

Council Meeting
January 4, 2016

Members Present: Mayor Buddy Duke, members Butch Fausett, Greg Paige, Michael Purvis, Chandler Hill and Jody Greene.

Others Present: John Flythe, Rhonda Rowe, Tim Tanner, Chad Castleberry, and members of the public.

Invocation was given by Councilman Hill.

Pledge of Allegiance

Approval of Minutes: Councilman Fausett made a motion to approve the minutes of December 21, 2015 as presented. Councilman Hill seconded. All were in favor.

Burn Barrel Policies: After this item was brought for discussion at the last meeting, the council was provided with copies of the minutes from March 2005 which outlined policies the council voted to implement concerning burn barrels pending information from the EPD. At the subsequent meeting, the city attorney at that time provided a copy of a letter from the EPD citing regulations concerning burning. This is enforced by the DNR as well as the State. Burn barrels were not listed as a specific exemption to the open burn rule; therefore, they were denied as being allowed by the EPD. It was the consensus of the council based upon this information that they are banned and the council, therefore, does not have the authority to allow these. Councilman Fausett questioned fire pits that are now being sold as a popular item for patios, etc. Attorney Tim Tanner stated it seems those would fit into the category of burn barrels; however, he thinks the intent of the regulations by EPD was to prevent the emission of embers. He would try to obtain an official opinion on this. Council Fausett stated he would just as soon not do anything with these unless we get a complaint. Mayor Duke state to him this would be an exemption to the rule until the attorney is able to get an answer. Councilman Paige added that when this hits the newspaper they will be getting calls. This battle was fought in 2005. Somewhere down the line it had been forgotten about but if the state says burn barrels are illegal, they are illegal. He referenced "miasma", which is a word regarding open vapors whether its dangerous or not. He has had sarcoidosis, a lung disease, for years. Although sad to say, we are going to have to comply. Burn barrels were something he grew up with but it appears they will have to be a past time. The attorney was asked to continue research on this and bring to their attention anything they needed to know. Mayor Duke added he didn't want to jeopardize the ruling which is a state law and put our police officers in a position to have to make decisions about something the people don't want to hear. State law prevails and he told the Chief the council is behind them.

Council Meeting Per Diem: The city manager stated we've had some discussion about meeting costs and pay and he wanted to put this item on the table and put it to bed. Mayor Duke stated it has been brought to his attention and he would like the council to have some discussion regarding this on the per diem per meeting and go henceforth on the record. The city manager stated many years ago this was

put in our minutes and we just need it on record. Councilman Paige asked what those minutes stated and when was it voted on, who were the council members? Mr. Flythe stated the last record was in March 1969. Mayor Duke added the schedule of pay has been amended somewhat since then. Mr. Flythe then provided the names of the elected officials at that time and read what was cited in the minutes. He added that some years later a travel policy has been added so those things have been changed. Mayor Duke then clarified that the pay was for executive and regular meetings, emergency or special called meetings. The city attorney clarified they were just wanting to set it going forward. He added it probably needed to be set in ordinance form. The mayor asked for input to build the policy. Councilman Paige stated that in 2010 when he was out for 4 or 5 months with the removal of his kidney for cancer, he didn't know what the policy was at the time when he came back. For those in the military, if it's not written, it never happened. When he returned, all of his envelopes were in his box. He thinks that is fair. He missed a meeting this past Oct 12th when he went back to Emory. In his 16 years being on council, you can count the number of times on one hand that he has missed a meeting. If he's well, he's here. For insurance purposes, the cost to the City of Adel for the 16 years for him, his wife, or family has been zero. He's never said anything about how the money's being dispersed, who is being taken care of, but when he came back on October 12th of this year, his money was not there. He asked about it and was told he missed the meeting. Some might say if you don't work you don't get paid. He has a tendency to disagree with that. It needs to be decided by this council. He's never asked for a raise or anything while on this council. Before we mess with somebody's pay, someone should sit them down and explain the situation. Nobody's a kid around here. A lot of stuff goes on he probably doesn't know about or care about. However, he doesn't care if you dislike him but one thing he will fight for and die for is this - being treated fairly. Treat me fair. If the council votes to take the money away, that's fine. But, we are quick to jump to conclusions on this, but there are other things we've not been so fast to jump to conclusions on. We were fast to open the door on this pay. When I bring up some other things, let's be quick to work on conclusions to these too. Remember, we've got consultants out here that the taxpayers are paying for their insurance that I think is unfair. But you haven't heard me say one word about it. Now that we've opened the door about this money, about the \$100, let's open the door about these consultants. Another person has cancer just like he has cancer, but when he got cancer Greg Paige didn't come to this council asking for one dime or penny, not nothing. Like some other people, when their spouse went to the paper stating the city wasn't treating them fairly, we quickly jumped on the bandwagon to make sure this one person was fairly compensated. To make sure he had insurance. He was doing well. If you want to jump to this, I'm going to say do this. If you take the \$100 from me, take that insurance from that person that's out there getting it also. Also, when we felt the travel policy was being violated, we quickly jumped to a conclusion and made a travel policy. Not to make a black and white situation out of anything around here, but it appears to him when somebody black does something; you are quick to jump on the bandwagon. But when somebody white does something, you are quick to spend the taxpayer's money on that person. Remember this Mr. Mayor and Mr. City Manager, you brought this issue to the forefront, here's what I want you to do also. The same way you brought this to the forefront, bring these consultants to the table; about this insurance we are providing, let's discuss this as well. Let's be fair. You cut my \$100, you cut their insurance and let them struggle the same way I have. But the military took care of my insurance for me. Councilman Paige then reminded to also put discussion back on the table about the city manager's

