



***GATE CITY COUNCIL MEETING MINUTES
PUBLIC HEARING – PROPOSED BUDGET 2013-2014
JUNE 12, 2013
156 E. JACKSON ST.
6:30 P.M.***

• **PUBLIC HEARING: PROPOSED TOWN BUDGET FOR 2013-2014**

I. Mayor, Frances Perry called Public Hearing to order at 6:36 P.M.

II. **ROLL CALL** Town Clerk, Kathy Riley

Present: Mayor, Frances Perry
Vice Mayor, Allan “Cotton” Roberts
Council Member, Roger Cassell
Council Member, Robin Richards
Council Member, Wallace W. Ross, Jr.
Absent: Council Member, Walter Salyers

Others present: Town Manager, Greg Jones, Town Attorney, Michele Brooks, Jeff Brickey, Chief Birchfield, Adam Templeton, John Gillenwater

III. **NEW BUSINESS**

• **Proposed Town Budget for 2013-2014**

Town Manager, G. Jones – Discussed:
Draft #7 of the Water Fund with Council

- Explained the Operating Revenue, explained the summary sheet you have Operating Expenditures which is the day to day expenses, Debt retirement and Capital Improvement and breaks down the figures of the Water Budget.
- Explained cuts, redirecting payments to come out of correct funds, bond payments and expiration dates of bonds and refinancing bonds with VRA for lower interest rates.

Vice Mayor, A. Roberts – Expressed his concern of the debt ratio versus the revenue coming in.

Town Manager, G. Jones – Stated it was a concern of his and VRA’s too. Explained a water rate increase would be necessary for adjustment next spring with a debt ratio of 1.0. The need for a water rate analysis for fairness to everyone within their user usage group.

Reviewed the General Fund with Council

- \$150,000 cuts to take out of the budget

- Revenues, expenditures with each department break outs
- Revenues on target, but with loss of AEP \$14,000
- Debt of General Fund for police cruiser, trash truck, dump truck and Acccufund, yearly expense for five years with possibility to refinance for better rate
- Provided a breakdown of reductions under Administration, Treasurer, Fire Dept., Streets, Town Attorney to receive 1099 for earnings, Office Administration-no overtime, cell phones for Town Manager and Mayor only.
- \$15,000 for CDBG Courthouse Hill Project for demolition on house and to use in house employees to perform the tear down
- Police Dept – Wages dropped with recommendation to lay-off Office Assistant and Part-Time Officer with Chief to present alternative later in meeting. Chief to have cell-phone only with Council Member, R. Cassell request to have Chief address cell phone use for officers during Public Comment. Fuel with recommendation to park vehicles to save gas with exception of canine Officer.

Town Manager, G. Jones – Informed Council that was basically it with the cuts and reinforced it was not an easy job.

Council discussed Christmas bonus, 3% to VRS, the 3% employee pay raise with possible reduction to 1 ½%, street improvement reduction.

IV PUBLIC COMMENT

Chief Birchfield – Provided explanation as to why to keep cell phones for officers - some communications with officers and dispatch need to go over a cell phone versus radio, court calls and attorney calls.

Town Manager, G. Jones – Responded to question regarding costs for pager versus cell phones.

Council Member, R. Cassell – Felt taking out cell phones is not a justified cut.

Chief Birchfield – Expressed his concern of lay-off of employees, freeze the position of officer who is leaving to keep employees and with him driving the silver car he feels the funds are there to keep my car on the road. He requested Council to look at his concerns for consideration with both of his officer’s wishing to speak.

Council Member, R. Richards – Asked if he had a list of what Nancy does, job description with Chief responded yes, it is in the car.

Officer Adam Templeton – Discussed use of cell phone versus personal phones and cuts to training would have basic cops with just basic training.

Council Member, R. Cassell – Explained this is the worst budget with hopes of improvement for next years’ budget.

Town Attorney, M. Brooks – Asked about certification training regarding canine officer. Officer Templeton responded it is done yearly at North Carolina with a master training either there or meet at a half way point.

Mayor Perry – Appreciated his input.

Officer John Gillenwater – Expressed his appreciation for working with Gate City.

