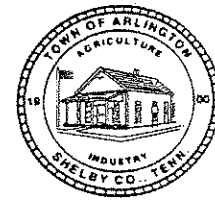


Town of Arlington

5854 Airline Road, Arlington, TN 38002



PUBLIC HEARING – Ordinance 2012-06 to amend Title 4, Chapter 3, Section 4-306, Sick Leave, of the Arlington Municipal Code.

Mayor Wissman opened the Public Hearing and advised that notice of the hearing was published in The Commercial Appeal on April 9, 2012. He invited anyone wishing to speak for or against to please stand to be recognized. State your name and address for the record. Hearing no comments, the Public Hearing was closed.

**Town Of Arlington
Board of Mayor and Aldermen
May 7, 2012
6:30 P.M.**

MEETING MINUTES

I. CALL TO ORDER AND ROLL CALL

Present

Mike Wissman, Mayor
Harry McKee, Vice Mayor
Gerald McGee, Alderman
Oscar Brooks, Alderman
Glen Bascom, Jr., Alderman
Brian Thompson, Alderman
Jeff McKee, Alderman - Late

Others Present

Gerald Lawson, Attorney
Steve Hill, Engineer
Heather Sparkes, Planner
Catherine Durant, Recorder
See List

Mayor Wissman called the Board of Mayor and Aldermen meeting to order and advised that a quorum was established.

II. OPENING PRAYER

Vice Mayor McKee led the opening prayer.

III. PLEDGE TO THE FLAG

Mayor Wissman welcomed State Representative, Ron Lollar, who led the Pledge of Allegiance.

IV. APPROVAL OF THE MINUTES FROM APRIL 2, 2012.

Mayor Wissman called for a motion to approve.

Motion: Alderman Thompson made a motion to approve the Board of Mayor and Aldermen minutes from the April 2, 2012, meeting. Alderman Brooks seconded the motion.

Mayor Wissman called for additions or corrections. Hearing no reply, he called for a vote.

Vote on Motion: The motion carried unanimously.

V. GRIEVANCES & COMMENTS FROM CITIZENS

Mayor Wissman asked if any citizen wished to address the Board to please come to the podium, state your name and address for the record. There were no comments from citizens.

VI. COMMUNICATIONS FROM THE MAYOR

A. Shelby County Sheriff's Department Incident Report for the Month of April 2012.

Mayor Wissman recognized Officer Fox who reviewed the report for the month of April 2012 (on file). There was a brief discussion regarding the incident at the Arlington Kroger. Mayor Wissman advised that he was very pleased with the Fire Department and Shelby County Sheriff's Department response to this incident. It was noted that the incident was an accident, not an intentional act.

B. Committee Appointment

Mayor Wissman advised that there is a vacancy on the Industrial Development Board. He stated that Mr. Hugh Lamar has agreed to fill the vacant position. Mayor Wissman called for discussion. Hearing no response, he advised that the position will be filled by Mr. Lamar, with an expiration date of December 2014.

C. Proclamation U.S. Border Patrol Agent Ross W. Goodwin

Mayor Wissman stated that long-time residents of Arlington, the Goodwin family, have a son, Ross W. Goodwin, who was chosen by the New Mexico Sheriff's and Police Association as their Law Enforcement Officer of the Year 2011 and 2012. Mayor Wissman read the Proclamation and presented it to Agent Goodwin's family on his behalf.

D. SES Continued Contractual Services

Mayor Wissman noted that this item is authorization for him, on behalf of the Board, to continue the contract with Southern Educational Strategies for going forward with the establishment of municipal schools. He noted that the rate is \$225 per hour, up to \$40,000. Mayor Wissman advised that the costs can be split between the municipalities, and noted that this cost is in the Town's budget for next year. Mayor Wissman called for

discussion. Alderman Thompson noted that the work SES has done so far has been beneficial. Mayor Wissman commented that the Town's attorney has been diligently working on the municipal school issue and SES is another resource.

