



Minutes of the City of Calera Council Meeting – December 4, 2017

The Council of the City of Calera met in the Council Chambers of the City Hall at 7901 Highway 31 on Monday, December 4, 2017 at 6:30 p.m., in a regular meeting. Mayor Graham presiding.

Mayor and Council Members Present:

Jon G. Graham, Mayor
David Bradshaw, Council Member
Chris Bunn, Council Member
Philip Busby, Council Member
Ernest Montgomery, Council Member
Kay Snowden Turner, Council Member
Alan Watts, Council Member

Department Heads Present:

Reggie Darden, Building Official
Kelly Ellison, Finance Director
Seth Gandy, Park and Recreation Director
Sean Kendrick, Fire Chief
Sean Lemley, Police Chief
Alison Powers, Library Director
Matt Worthen, IT Services Manager

Absent:

Doug Smedley, Sewer Operations Director
Chris Pappas, City Engineer

Guests:

Fred Hoskins, Harold Cole, Calvin Morgan, Arianne Turner

Mayor Graham called the meeting to order at 6:30 p.m.

Word of Prayer and Pledge of Allegiance:

Jim Beckner, The Church at Shelby Crossings, opened the meeting with prayer and the Pledge of Allegiance.

Approval of Minutes:

Council Member Turner made a motion to approve and dispense with the reading of the following minutes:

Regular Meeting – November 20, 2017
Work Session – November 20, 2017

Council Member Bradshaw seconded said motion and upon vote, the results were as follows:

AYES: Graham, Bradshaw, Bunn, Busby, Montgomery, Turner, Watts
NAYS: None

Motion Passed

REPORTS OF DEPARTMENT HEADS:

Seth Gandy, Park and Recreation Director thanked everyone for their part in making of a great parade and Christmas Village. It is great to see all departments of the City working together and it made for very successful night.

COUNCIL MEMBER REPORTS:

Council Member Turner thanked the Birmingham Metropolitan Choir for their performance at Christmas Tree Lighting.

Council Member Turner invited everyone to attend the One Year Anniversary of Victory Counseling Services, Inc. on December 9, 2017 from 2:00 p.m. -5:00 p.m. at the Calera Community Center. Donations will be accepted to help the center continue their services.

Council Member Turner asked Matt Worthen, It Director, what is the cost to have Rolling Hills come up first on the search engine for the following: google, yahoo and Bing?

MAYOR REPORT:

No report given

OLD BUSINESS:

No old business

NEW BUSINESS:

PUBLIC HEARING

Resolution No. 2017-19 Calera Police Department Directives Manual, D-1.4 Video Recording Systems

Council Member Bradshaw moved that unanimous consent of the Council be given for immediate action upon Resolution No. R-2017-19. Council Member Bunn seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Turner

NAYS: None

Council Member Turner moved that Resolution No. 2017-19 be adopted. Council Member Watts seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Turner

NAYS: None

Mayor Graham declared Resolution 2017-19 adopted.

Resolution No. 2017-20 Calera Police Department Directives Manual, C-2.4 Employee Health & Physical Fitness

Council Member Turner moved that unanimous consent of the Council be given for immediate action upon Resolution No. R-2017-20. Council Member Bradshaw seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Turner

NAYS: None

Council Member Turner moved that Resolution No. 2017-20 be adopted. Council Member Bunn seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Turner

NAYS: None

Mayor Graham declared Resolution 2017-20 adopted

Council Member Busby made a motion to adjourn the meeting at 6:46 p.m.

Approved this 18th day of December, 2017.

Jon G. Graham, Mayor

ATTEST:

Vickie Lewis, Assistant City Clerk

Mayor Graham introduced the following Resolution:

RESOLUTION NO. R-2017-19

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF CALERA, AS FOLLOWS:

THAT, Calera Police Department Directives Manual adding the policy by adding section:

D-1.4 Video Recording Systems

Date: December 4, 2017

Purpose: To establish policy and procedure for the use of video and audio recorders. Video recorders are issued for the purpose of capturing officer and suspect actions during encounters with the public.

