Emergency Council
Committee Meetings
April 16, 2003

An emergency meeting of Council was held on April 16, 2003 at 6:00 P.M., in Council Chambers with Mayor Wayne Printz presiding. The purpose of the meeting was to go into closed session to discuss annexation. The following Council members were present:

PRESENT
J. T. Dean
C. H. Murphy
T. Pence
L. Sigafoose
R. L. Snow
P. Workman

Faye Vickers, Treasurer, Todd McCoy, Director of Public Works/Zoning Administrator, Richard Pullen, Chief of Police, and Richard Carey, Clerk of Council, were also present.

Mayor Printz announced the annexation language was not ready for presentation. He then proceeded with committee business.

Electric

Council member Sigafoose presented his study and recommendations regarding commercial multi-meter electric connection rates. The current rate of $2,000.00 per meter was considered cost-prohibitive by some members of council, thereby creating an unfriendly business position as expressed by some developers. Although still not fully embraced by all of council, a common ground of acceptability was achieved. Council member Sigafoose will present a motion at the next Council meeting to lower the commercial multi-meter connection rates - interpreted to mean a "bank" of meters - to $2,000.00 for the first meter and $1,000.00 for each additional meter. A single meter connection will remain at $2,000.00. Council also discussed lowering residential connection rates, but agreed to revisit the issue at a later date.

Council member Sigafoose shared information concerning the difficulty of a local business to contact an on-call employee during an electrical malfunction. Contact was made with the Sheriff's Department where the dispatcher on duty contacted the Elkton Police Department and the officer on duty contacted Todd, who contacted the appropriate personnel. Council member Sigafoose thought the process was tedious and time-consuming.

Vice Mayor Murphy assumed this problem had been resolved long ago by supplying the Sheriff's Department with a weekly on-call contact schedule. Council agreed that Mr. McCoy should write the Sheriff's Department and state that he is the primary contact for any after-hours utilities problems and emergencies. The Elkton Police Department would serve as secondary contact.

Finance

Council will correct a column error and recommend fuel rate adjustment.

Based on a recommendation from Treasurer Vickers, Council will change the business license renewal date to June 1 and require a Schedule C.

Council member Workman sought a free-of-charge Town decal for Elkton residents who belong to the McGaheysville Fire Department. The issue remained unresolved.

The following is verbatim:

Quote:

Council member Snow: Mayor, Monday night, are we going to restrict comments?

Mayor Printz: I will do whatever you want. There will be rules that there will be no attacking people; there will be rules - the Charter says 3 minutes if I'm not mistaking - I think 3 minutes is more than enough.

Council member Snow: We don't need to sit here and listen to people bad mouth anybody up here or our decision regarding personnel matters.

Mayor Printz: The only thing I will say, Randell, not in defense of anybody, I think that people have the right, that citizens have the right, to say their opinion. You don't want to restrict that too much.

Council member Sigafoose suggested a large group who wish to address the same topic should name a spokesperson to present their views.

Mayor Printz: Well, you got to be real careful. Now you're over there in Iraq fighting for freedom and you're telling people they can't talk in the United States of America, so you got to be real careful. You guys are veterans - a lot of you guys are veterans. The First Amendment gives you the right to speak. I think the crowd should be controlled, the verbiage should be controlled, and the time should be controlled.

Council member Pence: After they speak, and I know it's going to happen, I want to speak.

Vice Mayor Murphy: I want to speak, too.

Council member Sigafoose: So do I, but I was going to sign up to speak first.

Vice Mayor Murphy: I don't want to get into a position where I'm attacking someone in the audience, but I can tell anybody sitting in this room if they've got plans of attacking me - which I already know that is slated, okay? - I'm going to attack back. If they sit there and think they are going to attack the Chief or any employee in here they're going to get attacked back, and I'm telling you that now.

Mayor Print: Why are you pointing at me?

Vice Mayor Murphy: I'm pointing at you because the information I have is you have instigated this with Mike O'Neill.

Mayor Printz: I have not instigated this with Mike O'Neill. You are wrong again. Just like you were wrong when you did this the way you did it, Ms. Murphy.

Vice Mayor Murphy: That I did what?

Mayor Printz: That you conspired with the Chief back here to do what you did.

Vice Mayor Murphy: Did I conspire guys?

Mayor Printz: Yes, you did.

Vice Mayor Murphy: Did I call any of you and ask you how you were going to vote? You take that accusation back.

Mayor Printz: I'm not taking anything back. I'm telling you that you are wrong. Mike O'Neill was the one calling me and chewing my butt about it.

Vice Mayor Murphy: And Mike O'Neill seemed to have a lot of information that was in closed session and Mike O'Neill made the assumption that the Chief and I orchestrated this thing.

Mayor Printz: Well, you did.

Vice Mayor Murphy: How did I orchestrate it, Wayne? Let's hear it. How did I orchestrate anything?

Council member Snow: I thought all this was done.

Council member Sigafoose: I'm not going to sit here and listen to this.

Vice Mayor Murphy: That is a serious allegation, Wayne.

Mayor Printz: You and the Chief worked behind my back to do this, Cathy, and I'm very ashamed about it.

Vice Mayor Murphy: What about these others here? Did they not go behind your back?

Mayor Printz: No, they were no involved to the level that you were involved.

