

December 4, 2017  
6:00 p.m.  
Regular Monthly Meeting  
Ripley City Courtroom

Mayor Pavletic presiding

Aldermen present: Alston, Beard, Chipman, Davis, Hankins and Treadway

Aldermen absent: none

Also present: Donna Buckner, Attorney Jackson, Johnie Ford, Randy Danley, Donnell Baltimore, and Tracey Worlds

Visitors: Dean Barlow, Jacinta Fritz, Tatyana Simmons, Hunter Long, Doris Stocklin, and Judy Vandergriff

Student representative Jacinta Fritz opened meeting with prayer.

Student representative Tatyana Simmons led the Pledge of Allegiance.

1. Motion by Alderman Hankins and second by Alderman Beard to approve November 6, 2017 minutes as printed and delivered in agenda package. All aye
2. Motion by Alderwoman Alston and second by Alderman Chipman to approve November 2017 financial statement as printed and delivered in agenda package. All aye

Correspondence: none

3. Motion by Alderman Beard and second by Alderwoman Alston to approve resolution to provide local financial support in conjunction with Select Tennessee Site Development Grant (SDG) funds for Walker Industrial Park Site grading and building of pad. All aye including mayor
4. Motion by Alderman Beard and second by Alderman Hankins to approve resolution to select A2H, Inc. to provide engineering services for Select Tennessee Site Development Grant (SDG). Aldermen Chipman and Davis voted nay, all others including mayor aye. Motion passed.

Chief Worlds introduced Fire Fighter Hunter Long as the newest employee to the Ripley Fire Department.

5. Motion by Alderman Chipman and second by Alderman Davis to approve resolution to select Community Development Partners, LLC to provide administrative services for Select Tennessee Site Development Grant (SDG). All aye
6. Motion by Alderman Chipman and second by Alderwoman Treadway to approve resolution to select TLM Associates, Inc. to provide engineering services for Ripley STBG paving and drainage project on Volz Road. All aye
7. Motion by Alderman Hankins and second by Alderwoman Alston to approve resolution adopting amended employment practices and polices provisions. All aye including mayor
8. Motion by Alderman Davis and second by Alderman Hankins to approve 1<sup>st</sup> reading ordinance to amend Section R313.1 of the Municipal Residential Code relating to the placement of automatic sprinklers. All aye
9. Motion by Alderwoman Alston and second by Alderwoman Treadway to approve moving January meeting to January 2, 2018 due to holiday. Public hearing set for 5:30. All aye

10. Motion by Alderwoman Alston and second by Alderwoman Treadway to approve 2% Christmas bonus for full-time employees as approved in budget. All aye

11. Motion by Alderman Beard and second by Alderman Davis to approve reappointment of Minnie Stowe to Ripley Power and Light Board as recommended by Ripley Power and Light Board. All aye