Mayor Perry - Provided her opinion regarding the officers’ use of cars and the difference of the Police Department from years earlier to present. Thanked Officer Gillenwater for his services and wished him best of luck.

Council Member, R. Cassell – Questioned the Chief on the coverage of shifts. **Chief** responded he could do coverage with assistance from the Sheriff’s Department if needed.

Council Member, R. Cassell - Expressed his opinion not to cut services versus streets being paved and asked to rethink reduction to Fire Department.

Jeff Brickey, Fire Department – Discussed budget of Fire Department from past. Asked for donation from the Town be higher. He answered Council questions regarding bingo, operating expenses, raise rates for flea market, pagers, number of volunteers, responding with car accidents and receive donations from the Life Saving Crew. He provided Council with number of calls, future expenses, and door to door donation requests.

Close Public Comment at 7:33 P.M.

Council Members had further budget discussion regarding street budget, back taxes, hesitancy to increase property tax, Christmas decorations, VML training, reduction of incoming meals tax, bonus reduction, personal property tax, pay rate increases, concern about revenue continuing, pros and cons of events, water rates and funding for Economic Development with changes to the budget through-out the year.

Council Member, R. Richards – Questioned Nancy managing the grants and if they could not be managed through Town Hall office. **Town Manager, G. Jones** responded he could.

Mayor Perry – Requested Chief Birchfield to expound on Nancy’s duties. Chief excused himself to retrieve Job Description and Duties from his vehicle.

Council took a break from 7:55 p.m. to 8:05 p.m.

Chief Birchfield – Basically what I had explained in the hand-out I gave you all, is if Nancy weren’t there and we are already supposed to be down an officer, the officer would be responsible to come into the Police Dept. daily on their shift and enter their own reports into the state system which if they do as I do it’s very slow. Nancy is a lot faster and gets them done. Also, no two people are going to enter them exactly alike, I think there will be a lot of mistakes made on them so they wouldn’t be done properly. In addition to that is while your officers are sitting inside doing the reports or whatever paperwork he has to do daily, who’s out answering calls, who’s patrolling your streets, who’s getting your drunk drivers the drug dealers off the streets, who’s patrolling the business people property at night? If you are taking him off the street, you are taking him off for “x” amount of hours. He gets right in the middle of entering the report, he gets a call from 911, has to leave that’s the problems I see with that. You asked me for Nancy’s job description Jeremy asked her to put it in writing this page is what she put in writing and off of that he developed her job description for the town.

Mayor Perry – This, I will tell you that this job description had never been presented to the Council for adoption.

Council Member, R. Richards – We plan on, Walter plans on doing that next month.

Mayor Perry – In fact there was a number that were being done that had never been

Council Member, R. Richards – Well, let me ask you a question. I’m not trying to be mean, I’m just trying to get a grip on things. Can you not enter the IBR’s into the police pak?

Chief Birchfield – Can I?

Council Member, R. Richards – Yes, can you?

Chief Birchfield – I can be trained to do it, but doing her job and my job too. I don’t see that that’s possible.

Council Member, R. Richards – Well, okay. We’ll go that. Well what about making sure that all the court copies are taken to the clerk’s office, could you do that?

Chief Birchfield – Sure.

Council Member, R. Richards – Okay.

Chief Birchfield – This position was created, I’ll just add that when Tom Smitley became Police Chief. He came to Council and said that he saw a great need for this position because of what it was causing the officers to have to do and not do their job. He didn’t have time to do it and be the Police Chief, Council approved this position on part time and that is where this position came about.

Council Member, R. Richards – Okay. Picking up the officers paperwork at the Sheriff’s office, could you do that?

Chief Birchfield – Sure.

Council Member, R. Richards – Entering all the accidents into the Report Beam, could you do that?

Chief Birchfield – I'd have to learn how to do it, but I'm sure anybody could learn how to do it.

Council Member, R. Richards – Okay.

Chief Birchfield – A lot of time before they were entered in our own system, but they need to get back to nobody's going to enter them exactly the same.

Council Member, R. Richards – How many hours a day are you on patrol and where is that tracked and logged?

Chief Birchfield – It's not logged, but I do in the morning patrol when I come in. Usually, if I go out for lunch, I patrol and then in the afternoons before I go home I try to patrol in all different parts of the town. You probably didn't hear me today, but you were checking the mail when I came through and blew the horn at you, but you probably didn't hear me.