Section 1. In-Car Video Recorder

- A. All patrol vehicles are equipped with in-car video recorders. The in-car video recorders are programmed to automatically power-on when the vehicles are started. The unit is programmed to power-off after a set time when the vehicle is turned off.
- B. Only at the end of shift, or when a vehicle will be left parked for more than 30-minutes, should an officer manually turn off an in-car camera.
- C. At the beginning of each shift, or each time an officer uses a patrol vehicle, the officer will:
 - 1) Ensure the camera automatically powers-on. If the unit does not automatically power-on, the officer will manually power the camera on.
 - 2) Ensure the in-car camera is operating properly.
 - 3) Ensure the in-car camera has sufficient storage space available on the hard drive, DVD, or removable storage device (as equipped).
 - 4) Ensure the wireless mic-pack or body Camera is charged, working and affixed to the officer.
 - 5) Ensure the officer's name is selected as the officer on the recordings and ensure the body camera is synced with the in-car camera (as equipped).
 - 6) Ensure the cameras are positioned to adequately capture events in front of the vehicle, and in the cabin of the vehicle.
- D. The in-car cameras are programmed to automatically activate and start recording whenever the officer activates the emergency equipment or wireless remote mic-pack or body camera. If the in-car camera does not automatically activate, the officer must manually start the recording.

- E. At the end of an event, the officer will stop and properly label the recording event. It is critical to label the recording event properly, as the retention of the recording is determined by how it is labeled.
- F. When the removable media is full, or when video is needed from the camera, the officer will remove the media and;
 - 1) DVD video will be labeled with the officer's name and the start and finish date of the recordings. The DVD will be submitted to their supervisor who will properly secure the video in the officer's video evidence file.
 - 2) Removable storage devices will be removed from the vehicle and inserted into one of the designated computers for the video to transfer to the video server.
 - 3) Wireless transitions – will occur on equipped vehicles once the vehicle is in range of the wireless antenna. This wireless transfer will usually automatically occur when the equipped vehicles pull into the police department parking lot.
- G. Officers will immediately notify their supervisor of any problem that limits or prohibits the use of their in-car video system or body camera, followed by submitting a work order.
- H. Supervisors will ensure that work orders are submitted to the equipment officer or IT department and will follow up on resolving any issue that limits or prohibits the function of the in-car video system.

Section 2. Body-Cameras

- A. Officers issued the body-cameras will ensure they are fully charged and worn when reporting for patrol duties, details, functions or events.
- B. Officers will read the operation manual and make themselves familiar with the function and operations of their assigned body-camera.
- C. It is understood that it's not always practical for an officer to just stop and activate a camera. There will be times when an officer must simply react to violence or situations that do not provide a reasonable opportunity for an officer to turn on their camera. Whenever reasonably possible, officers will record the following event types
 - 1) Traffic stops
 - 2) Acts of aggression or violence
 - 3) In responses to resistance / Use of Force
 - 4) Domestic
 - 5) Robberies in progress
 - 6) Burglaries in progress (Building or house searches)
 - 7) Shots fired or suspected armed suspects
 - 8) Foot pursuits
 - 9) Interviewing persons suspected of committing a crime.
 - 10) Complaints against the officer, other officers or the department

- 11) Anytime the officer believes it will help in the prosecution of suspects or in the defense of the officer's actions.
- D. Body cameras are synced to in-car cameras or docking stations at the police department.
 - E. Officers working patrol in police vehicles equipped with digital in-car cameras will dock their body-camera into the car docking station. They must select their name from the in-car video menu to pair the body camera with the in-car camera. The body camera will then sync audio and video to the in-car camera.
 - F. Recordings of serious events or cases where it is suspected that the video will be needed in the prosecution of a crime will be copied to a DVD and will be placed in the case file.
 - G. Employees are prohibited from secretly recording other employees of the city of Calera, unless approved by the Chief of Police, or his designee.
 - H. Employees shall report any video system not working properly to the chain of command. Supervisors will ensure that IT and or the equipment supervisor are addressing the issue.