Alderman Hankins addressed the board regarding proposed police manual and some issues with City Hall and city attorney. He stated he wanted to take this opportunity to inform the board that our new police manual presented here tonight has taken great effort to produce. The chief and many members of the department have put a lot of work into it. The department used the model presented by Rex Barton from MTAS, combined with the city's policy book and police manual that's been used in the department for decades (and is still in use). Those three factors are represented in this document before the board tonight. Along with being gone through by various members of the department a combined 300 years of law enforcement experience was used to come up with this revised policy. None of us expect a perfect document and he asked department to leave in the side notes so we can see some of the suggestions and inclusions and how they were applied. A great deal of time and work was put into the new policy manual for the police department and contrary to what some have said most of the additional work in man hours were put in on shift and volunteer time so not to add to more than necessary overtime (even though there was some) and expense in trying to get the document as right as possible. The document you have before you for more than a week now is far more superior to the document we currently use (again that document has been in use for literally decades). The current document is thicker and full of handwritten pages of orders and directives from chiefs past inserted as they felt necessary and as far as I know those chiefs had the authority to run the department as per that policy for many, many years. In his personal research and asking questions of former officers, chiefs and board members, etc. The nearest he can tell according to the answer he got back this may be the only time that police or any other department has been questioned with a numeral and minute detail concerning policy by the board, city attorney or city recorder. So we are a little confused as to urgent and sudden need to hurry up and replace this old tattered department policy for the PD. Kind of curious as to why those needs, which are obvious, and obvious for many years weren't brought up in the past but until just now. Also curious as to how long it's been since city board of mayor and aldermen, city attorney, city recorder-treasurer (also operating as human resource manager) has consulted with MTAS and gone through each policy for each one of our departments that doesn't have its own governing board, with a fine tooth comb, to be sure the city is protected and liabilities are addressed. It's very accurately being done now and it's not difficult to see that while in every city the police have a huge risk and liability every other department has a great deal of liability also. His guess that other departments of the city may very well have outdated and archaic written polices also that might require this type of attention. Asked now we consider now that in the near future we have the recorder, as HR for the city, check the written policy manuals for each department for the same reasons we have so carefully checked into this one. Again, while the other departments may not carry the risk as the police department it would be difficult for anyone to disagree that every single department, in today's litigious society, have a large risk and that all department are in the same need to have written policies and procedures that are up to date in order to deal, just as the police department has done. Also wonder if at any time in the past the police and other department written procedures have been requested by and delivered to the board of mayor and aldermen. He knows that in his term so far that has never come up and it could be that we may want to do as a board, as well as the city recorder and city attorney, to acquire those so that we become familiar with their contents as well and remain informed as to the city's means of addressing any future issues of liabilities within those departments. He asked the city recorder during November about the date for which the PD should have a copy of the document to provide all of us so we would have ample time to review before voting and Ms. Buckner said November 27 would be a good date because it would give everyone time to go over document and look at changes and make notes, etc. That's when it was delivered. Hope that we were all able to take time to look over the document. Read it over again himself last night. Ready to ask any questions we might have and make any suggestions that might improve the document. Already been informed via email by the city attorney that this document is nowhere near ready to be voted on. Doesn't necessarily agree on that. Thinks that if during our discussions tonight we come up with legitimate changes that we can make to a particular section or lines, and we all agree on that, we could in fact vote on the document tonight and simply provide the new caveats and changes to be included. The department provided Ms. Buckner with a copy of the previous

document and he asked her personally to review and get back with the chief or himself with any issues and in response she said she had found some issues that needed to be fixed but that she had spoken with the mayor and the mayor told her to let the PD handle it. So that's what we tried to do. Also hope that everyone notice that on more than one occasion the sentence written within this manual (which he requested to be put in there) that basically says "should there be any conflict between these departmental polices and the City of Ripley Personnel Rules and Regulations the provisions of the personnel policies of the city shall govern". Apologizes to the persons who received the document for review a week ago that there was not a note or memo included explaining the reason that the side notes were left in and within this version also specifically asking for any notes and questions that was not in there. It was supposed to be but it wasn't in, the rush to meet the deadline of getting copies to everybody, it was left out. He apologizes on behalf of himself and the chief of the department. It should have been there. Other than what he's heard from the city attorney and Ms. Buckner about the policy and one quick question asked by the mayor which was answered he has heard nothing from any of the board about changes, corrections, additions or deletions. But again the note was not there and he apologized for that. The document being so very close to the model he read from MTAS which has been praised by many, including himself and many officers, he has a hard time try seeing why this is so not ready to be voted on tonight. We welcome suggestions about it. The city attorney has reviewed it some as has the city recorder-treasurer and each member of board of aldermen and the mayor. He recalls hearing references to the board of aldermen and mayor rather than the Board of Mayor and Aldermen which is a grammatical mistake and that and any misspellings, punctuation issues or typos would be corrected before these were numbered, printed out and passed to members of the department. Again the notes and side notes were left in in hopes that they might be of assistance in showing the corrections, etc. made per suggestions made by Mr. Rex Barton of MTAS and the others. Any questions tonight regarding this policy will need to be directed the chief and any others present that were involved in the policy's writing. He is not in law enforcement and is not qualified to answer them. Hopes that everyone was able to make some notes in the document and if you didn't have time to do that he apologized that the note was not in there that was to ask you to do that. Should have checked copies before they went out but didn't.

Alderman Chipman stated he tried to read manual. It's awfully long and really doesn't know what he's reading because he doesn't have anything to compare it to. Doesn't know exactly what's right or what's wrong. So the only thing he can do is base his opinion on what Ms. Buckner and the city attorney told him.