Council Member, R. Richards – Oh, I didn't even hear you. I hear horns all the time, so I

Council Member, R. Cassell – While you are thinking, can I ask and again, I'm just I wasn't here when Nancy started, but I've been here all my life and I know the Chief has done this in the past if she is doing this whether it is you or Smitley said he didn't have time what other duties is there if the Chief's in the past has done this? Nancy is doing it and took that off the Chief.

Chief Birchfield – I don't know what the Chief was doing. I think the officers were doing this.

Council Member, R. Cassell – Maybe they're individuals, but everything else the Chief's in the past has done.

Chief Birchfield – I can't answer that Roger, I wasn't here to tell you, I'd just be speculating.

Council Member, R. Cassell – But I just saying if they've done it in the past and we survived, and then they hired Nancy and she picked that up, then that should have freed any Chief up to do more and you're saying you don't have time so what have you done.

Chief Birchfield – There's a lot more to do than there were back at that time, I'm sure, between telephone calls, talking to the public.

Council Member, R. Cassell – I'm just asking cause I don't know.

Chief Birchfield – Phone calls, the taking calls if an officer is tied up. There's just a lot more to do.

Council Member, R. Richards – If we don't have any proof of hours of patrol for the Police Chief's role, it's not tracked anywhere.

Chief Birchfield – No, I look at that has micro-managing. I don't know why we need to do that.

Council Member, R. Richards – That's data collection. I mean, like our staff, we have a file on everybody.

Chief Birchfield – We don't have that for every police officer either. We know he's on a twelve hour shift and he's on patrol what time he isn't answering calls.

Town Attorney, M. Brooks – Is there an analogist position say Weber City? I know the Sheriff's office has people who enter this, I'm not aware. I'm just trying to figure out if other local police agencies have someone like Nancy.

Chief Birchfield – I'm sure they do, but I don't, I can't tell you who does.

Council Member, R. Richards – Well, most of the officers have the computer and they enter their own. The ones that I know enter their

Chief Birchfield – If they have computers.

Council Member, R. Richards – Yes, they enter their own.

Chief Birchfield – It's a direct link.

Vice Mayor, A. Roberts – Would we think about getting computers on the patrol cars.

Chief Birchfield – We have, in that grant, we have three.

Council Member, R. Richards – I sat with a Kingsport officer, I had a, somebody hit me in Kingsport and I sat right there with the Kingsport officer. He did the whole thing and went fmg and I said you're done with your report and he said simple. He took a couple pictures, downloaded them and I said this is unbelievable. He said we can do it quick.

Chief Birchfield – Just like police reports and citations, I can answer for them because I came from there and Bob could tell you in Johnson City we had PDA doing our reports and citations. When you hit send it's gone.

Council Member, R. Richards – You're done.

Mayor Perry – It's hard to compare Gate City to Johnson City.

Chief Birchfield – Oh, absolutely.

Mayor Perry – Our budget and their budget

Chief Birchfield – Absolutely, there is no comparison.

Mayor Perry – What they got to support them over there.

Council Member, R. Richards – But, saying that they

Mayor Perry – I think when we compare, we need to compare apples to apples and oranges to oranges.

Chief Birchfield – Oh, I agree totally.

Council Member, R. Richards – Well, they got computers, right? I mean they could do it on the

Chief Birchfield – We have them in, but they are not installed. That whole process hasn't come together yet. We're waiting for a meeting.

Council Member, R. Richards – But if we did, they would sit down and do it just on the computer and send it in that way or they could. They would have the capability to.

Chief Birchfield – Yes, ma'am.

Town Attorney, M. Brooks – So, they don't do their own IBR's?

Chief Birchfield – They do the initial report in the field. They bring them in and Nancy enters them.

Town Attorney, M. Brooks – So, she types in the IBR's.

Chief Birchfield – Yes, there's a tray.

Vice Mayor, A. Roberts – So, they are handwritten?

Chief Birchfield – Yes, sir.

Town Attorney, M. Brooks – Because what I see them testifying from are handwritten.

Chief Birchfield – Yes, that's their copy. A lot of times, it is because as you know they'll put field notes on it.