E. Other as Properly Presented

1. Mayor Wissman thanked the organizers of the Relay for Life event which was a huge success. He also noted that Arlington in April was also a success. He stated that the efforts of the volunteers are greatly appreciated.
2. Mayor Wissman recognized Ron Lollar and stated that the Town owes him and other legislators a round of applause for their support and efforts regarding the municipal school issue and other issues regarding the Town.
4. There was nothing further to come before the Board.

VII. COMMITTEE REPORTS

All committee reports, including the Treasurer's Report and financial reports, for the month of April are on file at Town Hall and have been provided to the Board. Mayor Wissman asked if anyone wished to report on their committee. Alderman Thompson advised that Raleigh Tire is on the Design Review Committee agenda for their meeting on May 8th. Vice Mayor McKee noted that the finance report regarding the 2012/2013 Budget is on this meeting's agenda. Mayor Wissman noted that formation of the Parks and Recreation Committee is moving along. Vice Mayor McKee read the Treasurer's Report into the record.

VIII. OLD BUSINESS

- A. Second and Final Reading Ordinance 2012-06 to Amend Title 4, Chapter 3, Section 4-306, Sick Leave, of the Arlington Municipal Code.

Mayor Wissman called for a motion to approve.

Main Motion: Alderman McGee made a motion to approve the second and final reading of Ordinance 2012-06. Alderman Thompson seconded the motion.

Mayor Wissman called for discussion. Hearing no reply, Mayor Wissman called for a vote.

Vote on Motion: The motion carried unanimously.

- B. Request by Tim Carter and Juan Soto for Board Approval in Accordance with Title 10, Chapter 1, Section 10-106, of the Town of Arlington Municipal Code to Keep Livestock on Property that is Adjacent to Residential Property. (Tabled from last month)

Mayor Wissman called for a motion to approve.

Main Motion: Alderman Thompson made a motion to approve the request by Tim Carter and Juan Soto to keep livestock on property that is adjacent to residential property. Alderman Bascom seconded the motion.

Mayor Wissman called for discussion. Alderman Thompson requested an update on what progress has been made. Heather Sparkes, Town Planner, replied that the item was tabled last month so that the Town could obtain from surrounding property owners a notarized statement either consenting or not consenting to allowing livestock to the property line between the Soto/Carter property and their property. She noted that the only owners who did not consent were Mr. and Mrs. Renfrow. Mayor Wissman asked Ms. Sparkes for clarification of the Municipal Code. She replied that the Municipal Code states that the livestock area shall be kept clean and dry and all manure will be picked up daily and kept in a bin or receptacle to exclude flies and odor (on file). Ms. Sparkes advised that she provided a copy of the Municipal Code Section 10-106 to Mr. Soto, so that he is aware of what will be required if this request is approved. Alderman Bascom asked Ms. Sparkes why the distance is 100 feet back instead of 25 feet back on the fence. Ms. Sparkes replied that Section 10-106, (b) states 100 feet from the residence and a minimum of 25 feet from the boundary line. There was discussion regarding the location of the fencing. Alderman Bascom expressed concern about the involvement of the adjoining property owners in this matter. Mayor Wissman noted that Mr. Soto originally brought signatures to the Town and Gerald Lawson, Town Attorney, requested that the signatures be notarized for clarity. There was further discussion and Ms. Sparkes was asked her opinion. She replied that livestock were not on the property when the homes were built. She noted that had livestock been there when the homes were built, it would have been a different situation. She suggested that the livestock (cows) will make noise, attract flies, create odors and cause the residents to complain. She advised that this is why Mr. Lawson requested that the Town obtain notarized consent letters from the current adjoining property owners and keep them on file as evidence of approval for future owners of the properties. There was further discussion.

Mayor Wissman called for discussion. Hearing no reply, Mayor Wissman called for a vote.

Vote on Motion: The motion carried unanimously.

C. Other as Properly Presented

There was no old business brought forward.

IX. NEW BUSINESS

A. First Reading Ordinance 2012-07 Revoking Previously Enacted Town of Arlington Ordinance 2012-04.

Mayor Wissman called for a motion to approve.

