charter states that he runs the meeting and he does want to hear from the residents of this town. Anymore comments?

Council Member Penny Ransom says the rules of decorum at some point may be one of the things that we need to look into as far as does it violate one of the few duties in that particular code of powers to the mayor. So if the Mayor runs the meeting then the rules of decorum may be one of the ordinances Mr. Hill needs to look into to see if it lines up with the powers.

Jerry Siegel states that over 4-years ago he came before the council to speak about 1st amendment rights and freedom of speech. In order to speak in public comment at that time he had to come to city hall three business days in advance. So when he did come to the meeting to speak in public comment which at that time public comment was before the meeting was held he read his comments and remarks in 3-minutes and 24-seconds. He asked, in 2014 where do we stand on something like that if the council will consider something like that for the next time we get together.

Mayor Harmon says he wants to hear from the people that is his view. He does not own this town this town belongs to the taxpaying citizens that live inside the city limits. He is here to try to make them feel welcome at city hall and in city council meetings

Mayor Harmon asks is there any reason we should go into executive session.

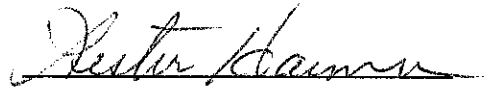
**EXECUTIVE SESSION:** Council Member Richard Bracknell motioned to go into executive session, Mayor Harmon asks for what, Council Member Richard Bracknell states for personnel reasons and Mayor Harmon asks what kind of personnel reasons. Council Member Richard Bracknell says to discuss the termination of an employee; seconded by Council Member Hiley Miller. Motion carried 3-2 with Council Member Howard Walden and Council Member Penny Ransom against. Mayor Harmon wants to state that he is opposed to unless they are talking about Hippa. They explain to Council Member William Simmons they are going to transfer the call to the back for executive session.

**RETURN TO REGULAR SESSION:** Council Member Richard Bracknell motioned to return to regular session at 7:44pm; seconded by Council Member Penny Ransom. Motion carried 4-0 was not able to get Council Member William Simmons back on the phone.

**ADJOURNMENT:** With no further business to discuss, Council Member Penny Ransom motioned to adjourn at 7:44pm; seconded by Council Member Hiley Miller. Motion carried 4-0 was not able to get Council Member William Simmons back on the phone.

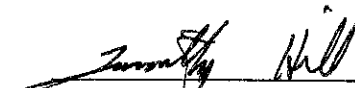
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Debbie McIntyre McIntosh stated that she would like to let the Mayor and new Council members know how much the people of Temple appreciate how they are going to bring this city back to the people of Temple. We have been waiting for this for a long time. We are tired of the money, taxes they have been paid out being misused, misdirected and in her personal opinion possibly even, well that is just her personal opinion on that. But she wants everyone to know that the people of Temple are up in arms now and we wanted to make sure of it by electing these new officials that we want a truly transparent government in this city and not back room politics. It is time for it to go and we really do appreciate it.



Lester Harmon - Mayor

Attest:



Timothy Hill - City Administrator

Corrections made based on March 10, 2014 Council meeting