Town Attorney, M. Brooks – Oh, sure.

Chief Birchfield – No body, folks, trying to hide anything here. The job is what it is. Unless you've been out there in our shoes and know as Roger talked about the Fire Department, it's a thankless job, most of the time. Again, we couldn't pay our policeman or our fireman what they are worth. Most people don't want us and want to run us down when we're not needed, but when they need us we're the first person they want on the scene. Like Chief Brickey said at 2 o'clock in the morning you're really hoping he's out of bed responding in that fire truck.

Mayor Perry – But, I will say, that the complaints have against the Police Department are not nearly what they were years past. In fact, the compliments out way the complaints these days.

Chief Birchfield – If I get a complaint and they are very minimal, I think a lot of that is handled with the way you talk to people.

Mayor Perry – Absolutely.

Chief Birchfield – I make sure that their concerns are my concerns. If it's a fence post that someone has backed into on their property, may not be a major deal, but it's a major to them because it's their property and I want to see that they get the best service we can provide. I want to say our officers are doing a job they should be doing and I'm going to stand up for them. I think they are doing an outstanding job. Michele sees it every day in court by their arrests and the cases they are making it's unbelievable what these guys are doing on their own.

Council Member, R. Cassell – Are we at full capacity on our auxiliary or are we down one?

Chief Birchfield – We are at full capacity, but with what the DCJS has come up with, they passed it down in April, if our Auxiliary aren't fully certified by next April it's over. That's not just us. That's everybody.

Council Member, R. Cassell – Well, I was going to ask and this has been asked of me, don't get me wrong cause I've helped you get money in the budget. In these times, auxiliary costs versus keeping your officers and even Nancy I feel if we had to cut can we cut the auxiliary to help you out on the rest of it?

Chief Birchfield – I couldn't agree with you more. If you are going to cut somewhere, if that's going to be cut out anyway and like I told the Town Manager earlier my part time position, I'd love to keep him, Tracy.

Council Member, R. Cassell – I'd rather have him than an auxiliary.

Chief Birchfield – Well, Tracy is an experienced officer.

Town Attorney, M. Brooks – He's excellent.

Chief Birchfield – He's been five years with the Knoxville, TN Police Department in the mid 90's, he's been in the military all this time, he's an investigator in the military. I mean he's sharp and I would love to keep him, but and I've been working on that, but I got the paperwork in my office where I have been working with Sharon Gray from DCJS. The fact is, if she doesn't give him a waiver for his TN time, which it was in the mid 90's and most of the time they won't go that far back or credit him for his criminal investigation classes and things he's doing for the military. If she don't give him that credit and July, Tracy is gone.

Town Attorney, M. Brooks – Can't he challenge the test. It used to be, now I don't know, I haven't looked at it. There's a test that they can challenge.

Chief Birchfield – No, they've changed all that and now one person makes that decision and it is Sharon Gray of DCJS and what they are talking about is as a matter of fact when I came over and went through the legal part and whatever else they required me to do and I went and took the state test. It was said then that there would be no more of that. Everybody would have to go back to the academy. I don't agree with that, but I don't make the rules. Tracy does an excellent job and I'd love to keep him but she told me that she would look at his training, she would look at his academy in TN, she'd look at his military involvement and she said she can't promise you that you will be able to keep him, but I'll try. If she says no, then in July Tracy is gone, because his year is up.

Council Member, R. Cassell – They're already seated. If we said starting July 1st we're doing away with auxiliary, Greg would have to see how much it is we're paying workman's comp so that would be some money.

Chief Birchfield – Yes, sir.

Council Member, R. Cassell – Other than that is there going to be any savings without, if somebody new comes in we're going to be out. But what's already there. If we do away with it other than workman's comp there's no savings.

Chief Birchfield – We're not spending anything on them, they have all their equipment and their uniforms.

Council Member, R. Cassell – That workman's comp, I can't remember how much it was per person.

Chief Birchfield – I don't remember.

Town Manager, G. Jones – Workman's comp is based on your salary for the employee.

Council Member, R. Cassell – But they're not compensated.

Town manager, G. Jones – They're not compensated, that's something I wanted to look at.