Main Motion: Vice Mayor McKee made a motion to approve the first reading of Ordinance 2012-07. Alderman McGee seconded the motion.

Mayor Wissman advised that Ordinance 2012-04 had to do with a referendum regarding the creation and funding of a municipal school district. He stated that the Town will move forward with a new ordinance.

Mayor Wissman called for discussion. Hearing no reply, he called for a vote.

Vote on Motion: The motion carried unanimously.

B. First Reading Ordinance 2012-08 to Further Amend the Town of Arlington FY 2011/2012 Budget.

Mayor Wissman called for a motion to approve.

Main Motion: Alderman Bascom made a motion to approve the first reading of Ordinance 2012-08. Alderman Brooks seconded the motion.

Mayor Wissman called for discussion. Hearing no reply, he called for a vote.

Vote on Motion: The motion carried unanimously

C. First Reading Ordinance 2012-09 Adopting the Annual Budget, Tax Rate and Board Compensation for Fiscal Year Beginning July 1, 2012 and Ending June 30, 2013.

Mayor Wissman called for a motion to approve.

Main Motion: Alderman Brooks made a motion to approve the first reading of Ordinance 2012-09. Alderman Bascom seconded the motion.

Mayor Wissman called for discussion and recognized Vice Mayor McKee, Chairman of the Finance Committee, who noted that there were a lot of challenges and recognized the committee members present and Catherine Durant, Recorder/Treasurer, for their hard work. Vice Mayor McKee also recognized Ed Haley, Town Superintendent, and Dickie Wiseman, Public Works Superintendent, for their input. Mayor Wissman thanked all Department Heads, especially Ms. Durant and her staff. He noted that the proposed budget calls for a fifteen cent (0.15) property tax increase for the revenue needs of the Town. Vice Mayor McKee noted that the consultants have advised .04, .05 or .06 cents and none of that has to do with capital projects for schools if needed. He noted that Shelby County is not doing any capital improvement projects on their schools, and stated that right now the high school needs \$80,000 worth of work which is not happening. Vice Mayor McKee stated that as a result, the Town will face capital improvements upon moving forward with a municipal school district and needs to be prepared. Vice Mayor McKee explained that a fifteen cent increase means an increase of \$75 on the property tax of a \$200,000 home. Mayor Wissman stated that the Town needs to be prepared for moving forward. Mr. Haley advised that with reappraisals next year, there could be a decrease in property value which means a decrease in the Town's revenue. Alderman Thompson asked about the FEMA safe room project. Mayor Wissman replied that the Town is waiting for official documents from FEMA. He stated that this project will be

presented to the BMA for their approval. Mayor Wissman called for further comments. Hearing no further comments, he called for a vote.

Vote on Motion: The motion carried unanimously.

- D. First Reading Ordinance 2012-10 to Add Title 1, Chapter 5 to the Code of Ordinances of the Town of Arlington authorizing the Creation and Funding of a Municipal School District in the Town of Arlington and to Submit the Proposed Ordinance to the Qualified Voters of the Town of Arlington.

Mayor Wissman advised that this item was removed from tonight's agenda and will be on the agenda of a special-called meeting on May 17, 2012, at 5:30 p.m. and a second special-called meeting on May 29, 2012, time to be determined.

- E. Resolution 2012-12 to Remove Uncollectible Taxes from the Town of Arlington's Certified Tax Rolls.

Mayor Wissman called for a motion to approve.

Main Motion: Alderman McGee made a motion to approve Resolution 2012-12. Vice Mayor McKee seconded the motion.

Mayor Wissman noted that the uncollectible taxes total \$5,263.35 and called for discussion. Hearing no reply, he called for a vote.

Vote on Motion: The motion carried unanimously.

- F. Resolution 2012-13 to Amend the Personnel Policy for the Town of Arlington, Tennessee, Section IV, Employee Compensation and Benefits, Item F. Sick Leave, Item N. Retirement System and Item O. Insurance Coverage.

Mayor Wissman called for a motion to approve.

