



Meeting Minutes - Final  
City Council

---

Monday, September 8, 2014

7:30 PM

Council Chambers

---

**Roll Call**

**Present:** 8 - Mayor Max Bacon, Mayor pro tem/Councilmember Melleny Pritchett, Councilmember Andrea Blustein, Councilmember Teri Anulewicz, Councilmember Charles Welch, Councilmember Susan Wilkinson, Councilmember Wade Lnenicka and Councilmember Ron Fennel

**Also Present:** 7 - Chelsea Jackson, Kay Bolick, Tammi Saddler Jones, Eric Taylor, Scott Cochran, Toni Jo Howard and Chris Addicks

**Call to Order**

The meeting was called to order by Mayor A. Max Bacon at 7:30pm.

**1. Show Cause Hearings:**

**A.** Appeal of the denial of application for an alcohol servers permit for Universe Winston.

**Sponsors:** Blustein

Mayor Bacon asked the applicant, Universe Winston, to come forward. Applicant was not present, Mayor Bacon continued to the next item on agenda.

**2. Hearing: Potential Termination of Fire Chief Paige Day**

**A.** To determine whether Fire Chief Paige Day's employment should be terminated with the City of Smyrna

**Sponsors:** City Council

City Attorney Scott Cochran came forward for opening arguments, once completed Ms. Day's attorney, Mr. McKenney came forth to present his opening argument.

After both attorneys presented, Mayor A. Max Bacon stated this process was new for the entire City Council and it may be slight confusion and several questions being asked since this is the first time any of City Council has received any of the information, but nevertheless they would get through the hearing.

City Attorney Scott Cochran called City Administrator Eric Taylor to the podium and he was sworn in. While Mr. Taylor was present at the witness stand, Attorney Cochran presented Exhibits 1-24, which were explained by both Mr. Taylor and Attorney Cochran and entered into evidence. These exhibits are listed as follows:

Exhibit 1: Paige Day's City of Smyrna Purchasing Card Image

Exhibit 2: City of Smyrna Purchasing Cardholder Agreement signed by Paige Day  
Exhibit 3: City of Smyrna Purchasing Card Activity Log submitted by Paige Day  
Exhibit 4: Taco Bron Receipt  
Exhibit 5: WallyPark Atlanta Receipt  
Exhibit 6: Manny's Deli Receipt  
Exhibit 7: Marriott Hotels & Resorts Guest Folio for Paige Day  
Exhibit 8: Savannah Marriott Riverfront In-Room Dining Receipt (3 Total)  
Exhibit 9: One Eyed Lizzy's Receipt  
Exhibit 10: Paige Day's check image for reimbursement to City  
Exhibit 11: Paige Day's Check Image for reimbursement to City (2 check images)  
(parking reimbursement and meal reimbursement)  
Exhibit 12: Paige Day's Check image for reimbursement to City (Taco Bron Reimbursement)  
Exhibit 13: Bank of America City of Smyrna Corporate Account Statement  
Exhibit 14: Wallpaper & Stuff Receipt (2 total)  
Exhibit 15: Selected Payable Documents –Summary (for Paige Day's expenses)  
Exhibit 16: Detailed description of purchased detail (Delta Airline Ticket)  
Exhibit 16(a): Detailed receipt from Kroger  
Exhibit 17: Email between Paige Day and Tammi Saddler-Jones  
Exhibit 18: RugDoctor Rental Form  
Exhibit 18(a): Kroger Receipt (RugDoctor Purchase)  
Exhibit 19: Picture from Fire Station 2 (Displaying area around Coffee Pot)  
Exhibit 20: Picture from Fire Station 2 (Displaying area around Coffee Pot)  
Exhibit 21: Steak 'N Shake Receipt  
Exhibit 22: Jim 'N Nick's BBQ Receipt  
Exhibit 23: McDonald's Receipt (2 receipts)  
Exhibit 24: Email Conversation between Scott Cochran and Kay Bolick

Following Mr. Cochran reviewing and presenting all Exhibits with Mr. Taylor, there was a brief recess. Once the hearing reconvened, Mr. McKenney cross-examined Mr. Taylor. During his cross-examination Mr. McKenney reviewed Exhibits 1-24 which were presented by Attorney Cochran, as well as presented Appellates 1-8 and entered all into evidence. The appellates presented are as follows:

Appellate 1: Paige Day's Resume  
Appellate 2: Weekly Reports submitted by Paige Day between the dates of January 17th -July 3rd, 2014  
Appellate 3: Reimbursement by Chief Day  
Appellate 4: City of Smyrna Personnel Policies and Procedures (Disciplinary Action, DIS 1.0)  
Appellate 5: City of Smyrna Personnel Policies and Procedures (Disciplinary Appeals, DIS 3-01)  
Appellate 6: Chronology of Disciplinary Process Not Followed  
Appellate 7: Other Employee's Misuse of Purchase Card  
Appellate 8: Lunches, Dinners, Gifts, And Atlanta Braves Tickets Charged Between 01/01/12 and 07/21/14

After Mr. McKenney finished delivering his case and questioning Mr. Taylor, Attorney Cochran called Ms. Saddler Jones to the stand. While Ms. Saddler-Jones was at the podium she discussed her involvement in the process and discovering the findings that led to the hearing. The discussion focused on the initial identification of the problem to several meetings she had with Ms. Day. Afterward Attorney Cochran called Finance Director Toni Jo Howard to the stand. Ms. Howard discussed the financial aspects and her role in the situation, stating it's her responsibility to oversee all financial transactions and purchases of the City, along with other duties. After Ms. Howard, Attorney Cochran called the City's Controller, Kristen Robinson, to the

witness stand. Ms. Robinson stated she actually visited the store Wallpaper and Stuff, in relation to Exhibit 14, located in Smyrna and spoke with someone who remembered Ms. Day visiting the store with her daughter to make a purchase. After Mr. Cochran examined every witness, Mr. McKenney cross-examined as well.

Mr. McKenney finished cross-examining all witnesses and Attorney Cochran stated he did not have any further witnesses. Mr. McKenney stated he only had one witness, but asked for a break before his witness took the stand. Mayor A. Max Bacon stated there would be a 20 minute recess.

The hearing reconvened and Mr. McKenney called Ms. Paige Day to the witness stand. Ms. Day discussed her family, career, and accomplishments before and while employed at the City of Smyrna. Ms. Day was also questioned about the allegations brought against her. After Mr. McKenney questioned Ms. Day, Mr. Cochran cross-examined.

Attorney Cochran and McKenney both made closing arguments, Attorney McKenney stating each attorney should have five minutes to present closing arguments.

Throughout the hearing, Mayor and Council asked questions and made comments to any of the individuals who testified as well as question both attorney's about the Exhibit's and Appellate's that were presented.

A motion was made by Council Member/ Mayor Pro Tem Melleny Pritchett to uphold the termination of Fire Chief Paige Day; seconded by Council Member Andrea Blustein. Motion carried by the following vote:

**Aye:** 4 - Mayor pro tem/Councilmember Pritchett, Councilmember Blustein, Councilmember Anulewicz and Councilmember Welch

**Nay:** 3 - Councilmember Wilkinson, Councilmember Lnenicka and Councilmember Fennel

**Absent:** 1 - Mayor Bacon

### 3. Adjournment:

Mayor A. Max Bacon adjourned the meeting at 2:04 am.

**Note**

**Note**