

## **LEGAL, LEGISLATIVE AND SAFETY COMMITTEE**

**JULY 12, 2011**

**4:30 P.M.**

Councilman Murphy, Chairman, called the meeting of the Legal and Legislative Committee to order with Councilmen Rico, Ladd, Benson, Berz, Scott and Gilbert present. City Attorneys Phil Noblett and Patrick Bobo and Shirley Crownover, Assistant Clerk to the Council, were also present.

Others present included Dan Johnson, Bryan Shults, Greg Haynes, John Bridger, Richard Beeland, Chief Maffett, Johnny Feagans, Daisy Madison, Chief Parker, Dickie Hutsell, Sgt. Francis, and David Johnson.

**On motion of Councilman Rico, seconded by Councilwoman Scott, the minutes of the previous meeting were approved as published.**

### **AMEND CITY CODE/LATE NIGHT ENTERTAINMENT PERMIT**

Bryan Shults was present to go over **Ordinance 6(a)** on tonight's agenda, amending the Code relative to the Special Exceptions Permit for late night entertainment/event facility and/or nightclubs or similar uses. He noted that there was a change in the name of the permit but no change to the definition. The Special Exceptions Permit will be called "Late Night Entertainment/Event Facility and/or Nightclubs or Similar Uses". He explained that this came about because of the lady who said she was not a night club and did not like the name. The second change is that once the application is made, it gets on the agenda within 15 days and the time it comes before the Council will be no less than 30 days.

Councilwoman Ladd stated that she did not see the point in changing the name and "skirting around" what they are doing; that she thought we were opening "Pandora's Box", in saying they were not a night club now; that she did not think this was necessary and was a slippery slope.

Councilwoman Berz thanked them for adding the extra time.

Councilman Benson wanted to know again what it was to be called. Mr. Shults stated "Special Exceptions Permit for Late Night Entertainment/Event Facility and/or Nightclubs or Similar Uses". He reiterated that we were just changing the name of the Permit.

Councilman Gilbert explained to Councilwoman Ladd that the lady who wanted this changed said that most of her business is restaurant and not night club—that church people come to her establishment and calling it a night club is frowned upon; that the name "night club" puts a stigma on her business because church people go there—that the definition will not change—just the name.

Councilman Rico pointed out that it still has “night club” in the name, with Councilman Gilbert stating that it just has categories now.

Chief Parker wanted to give an explanation on the fire station and the roof on 8<sup>th</sup> Ave. Chairman Murphy noted that firemen are told where to go, and they go. Chief Parker stated that this was built in 1927 and due to be replaced.

Adm. Zehnder stated that he had copies of the TPL Agreement. Chairman Murphy asked him to give them to Councilwoman Scott, and she could pass them down.

#### **PERSONNEL SUSPENSION TIME**

Chairman Murphy brought up the discussion that was still standing regarding suspension time of fire and police and other employees. He stated that a ten days leap forward would not be unmanageable but nothing was clear. He asked if the Council wanted to have the City Attorney draft something? Councilman Gilbert asked if Chairman Murphy had talked to the interested parties? Chairman Murphy did not know if they would endorse this because it was not what they had asked for. Councilman Gilbert wanted to know what management was proposing. Chairman Murphy responded “ten days”; that funding the 10% would have to be cogitated; that we might need to get back with the folks who initiated this discussion.

Councilwoman Berz stated that it was a valid request, and we need to come back with something because there is a double standard.

Chairman Murphy stated that this had been brought out; that this is not what they asked for, but it still allows a lot of room for improvement—lowering it to ten days.

Councilwoman Berz stated that we needed something in writing—that it needed to be voted up or down.

Councilman Gilbert stated that he personally believed that this put people in the position of one being better than another; that certain employees should have a right to appeal like anyone else; that administration can tighten up—that there are not a lot of appeals; that people should be treated fairly when it comes to losing money.

The meeting adjourned at 4:35 P.M.