



Meeting Minutes - Final Committee of the Whole

Thursday, September 15, 2016

6:00 PM

City Hall

1. Call to Order

Attendance:

Mayor Pro Tem Teri Anulewicz
Councilmember Derek Norton 6:09PM
Councilmember Andrea Blustein
Councilmember Corkey Wlech
Councilmember Susan Wilkinson
Councilmember Doug Stoner
Councilmember Ron Fennel

Absent: Mayor Max Bacon

Also in Attendance: Scott Cochran, Mike Jones, Tammi Saddler-Jones, Christy Ullman, Heather Corn, Eddie Wade, Roy Acree, Scott Stokes, Rusty Martin,

Mayor Pro Tem Teri Anulewicz called the meeting to order at 6:05PM.

2. City Administrator Report

A. There was discussion regarding "Elizabeth" who had the jeep that entered her home at the end of Ward Street and the emails that she has been sending to committee members. Channel 11 News would be doing a report regarding the accident on Friday.

Councilmember Welch asked what it was that she wanted from the City. It was a drunk driver who ran into the home and was on the wrong side of the road. The home was constructed and the builder removed the guardrail. The City would be putting back the guardrail and has placed several signs to slow down traffic as well as show the right of way at different intervals in addition to what was already in place.

Mayor Pro Tem Anulewicz remarked that the accident was more drunk driver on the wrong side of the road than it was confusing directional signs. She also noted Elizabeth took advantage of an email distribution list for one of the Vision committees she is a member of and forwarded all of the recipients a copy of her complaint letter to the City.

She was requesting a ground level addition to the current home; however insurance will only pay for the repairs and will not foot the bill for the addition.

City Administrator Mike Jones noted there have been no other major incidents and thankfully the accident was not worse as far as injuries.

Councilmember Andrea Blustein asked if there was a request by the builder to remove the guardrail initially and there were no records of that with Community Development.

Councilmember Susan Wilkinson asked about removal of the current berm in order for her to build a brick wall and the berm contains utilities so it is not an option.

B. There are currently 44 vacant positions at the City. That's 10% of the approved total positions. There are several in the Police Department and the Fire Department.

C. Councilmember Susan Wilkinson asked Christiana to look at minutes and make changes to the previous COW. Mr. Jones asked the Council to consider Adopting all minutes. He was not comfortable changing minutes that had already been finalized unless it was a fact error. She also asked to have the minutes removed from the Legistar page until they were corrected.

Councilmember Norton inquired as to what was wrong with the minutes.

Councilmember Wilkinson responded that she felt there were references in the minutes that were derogatory to a certain Councilmember and when she had read the minutes from before they didn't do that. She went on to say that several times it kept referring to the previous meeting where she had said the pipe... it just kept referring to the previous meeting. She said it was repeated over and over. She thought that was not factual. She said she was communicating what a citizen had communicated with her about the pipe and yet it was repeated over and over that Ms. Wilkinson had said it.

Councilmember Norton replied that she did say it because it is what her constituents said.

Councilmember Corkey Welch asked if meetings were recorded and the response was yes, however for that particular meeting, Terri Graham had noted the handheld tape recorder used was malfunctioning and there was no recording.

Mr. Jones responded that was an additional reason why he did not want to change the minutes.

Councilmember Norton asked Councilmember Wilkinson if they were inaccurate or why she wanted the minutes changed and she responded that she felt they could be reworded so that they did not target a certain Councilperson. Because she thinks... she will just review the minutes again because she was unaware that it was even an issue when she spoke to Christiana.

Mr. Jones responded that when Christiana brought it to his attention he told her she was simply the recorder of the minutes and it was not her job to decide if a conversation was a good one or a bad conversation.

Mayor Pro Tem Anulewicz said she does not editorialize, she transcribes and Councilmember Welch said he knows with assurance that he could read those minutes word for word and know if it's right or wrong.

Mr. Jones asked if voting on the work session minutes was something Council wants to entertain?

Mr. Cochran said he thought their process ought to not be that if someone thinks the minutes are not fair that they go and change them. There was audible agreement from several Councilmembers and Councilmember Wilkinson said she did not have the minutes in front of her and she had notes at home of what she was speaking of. She asked if she could talk with everyone when she has those references and bring it up now was unfair.

Councilmember Norton asked when she asked staff to change the minutes and she did not respond because Mr. Jones said he thought that discussing this with the entire Council at tonight's meeting was very fair and appropriate.

He also stated that she had come by City Hall and asked staff about the minutes yesterday and she said she had asked Christiana about them last week before Christiana went on vacation. Mr. Jones replied but I know you came by yesterday and asked about them again. Councilmember Wilkinson reiterated she asked Christiana about them before she left but that she had not asked him about them. Mr. Jones said it made his life very hard when they (Council) dive four levels down and direct staff because then he does not know about something and it makes it more difficult to run the day to day operations of the City.

Councilmember Fennel agreed and added that there had been discussion earlier in the year that Council would not direct staff and so that they understood the hierarchy. Councilmembers Wilkinson asked if there was a recorded copy and Mr. Jones replied that the clerk said she records the minutes and Christiana asked Terri for the

recording only to realize the malfunction of the recorder.

Mayor Pro Tem Anulewicz remarked that she had spoken to her husband, as an attorney, and asked his opinion and he stated that no we do not change the minutes. She remarked about a particular instance that occurred with him and a City. He said your words are your words. Councilmember Wilkinson said they were not her words and Mayor Pro Tem Anulewicz went on to say what was said was in the minutes and chances are none would even ask her about it.