Section 3. Video Storage / Handling & Tracking

- A. It is this department's desire to remain professional and not to tarnish, belittle or portray poorly members of the public or the citizens we serve. In addition, information, video and photos released to the public can affect the outcome of criminal cases. Therefore, photographs, Video and audio recordings obtained by employees while working for the Calera Police Department are considered to be the property of the Calera Police Department and shall not be released, or made available to anyone outside of the department. Photographs, video and audio recordings may be copied and released to the courts, city prosecutor, District Attorney's Office or by subpoena. Video obtained by the recording officer can be used within the department for the purpose of self-critiquing or training, but shall not be made available to the public, unless approved by the Chief of Police, or his designee. The Calera Police Department will maintain the original recordings.
- B. Video Storage
 - a. Officers will properly tag the video type from the menu, i.e. DUI, domestic, misc and so on.
 - b. In-car and body camera video are maintained on a secured server. Video takes up a lot of space, therefore the video can only be maintained for a period of time, before it is written over and the video is lost.
 - c. Video will be classified in the system as (long-term=up to 2-years), (medium-term=up to 1 year) or (short term=1 week, which is the "test" option in the menu).
- C. Video Handling & Tracking

- a. Officers shall ensure their video is properly uploaded to the server by wireless transfer or docking station.
- b. Officers should create a DVD copy of videos that are of a critical incident, or cases that are likely to end up in a trial court and place the DVD copy in the case file. This will help preserve video in cases that may take longer than a year to go to court.
- c. Officers may grant access, or make copies of videos for the city's magistrate, prosecutor, DA or judge. Officers will not provide defense attorneys copy of videos. They may review video with the city prosecutor or subpoena video through the records department.
- d. Officers are restricted from altering or deleting video from their body camera or in-car camera.
- e. Any access to our video system will leave an audit trail, providing who, what, when and where videos was viewed, recorded, copied or emailed.

Section 4. Building Security Cameras

The Calera police department monitors security cameras for the police department and various other city facilities. The police department's video cameras are located throughout the building in common areas, or areas of increased liability. The cameras record video and some audio and employees, the public or inmates do not have an expectation of privacy in these common areas.

- A. Dispatch will routinely monitor security cameras in the following areas;
 1. Jail cells (Priority)
 2. Jail Overview (Priority)
 3. Booking room (Priority)
 4. Courtroom when in use
 5. Parking lots
 6. Exterior Building Doors
 7. City Hall
 8. Park
- B. Employees will not require inmates to change clothes in front of security cameras. A room without video has been designated for changing prisoners. Inmates **can and should be** changed in front of cameras when they are suspected of hiding something under their clothes.
- C. Physical searches of prisoners should be done in front of cameras.
- D. Dispatch should view other city cameras; however, the listed cameras in sec. (A) take priority to other video cameras that may be available.
- E. Employees shall not distribute photographs, video or audio recordings from the security cameras, unless approved by the Chief of Police, or his designee.
- F. Employees shall report any video system not working properly to the chain of command.

Council Member Bradshaw moved that unanimous consent of the Council be given for immediate action upon Resolution No. R-2017-19. Council Member Bunn seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Turner

NAYS: None

Council Member Turner moved that Resolution No. R-2017-19 be adopted. Council Member Watts seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Turner

NAYS: None

Mayor Graham declared Resolution No. R-2017-19 adopted.

Adopted this 4th day of December, 2017.

Vickie Lewis, Assistant City Clerk

Jon G. Graham, Mayor

Mayor Graham introduced the following Resolution:

RESOLUTION NO. R-2017-20

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF CALERA, AS FOLLOWS:

THAT, Calera Police Department Directives Manual adding the policy by adding section:

C-2.4 Employee Health & Physical Fitness

Date: December 4, 2017

Purpose: To establish policy and procedure for being fit for duty, employee participation in physical fitness training and the use of the departmental gym. It has been proven that good physical fitness reduces stress, improves quality of life, improves performance and reduces injury and illness. Police Officers and civilian staff are subjected to high levels of stress and are expected to work non-standard hours, nights, weekends and holidays. It is critical that all police employees maintain a good level of physical fitness to help reduce injury, liability and to promote professionalism, healthy living and to improve job performance.

Section 1. Fitness for Duty

To be fit for duty, Police Officers are required to be able to run, jump, climb, push cars, drag or carry victims, fight or wrestle resisting suspects and preform various physical activities. Employees who are not fit for duty endangers themselves, other employees and the public we serve.