Town Clerk, K. Riley – I think it was ½ of whatever you paid for a full-time, it was a percentage of whatever the full time officer fee.

Council Member, R. Richards – For one?

Town Clerk, K. Riley – Yes, per each one.

Council Member, R. Cassell – But a few hundred dollars here and few hundred dollars there adds up.

Chief Birchfield – I agree.

Council Member, R. Cassell – That's an option if you're okay with it. That had been proposed once before.

Chief Birchfield – I'm okay with doing what we need to do to make it work.

Council Member, R. Cassell – I'd rather keep your trained officers. I know that auxiliary is good, but in some ways that has been a training field if we can hire them. You're training them for somebody else.

Chief Birchfield – Yes, if we're going to lose our part time guy and we cut off the auxiliary that may help us keep our full time position. I know with talking with Greg and before he got here, I know there's a financial crunch. Nobody has to tell me that, but like Chief Brickey said we can just cut so much. I thought that Adam made a very good point, you got basic training cops and with basic training you have basic cops and these guys love their training, they love to go to the training. All the state requires is that it be done on-line. When I came from TN I never heard of such a thing. They just go once every two years in VA to qualify. You can sit down and do the whole thing on a computer.

What's to keep from one officer of doing his and telling the other guy what to do. In TN we had to go 40 hours each year, but if you can get them off the computer and send them to an on hands class, it's much better. Our guys have enjoyed doing that and we're not doing that to send them to anything extravagant spending town money. We're just trying to keep the best trained police force that we can. I understand what the Town Manager is doing and I'll say that I sit back here amazed that he's been here little over a month and the things he's thrown out. You can tell this man done this job for a long time and knows what he's doing. I don't have a problem with what he's doing, I'm just begging to let's keep what we got. We have got a police department that's progressed, and this is my opinion, greatly and to do some of the things we're talking about doing is parking their cars, taking my car, I think you're tearing us down instead of building us up.

Council Member, R. Cassell – Maybe you could point out to Adam and I agree with him that this is hopefully one year. We're trying to keep their job and benefits over training.

Chief Birchfield – I understand that and I've heard Robin say that two or three times tonight this is one year, if we can hang on. But, folks it puts me in a position I can't hang on a year. I don't have it to hang on.

Council Member, R. Cassell – I'm talking even the training.

Chief Birchfield – I understand, but going back to me because it affects me. I make \$36,000 a year. You force me to buy a car and pay a car payment for the month and I have to have decent transportation to get from home to here and you all knew where I lived when you hired me. I have to have the transportation to pay monthly car payment. I have to pay insurance every month on that car and a couple tanks of gas a week and when I put a figure to that, I'm going from \$36,000 a year to work for \$22,000 to \$24,000 a year and I just can't do that. I love my job and I enjoy working for Gate City. I think it has a lot of things going for it and I think this man is going to bring you out of it. But I don't know if I can stick around and be a part of it and that's sad because I like my job.

Council Member, W. W. Ross, Jr. – Question. A car parked for a long time, would it be dangerous to element to keep cars parked at certain times. Somebody would be able to do something to the cars.

Chief Birchfield – They could damage the cars, they could booby trap them, they could set across there in those woods and pick an officer out when he comes out to get in his car. They'll drive through. They know what officer is on duty tonight, who's off. It doesn't take long, they know all those things. That's one of the things a scanner does, they know who's working. I can go into a business for lunch and the waitress will say, "Scott sure was busy last night, they run him crazy" they listen to those scanners. Unfortunately, the bad guys listen to them a whole lot. We want to do our part and I understand there got to be cuts, but I just ask you to look at the things I mentioned in that and make it as minimal as it can be for us and we'll just have to live with whatever they fall.

Town Attorney, M. Brooks – Could those cars be parked in the bay downstairs?

Mayor Perry – We need to rent that out, that's one thing we need to do. We need to get some income coming from that.

Town Clerk, K. Riley – You could put four cars down there and we have that fenced area too.

Town Attorney, M. Brooks – Whatever you all choose to do to make it safer for the officers.

Council Member, R. Richards – Yes, we could.

Town Attorney, M. Brooks – Even that fenced in area would make it safer than being out there on that end of town. There's not a whole lot of light out there.