Councilmember Wilkinson said she was talking about something Mayor Bacon had said in the minutes where he was talking about a previous meeting and I don't think I said it like he said it.

Mr. Cochran said he hoped it was obvious that Council cannot tell the Clerk what to put in the minutes or take out of the minutes.

Councilmember Wilkinson said she was not asking the clerk to change the minutes and that she was not asking to change the words. She has seen in the past a summary and she knows of instances where conversations were not put in the minutes.

Mr. Cochran asked Councilmember what had she asked Christiana to do and that if she wasn't asking her to change them then why have the conversation with her. She replied that she told her she felt there were some things in there that she felt were targeted towards her. And change them, asked Mr. Cochran? And then why did you also ask Heather?

She said there was different wording than what she was reading.

Mr. Cochran said when Christiana was gone, you followed up with Heather and what is the purpose if you're not trying to get something changed?

Councilmember Wilkinson responded she did not know Christiana had followed up with Heather. She has the notes and will get them because she doesn't have them to look at.

Mr. Cochran said, for the minutes, there is a fundamental problem when an elected official tries to influence the clerk, the keeper of the minutes, to take things out of the minutes that in their perspective make the official look bad. You just can't do that. He doesn't know if she is saying she did do that or didn't do that, but he does not see the point in addressing Christiana who wrote the minutes about the meeting and then when she's out of town following up with Heather who didn't even write the minutes. Hopefully you were not trying to get Heather to change Christiana's minutes.

Councilmember Norton said that at the end of the day let's not forget that it should have been a conversation with Mike to begin with. We've been over that before ad nauseam.

Mr. Jones replied that he hoped Council understood that none of his staff would do anything to paint them in a bad light on purpose and they better not because they would get fired.

The whole purpose was to ask how Council wants to take action on.

Deputy City Clerk Heather Corn remarked after a brief discussion about the type of minutes taken that Clerks take:

Action Minutes; a recording of the action and the vote

Summary Detailed Minutes; A summary of the meeting with specific conversation items and detail.

Verbatim Minutes: Word for word translation

Smyrna uses summary detail with a lean to more detail than most other municipalities. Additionally, Christiana and I both take a lot of notes, review the audio / video and then submit preliminary minutes to Terri for review and the final minutes are sent to Council for final review before being published and voted on.

The overall consensus was to go forward voting on Pre-Council, COW Agenda and Mayor and Council meeting minutes.

3. Croy Engineering

Mr. Eddie Wade, Croy engineering gave the Fire Station #2 rebuild presentation. The building was built in the 1970's and the current apparatus bay will not accommodate the trucks.

An aerial of the property was shown. The proposed site plan was also shown and explained.

The building will now have a full size pull through with a driveway to the right for equipment.

There will be male and female restrooms, a day room and a fire pole.

It will resemble fire station #1 and the elevation was shown.

They intend to break ground around the first of the year and it will take approximately 8 months to complete. Firefighters will be housed at station 1 or station 5.

4. Review of September 19, 2016 Mayor and Council Agenda

Sean Tintle Item: Scott Cochran will be absent however; Jeffrey Tucker will be present and will give the background.

Councilmember Welch commented on the public meeting and stated it was a fair response. The citizens of Bennett Woods are not totally satisfied with the results of the mediation but he feels we got the best plan we could get.

The negotiation was 15 down to 14 lots and the land owner has agreed to do landscaping on the north end of the property where there is a homeowner. There was discussion and the developer is putting in a new drain along Plumcrest at the retention pond.

Councilmember Wilkinson asked about deeding the property. Does this make them conforming R20 lots and Mr. Rusty Martin said he would have to go back and look at the designation. There are lots that are R20 that will become corner lots with more width.

Mr. Jones spoke about the engineering aspect. There is an existing problem regarding water at Plumcrest and Highview.

There are 105 CFS dumping down Plumcrest during a normal rain event. Right now it drains through two properties and catches at Plumcrest and Highview. When this property is developed it will retain longer and dump at a slower rate which is a good thing.

If it gets voted approved there will be a final order to dismiss the case and these details will be included.

The Consent Agenda was reviewed and discussed.

Mr. Jones asked Scott Stokes to provide a list of streets to be paved to Council. Lexington Trace was discussed and the homeowner with the gazebo is the major contributor to the water problem to her neighbors.

***Councilmember Derek Norton left the meeting at 6:55PM.*

Reed House item: Renovation will be completed in approximately 8 months. Renovation plans have been in for four weeks and they are looking to start very, very, very soon.

Councilmember Welch asked about a fence along the back of the Reed House property.

Councilmember Stoner will be presenting a new Housing Authority member.

Councilmember Fennel remarked about the Herman Cain event as well as a correction to his monthly newsletter.

Councilmember Stoner reminded everyone about the DOT meeting on September 29.

Councilmember Welch will not be at the next meeting because of fall break.

Councilmember Blustein had no report as did Councilmember Wilkinson.

Assistant City Administrator Tammi Saddler Jones spoke about the property at Oakdale Road. There had been no offers and the Contract expired as of yesterday. The consensus recommended a reduction of price by 20% to \$129,500.

Taste of Smyrna is Saturday.

5. Adjournment

The meeting was adjourned at 7:18PM.