

Minutes of the special-called meeting of Saltville Town Council held on October 16, 2018 at 7:00 p.m. in the Town Hall

Council: Hiram Robinson, Brian Morris, Steve Surber, and Ron Orr
Tom Holley and Eugene Call were not present

Mayor:C. Todd Young was not present

Staff: Brian Martin, Town Manager
Trent Crewe, Town Attorney
Erik Puckett, Acting Police Chief
Steve Johnson, Clerk/Treasurer

New Business

1. Process of adding items to the agenda before it is published

Councilman Morris said he made his opinion clear at the last Council meeting as to the ineffectiveness of how the town currently does things pertaining to the agenda. He thinks a policy should be adopted that if a Council member or a member of the town staff asks to place something on the agenda, then the only way it can be taken off before the agenda is publicized and then adopted at the next meeting is by a majority vote of the Council or if the Council member who wanted the item on the agenda takes it off. Councilman Surber said he would like to see it different than it currently is since the Mayor will sometimes come into the main office the week before the meeting, look at the agenda, and take items off of it, and the town's charter doesn't say that the Mayor can do this.

Councilman Morris asked Town Attorney Trent Crewe that if a motion is made tonight and passes with a majority, then it could be placed into the Town Code. Mr. Crewe said since this would be a new ordinance to become a part of the Town Code, then there would have to be a Public Hearing. It could be set as a process or as a directive or a policy. There is no rule that says there has to be an agenda for a meeting, but there a statute that says the public must be informed of what is to be discussed during a meeting. That is the purpose of an agenda, but there is no real mechanism for the assembling of an agenda or whether there has to be one. With a majority vote tonight the Council could establish a procedure by which agendas are formulated and make that binding, but with a different vote at another meeting, the Council could go in a different direction. The Council has a right to set its own procedures. Councilman Surber stated that when Joel Fry was the Mayor, all he could do was run the meeting, but after the current Mayor was elected, he does anything he wants. The Charter says the Mayor shall conduct the meeting but cannot have any say so, and that's not what is going on now.

Councilman Orr said he agreed that if he wanted something on the agenda, it should be allowed to be on the agenda, but there is more to this than just the agenda. Councilman Morris asked whether the members present wanted to vote tonight or have this topic tabled. Mr. Crewe said it could be tabled or have no action taken on it, but if it is tabled, then it's there for the next meeting. Councilman Morris then made a motion to table this until the regular November meeting. Councilman Robinson seconded, and all were in favor.

2. Authority and responsibilities of the Mayor

Councilman Morris said there have been misconceptions about this. He and Councilmen Robinson and Surber wrote a letter to Clerk/Treasurer Steve Johnson asking that this topic be put on last meeting's agenda, and the Mayor then removed it before the agenda was publicized. He does not want any power taken from the Mayor but it is his opinion that by the Town Code, the Mayor just doesn't have that much authority at all. There needs to be some clarity about everyone's authorities and responsibilities.

Section 6-A of the Charter says *the Mayor shall be the presiding officer of the Council but shall not vote therein except for a tie*. Section 6-D says *the Mayor shall see that all ordinances and resolutions of the Council are faithfully performed and executed*. Another section says that the Mayor shall be the chief ceremonial officer of the town. There have been issues the last few years regarding checks and balances with the local government. It's up to the Council to enact policies and it's up to the Mayor and the Town Manager to carry out these policies. He considers the Town Manager to be the CEO of the town as a compensated employee, but it is hard for the Town Manager to do that when people go over each other's heads. Everyone from the Council to the Mayor to the department heads all need to realize their roles for doing what the Charter and Town Code tells them to do to allow the town's government to run more efficiently. No action is really needed tonight, but everyone just needs to stick with what the Charter and Town Code say.

Councilman Surber said that the Mayor got a friend of his to come in and look at the drainage issue at the Frye property to tell the town how to proceed. The town spent \$11,000 in paving for this, but water is still running onto that property. Councilman Orr mentioned that the Council itself voted to spend that money for that paving. Councilman Surber agreed but said there was very little discussion on it. Councilman Orr replied that if anything is done about this topic, it needs to be behind closed doors with everyone in attendance. There does not need to be another public embarrassment. Councilman Morris said he agreed but that getting people here is half the battle.

Mr. Crewe pointed out that under the Administration portion of the Town Code, it states the Mayor shall take the chair and call the meeting to order and preserve proper order and decorum. Additionally, the Mayor shall decide all questions of order; however, any member may appeal any question of order to the Council from the decision of the Mayor. So, there are a

few more duties spelled out other than just preserving the ceremonial office. Councilman Morris said that he did not think anyone was trying to take any power away from the Mayor, but there are underlying issues that need to be discussed which is hard to do without everyone present.

3. Police Department open position

Councilman Morris asked if the town had budgeted for eight officers this fiscal year, and Mr. Johnson and Mr. Martin said that was correct. Councilman Morris asked about the status of the budgeted amount for salaries for the police department, and Mr. Johnson told him the department was currently on pace to surpass what was budgeted, but there is not really any way to predict where this number will be at the end of June.

Acting Chief Erik Puckett said he did not want to lose a position since the department is better off with an eighth position. He thinks there needs to be a hiring process involving a written test and a physical agility test before candidates are sent to the Academy. He would also prefer not to hire anyone now if they aren't already certified since the Academy does not start until January. Councilman Morris agreed, but said if the town is going to hire someone even in January, then the process needs to start, but there are budgetary issues right now. Mr. Puckett replied that he thought this would be discussed at the November meeting but repeated that he did not want to lose the eighth position if possible. Councilman Morris made the motion to table this until the November regular meeting, and Councilman Surber seconded. All were in favor.

Lastly, Councilman Morris made the motion to adjourn, and Councilman Robinson seconded. All were in favor.