Chief Birchfield – But not having their cars to respond if you call an officer in on something like they called me on the armed robbery down here that night. It's a whole world of difference in your response time.

Council Member, W. W. Ross, Jr. – I can verify

Mayor Perry – If they have to come from their house to here and

Council Member, W. W. Ross, Jr. – I can verify this. I was there when that happened. I give them credit when they called. The lady when I saw her running I knew something was wrong. When the police got there, we knew to some degree what direction across the street and we gave him the direction. They got there pretty quick.

Chief Birchfield – And I was there before they ever met with young man to take him to jail.

Council Member, W. W. Ross, Jr. – He waited till I came out.

Chief Birchfield – Yes, I think on camera he waited until you were walking to your car and he came in behind you.

Council Member, R. Cassell – They were already on duty. It had nothing to do with them being at home. They were already on duty. He was the only one called out.

Council Member, R. Richards – Well, we could also put a moratorium on it, so many miles.

Chief Birchfield – That would only affect me because most of them live within 2-3 miles of the town limits.

Council Member, R. Richards – Because I know Bob can't take his home because we live too far out. We had to leave his police car at work, but that's just the way it was.

Mayor Perry – But did he know that from day one when he was hired?

Council Member, R. Richards – Yes, when he went to them.

Mayor Perry – When he was hired, we let him have the car. That was part of the package.

Council Member, R. Richards – It's not in writing anywhere.

Mayor Perry – You weren't on the Council you don't know what

Council Member, R. Cassell – I was and there was no mention of the car.

Council Member, R. Richards – Is it documented?

Chief Birchfield – I can tell you.

Council Member, W. W. Ross, Jr. – Can I ask a question? I do a lot of driving and put a lot of miles on a car and told if you drive a car to put miles on it versus leaving it sit. I have 142,000 miles on my car in six years. I think sometimes if you drive a car, it is better. Do we have a policy to limit the miles on a car before we get rid of it?

Chief Birchfield – No, it's about maintenance, how well they're taken care of.

Council Member, W. W. Ross, Jr. – We didn't have a maintenance program before and now we do.

Chief Birchfield – I would say, respectfully, Roger, I think you all got the email from former Mayor, Mark Jenkins, who was acting Town Manager and Mayor at the time and when you all hired me he did tell me that was part of my package. I'm not saying you all told me, but I'm telling you as the Town Manager and Mayor he said that Explorer or whatever vehicle you decide to drive over there, it doesn't matter it's part of your package and the fuel and I have driven my personal car for several days because I didn't know any better and he said oh no, that's the Police Chief's vehicle or whatever you decide to drive is your vehicle and the fuel is part of your job as part of the department head. Now I think I forwarded you all that email that he said where he told me that. I just like to clear that up that, that I'm not making that up and that came from Mark Jenkins.

Mayor Perry – I have it saved on my computer and I could send it to you.

Chief Birchfield – I still have it also.

Council Member, W. W. Ross, Jr. – Was it discussed in any of the meetings at the time?

Mayor Perry – No.

Chief Birchfield – No.

Council Member, R. Richards – No, he just did it himself.

Chief Birchfield – No, it was when he hired me and I came in from the hiring process. Like I said, I drove my own car for a few days and then when I was talking to him about something one day he asked me what are you driving Chief and I said well I drive the white Explorer while I'm here but I've been driving me personal car and he said oh no a vehicle and fuel is part of your hiring package you're a department head and that is where that came from. Like I said, I passed that long again that he said that. I just wanted to be clear that I didn't make that up.

Mayor Perry – Well, there again, it's like you said that was part of the package because we can't afford to pay you what you're worth and what you might could make somewhere else. I think that is one of the things we need to consider that the caliber of the experience that we have in Chief that we wouldn't have if we had, we'd have to pay more money to have his experience in what we are paying him. Are you following what I am trying to say and can't get it all out?

Council Member, R. Richards – Sure.

Mayor Perry – Most anywhere else he'd probably would be making \$50,000 or \$60,000 dollars with his experience and whatever.

Chief Birchfield – I was making. I think my last year, I made \$58,000 when I retired.

Council Member, R. Richards – We need to keep in mind too we are a small town we can never pay \$58,000.