vehicle, the \$7000 allowance versus putting him back in a vehicle. Mayor Duke stated tonight we are going to address the items at hand. Councilman Paige said put the other items on the agenda. Stop being discriminatory about the way we're doing business. Don't treat black people different than the way you treat white people. The mayor stated he wasn't. We are in a discussion about council pay. Councilman Paige said put those consultants on the table too. If you want to be nasty, I can be nasty too. The mayor stated he wasn't being nasty he was just taking care of the business at hand. Councilman Paige stated these things should have been taken care of too. When you provide money for these consultants to be paid and provide insurance with taxpayer's money. You've opened a can of worms. You put that on the table, put it all out there. The mayor stated we would at the proper time. Councilman Paige stated to put it out there tonight. Mayor Duke added we weren't here to discuss that tonight. Councilman Paige told the mayor, don't be a racist, you commented to be a man to take care of business, don't be racist and bigoted about your stuff. You want to be a asshole about something, make me show my butt. The mayor stated "I am here to conduct this meeting sir". Councilman Paige stated "I'm here to show my professionalism if you will allow me to". The mayor replied he was allowing him to and I don't think we need the loud voice. Councilman Paige stated don't be unprofessional to me. He then asked how are we going to talk about the money? It's not on the agenda. The mayor stated this is an item the city manager brought up. It is listed on the agenda as "city manager". He had something he wanted to bring up. Councilman Paige replied "city manager my ass". The mayor stated there was no use in getting upset or raising his voice. Councilman Paige replied he was not upset or raising his voice but he doesn't like bigotry or racism. The mayor stated "you are the one who brought this to the table". Councilman Paige stated "you brought it to the table". The Mayor replied that he was trying to get justification. Councilman Paige replied he was through with it. The Mayor stated he could see this wasn't going anywhere tonight unless any other member had something to say. Councilman Paige stated it shouldn't go anywhere until it's all brought to the table. The mayor stated we are attempting to do that. Councilman Paige then added that every consultant for the City of Adel are all white. You brought up a travel policy when Tony Scruggs was using it. He's black. Now it's something about pay. I'm black. You bring it to the table. Don't do that Buddy. Be fair in your assessment. Mayor Duke replied "I'm attempting to be as fair as possible sir".

MLK Jr. Holiday: The next council meeting was rescheduled for Tuesday, January 19, 2016 due to the holiday.

There was no further business and the meeting was adjourned.

Rhonda P. Rowe, City Clerk

Buddy Duke, Mayor