Alderman Hankins stated he understood.

Alderman Davis stated that Alderman Hankins eluded to in his statement that this hasn't been done in a long time and you're not sure why it's being done now. In June when we met with David Angerer and Rex Barton (after they came in and did a study at the request of this board) it was their recommendation that we have an updated police manual. That suggestion did not come from this board. It came from MTAS. It sounds like you were pointing the finger at this board asking for updated manual.

Alderman Hankins stated the new manual is going to be so different and so much more concise than the previous one. It has been a challenge. We combined the three factors of Mr. Barton's model, the document we use on a daily basis now and have for years and the suggestions we received from Mr. Barton. We made sure we encompassed everything we could from the city policy. That's the document you have before you tonight. The department will be open to anybody's suggestions before we actually pass it.

Alderman Davis asked when Mr. Barton got this document to review and make recommendations and/or changes.

Alderman Hankins stated he received it in October.

Alderman Davis asked if he got the one we have here tonight in October.

Alderman Hankins stated no this is a revision of the one he received in October. Mr. Barton did us a real favor and jumped on it real hard and heavy and got it to us in time to get it passed out.

Alderman Davis asked why wasn't the board made aware of that in the November meeting.

Attorney Jackson stated she received an email from Mr. Barton that he received it not quite a full week before the November meeting.

Alderman Hankins stated it a full ten days. He apologized to Mr. Barton then because he thought it is as simple as going through the document.

Alderwoman Alston asked Attorney Jackson if she has had an opportunity to go through the document.

Attorney Jackson stated no because it's never been offered to me for my opinion. Mr. Hankins asked "what's the rush". This board set the deadline. But it wasn't just the issue that MTAS recommended a new manual be done but the issue was that the chief accomplish that on a timely basis. Initially the board discussed a deadline of October 1<sup>st</sup>. But then because it was requested by Mr. Hankins you changed that to November 1<sup>st</sup> to give him an additional month. Not at any point during this process (and I (Jackson) am the attorney that advises you all and tries to answer the questions for you regarding legal provisions such as these) have I been offered this document for purposes of review. Last Tuesday upon coming into the office, she understood that a copy was left in an envelope with her name on it with no cover letter. She called Ms. Buckner to see if she had had it dropped off. Ms. Buckner stated no but she thought that perhaps Mr. Hankins had. So she (Jackson) contacted Mr. Hankins and asked whether she was being asked to review document to give the board an opinion tonight. She scanned it briefly but did nothing further because Mr. Hankins has raised issues with her in the past about having generated some unrequested advice. So she contacted Mr. Hankins to specifically ask if she was to give her opinion and the response was no she was not being asked to give an opinion about it. She informed Mr. Hankins that she had scanned the document and found several issues with it just at a glance without reviewing it comprehensively. There's not only some terminology that is incorrect (such as the address of the board by its proper term) but also some inclusions of some things like a CEO. The department doesn't have a CEO. That should not be in the policy. Mr. Hankins said there were references in there that where the policy conflicts with the personnel policy or other city policy that city policy prevails. But you don't enter into a policy knowing that there are errors. You put a provision like that in there essentially as a backup so that if you change the personnel policy you know that the personnel policy changes will trump whatever is in the old policy. You don't intentionally disregard errors in a new policy that you are about to propagate. She tried to explain that there were several things that she had seen that were an issue.

Attorney Jackson stated Mr. Hankins asked what other departments have done this in the recent past. The existing personnel policy had a comprehensive overhaul in 2015. So general government has done that.

Attorney Jackson stated that no finished document should include notes in the margin about changes that have been made. You make those changes and corrections and start with a clean copy. There are terminology errors. Ms. Buckner has indicated there are conflicts with the personnel policy. She (Jackson) has also had a recent conversation and understands the department has a new policy addressing a law enforcement issue which hasn't been incorporated in the new policy. So we would be putting down a new policy and immediately enacting an amendment to it when we have the ability to include it now. This is why she told Mr. Hankins it was clear to her that the document was nowhere near being ready to be presented to this board. I don't know how they can present to you as anything otherwise.

Ms. Buckner stated also that Rex Barton has not reviewed. It has not been sent to MTAS for their review after Rex sent his original marked up copy. They definitely agree that it is not ready to be presented.

