

LEGAL, LEGISLATIVE AND SAFETY COMMITTEE
AUGUST 30, 2011
3:35 P.M.

Councilman Murphy, Chairman, called the meeting of the Legal and Legislative/Safety Committee to order with Councilpersons Ladd, Berz, Rico, Benson, Robinson, Gilbert, Scott, and McGary present. City Attorney Michael McMahan and Shirley Crownover, Assistant Clerk to the Council, were also present.

Others present included Wade Hinton, Dan Johnson, Chief Dodd, Chief Parker, Larry Zehnder, Steve Leach, Johnny Feagans, Marie Chinery, Karen Walsh, David Long, Daisy Madison and Richard Beeland.

INTERLOCAL AGREEMENT/VOLKSWAGEN GROUP OF AMERICA

Chairman Murphy stated that we would take up the Volkswagen matter first; that Wade Hinton was present for this discussion. Councilwoman Ladd noted that Mr. Hinton was a star of Dancing with the Stars; that he lit up the building; that he was very talented and that she appreciated him.

Mr. Hinton stated that the dancing was a lot of fun. He noted that Mr. Johnson had said that this had taken months and months, and we were going to take it up again; that we wanted to be sure we got it right. He noted that Mr. Leach had handouts for the Council. Mr. Hinton stated that he would give an overview as to what got us to this point; that the training academy facility should have been an educational facility, which would not have been taxed; that the Assessor levied a Leasehold Tax against them, and they did research through the State and found out that "yes", it is taxable but there could be a credit against PILOT payments; that they would receive the PILOT invoice and would pay it and would also receive tax bills from the City and County and the Agreement will say that taxes are paid in full as they were meeting the intent but not truly taxed; that they took out the language dealing with taxes; that they made sure they included the process, and the parties agreed that this would not impact the payment of Water Quality fees. Mr. Hinton stated that he worked with Daisy Madison and the County Trustee and the Tax Assessor's Office.

Chairman Murphy asked Attorney McMahan if this was good, and he said “yes”.

Councilwoman Scott thanked Mr. Hinton for working with us on this and smoothing out the rough edges; that she really appreciated this; that it had taken more time, but it was all to our mutual benefit. She asked if this came out of IDB and the Health Education Board and was told that was their intent.

ANIMAL CARE TRUST/MCKAMEY PRESENTATION

Chairman Murphy introduced Karen Walsh, Executive Director of McKamey and David Long, the Director of Finance. Ms. Walsh stated that Councilmen would find packets at the podium and a bag that they could keep. She stated that in the past she had talked to Councilmembers weekly and not for great reasons; that hopefully they were not getting so many complaints about McKamey; that they had learned a lot and were still in the learning process and getting better at what they were doing. She stated that she and Mr. Long would address questions and were open to questions concerning their Annual Financial Report.

Councilwoman Scott asked that they do a summary for the Council. Mr. Long stated that he had their budget sheet in front of him; that breaking even was their goal; that they lost \$29,000 last year because of the Court case with the pet company. He noted that they had attached a Balance Sheet of their finances posted June 30th; that they had adequate resources, and their Balance Sheet was in good shape. He noted that the Council could look at the difference in the Budget and Income Statement with details.

Councilman Benson thanked them for making a success out of this vision; that we were forced into this in 2001; that HES was going up every year and had finally come to the point of telling the Council they could take 7,000 animals into their own homes; that the City got out of this monopoly, and it had been a tough road; that McKamey was now a source of pride out there; that we had the right director and the accounting was good; that we had a good Board, and it was a source of pride for this community; that we were the only City that did not have an animal shelter, and this had really been good for animals in this area; that the competition between McKamey and HES is healthy, and he thanked them.

Councilman McGary also thanked them, mentioning their Profit and Loss Statement and Newsletter. He noted that Grants were being utilized at McKamey and asked how the Grants factored in to their daily operation? Mr. Long noted that last year they had \$74,000 in grants. Ms. Walsh explained that they got \$50,000 from Pet Smart Charities Rescue Wagons; that being a part of this program allowed them to apply for grants. Councilman McGary asked if it would affect their bottom line if the grants dried up—would they have to lay people off? Ms. Walsh explained that grant money was not used for operations but for extras—that they could still operate.

Councilwoman Scott stated that she thought it was interesting to note that 1520 animals had been adopted out and many returned to their owners; that she appreciated what they did; that they heard from her in 2009 and things had really improved; that they kept the animals safe and reunited them with their owners. Ms. Walsh mentioned the increase in animals from 2009 to 2010; that the intake in 2009 was 6,805 and in 2010 it was 8,438 animals. (Councilwoman Scott noted that dogs “track” with foreclosures).

Councilman McGary noted that he would like to publicly thank Marie Chinery; that she had worked tirelessly for McKamey and was a great resource; that she was always just a phone call away. Ms. Chinery responded that it was a team effort.

Chairman Murphy asked about the possibility of a Wildlife Contract for daytime raccoons; that the number might not be that many and the expense too great. He noted that he was talking about daytime raccoons. Ms. Walsh stated that they did look into this and the company they contacted was not staying in business; that the Federal Government, the Health Department, HES, and East Ridge met, and they came to an agreement with HES and East Ridge; that McKamey only dealt with wildlife that was sick and an endangerment to the public.

On motion of Councilman McGary, seconded by Councilwoman Ladd, the minutes of the previous meeting were approved as published.

The meeting was adjourned at 4:00 P.M.