

**Millersville Board of Commissioners
Minutes of Regular Meeting**

Tuesday, February 20, 2018 at 5:30 P.M.

The Millersville Board of Commissioners held their regular monthly meeting at City Hall on Tuesday, February 20, 2018 with the following board members present: Tim Lassiter, Mayor. Commissioners: Bonnie Coleman, David Gregory and Milton Dorris. Also present: City Recorder, Holly Murphy; City Attorney, Rob Wheeler; and Amy Hutchison, Recorder Pro Tem. Absent: Vice Mayor Keith Bell and City Manager Caryn Miller.

1. Call to Order.

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

2. Invocation and Pledge to the Flag.

Robert Lord gave the invocation followed by the Pledge to the Flag of the United States led by Mayor Lassiter.

3. Public Hearing

a.) **Ordinance 17-688**, to amend the 2017-18 Fiscal Year Budget to provide for expenditures and revenue for Contractual Building Official Services.

1. Open Public Hearing.

Mayor Lassiter opened the Public Hearing on Ordinance 17-688. There were no comments.

2. Close Public Hearing.

Mayor Lassiter closed the Public Hearing on Ordinance 17-688.

b.) **Ordinance 18-690**, to amend the 2017-18 Fiscal Year Budget to provide for expenditures and revenue for the Multi-Modal Project Phase I Design Survey.

1. Open Public Hearing.

Mayor Lassiter opened the Public Hearing on Ordinance 18-690. There were no comments.

2. Close Public Hearing.

Mayor Lassiter closed the Public Hearing on Ordinance 18-690.

4. Approval of minutes from the January 23, 2018 Regular Commission Meeting.

Commissioner Dorris made a motion to approve the minutes from the January 23, 2018 Regular Commission Meeting, seconded by Commissioner Gregory. (Vote 3 yeas – 1 abstention, with Commissioner Coleman abstaining.) Motion carried.

5. Approval of minutes from the February 5, 2018 Special Commission Meeting.

Commissioner Coleman made a motion to approve the minutes from the February 5,

2018 Special Commission Meeting, seconded by Commissioner Dorris. (Vote 4 yea – 0 nay.) Motion carried.

6. Approval of minutes from the February 8, 2018 Special Commission Meeting.

Commissioner Gregory made a motion to approve the minutes from the February 8, 2018 Special Commission Meeting, seconded by Commissioner Dorris. (Vote 3 yea – 1 abstention, with Commissioner Coleman abstaining.) Motion carried.

7. Approval of the January 2018 Financial Reports.

Commissioner Coleman made a motion to approve the January 2018 Financial Reports, seconded by Commissioner Gregory. (Vote 4 yea – 0 nay.) Motion carried.

8. **Second Reading of Ordinance 17-688**, to amend the 2017-18 Fiscal Year Budget Ordinance 17-674 to provide for expenditures and revenue for Contractual Building Official Services.

Commissioner Coleman made a motion to approve Ordinance 17-688 on second reading, seconded by Commissioner Gregory. (Vote 4 yea – 0 nay.) Motion carried. Ordinance 17-688 passed second and final reading.

9. **Second Reading of Ordinance 17-690**, to amend the 2017-18 Fiscal Year Budget Ordinance 17-674 to provide for expenditures and revenue for the Multi-Modal Project Phase 1 Design Survey.

Commissioner Coleman made a motion to approve Ordinance 17-690 on second reading, seconded by Commissioner Gregory. (Vote 4 yea – 0 nay.) Motion carried. Ordinance 17-690 passed second and final reading.

10. **First Reading of Ordinance 18-689**, to amend the Code of Ordinances Chapter 18, *Buildings and Building Regulations* and Chapter 34, *Fire Prevention and Protection* to update the City's Building Codes.

Commissioner Coleman made a motion to approve Ordinance 18-689 on first reading, seconded by Commissioner Gregory. (Vote 4 yea – 0 nay.) Motion carried. Ordinance 18-689 passed first reading.

11. **First Reading on Ordinance 18-691**, to rezone 7673, 7677, 7679, and 7683 South Swift Road (a single parcel), Robertson County Map 126, Parcel 055.00 from Residential R-3 to R-5.

Commissioner Dorris asked for clarification of this Ordinance, to which Michael Barr explained that the one parcel of land has a house and at one time, three mobile homes. This one lot will be subdivided into 4 lots with a change in zoning to accommodate the smaller lot sizes.

Commissioner Gregory made a motion to approve Ordinance 18-691 on first reading, seconded by Commissioner Coleman. (Vote 4 yea – 0 nay.) Motion carried. Ordinance 18-691 passed first reading.