Alderman Davis asked why he hasn't been presented the document.

Ms. Buckner stated he didn't know and that he's had no contact.

Alderman Hankins stated he did not know it was to go back to Mr. Barton.

Attorney Jackson stated that when MTAS came back in the summer and met with the board in a workshop they suggested that within 90 days this policy could be in place. It would take the department about 30 days to do an initial markup, within the next 30 more days the department could sit down with Mr. Barton and then within the remaining 30 days there could be a final version reached. That final meeting with Mr. Barton never happened. At a meeting like that any department head whose policy is going to interact or be woven with other provisions of city policy uses those other departments who are affected and who know those policies as a resource for getting his own policy correct. Making it solid and making it legally correct. Making flow well and making it seamless with other policy. That just hasn't happened here. She wants the board to be aware that not only as she as the city attorney not been consulted about the policy but she specifically asked, after the copy of delivered to her office, whether she was being asked for her input and was told no.

Alderman Beard asked how we can do all this change without you, Donna and the attorney being involved.

Attorney Jackson stated to Mr. Beard that is a not a question for us (Buckner and Jackson) but to the chief.

Alderman Chipman stated he looked over the copy but really doesn't know what he's looking at because he doesn't have anything to compare it to. Not an expertise on this type of procedure so he's going to base his opinion on what Ms. Buckner and the city attorney has to say.

Alderman Davis stated that Mr. Barton suggested 90 days and here we are at 150 days. He asked the chief how far are we from a completed manual.

Chief Baltimore stated he assumed they would start over and include the city attorney and Ms. Donna.

Alderman Davis asked how far we are from it.

Chief Baltimore stated another 90 days.

Alderman Davis stated so that's wasted overtime. Mr. Hankins indicated there was a lot of overtime as well as on-duty time put into this document. Is that all wasted.

Alderman Hankins stated he doesn't think it's wasted.

Alderman Davis stated the chief indicated starting over. That's another 90 days.

Alderman Hankins stated it would actually be starting over. Doesn't think the document is too far off. He's not law enforcement and not one to set policy himself but the department and the chief is willing to do what we need to do to get it right. Didn't know we were supposed to send it back to MTAS once we got it from MTAS. That's wasn't indicated to him by Rex Barton or anybody else. Didn't know we were supposed to run it by everybody else before we made the policy because the department heads make policy from what he understands. There is an absolute willingness to do what we need to do to get the policy ready. Thinks it's something we should do for every department in the city because that has been big changes from the old policy to the new one. The policy you have before you does very carefully match Mr. Rex's model because he read both numerous times. Certainly, as brought to his attention by the city attorney and others, there are things in there we can make more compliant. More than willing to seek help from not only the city attorney but Ms. Buckner and Rex Barton. Asked the chief to leave the notes in so we could see the changes.

Ms. Buckner stated we should remember that Rex Barton wasn't comparing our personnel policy and other policies with this. He expected that to come from internally.

Alderman Hankins stated he did not catch that.

Alderman Davis stated at the October meeting Mr. Hankins stated he took full responsibility for the manual not being written. Here we are in December. Are you taking full responsibility?

Doesn't think it is Mr. Hankins responsibility. Thinks that it's the chief's responsibility. Chief, are you capable of doing this manual.

Chief Baltimore stated he was capable of doing it.

Alderman Davis asked then why hasn't it been done.

Chief Baltimore stated he's been discussing it with Commissioner Hankins along with his board.

Alderman Davis asked Chief Baltimore if he's consulted the city attorney on the manual.

Chief Baltimore stated no.

Alderman Davis stated that's what she's there for. He asked Chief Baltimore if he's consulted diligently with Ms. Buckner and taken her advice on this manual.

Chief Baltimore stated he spoke with her two weeks ago and she said there were some corrections that needed to be made.

Alderman Davis stated we are going back to 90 days that the manual could have been completed. Expected it October 1<sup>st</sup>, didn't get it. Extended to November 1<sup>st</sup>, didn't get it. Here we are in December, don't have it. What do we need to do to get it?

Chief Baltimore stated you will get it.

Alderman Davis asked when.

Chief Baltimore stated in 30 days.

Alderman Davis stated we've been told that before.

