

PARKS AND RECREATION COMMITTEE

August 5, 2008

4:30 P.M.

Councilman Shockley, Chairman, called the meeting of the Parks and Recreation Committee to order with Councilpersons Robinson, Rico, Benson, Berz, Page, Bennett, Pierce and Gaines present. City Attorney Randall Nelson and Shirley Crownover, Assistant Clerk to the Council, were also present.

Others present included Barry Bennett, Greg Haynes, Dan Johnson, Larry Zehnder, Daisy Madison and Richard Beeland.

Adm. Zehnder stated that he had two quick items. The first involved Trust for Public Land, and there is no Resolution prepared yet. This involves Mueller Co. property that will be donated for the Master Plan on South Chickamauga Creek and will be coming up for the Council's consideration at a later date.

The second item was **Resolution** © on next week's agenda that authorizes an agreement with Architect & Associates, Inc. for the Greenway Farm Building Project in an amount not to exceed 7% of the construction costs, reimbursement of reasonable expenses, plus 1.5% of said reasonable expenses. They are going to design a new building, as the old one was demolished by fire and all of the equipment was burned. This will be replaced with insurance money.

Councilman Pierce wanted to know if the insurance money would cover it all, and there would be no change orders?

CHARTER ITEMS

Councilwoman Bennett asked if Charter items needed to be discussed at this time?

Attorney Nelson stated that he would do whatever the Council wants, with Councilwoman Berz noting that was what was said last week.

Councilwoman Bennett noted that one of the items would be dual reporting of the Internal Auditor position.

Councilman Pierce questioned if we should challenge the Last Chance Agreement?

Councilman Benson noted that Charter Changes should be discussed in the Legal and Legislative Committee.

Councilwoman Bennett explained that the reason she was bringing this up was because she thought we were working “close to the time”. She wanted to know if time permitted us to wait until next Tuesday? Attorney Nelson explained that the final reading would have to be September 2nd, with the first reading being on August 26th.

Councilwoman Berz wanted to know what Charter Changes we were talking about other than Dual Reporting?

Dan Johnson noted that the Fire and Police Pension would be one item; however we need more information.

Councilwoman Berz stated then we have the Fire and Police Pension issue and Dual Reporting.

Attorney Nelson reminded that there is also the issue of “Do we want to continue to have Personnel Hearings?”

Councilwoman Berz stated that she had an Educational Session scheduled next Tuesday at 2:00 P.M. regarding Personnel Hearings, and we could make the decision then.

Councilwoman Bennett reiterated that her only concern was if there was enough time to wait for this until the Legal and Legislative Committee next week.

Councilwoman Berz questioned if she needed to set a Personnel Committee meeting next week?

Councilwoman Bennett explained that Councilwoman Berz’ Educational Session at 2:00 would be like the session on wreckers that was held today and that all councilmembers should be present.

Councilman Benson pointed out that Larry Zehnder had one report today, and he had to wait until the end of the meetings. Councilwoman Bennett noted that this was just one Department Head that had to wait rather than five or six.

Shirley Crownover, Assistant Clerk to the Council, asked Attorney Nelson if the Educational Session next Tuesday would require minutes to be a part of the record? His response was “yes”. Attorney Nelson explained that he did not know that we had an attorney present at today’s Informational Session on wreckers, and it was very important to be able to document what was said. Councilman Benson pointed out that we had two attorneys present. Attorney Nelson stated that it was a good idea to have documentation.

Councilwoman Bennett stated that Councilwoman Berz could make a brief report on the Educational Session under Agenda Items next week.

Attorney Nelson indicated that he still did not know what the Council wanted concerning personnel hearings.

Councilwoman Berz responded that we would get “educated” at her Work Session and should be able to tell him something then.

Attorney Nelson stated that he could pick up the direction the Council wanted to go—whether not to continue to have Personnel Hearings or to set up some type of committee to hear the appeals.

Councilwoman Berz asked Attorney Nelson if he could include all the options we have at her Educational Session; that she thought she had heard him mention at least three options. She wanted to know if these options could be part of the meeting; then she would not have to have a committee meeting.

Councilwoman Gaines stated that in speaking of the Educational Sessions, would the Council still have an attorney to advise them?

Attorney Nelson noted that if the Council was changing to Work Sessions, then we would need to go ahead and advertise it because we would be changing the Council rules to provide for a new format and should set a standard time each week for Work Sessions or “Committee of the Whole” and then advertise this meeting once a year.

Councilwoman Gaines stated that she thought it was important to note in talking about amendments to personnel hearings, that the Council have an attorney with them to advise them on hearings—that she was not talking about Attorney Fritz but the outside attorney.

At this point Councilman Pierce brought up another subject—Officer Goodine. He wanted to know if we were ready to set his hearing tonight? It was noted at this point that Officer Goodine was present, and he indicated that he would like to have his hearing as soon as possible. Councilman Pierce questioned if the hearing should be subsequent to Officer Goodine going before the Federal Court to testify? Attorney Nelson responded that if he scheduled to go before Federal Court that it would limit him in what he could say. Councilman Pierce added that the Chief was trying to get Officer Goodine de-certified, and Officer Goodine indicated that he was going to appeal this.

The meeting adjourned at 5:00 P.M.