12. Approval of **Resolution 18-R-01**, to adopt a fee schedule for various municipal services.

Commissioner Coleman made a motion to approve Resolution 18-R-01, seconded by Commissioner Gregory (Vote 4 yea – 0 nay.) Motion carried.

13. Approval of Amendment to the TDOT Agreement for the Multi-Modal Connectivity Phase 1 Project and allow the Mayor to sign on behalf of the City.

Commissioner Coleman made a motion to approve the Amendment to the TDOT Agreement for the Multi-Modal Connectivity Phase 1 Project and to allow the Mayor to sign on behalf of the City, seconded by Commissioner Gregory (Vote 4 yea – 0 nay.)

Motion carried.

14. Appoint Interim City Manager until the City Manager returns from leave of absence.

Commissioner Coleman made a motion to appoint Holly Murphy Interim City Manager, until the City Manager returns from leave of absence.

A brief discussion was held regarding how long the City Manager will be out. Mayor Lassiter also stated that Rob Wheeler advised having a vote to make it official.

With no further discussion, Mayor Lassiter called for a vote. (Vote 4 yea – 0 nay.)

Motion carried.

15. Discussion related to time-management.

Mayor Lassiter asked for this to be addressed due to some issues that have come up in the City. He has obtained Portland's Employee Manual and he has asked Holly to go over it and get copies to the Board before the next work session. He stated that the Portland Personnel Manual covers some things that Millersville's does not. Such as the exact definition of an Exempt Employee at which time he gave Portland's definition, possibly having a time clock and Department Head's filling out time sheets. Mayor Lassiter expressed his concern about City employees being at City Hall at their start time unless off-premises meetings will not allow. He suggested that employees submit documentation from off-premises meetings (minutes, agenda, etc.) to verify times away from City Hall. He wants salaried employees to be held as accountable as hourly employees. He stated that our Manual has a lot of holes in it and he wants these holes to be cleared up. Mayor Lassiter asked that Holly put the Personnel Manual on the next Work Session.

Mayor Lassiter also asked that Holly put the Take Home Vehicle Policy on the Work Session. He stated that there are four policies regarding this policy and that the City should adhere to the Policy that is on file until it is fixed. Holly stated that it would need to be re-written.

There was also a discussion regarding the difference between the Personnel Manual and S.O.P.'s. and should they be included in the Personnel Manual. Rob Wheeler explained that S.O.P.'s are rules within a department and the Personnel Manual applies to every employee and that S.O.P.'s cannot override Personnel Manual or any other Ordinance. Commissioner Dorris brought up the Police Departments S.O.P.'s in regards to an officer working a wreck and Public Works pulling a pump using each departments S.O.P.'s. The City's drug policy was brought up during this discussion. Mayor Lassiter used the example of a City employee wrecking a City vehicle and that said employee would need to be drug tested within a certain amount of time of the wreck and that no S.O.P. would override the City's Personnel Manual regarding drug testing following a wreck in a City vehicle.

Mayor Lassiter stated that he believes that the City Manager should review and approve all S.O.P.'s to make certain that they do not go against the City's Personnel Manual.

Commissioner Gregory asked if a City employee had done something wrong to bring this to the Mayor's attention. Mayor Lassiter stated there are holes in the current Manual and that nobody messed up and if an employee brings up anything going wrong or issues to the Board's

attention, there is never anything wrong with that. That is what the employee is supposed to do and he wants to eliminate holes.

Mayor Lassiter asked Mr. Wheeler if the pay plan and job descriptions should be included in the Personnel Manual. Mr. Wheeler stated that Pay Scale can be referenced in the Personnel Manual but not necessarily put into the Manual; same with Job Descriptions.

16. Citizen Comments.

Larry Petty, 105 Echo Lane, had questions regarding an injury on the job in the way it relates to drug testing. He asked if an officer had a wreck would he have to have a drug test, to which the answer is yes because he damaged City property. He then asked if an office employee is injured on the job due to a fall, etc. would they have to be drug tested, to which the answer the was no. It is up to the City to require the drug testing for Workers Compensation claims. Random drug testing was then discussed. Rob Wheeler stated that he had represented a school system and Madison Suburban Utility District and in his findings and court rulings, random drug testing is job sensitive. He said that the finding with the school system was that drug testing could only be done with reasonable suspicion.

17. City Attorney Comments.

There were no City Attorney comments.

18. City Manager Comments.

There were no City Manager comments.

19. Commissioner Comments and other Board Reports.

There were no Commissioner Comments.

20. Adjournment.

**Commissioner Dorris made a motion to adjourn, seconded by Commissioner Gregory.
(Vote 4 yea – 0 nay.) Motion carried.**

Meeting adjourned at 6:22 P.M.

Respectfully Submitted,



Amy Hutchison
Recorder Pro Tem