

**CITY OF TEMPLE MINUTES
REGULAR MEETING OF THE TEMPLE CITY COUNCIL
MONDAY, APRIL 7, 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 pm with the following members present constituting a quorum: Councilmember Richard Bracknell; Councilmember Larry Estvanko; Councilmember Larry Mann; Councilmember Hiley Miller; and Councilmember William Simmons.

INVOCATION

Mike Lewis, Youth Minister at Liberty Christian Church gave the invocation.

Mayor Ford turned the meeting over to Mayor Pro-tem; Mr. Mann at 6:33 pm.

CITIZENS COMMENTS

Linda Walden 440 Centerpoint Road
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Penny Ransom 922 Creek Run Place
Sandra Stillwell 215 W. Johnson Street

Mr. Mann advised that the meeting had been turned over to him because most of the citizen's comments were directed at the mayor. He explained that people have been discussing the investigation process for the ethics complaints filed and according to the charter the council does not the power to investigate; but that they do have an ethics committee in place to do the investigation. Mr. Simmons made a motion to go through the proper procedures and allow the ethics committee to do the investigation. After discussion about the ethics ordinance and the ethics committee; Mr. Mann turned the meeting back over to Mayor Ford at 7:00 pm.

CONSENT AGENDA

Mr. Simmons made a motion to approve the consent agenda second by Mr. Bracknell unanimous by Council.

PLANNING AND ZONING

There was not anything on the agenda to discuss this month under planning and zoning.

OLD BUSINESS

Mrs. Miller nominated Margie Helton Shelley to the Planning and Zoning Committee. Mr. Bracknell made a motion to accept the nomination second by Mr. Simmons unanimous by Council.

NEW BUSINESS

1. CONTRACTS

- a. **Chadrick Hartley for Tennis Instructor:** Mr. Bracknell made a motion to get three bids second by Mr. Estvanko unanimous by Council.
- b. **Clarification of User Agreement:** Sam Russell, Public Works Director stated that the document is not a user agreement but a waiver of liability. He said that this is something he did in order to be more professional in his department due to sometimes on emergency basis contractors have used city equipment. After discussion, Mr. Estvanko made a motion to have the waiver of liability notarized and date stamped when processed and the waiver should be signed every time the equipment is used second by Mrs. Miller unanimous by Council. Mr. Estvanko made a motion to adopt the waiver with the stipulation that each waiver has to be notarized and date stamped when processed second by Mrs. Miller unanimous by Council.

2. PROPOSALS

- a. **Abby and Barry Sutton's proposal for lease of concession for home games for the 2008 Baseball/Softball season at Temple Recreation:** Mr. Bracknell suggested postponing this item in order to set guidelines and bid out.
 - b. **Kendall AMR System:** Mr. Mann said this is a good thought but unaffordable at this time. This item was not approved due to lack of a motion.
 - c. **Codification of Ordinances:** Chief Repetto explained that with this all the ordinances would be published in a book instead of a flip page. He also expressed that without having the ordinances codified; we are in violation of state law and certain violation can not be heard in municipal court due to the ordinances not being codified. After discussion Mr. Mann suggested that Chief Repetto get three quotes in writing and the budget would be reviewed to see if this was included in the budget.
3. **Advertising in the Carroll County Chamber of Commerce Newcomer Magazine:** Mr. Simmons made a motion to approve the advertisement in the Carroll County Chamber of Commerce Newcomer Magazine second by Mr. Bracknell unanimous by Council.
 4. **Temple Senior Center Rules:** Mr. Bracknell made a motion to ban all uses of the Recreation Facility and Senior Center Facility except for routine senior center use, recreation programs or school programs until rules and guidelines can be set second by Mrs. Miller unanimous by Council.
 5. **City of Temple Retreat:** Mr. Bracknell made a motion to approve a retreat at the Senior Center and to set the date at a later time second by Mrs. Miller unanimous by Council.
 6. **Naming of Ball fields at Temple Recreation:** Mr. Simmons made the following motions second by Mr. Mann unanimous by Council:
 1. To change Sewell field back to Hot Shots field
 2. To name field seven or eight after Barry Lewis
 3. To change Johnson field to Simpson field
 4. To name the Temple Gymnasium after Gene Yearty
 5. To rename Temple Recreation to Temple Recreation Center / Sewell Athletic Complex.
 7. **Removal of name off signature cards:** Mr. Simmons made a motion to remove Gene Yearty from the signature cards second by Mr. Bracknell unanimous by Council

8. **City Administrator Ordinance:** After discussion; Mr. Bracknell made a motion to adopt the ordinance and to have the first read second by Mr. Simmons unanimous by Council. The first reading of the City Administrator Ordinance was read by Mr. Thomas and the second reading will be on May 5, 2008 at the regular council meeting.
9. **Committee System Ordinance:** After discussion; Mr. Mann made a motion to establish and adopt the committee system ordinance and to have the first read second by Mr. Bracknell unanimous by Council. The first reading of the Committee System Ordinance was read by Mr. Thomas and the second reading will be on May 5, 2008 at the regular council meeting.

MAYOR AND COUNCIL COMMENTS:

Mr. Bracknell made a motion to suspend the rules and to appoint a replacement for the resigning ethics member (Mr. Thomas). Upon clarification that the two ethics members have to appoint the third member; Mr. Bracknell withdrew his motion.

Mr. Mann made a motion to present the Industrial Park with a proclamation or plaque second by Mr. Estvanko unanimous by Council.

EXECUTIVE SESSION:

Mr. Simmons made a motion to adjourn at 8:10 pm in order to go into executive session second by Mr. Mann unanimous by Council.

RETURN TO REGULAR SESSION:

Mr. Mann made a motion to regular session at 10:21 pm second by Mr. Simmons unanimous by Council.

Mayor Ford advised the following four items needed to be voted on:

1. **To give a current employee paid maternity leave:** Mr. Mann made a motion to give the employee paid maternity leave second by Mr. Simmons unanimous by Council
2. **Correct an over site to approve two raises in the public works department previously authorized in the current budget but not implemented:** Mr. Bracknell made a motion to approve the two raises second by Mr. Mann unanimous by Council.
3. **To accept an employees request for a voluntarily demotion:** Mr. Bracknell made a motion to accept the voluntary demotion second by Mr. Mann unanimous by Council.
4. **Revote on Planning and Zoning Nomination:** Mr. Bracknell made a motion to accept the nomination of Margie Helton Shelley second by Mr. Estvanko. The vote was four in favor and Mr. Simmons abstaining due to a conflict of interest.

ADJOURNMENT:

A motion for adjournment was made by Mr. Simmons at 10:25 pm second by Mr. Mann unanimous by Council.

Rick Ford, Mayor

Kim Pope, City Clerk