Mayor Perry – He understands that and he couldn't work for us under normal circumstances but having retired out of TN and coming over here.

Chief Birchfield – I enjoy working for this town and I can say I enjoyed the Johnson City Police Department. Don't have anything bad to say about it.

Council Member, W. W. Ross, Jr. – The Chevrolet that you drive does it get better gas mileage.

Chief Birchfield – Again, the Town Manager and I talked about that and around town it wasn't getting good gas mileage. We had the car tuned up this past week and I checked it on my drive back and forth on it and it's getting 30 miles to a gallon, a little over 30 miles to a gallon. My Explorer was getting about 18, 17-18 in that. But around town, that Chevrolet was getting a lot less than that. But the tune-up as helped it and you know, it's running on highway, on the interstate if you want to call it that it's much better than around town. It's getting a little better than 30 miles to a gallon and folks I don't care what I drive. I just got to have a vehicle, if I'm going to do the job. But thank you, I appreciate you allowing me to present this to you.

Mayor Perry – Asked if any further comments on the budget and will Council ask for the Town Manager to look at budget to see if anything can be done. Asked if another Public Hearing would be necessary?

Town Manager, G. Jones responded no. Draft # 8 will be on the way shortly with more notes.

Council Members had further budget discussion regarding reduction to donation for Fire Department being a mistake, increase to taxes could take care of all, Police Department reduction solved with officer leaving, 3% retirement rate, health insurance group costs and rates of town paid percentage versus employees paid percentage, Christmas bonus reduction, pay increase percentage based on point system, rental possibilities for downstairs.

Town Clerk, K. Riley – Asks if she could make a comment?

Mayor Perry – Responded yes.

Town Clerk, K. Riley – Discussed:

- Understands cuts have to be made, need to run town like a business
- Expenses and the ability to cover unexpected expenses due to equipment failure
- Salary cuts and cuts involving everyone
- Police Department keeping cars. Employee's responsibility to get to and from work. Understands Police Dept. wants to keep cars, but all departments have to tighten belts.
- Police Chief's comment of possibly quitting if he doesn't get a car. That is his choice and my opinion felt it was inappropriate to put that comment out there. Sounded like if he doesn't get his way he'll have to look elsewhere.
- Council Members stating cuts possible for just one year
- Public works salary
- Keep scale of reduction fair for all, not keeping one person happy
- Thanks Council

Council Member, R. Richards – Thanked Kathy, stating that was good.

Mayor Perry – Responded to her comments with comparison of like fruits. You don't compare a police officer to an office employee, they depend on their car.

Town Clerk, K. Riley – Asked how many times has an officer actually been called in from home in the course of the year other than the Chief that one time.

Council Member, W. W. Ross, Jr. – Never know when an emergency will happen. You get certain things, compensation, when you work up in a position.

Council Members had further discussion regarding equipment lease, and printing expenses.

Town Attorney, M. Brooks – You raised an issue and I have no dog in the, I'm not trying to persuade one way or the other, you all make the decisions I'm just your legal advisor. But, we were talking about the night of the burglary. Him running lights and sirens, I don't know if you did or not, but you drove in a pretty rapid rate to get there. That is a huge liability for the town if he had, god forbid, wrecked or he was trying to come for an emergency. That's my only concern.

Chief Birchfield – Would this be in the town or if it happened in Johnson City.

Town Attorney, M. Brooks – But it's town property and we would be liable for your actions if you were coming as the Chief of Police to an emergency we would be liable, god forbid, if you had for you and anybody else

Chief Birchfield – Any officer answering a call.

Town Attorney, M. Brooks – Well, I know but if you are running that distance first of all, you don't have any authority. If you are running here, you have authority to run lights and sirens and all those other things which gets people out of the way. You don't have that authority in Tennessee. You know all that.

Mayor Perry – But it's a courtesy that they let him do that.

Town Attorney, M. Brooks – Well, no, he has no authority.

Mayor Perry – I said it's a courtesy for the Police Department to recognize another officer.

