

City of Townsend
Called Commission Meeting Minutes

For

November 20, 2012

Attendance: Attending the meeting was Mayor Michael Talley, Vice Mayor Becky Headrick, Commissioner Ron Palewski, Commissioner Jackie Suttles, Commissioner David Wietlisbach, City Recorder Shelia Moss, Police Chief Ron Suttles, Fire Chief Don Stallions, City Judge Chris Ralls, Don & Sandy Headrick, Charles King, Alicia McCleary, and one other citizen

Called Beer Board Meeting: Vice Mayor Headrick called the Beer Board meeting to order at 7:00 pm. She explained that an Off Premise Permit application was submitted by Mr. Paul Spraygerry for American Choice Products DBA Frank's Market. She also reported that Chief Suttles had performed the background check which, came back clear. Mayor Talley asked if a beer permit had ever been awarded to anyone in the past for the location referenced on the application. Recorder Moss responded by answering yes. Mayor Talley made a motion to approve an Off Premise permit for America's Choice Products DBA Frank's Market. Commissioner Palewski seconded and the motion passed with 3 yea votes. (Commissioner Wietlisbach and Commissioner Suttles arrived after the Beer Board meeting.)

There being no further business, the Called Beer Board Meeting was closed at 7:05 pm.

Regular Commission Meeting

Pledge: Mayor Talley opened the meeting with the Pledge of Allegiance at 7:06 pm.

Minutes: A motion to approve the October 16, 2012 minutes was made by Commissioner Palewski. Vice Mayor Headrick seconded and the October 16, 2012 minutes passed with 4 yea votes. A motion to approve the October 24, 2012 minutes pending a correction relating to the opening time of the Beer Board meeting was made by Vice Mayor Headrick. Commissioner Wietlisbach seconded and the October 24, 2012 minutes passed with 5 yea votes.

**Commissioner Palewski asked to address the Commission about the house fire. He reported that Bethel Baptist Church set up a fund for donations. Commissioner Palewski then proposed the City donate \$1,000 to the fund. Mayor Talley mentioned that his first thought is to hold a fundraiser. There was some discussion. Commissioner Wietlisbach mentioned that a donation from the City's General Fund would lead the City to a path of having to determine who is eligible for public assistance which is not what the City is set up to do. He also mentioned using the parade to gain donations for the fund. Mayor Talley mentioned that the City would need to work with the Townsend Volunteer Fire Department to raise funds at the parade.

Finance Report: Recorder Moss gave the finance reports for the month of October. Mayor Talley asked about the building permit revenue line item. He also stated that the City had gone over budget on the paving contract and will have to transfer funds. Mayor Talley made a motion to increase the Street Fund expenditure line by \$7,150. Commissioner Wietlisbach seconded and the motion passed with 5 yea votes. Mayor Talley introduced an interlocal agreement for the greenway trail, explained the agreement, and mentioned that it will cost the City \$200 to enlist. No action was taken on the interlocal agreement.

Police Report: Chief Suttles reported that the house fire was a bad thing. He mentioned that Officer Allen was one of the first one's on the scene. Chief Suttles reported that the children and one of the six dogs made it out safely. He reported that the Fire Department did a good job. There was some discussion regarding the fire. Chief Suttles reported that his department is now

getting ready for the parade. Mayor Talley mentioned that the City appreciates all he did (relating to the house fire).

Maintenance: Chief Suttles reported that all the Christmas lights are up but, that more bulbs will be needed. He mentioned that the banners have arrived and will be giving a roll of tape to Mrs. Mary K. Jenkins to mark the poles where they should be hung. Mayor Talley asked if the brake lines had been fixed (relating to a maintenance truck). Chief Suttles responded by answering yes.

Fire: Chief Stallions spoke about the house fire and mentioned that he saw our community come together. He stated that there is a fund set up through Bethel Baptist Church at US Bank. Chief Stallions reported that basic needs such as clothing have been met but mentioned that there will be upcoming expenses. He mentioned that the fund was named "Cause for the Family benefit".

Recreation: Commissioner Suttles reported that she and Chief Suttles will be getting together with Chief Stallions next week (relating to the parade). She also asked the other Commissioner's to come and serve at the refreshment tent at the ending point of the parade. Recorder Moss reported that she had already reserved four port-a-potties and Commissioner Wietlisbach agreed to find judges for the parade. Commissioner Wietlisbach also agreed to ensure the Heritage High School Band and ROTC would be in the parade.

Old Business

There was no old business.

New Business

- 1. City Judge, Chris Ralls:** Judge Ralls reported that he has been the only judge for Townsend, was appointed in 1980 and, the City of Townsend did not start holding court until 1982. He also mentioned that he is required to attend two meetings per year relating to municipal court. Judge Ralls reported that a situation of seriously contested cases relating to trespassing has arisen and that the December court session will begin at 4pm instead of the usual 6pm. Judge Ralls requested the authority to call one additional session if necessary for heavily contested cases such as the trespassing cases. Judge Ralls also mentioned that in 2007 court was held six times per year and that he asked for a raise from \$300 to \$350. He also mentioned that in 2008 court was changed to four times per year. Judge Ralls reported that he has heard around forty trials in the Townsend Municipal Court and when the economy took a down turn he voluntarily reduced his fee back to \$300. He then mentioned that he has two requests: 1) to be reinstated to \$350 and 2) the funds and power to schedule a called session if necessary. Judge Ralls also mentioned that he would like to look at traffic school. He reported that there are not a lot of tickets for juveniles and that the 2002 Patriot Act has affected how he has to handle tickets issued to Commercial Driver License (CDL) holders. Chief Suttles stated that forty seven miles per hour (mph) don't affect CDL's. Mayor Talley asked what would necessitate a called session. There was some discussion about parameters for scheduling a called session. Chief Suttles asked for a status on unpaid citations. Recorder Moss stated that she would have to pull that information for him. There was some discussion about unpaid citations and license suspensions. Judge Ralls stated that he has given the authority to dismiss a citation to the officers. Mayor Talley stated that the Commission will think about his request's and make a decision. Commissioner Palewski made a motion to grant the City Municipal Court Judge the authority to schedule one additional session per year for contested cases. Commissioner Suttles seconded and the motion passed with 5 yea votes. There was some discussion on the Judge's rate. Mayor Talley mentioned that court is not to be considered as a revenue source and that the City's Ordinances should be upheld. Mayor Talley asked Chief Suttles what the criteria was for him to dismiss a ticket. There was some discussion. Chief Suttles stated that an officer can drop the charges on anything issued. Commissioner Wietlisbach made a motion to reinstate \$350 per session with the stipulation that the City Judge adhere closer to the fine structure established by the City Commission with exceptions that are based on the merits of a case. Commissioner Palewski seconded and the motion passed with 5 yea votes.

2. **Roddey Coe Contract:** Mayor Talley introduced the contract and explained that this will cover technical support for the City such as helping with computer issues and the City website. There was some discussion. Vice Mayor Headrick made a motion to approve the Roddey Coe Contract. Commissioner Palewski seconded and the motion passed with 5 yea votes.
3. **Pain Management Clinic:** Mayor Talley introduced the draft ordinance to the City Commissioners. There was some discussion regarding this ordinance. The Commission requested Recorder Moss forward this on to the City Attorney for review.
4. **Personnel Policy:** The personnel policy was deferred to a later date.

There being no further business, the meeting was adjourned at 9:27 pm.

Shelia Moss

Approve: _____
Title: _____

date