

City Council Minutes
Workshop
October 28, 2014- 6:00 PM

Council present: Mayor Pro-Tem Charles Pennington, Council Member David Wilson, Council Member JoAnn Wilson and Council Member Ronnie Moore.

Staff Present: Walt Leonard, City Attorney; Brandon Davis, Police Chief and Sherrie Dast, Acting City Secretary.

Mayor Pro-Tem Pennington opened the workshop at 6:07 pm.

1. **Police Bank Account:** Mayor Pro-Tem Pennington thinks that all departments to have petty cash or a debit card. Attorney Leonard advised funding can come from the city but must have an oversight by requiring monthly reporting presented at each council on the petty cash spending. Council has authority of these account thru good oversight. Good oversight includes receipt keeping and all spending is subject to open records. Chief Davis explains the need of a police petty cash account for miscellaneous expenditures such as gifts for employee in an accident or illness; to purchase gifts for instructor for teaching a class; toilet paper, air fresheners and hand outs. This account would save time than asking every time for some type of funds. Member JoAnn Wilson would like to have a limit on the account.
2. **Police Impound Lot:** Chief Davis presented a power point concerning a Rhome Police impound lot for towed and abandoned cars. Chief Davis gathered information from 40 different Chiefs concerning impound lots and and can shadow what Decatur is doing. Chief Davis has many examples of impound lots ordinances. Chief Davis stated that the city's lot would meet the same criteria as a storage facility. He has already checked with TML concerning liability coverage and security of the lot. The lot has to have a least a 5 foot fence with lock;surveillance cameras will be set up and a policy will be in place for for the operation of the lot. Chief Davis stated he checked with Attorney Leonard on the legalities on the EPA rules;TCEQ and hard surfaces. Chief Davis stated only vehicles from arrests made will go to the lot and funds will to to general fund. An inventory of the contents and the condition of the vehicle will be made by impounding officer. Chief Davis mentioned the lights at the PD parking lot needed to be fixed and a barbed wire fence as a deterrent. Chief Davis asked if the funds from the lot be used to beef up security and generate funds for the PD. Council Member Moore could see the lot being a revenue maker. Pro-Tem Pennington asked how much could the lot generate and Attorney Leonard asked how many cars get impounded in the course of the day. Chief Davis responded 3-10 a night. Pro-Tem Pennington asked if the lot was ready. Chief Davis responded yes just waiting on the paper work but there are still not cameras. Attorney Leonard stated that the PD could catch flack if no cameras. Council Member Moore asked if tags are ran on Cop Sync and does the system show if the car is insured. Chief Davis stated yes. Council Member Moore asked if the lien holder has to be notified before the car is released. Chief Davis made the comment that he is still working on the regulated stuff. Attorney Leonard said cases when a DL and Insurance is not present, those cars need to be towed at the officer's discretion. Chief Davis said that the Department won't be waling on egg shells. Attorney Leonard mentioned the "don;t be stupid" rule and that the officer will have to consider the situation. Chief Davis

explained why the lot is needed. 5 vehicles per month get towed due to an arrest and the wrecker is getting all the funds. Attorney Leonard asks about the surplus vehicles and how to get rid of the by auction.. Chief Davis said he will look for a company to buy and sell the vehicles not picked up by owner. Council Member Moore suggested to hire a licensed auctioneer. Mayor Pro-Tem Pennington asked how long does it take until an auction is required. Chief Davis replied 90 days. Council Member J. Wilson asked about cart titles and Council Member Moore asked about car seizures during a drug bust. Council Member J. Wilson asked about hours of operation and how does the car get paid out. Chief Davis replied by money order or credit card. The PD has a tablet and would like to use a debit swipe. Council Member Moore would like city hall to collect the money and the owner must have title and other documents. Mayor Pro-Tem wants the chiefs info to be emailed to city attorney for review. Chief Davis mentioned abandoned vehicles would receive a warning first before towing and impounding. Attorney mentioned ticketing and towing may be a court procedure. Council Member D. Wilson brought up the junk vehicle ordinance. Attorney Leonard state the ordinance may have to be reworked. Council Member Moore thinks the city could make some money. Chief Davis stated 72 hours is an abandon vehicle after a red tag written after 48 hour notice. Council Member Moore asked if a passenger is allowed to take a vehicle when driver is arrested to avoid impound for can a phone call be made to pick up vehicle. Attorney Leonard pointed out that towing/impounding vehicles will eat into the PD's work time. Chief Davis said not really. Council Member Moore was concerned about irate people at city hall paying tow fees. Chief Davis commented that is why a debut swipe would be better. Chief wants to be able to handle transactions after hours. Mayor Pro-Tem would like to see a sign stating the city is not responsible for lost or stolen items for the lot. Council Member Moore mentioned irate customers and suggested that the city secretary be called to PD to handle cash transaction. Council Member D. Wilson stated it would take at least 2 hours to impound a vehicle. Chief Davis says it's an opportunity to generate funds. Attorney Leonard says the money needs to monitored for the in's and outs. A method needs to be set up tracking payments and that could be a drain on employees keeping up with the towing process and auctioneer fees. Attorney stated security of the lot needs to be constant. Council Member Moore stated that if it grows than hire an assistant. Court Administer Dast asked if the PD can charge an exclusive franchise fee for the towing vender contract. Attorney Leonard said yes but other towing companies my complain about exclusive towing. The attorney suggested monitoring traffic towing for high and lows. There's always potential for litigation. Chief Davis said in the end there's a potential for revenue and take the money to improve the PD. Mayor Pro-Tem Pennington wants a list of what is needed to repair at the PD. Attorney Leonard would like to review the towing policy ,auction policy , contracts with tow company and money handling procedures. Chief Davis wants to know when to proceed with the impound lot.

Meeting ends at 7:10p.m.

CERTIFICATION:

Passed and approved on this the _____ of _____,2015.

Charles Pennington/Mayor Pro-Tem

Sherrie Dast/Court Administrator