Vice Mayor Murphy: What level was I involved?

Mayor Printz: As a matter of fact, if you all had given me the opportunity as Chief Executive Officer of the Town, then maybe we could have reviewed the thing to see if it even had credibility.

Council member Dean: Alright, alright, alright. We need to conduct Committee meetings and get them over with. If you want to argue after that, that's fine.

Council member Sigafoose: I agree with that.

Vice Mayor Murphy: This is a Council decision on how this is going to be handled Monday night.

Mayor Printz: I am the Chair and that is one thing you don't have control over.

Council member Dean: Give them 3 minutes. Does Council agree with that?

Mayor Printz: I will do whatever this Council tells me to do.

Council member Snow: I don't agree that they have the right to come in here and second guess us.

Vice Mayor Murphy: I don't either.

Council member Dean: Well, I know that. I don't agree with that either.

Council member Snow: And if they start that we can ask them to stop or be removed.

Council member Pence. Well, I put it like this: I know who's going to be here. I know who's going to be here. I'm going to tell them I don't know how many people setting out there voted for me, I really don't care, but I'm in this seat, they put me here and I'm going to tell Neighborhood Watch you all don't run this Town. The seven of us do. Case is closed as far as I'm concerned.

Mayor Printz: I don't have a problem with that, Theo. When we do things of this sort I certainly hope in the future that we take a look at the facts before we do something like this. The facts were not right. The proper chain of command was not followed in this particular situation and there's a whole lot of fallout that's going to happen because of it.

Council member Workman: Really it's not. The Council voted and if they want to change anything let them run for election. That's their alternative.

Council member Pence: The first year I was on Council I was involved in firing two police officers and we never went through this (expletive).

Council member Workman: How quickly they forget.

Council member Pence: Why do we have to go through it now?

Council member Workman: Because of the association.

Mayor Printz: Theodore, when we were in here, and even when that crew - we are not in private session so I can't say - we went through an awful lot with the officers. We brought them in here when we found out certain things out in Harrisonburg that were not even known anything about and, yes, we did question those officers. We questioned all the officers. You'll remember when we found some things we did not like and, if you remember, the lawyer was right here and he helped them walk right through that thing.

Vice Mayor Murphy: No one got terminated.

Mayor Printz: Maybe no one go terminated through it, but the point I am making is we investigated it.

Vice Mayor Murphy: Yes, we investigated too. Sorry you didn't get to, we did, but I want for the record, because you have made an accusation here - you all can choose to answer or not answer - but, as a fellow Council person, I would like each one of you to say whether I conspired with you to get this person fired.

Mayor Printz: Did you have a conversation with...

Vice Mayor Murphy: Not you. Not you. I'm asking Council.

Mayor Printz: Did you have a conversation with the Chief prior to this?

Vice Mayor Murphy: We all did. Six of us did. I want to know from each of these people if they feel they can answer whether I conspired.

Mayor Printz: You gave the Chief advise on how to do this, Cathy. You know you did.

Council member Pence: I never talked to Cathy from that meeting up to the meeting we had.

Mayor Printz: I want to clear up another thing.

Vice Mayor Murphy: I'm talking to the Council. I have the floor - please.

Council member Workman: The Chief talked to me at the chicken barbeque at the Ruritans. The next time he brought it up was when he was sitting in that chair.

Vice Mayor Murphy: Jay?

Council member Dean: You never talked to me.

Vice Mayor Murphy: Randell?

Council member Snow: The Chief made me aware of the situation and I never talked to anybody else.

Vice Mayor Murphy: Lucky?

Council member Sigafoose: The Chief made me aware of the situation.

Vice Mayor Murphy: Did I talk to any of you?

Council member Sigafoose: No, ma'am.

Mayor Printz: And you didn't talk to the Chief about this?

Vice Mayor Murphy: I talked to the Chief the same way as five others here did.

Mayor Printz: Did you talk to the Chief about how he should handle when we had our meeting out there that day?

Vice Mayor Murphy: Yes, I did and that was after the fact. That was the day after the termination. Yes, I did and I told you about it.

End quotes.

The police department appeared en masse before Council. Spokesperson Sgt. John Atwood thanked Council for their support and their support of Chief Pullen.

Chief Pullen ascertained that Council authorized him to select the K-9 Officer, in the event that position became vacant. Council reiterated that delegated authority.

Chief Pullen: "Let me clarify one other thing, Mayor. As far as this chain of command thing, I had advised you on several different occasions about problems I was having with a certain individual. Okay? So I was following the chain of command."

Mayor Printz: "You know you didn't follow chain of command on this, Chief, as well as I do."

Chief Pullen: "I followed chain of command, sir."

Mayor Printz: "That's your opinion."

Chief Pullen: "But on January 24 you were informed."

Todd McCoy

1. Annual Spring Clean-Up advertised for May 19 - 23, 2003.

2. Planning Commission:

   a. Public Hearing, April 21 at 6:45. Home Occupation Permit for a tattooing and body piercing shop.
   b. Eliminate curb and guttering in subdivision ordinance. Will be addressed at May's meeting.

3. Encroachment Permit - 104 - 5th Street

As there was no further business, the meeting adjourned.

MAYOR: _____
Wayne E. Printz, Mayor

RECORDER: Richard D. Carey
Richard D. Carey, Clerk