



CITY OF WHITEWRIGHT
City Council
Called Meeting
Whitewright Visitor Center
111 W. Grand
January 24, 2017
Minutes

The City Council of Whitewright met for a Called Meeting Tuesday, January 24, 2017 in the Whitewright Visitors Center, the same being open to the public with the following members present:

Councilmember	Jason Summers
Councilmember	Bart Bodine
Councilmember	Russell Ponder
Councilmember	John Simon
Councilmember	Ruby Howell

Others present: Mayor, Jeremiah Looney, Gwyn Jordan, Beau Heistand, Laurie Summers, Sarah Beth Owens, Roger Palmer, Susan Armstrong, Carl Harrell, Jane Bishkin, James Tidwell

1. Call meeting to Order and Establish a Quorum:

Mayor Looney called the meeting to order and established a quorum at 5:31 p.m.

2. Invocation and Pledge of Allegiance:

Invocation and Pledge of Allegiance was given and led by Councilmember Jason Summers.

3. Action Items:

3a. Approval of Minutes from the Regular Meeting dated January 3, 2017 meeting:

Councilmember Ruby Howell made a motion to accept the minutes with the amendments under 8b clarifying that the street needs repaired at Farley and Melody from damage that occurred when a customer had a new sewer tap installed and that Chief Heistand would be getting an ordinance ready for next month's agenda to address the illegal dumping in downtown dumpsters, Councilmember Russell Ponder seconded the motion, motion carried 5-0.

4. Action Items:

4a. Consider and approve Resolution 444 ordering the regular municipal election and the special municipal election for the City of Whitewright to be held on May 6th, 2017.

Councilmember John Simon made a motion to approve Resolution 444 ordering the regular municipal election and the special municipal election for the City of Whitewright to be held on May 6th, 2017, Councilmember Ruby Howell seconded the motion, motion carried 5-0.

4b. Consider and approve Resolution 445 for NIBRS grant.

Chief Heistand explained what NIBRS (National Incident Based Reporting System) is and the statutory requirement to have it. Chief Heistand explained how the grant from the Office of the Governor would be beneficial to our Police Department in obtaining funding for this required reporting upgrade.

Councilmember John Simon made a motion to approve Resolution 445 for NIBRS grant, Councilmember Russell Ponder seconded the motion, motion carried 5-0.

5. EXECUTIVE SESSION – The Council may convene into Executive Session for: Deliberation on Personnel Matters; (Texas Government Code, Section 551.074) – deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

5a. Police personnel

Council convened into Executive Session with Attorney James Tidwell to be instructed on how the appeal procedure process works at 5:44 p.m.

Council may re-convene into Regular Session:

Council reconvened into regular session at 6:00 p.m. The appeal for Corporal Armstrong was conducted in Open Forum by the request of Corporal Armstrong and her Attorney Jane Bishkin.

Mayor Jeremiah Looney stated that he would give procedural matters regarding the appeal process.

1. Don't talk over each other so recording will be clear.
2. State your name before speaking.
3. City Council members as well as the Appellant, her Attorney and the Administration have the documents in hand regarding the appeal.
4. Each side will be given 7 minutes to speak.
5. Statements from the Appellant Designee and the Administration Representative will be made to the City Council and not to each other.
6. Once the statements have been completed, City Council can ask questions for clarification.
7. The order of statements will be the Appellant Designee first then the Administration and then a rebuttal by the Appellant Designee. The Appellant Designee has reserved 1 minute for rebuttal if needed. Mayor Looney advised Appellant Designee that he would notify her of the 5 minute mark letting her know she has 1 minute left.

Mayor Looney then asked if there were any questions before proceedings were to begin. Attorney for the Appellant stated that on page 8 of the packet there was a letter from Councilmember Russell Ponder as a witness regarding one of the allegations. She asked that he abstain from the hearing. Councilmember Ponder consulted with Attorney James Tidwell and decided that he would abstain from the proceedings.

Ms. Bishkin, Designee for Officer Armstrong then made her statements followed by the Administration represented by Chief Heistand.

Councilmember Jason Summers stated that he felt the allegations were not unreasonable but the discipline was "heavy handed". He felt there was no need for demotion or suspension and PIP would be sufficient to cover allegations and correct issues. He also stated that what are acceptable practices vs. common process in regards to the time allegations?

Councilmember John Simon stated that he agreed with Councilmember Jason Summers with the exception that suspension w neither discussed nor recommended. All else was reasonable.

Councilmember Ruby Howell stated that the punishment was too heavy.

Councilmember Bart Bodine stated that he did not recall the suspension being discussed and would not have agreed to the suspension. Mayor Looney stated that it was discussed but if decided to go with the suspension the details would be determined by the Chief and himself. Councilmember Bodine stated that it is hard to make a call without seeing a spreadsheet of other officer's records and what is considered common practice.

6. Action Items: Consider and act upon items listed under Item 5a – Executive Session as necessary:

There was no Executive Session for the appeal as it was conducted in open session.

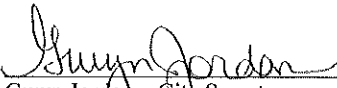
Councilmember John Simon made a motion to grant appeal in part by dropping the suspension and payback the week off without pay leaving the PIP and demotion in place. There was no second motion made.


Councilmember Jason Summers stated that he was not on board with that motion and made a second motion to uphold the PIP and reverse the demotion and suspension. Councilmember Bart Bodine seconded the motion, motion passed 3 for, 1 against, 1 abstained.

7. Adjourn:

Councilmember John Simon made a motion to adjourn, Councilmember Jason Summers seconded, motion carried 5-0. Meeting adjourned 6:47 p.m.

ATTEST BY:


Gwyn Jordan – City Secretary


Jeremiah Looney - Mayor

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