Alderman Chipman asked Ms. Buckner if she's had time to look at the manual.

Ms. Buckner stated yes sir.

Alderman Chipman asked Ms. Buckner if she marked it up.

Ms. Buckner stated yes sir.

Alderman Chipman asked Chief Baltimore if when he came here tonight he thought that the manual was done.

Chief Baltimore stated no he didn't.

Alderman Davis asked why the board got a copy of it if it wasn't complete.

Chief Baltimore stated it was rough draft because when he talked to Ms. Donna about it and she wouldn't give him the corrections.

Ms. Buckner state no sir. She told him it was not a ready document to present to the board. It had too many conflicting areas with our present personnel policy and the charter. It was not ready to be presented and needed to go back to be revisited by the ones that drafted it. Issues all the way through the document.

Alderman Davis stated that as far as he was concerned it was 180 pages times 6 and ink wasted because it wasn't ready for us to read anyway.

Chief Baltimore stated that the commissioner advised him to do that.

Alderman Davis stated it was a waste of paper and ink.

Chief Baltimore apologized for that.

Chief Baltimore stated he would consult with Ms. Rachel and have document ready in 30 days.

Alderman Davis stated we have two holidays coming up. Would this cut into our overtime budget? Overtime already 77% of budget.

Alderwoman Treadway asked if you have a department that has never wrote a policy before how can you write a policy. Do you have someone come in and help do the policy? How come we can't get someone to come in and do the policy?

Attorney Jackson stated MTAS is a municipal advisory service. They advise on a range of topics including police and fire matters. Rex Barton is the police and fire consultant. They have model policies that you fill in the blanks and make adjustments to things to suit the individual department needs. So they don't expect you to start from scratch. They have a model that you begin with. That's why they were confident in telling the board at the workshop (believes Ms. Treadway missed the workshop) that within 90 days of starting with the model we could have finished product. That would involve the department itself looking at the model the initial 30 days doing its own markup, then during the next 30 days asking MTAS (Mr. Barton) to come in and talk about what those adjustments needed to be, to get input from Ms. Buckner and herself (Jackson) so as to make the adjustments seamless with the personnel policy and other legal issues and to clear up any clerical and terminology errors. But that didn't happen. The chief was in that workshop along with the other board members to know what was expected to happen in that initial 90 days. It just didn't happen.

Attorney Jackson stated she is just at a loss for why in a circumstance like this it is better to not consult with the people who can be resources for you. But that's not happening.

Alderman Hankins stated but it will. The chief just said.

Mayor Pavletic asked if there was anything else before moving on to next agenda item.

Alderman Davis asked what the issues were with City Hall and city attorney.

Alderman Hankins stated they were addressed.

Alderman Davis stated he didn't understand the issues.

Alderman Hankins stated it was issues with the policy.

Alderman Davis stated they haven't been consulted so how could there be issues.

Alderman Hankins stated issues were with what they told him. Never mind, don't worry about it. His issues were inside what he said and he's through there.

Alderman Davis stated he received an email about it and was wondering what the email concerned. Asked Ms. Jackson to fill him in.

Attorney Jackson stated email was from her to the board indicating that she had received a copy of the agenda with the line item indicating that Alderman Hankins wanted to address the board regarding, among other things, issues with City Hall and the city attorney. She had not been contacted to know that there were any issues much less to try to resolve any issues prior to the board meeting. The only contact she had was asking Mr. Hankins about the policy that by leaving a copy at her office was he asking for her to give an opinion or make suggestions for changes and was told no. So she didn't know how to address his line item that there were issues with City Hall and the city attorney.

Alderman Davis stated that's where he was confused.

Attorney Jackson stated she was concerned there would be issues tonight that she knew nothing about and wouldn't know how to respond to issues that haven't been posed to her.

Alderman Chipman asked Alderman Hankins if when he said City Hall was he directly pointing a finger at Ms. Buckner.

Alderman Hankins stated pointing a finger at Ms. Buckner, under those terms, wasn't what he was talking about.

Alderwoman Alston stated in other words Chief Baltimore said give him 30 days with the conclusion of him having to work with our city attorney and Ms. Buckner (we can't pass anything our attorney hasn't looked at or deemed ready for us to pass). She asked Chief Baltimore if he would be able to work with our city attorney and Ms. Buckner. That's the only way we can pass anything. It has to come from our attorney because she's the city attorney.