- A. New hire selection process for the position of Police Officer:
 - 1) Complete an approved agility course.
 - 2) Run 1.5 miles within 15 minutes.
 - 3) 30 push-ups within one minute
 - 4) 30 sit-ups within one minute
- B. To be fit for duty, all sworn Police Officers should be able to:
 - 1) Run/walk a minimum of 1 mile within 15 minutes
 - 2) Jump ditches and climb fences
 - 3) Push a vehicle a minimum of 15 feet
 - 4) Do a minimum of 15 pushups within one minute
 - 5) Do a minimum of 15 setups within one minute
- C. The department will conduct an annual physical fitness assessment to measure all sworn officers' level of fitness. All non-sworn employees are encouraged to participate in the annual physical fitness assessment, but it is not required.
- D. Physiological evaluations can or will be ordered by the Chief or his designee:

- 1) As a part of the new hire selection process.
 - 2) Whenever an employee is involved in certain incidents involving high levels of stress or severe tragedy.
 - 3) With reasonable suspicion that an employee may not be able to perform their duties.
- E. Physical examinations can or will be ordered by the Chief or his designee:
- 1) As a part of the new hire selection process.
 - 2) With reasonable suspicion that an employee may be falsely using sick-time. This type behavior causes other employees to work extra hours, or causes the department to work short staffed. Employees falsely taking sick-time can endanger officers and the public we serve.
 - 3) With reasonable suspicion that an employee may not be fit for duty.

Section 2. Departmental Gym

- A. The Calera Police Department provides an on-site workout facility for all police employees.
 - a. Only police employees and city support staff are authorized to use the department gym.
 - b. Employee family and friends are not authorized to utilize the gym.
- B. Equipment shall not be abused or used in a way in which it was not intended to be used.
- C. Employees are required to wear closed toe shoes, shorts or long pants and a shirt while working out or training in the gym.
- D. Equipment will be wiped down after each use.
- E. Employees must pick up after themselves and not leave towels, water bottles or other items in the gym.
- F. There will be no horse playing in the Gym.
- G. Gym equipment should not be used by anyone who has the flu or other contagious illness.
- H. All damaged or malfunctioning equipment shall be reported immediately.
- I. All weights shall be placed back on the weight rack after each use.
- J. All exercise equipment must be returned to its original station after use.
- K. Weights must be at a minimum of knee height before dropping to the floor.
- L. Weights shall not be thrown or slammed on the equipment or the floor.
- M. Collars must be used on all barbell.
- N. Shouting or loud grunting must be kept to a low volume
- O. Remember that the gym is at a police dept., so keep the TV and music volume to a reasonable level.

Section 3. Physical Fitness Training

- A. Employees are authorized to workout or PT in the departmental gym, on or off duty.
 - 1. Employees may workout at the departmental gym for up to 30 minutes a day while on duty, but only with the on-duty supervisor's approval. In the absents of a supervisor, the senior officer may grant this approval.
 - 2. Before approval, the on-duty supervisor, or senior officer will take into consideration the volume of calls, staffing needs or other details and events taking place; and, shall ensure the city is adequately covered.
- B. Employees should make themselves familiar with all gym equipment prior to use.
- C. Maximum weight lifting shall only be done with the assistance of another person (spotters).
- D. All injuries shall be reported to your supervisor immediately. Supervisors will complete a "First Report of Injury" form and submit through the chain of command for any on-duty injuries.
- E. Employees should not workout or PT if ill or injured.
- F. City and departmental policies apply to all employees, on or off duty who use the departmental gym.

Council Member Turner moved that unanimous consent of the Council be given for immediate action upon Resolution No. R-2017-20. Council Member Bradshaw seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Turner

NAYS: None

Council Member Turner moved that Resolution No. R-2017-20 be adopted. Council Member Bunn seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Turner

NAYS: None

Mayor Graham declared Resolution No. R-2017-20 adopted.

Adopted this 4th day of December, 2017.

Vickie Lewis, Assistant City Clerk

Jon G. Graham, Mayor