

**Millersville Board of Commissioners
Regular Meeting Minutes
Tuesday, March 21, 2023 at 5:30 P.M.
at Millersville City Hall**

The Millersville Board of Commissioners held their regular monthly meeting at the Millersville City Hall on Tuesday, March 21, 2023 with the following board members present: Tommy Long, Mayor; Milton Dorris, Vice Mayor. Commissioners: Keith Bell, David Gregory and Cristina Templet. Also present: City Manager Scott Avery, City Recorder/Finance Director Holly Murphy, City Attorney Jack Freedle and Recording Secretary Amy Hutchison.

1. Call to Order.

Mayor Long called the meeting to order at 5:30 P.M.

2. Invocation and Pledge to the Flag.

Sumner County Commissioner Jeremy Mansfield gave the invocation followed by the Pledge to the Flag of the United States led by Mayor Long.

3. Approval of minutes of the January 17, 2023 Regular Commission Meeting.

Commissioner Bell moved to approve the January 17, 2023 Regular Commission Meeting minutes, seconded by Commissioner Templet. (Vote 5 yea – 0 nay.). Motion carried.

4. Approve the minutes from the January 17, 2023 Special Commission Meeting.

Commissioner Bell moved to approve the January 17, 2023 Special Commission Meeting, seconded by Commissioner Gregory. (Vote 5 yea – 0 nay.). Motion carried.

5. Approve the January 2023 Financial Report.

Commissioner Bell moved to approve the January 2023 Financial Report, seconded by Commissioner Templet. (Vote 5 yea – 0 nay.). Motion carried.

6. Approve the February 2023 Financial Report.

Commissioner Bell moved to approve the February 2023 Financial Report, seconded by Commissioner Templet. (Vote 5 yea – 0 nay.). Motion carried.

7. Presentation of the Audit Report for the Fiscal Year ending June 30, 2022 by Karen Stephens, CPA, Blankenship CPA Group.

Ms. Blankenship gave an overview of the 2021-2022 Fiscal Year audit to the Commission. She advised that her firm found no negative findings and that the City received the highest rating for this audit.

8. Approve the Audit Report for Fiscal Year ending June 30, 2022, as presented by Karen Stephens, Blankenship CPA Group.

Commissioner Bell moved to approve the Fiscal Year audit ending June 30, 2022, seconded by Commissioner Gregory. (Vote 5 yea – 0 nay.). Motion carried.

9. **First Reading on Ordinance 23-789**, to amend Chapter 70 Solid Waste, Article III Littering and Illegal Dumping.

Commissioner Bell moved to approve Ordinance 23-789 to amend Chapter 70 Solid Waste, Article III Littering and Illegal Dumping on first reading, seconded by Commissioner Gregory. (Vote 5 yea – 0 nay.). Motion carried. Ordinance 23-789 passed first reading.

10. **Resolution 23-R-06**, to place a moratorium on the hiring and/or promotion of any and all vacant and full- and part-time positions within any and all City Departments.

Commissioner Bell moved to approve Resolution 23-R-06 to place a moratorium on the hiring and/or promotion of any and all vacant and full- and part-time positions within any and all City Departments, seconded by Vice Mayor Dorris.

Commissioner Gregory informed the Commission that he had reached out to MTAS legal consultant Elisa Hodge regarding this Resolution. She responded with her findings regarding the Resolution. She determined that paragraphs 3, 4 and 5 are questionable in regards to the City Charter. Commissioner Gregory went on to state that he does not think this is a legal resolution and he will be voting against this matter. Commissioner Templet voiced the same concern and she too stated that she would also be voting against the resolution. They both advised to let the City Manager do his job.

Commissioner Bell moved to amend Resolution 23-R-06 by eliminating paragraphs 3, 4 and 5 and keeping intact the remaining language of the resolution, seconded by Vice Mayor Dorris.

Discussion continued among the Commission regarding the legality of the Resolution. Commissioner Gregory asked City Attorney Jack Freedle if there is any action that can be taken to reverse this Resolution to which Mr. Freedle answered that the opposing Commissioners could file a declaratory judgment action in Circuit Court. Commissioner Bell advised that any action of that kind should be looked at carefully. He also clarified that the Commission does not hire but looks at and approves appropriations. He stated that two part-time positions were created without approval from the Commission and this Resolution is a result from that.

With no further discussion, Mayor Long called for a vote on the amended motion. Vote (3 yay – 2 nay, with Commissioner Gregory and Templet voting no.). Motion carried.

Mayor Long then called for a vote on the original motion as amended. (Vote 3 yay – 0 nay, with Commissioners Gregory and Templet voting no.). Motion carried.

11. Discussion on work from home policy.

Mr. Avery informed the Commission that he checked with the surrounding cities regarding their work from home policy and none of the city's had one at this time. He presented the Commission with a work from policy from the City of Bothell's policy and recognized that it is long and in depth, but it gives the Commissioners somewhere to start and pull from in order to compile a policy for our City. He advised that this will also be brought to the next work session.

12. Citizen Comments.

Kevin Pennell, 1138 Ridge Hill Road – stated to the Commission that he would like to be put on the agenda for de-annexation of his street. Mayor Long advised that he was aware of the situation and that it will definitely be put on the next work session for April.

Jeremy Mansfield, Sumner County Commissioner – was speaking on behalf Mr. Pennell and

he supports the de-annexation. He stated that this street was annexed long ago against their will and that he will be working with the County to take over the street.

Robert Stone, 1229 Louisville Highway – stated that he only had one question, “Where is the Tahoe?”. Mayor Long answered that he was told the Tahoe was at B & J Collision Center in Springfield, Tennessee.

Jack Byrd, CEO of Solaren Risk Management – wanted to bring attention to the posts and comments being made on Facebook on HIP Millersville Unfiltered. He stated that they are damaging to individuals and needs to be addressed by the Commission. Due to his line of work, he has investigated some of the of the fake profiles and the IP address is coming back to City Hall. He would like for the City to look into this information formally.

13. City Attorney Comments.
There were no comments.

14. City Manager Comments.
He advised the Commission that paving bids came in and they are double from two years ago. He would like to re-evaluate the paving list. He stated that streets deemed the worst (labeled 8- 10) will be paved. He would like to re-bid the remaining streets in six months. He also advised that at the next work session he would like to schedule budget meetings over the span of a few days instead of scheduling it all in one day.

15. Commissioner comments.
Commissioner Gregory would like to put the Facebook issue on the agenda for the next work session.

Commissioner Templet would like for the Commission to look into what Mr. Jack Byrd stated about the fake profiles on Millersville HIP Unfiltered.

Vice Mayor Dorris would like more information about the Tahoe. Such as: was it wrecked, where is it exactly, is Mr. Avery paying for the damage out of his own pocket, has there been a report made? He would like these questions addressed at the next work session.

16. Adjournment.
Commissioner Bell moved to adjourn, seconded by Vice Mayor Dorris. (Vote 5 yea– 0 nay.). Motion carried.

Meeting adjourned at 6:27 P.M.

Respectfully submitted,

Amy Hutchison
Recording Secretary