Town Attorney, M. Brooks – But he has no authority in Tennessee and that is my only concern about all that and you all make that decision, but whether he drives it back and forth, if he's trying to get back to a call from. I don't know how many miles it is Chief, to your house

Chief Birchfield – 36

Town Attorney, M. Brooks – Thirty six (36) miles to your house? I mean that is a huge liability for the town if you are trying to get here and you are running at 90 miles an hour. I mean, you had to be going pretty fast that night.

Chief Birchfield – I'm sure it wasn't 90.

Town Attorney, M. Brooks – Whatever, you know what I'm saying. It is a heightened danger. I mean most police officers are not hurt in the line as we know with Jamie. They're not hurt by the people shooting at them they're hurt in car accidents. That is my concern. As your legal advisor, I just think I need to say that. You all make whatever decision you want, whether he drives it or not, it doesn't matter to me.

Council Member, R. Richards – Explain to us what happened. So, he's coming to say the shooting and he wrecks. Does it matter that he's over the speed limit.

Town Attorney, M. Brooks – Yes

Council Member, R. Richards – Okay. Does it matter that he had his blue light on.

Town Attorney, M. Brooks – If he had it on, he's not authorized to do that in Tennessee. He would be in violation of Tennessee law.

Council Member, R. Richards – Okay, so we got a couple potential issues then, right, that we could be

Chief Birchfield – You can't run the blue lights and siren until you get to my jurisdiction.

Town Attorney, M. Brooks – I don't think the Chief would do, I don't think the Chief would violate the law by doing that. I'm just saying those are the things that when you are on a normal police situation they turn those lights on and that's warning to the rest of the world, "hey we got somebody coming through" and it just puts it in whether he would be in Kingsport or Elizabethton that's an issue. It's just a longer distance.

Council Member, R. Richards – Okay

Council Member, W.W. Ross, Jr. – Has see Virginia State Troopers used to go up 58, now it's 23. Is it a written agreement to take cars up there?

Town Attorney, M. Brooks – I don't know whether they do. I mean, there's nothing wrong with driving the car itself, but I'm just saying when you are dealing with an emergency situation.

Council Member, W. W. Ross, Jr. – An emergency situation you'll have to maintain in a proper form.

Town Attorney, M. Brooks – Just like if you were commuting to a job.

Council Member, W. W. Ross, Jr. – The speed limit is 70.

Chief Birchfield – I don't mean to beat a dead horse, but I feel I need to say one thing. I didn't say that what I said a few minutes ago to threaten you all. As I told the Town Manager, I just can't afford to buy a car right now. I wish I could, I'd like to buy a brand new one and I'd love to have it, but I can't afford it. I'm just making a point. It wasn't any kind of threat to you all.

Town Attorney, M. Brooks – Thank you for letting me speak. I just felt like we needed to put that on the table.

Vice Mayor, A. Roberts directs Council to get back to the budget. **Council Members** had further budget discussion on receipt of Form 990 from Little League, Life Saving Crew help with Fire Department, Life Saving Crew collection of monies from bingo, Little League bingo, legal aspects of Town bingo, Fire Department responding to car accidents, fire protection, sell properties for potential to give full Christmas bonus, discussion of the lease, receipt of rent, their incoming funds, inspection of property and payment of property insurance affiliated with the Life Saving Crew, lay-off of Nancy, workman's compensation, generic shirt for the Grillin' at the Gate and charitable gaming rules.

Council Member, R. Richards – Asked what will be the next procedure, Greg will take back suggestions and we do this whole process again.

Town Manager, G. Jones – Responded the Public Hearing is over, he will hammer it out between emails, the finished product needs to be done this time next week, and can send it back to the finance committee.

Council Member, R. Cassell – Questioned the copies in our packet of all the department reports. If we get a copy on our computer, do we need to have a copy in the Council Packet? He feels it is a waste of paper to have it in the packet and can print it out if he needs it.

Mayor Perry – Stated if you need a copy you can come to the office to pick up.

Vice Mayor, A. Roberts – Commented about his not taking a salary for his Council duties and asks for other Council Members to rethink about taking a salary for the next year.

Town Attorney, M. Brooks – Addressed Council to be careful with sending emails between Council Members and not to reply to all. If you want something sent to all, send it to Kathy or Judy and they can send it to all.

V. Public Hearing closes at 9:11 P.M.

Mayor Frances Perry

Town Clerk, Kathy Riley