Attorney Jackson stated the board can pass anything without her opinion. You may not want to.

Alderwoman Alston stated not this police manual.

Alderman Chipman asked if we needed to vote to table the next item.

Attorney Jackson stated as a matter of procedure there doesn't have to be a motion. For purposes of tabling you have to have a motion pending to table something. What you table is a motion and there doesn't have to be a motion made. Mr. Hankins can ask to pass that item on the agenda without any action.

Attorney Jackson stated frankly she is concerned about the chief's unwillingness to consult with herself and Ms. Buckner on this issue. She is concerned and has brought this issue to the board's attention before that Mr. Hankins was supposed to act as a liaison between the board and the department with the city's interest at hand and she feels he is participating in the drafting of the policy, which isn't necessarily prohibited but it's not typical. The policy is supposed to be drafted and presented by the department head. Concerned about the chief's willingness to continue working with her as city attorney.

Alderman Hankins stated as a point of clarity he hasn't had anything to do with drafting this in any way shape, form or fashion.

Alderman Davis stated but you took responsibility for it not being done. That's a conflict.

Alderman Hankins stated he should have followed up better on it being done but didn't take part in writing it.

Attorney Jackson stated to Alderman Hankins that he is not responsible for it being done or not done. The chief is the department head. He is responsible. Concerned about the understanding that you sit here as a board member to act as a liaison between him and the board showing to him the board's expectations and letting the board know what is or is not happening well within the department and him answering to the board on what does and does not happen. Not you as an alderman.

Alderman Hankins stated he would agree to that. This is the first time he's done this. Sure that Ms. Nyrita would help her chief if she could. Don't want to overstep those boundaries. Asked the chief to be here tonight ready to answer any questions about the manual because he wasn't going to. It didn't work out like that so at this point it's the chief's deal to do. He asked the chief if he understood what this board is asking him to do and the timing in which to do it.

Chief Baltimore stated he did.

Alderman Hankins stated we would go without a motion at this time. Stated to the chief the board was holding him (Baltimore) completely accountable if from 30 days the manual isn't ready.

Alderman Davis asked if 30 days means January 2<sup>nd</sup> at the next board meeting. Just wants a time line.

Alderman Chipman asked if the changes have been sent to Rex.

Alderman Hankins stated not that he's aware of.



Alderwoman Alston asked Chief Baltimore if he needs more time. Let the board know what you want so we can work with that.

Chief Baltimore stated he felt he would need more time simply because of having to go through the 30 days, 60 days, and 90 days to get everything organized through the City of Ripley. Needs at least 60 days.

Alderwoman Alston ask Attorney Jackson what she was saying.

Attorney Jackson stated she doesn't entirely understand the chief's statement but the fact that December will contain a major holiday then we have January 1, as well, is problematic for getting anything done and sending it to MTAS, who has volunteered to do a final draft for us provided we have a good marked up copy. She stated the issue for her is not that it would take the 30 days to get it done, it's the chief's resistance in having the document done before now and that the board knows she largely works through Ms. Buckner, as the board's delegate, day to day to know what needs to be addressed, how it needs to be addressed and when. The chief's resistance to doing this and many other things has made it very difficult for both her and me to accomplish things that needed to be done in conjunction with the police department on this manual and on other issues. There is no reason that she can give you that this could not have timely been done in the initial 90 days much less by November 1. If you are asking her if it can be done in another 30 days that would largely depend on the holiday schedule, 60 days there would absolutely be no excuse for not having a finished document. But it troubles her that we have as much trouble on a daily basis and it's only this department that she struggles to work on anything that involves the department. It's difficult for her to act as your representative and to be prepared to give you proper input on issues when she's met with the resistance from the department that she does. And it's only this one.

Alderman Davis asked what the reason for this updated policy manual was.

Attorney Jackson stated that as part of MTAS' assessment last spring indicated that the existing manual was outdated and obsolete.

Alderman Davis asked if we as a city are in jeopardy or holding ourselves vulnerable for any type of litigation because of this outdated police manual.

Attorney Jackson stated that is difficult to answer. If you are doing things well, legally and appropriately then no. You would have no more exposure than if you had no manual. But the problem is whether your employees are properly educated, informed, whether you are communicating with them well, if they are trained appropriately. Part of their training includes having a manual and a policy to follow and when you don't have a current policy manual to follow they don't have as many tools in their toolbox. So it is creating an opportunity for error. It may be occurring or it may not. It depends on a lot of issues. But they are certainly better armed to make less errors if they have a current policy. So the effort was to do that pursuant to the MTAS recommendation and to do it timely to put it into place so they are better informed and prepared more quickly.

Alderman Beard stated it also protects the city.

Mayor Pavletic asked Chief Baltimore if he will be willing to work with the attorney and Ms. Donna to get this done.

Chief Baltimore stated yes.

12. Motion by Alderman Beard and second by Alderwoman Treadway to allow Chief Baltimore 60 more days to provide the board, city attorney and city recorder a finished police manual.

Attorney Jackson asked the board to set a specific date like February 1 which is in advance of the February meeting to have a finished document so that document would be ready to present at the February meeting.

Alderman Hankins asked for definition purposes what is "ready to present a finished document".

Ms. Buckner stated the finished document would be the document the officer would operate out of.

Alderman Hankins asked if only one finished document needs to be presented then make copies for officers after its been approved.

Attorney Jackson stated yes and it would be identical to the ones you would distribute.

Alderman Hankins asked if we would have all of our copies by whatever date we set up here then after we approve that we take an identical copy and do the numbering and the passing out to the department members. Is that correct.

Alderman Hankins asked if he needed to say it again.

Attorney Jackson stated she understood the question. She's concerned that this is an issue the chief needs to be addressing with the board.

Alderman Hankins stated to the chief that that's a question you need to ask the board not him.

Chief Baltimore asked the board if they have a problem with setting February 5<sup>th</sup> the next board meeting.

Alderman Davis stated he would suggest January 29<sup>th</sup> which would give the board a week to review 195 pages prior to the February 5<sup>th</sup> meeting.

Alderman Beard moved to change motion to January 29<sup>th</sup> a finished document to the board, city attorney and Ms. Donna.

Attorney Jackson stated we would set a meeting with him to come up with proposed changes and hopefully invite Mr. Barton down to ensure he nor Rick Stokes (MTAS personnel consultant) would have any issues with the proposed changes. Would like to ask that the board require of the police chief as a department head to interact with both City Hall as her liaison to the board and with herself in the spirit of cooperation and not resistance in the future. Thinks that is something that would be required of any department head. It is difficult for her to act as city attorney and address issues that come with the department when she is met with the spirit of resistance and not cooperation.

Alderman Davis asked if she was implying there is some hostility.

Attorney Jackson stated she doesn't know what it is. She just knows that the fact that she wasn't consulted on this and when she asked whether she was expected to advise on this she was told no is a perfect illustration.

Alderman Chipman asked Ms. Buckner if she has run into the same problems the city attorney has working with the chief.

Ms. Buckner stated yes sir.

Alderman Beard stated he doesn't know how the chief can operate his department without dealing with these two people.

Attorney Jackson stated to Mr. Beard that he has the ability to expect more of him (Baltimore).

Attorney Jackson stated that when she contacts Mr. Ford about an issue with Public Works Mr. Ford wants all the input she's willing to give. He wants his department right. He wants it running well. If there's an issue he needs help on or an issue she feels needs attention he's open and cooperative to that. She doesn't meet with this kind of resistance from any other department head.

Ms. Buckner stated nor does she.

Alderman Beard asked if the mayor knows he's (Baltimore) is not cooperating.

Attorney Jackson stated she has made the entire board aware of this.

Ms. Buckner stated she made the mayor and Alderman Hankins aware of it just last month and it's continued since then.

Alderman Beard stated alright Mr. Mayor.

Attorney Jackson stated it's not a mayor's issue.

Mayor Pavletic stated it's this board. Don't put that on me Mr. Beard.

Alderman Beard stated "strong mayor".

Attorney Jackson stated the "strong mayor" provision that MTAS recommended would actually give the mayor the ability to do more.

Alderman Beard stated he's with the mayor. If the mayor says it he's with him. If he doesn't say it then he's going to stay back.

Alderman Davis asked if the finished document is not ready and in our hands on January 29<sup>th</sup> are we going to give another extension? Just over look it. We've over looked it in the past. What are we going to do?

Alderman Beard stated we've worked with this policy 50 years and haven't had too much trouble. Sixty more days is not going hurt. May need another 30. Don't see no rush for it.

Alderwoman Treadway stated they been operating with same policy. She doesn't see the big deal. If he needs more time he needs more time. Policy's been outdated forever. So why should we badger him? It's been outdated. We know this. So what difference does it make if he don't get it right and needs more time? What difference does it make? We been fighting about this for the longest. She doesn't see no big deal. Plus, you got to give respect to get respect. She stated she doesn't know what's going on. But if you're going to get respect you got to give respect. Everybody needs to work together. Looking at faces out there that are smirking. Everybody needs to work together. It don't make no sense. We all on one accord. It's ridiculous. She's never seen so much in her life. If he needs more time give the man more time. Rome wasn't built in a day. If she had to do a policy she couldn't do it. She would need help. But we got to be able to work together. It's not just him. You can't make her believe it's just him. She's on the outside looking in. It's not just him so everybody has got to work together to get something out of it. If you got ill feeling towards one another squash it tonight.

Attorney Jackson stated she could not give him her cooperation if she's not consulted.

Alderwoman Treadway stated she (Jackson) can't expect him (Baltimore) if you have ill feelings somebody else has ill feelings too. It's not just one side. So all this stuff needs to be squashed tonight, work together and get this policy done. That's it.

Alderman Davis stated it is squashed. The board is asking for the manual January 29<sup>th</sup>.

Alderwoman Treadway stated she knows we're asking for the manual January 29<sup>th</sup> but you can't work with people if you got ill feelings. Push your feelings aside. We don't care about nobody's feelings. We trying to get this manual done. So if you don't like the chief or the chief don't like you she doesn't care. Work together to get it done.

Alderman Davis stated we're trying to conduct city business.

Alderwoman Treadway stated put your feelings aside. There's people she works with that she doesn't like but its business. We got to get this done.

Alderman Davis stated there's not a person on board that dislikes Chief Baltimore.

Attorney Jackson stated she is confident in saying if there is any spirit of dislike it's coming from one direction and one direction only.

Alderwoman Treadway stated she was just saying this for herself. She's on the outside looking in. She doesn't know what's going on. She saying everybody needs to work together so we can get it done. That's all.

Attorney Jackson stated she agreed with the timing of an old manual versus a new manual. But what she is telling you all as a board as the city attorney who is trying to work directly with you and via City Hall for you is that it's not only this issue. It's almost every issue. The chief is resistant.

Alderwoman Treadway ask what are we going to do about it then. Everybody just got to work together.

Attorney Jackson stated the board has expectations for your department heads. You have to have expectations for them and if they don't meet with your expectations you have to provide for the city to run appropriately. One benchmark by which you judge his ability to do his job or how well he does it is when you give him appropriate deadlines to accomplish something and he does or does not do that. That's a means by which you assess his effectiveness.

Vote: All aye

Department Reports:

*Ripley Parks & Recreation:* Director Randy Danley gave monthly report.

*Ripley Public Works & Codes Departments:* Superintendent Ford gave monthly report.

*Ripley Police Department:* Chief Donnell Baltimore gave monthly report.

Attorney Jackson reminded the board that as part of the MTAS assessment they recommended that the chief stop using the numerical report and that he report on trends in law enforcement, difficulties they are having, progress being made, and places he has spoken. But basically abandon the numerical report.

Alderman Hankins stated to the chief to make note to get some guidance, when talking to the counselor and recorder regarding the policy, on reports and what MTAS and they may have in mind of what these reports should consist of rather than just facts, tickets, arrests and dogs. See if we can find out what those reports should consist of, definition of trends so we can address the issue of doing the reports as talked about by MTAS.

*Ripley Fire Department:* Chief Tracey Worlds gave monthly report.

*Ripley Gas, Water & Wastewater Department:* Alderman Davis gave monthly report in Superintendent Scott Nelson's absence.

*Ripley Power & Light Department:* Alderman Beard gave monthly report.

*Ripley Housing Authority:* Alderwoman Alston gave monthly report.

Meeting adjourned at 7:50 p.m.