Main Motion: Alderman Thompson made a motion to approve Resolution 2012-13. Vice Mayor McKee seconded the motion.

Mayor Wissman called for discussion. Vice Mayor McKee asked when this will go into effect. Ms. Durant replied that tomorrow they will re-calculate the days into hours and then enter into the computer. She stated that as of tomorrow, as soon as they meet with the employees to discuss the changes, they will be able to take only sick leave in hourly increments. Vice Mayor McKee commented that he has talked with several employees who are looking forward to not losing extra hours, when they can leave and return from an appointment in less than four hours. Mayor Wissman commented that this change may benefit the Town as well as the employees. He called for further comments. Hearing no reply, he called for a vote.

Vote on Motion: The motion carried unanimously.

- G. Resolution 2012-14 Authorizing the Issuance of Interest Bearing Fire Equipment Acquisition Capital Outlay Notes, Series 2012, in an Amount not to Exceed \$550,000 and Providing for the Payment of Said Notes.

Mayor Wissman called for a motion to approve.

Main Motion: Alderman Brooks made a motion to approve Resolution 2012-14. Alderman J. McKee seconded the motion.

Mayor Wissman advised that this is for a new pumper truck that the Town has been needing for some time. He noted that the Town looked at two funding options – using reserve funds or financing. He stated that financing would not cost that much in additional interest and the Town has the option to pay the loan off earlier than in seven years without penalty. Chief Rutledge advised the members on how the new pumper would be used in conjunction with the current equipment. There was discussion. Vice Mayor McKee asked Ms. Durant about the time frame for ordering the vehicle. She replied that there is a provision in the resolution that allows the option to close in six months from the date of authorizing the resolution. Mayor Wissman called for further comments. Hearing no reply, he called for a vote.

Vote on Motion: The motion carried unanimously.

- H. Discussion of At Large Positions Versus District Positions for School Board Elections.

Mayor Wissman recognized Gerald Lawson, Town Attorney, who advised that the Town is looking at a referendum regarding a municipal school district in August provided everything goes through in Nashville. He then advised that upon approval of the referendum by the voters, the Town will need to elect a school board at the November General Election. He explained the process for electing the school board to include determining the number of positions, should the positions be at-large or by districts, and compensation. He noted that the bill now allows for the number of positions to be at-large with no less than three and no more than eleven. He then outlined the board qualifications as must be a high school graduate or GED; agree to additional training required by the State; and comply with residency requirements of at least one year. Mr. Lawson stated that the Board's discussion needs to address all of the stated criteria. He advised that the other Towns are planning on going with at-large positions. He noted that all the other Towns, except Lakeland, have at-large positions. Mayor Wissman stated that there is a budget for five positions which seems to be an optimal number to manage. He noted that most school board members do not get paid with the exception of Knoxville. Mayor Wissman stated that Arlington has budgeted for \$300 per month or \$3600/year per board member, with other expenses to be determined in a school board budget. He emphasized that his goal is to get the best candidates he can for the board and asked for input if anyone has any recommendations. Alderman Bascom asked if the terms would be staggered to coincide with municipal elections. Mayor Wissman said the terms would need to be staggered. Mr. Lawson advised that he will look into how the staggered terms should be set up and advise the Board on May 17th. Alderman Thompson commented that he felt five at-large positions were adequate at this point. Alderman Bascom suggested that the school board should be residents for at least one

year. There was further discussion. Mr. Lawson advised that he will present to the Board Members a written recommendation for establishing a school board.

Other as properly presented.

There was no other new business to come before the Board.

X. APPROVAL OF BILLS

Motion: Alderman Thompson made a motion to approve bills for payment. Alderman Brooks seconded the motion.

Mayor Wissman called for discussion. Hearing no reply, he called for a vote.

Vote on Motion: The motion carried unanimously.

XI. ADJOURNMENT

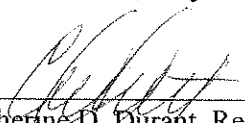
Motion: Alderman Thompson made a motion to adjourn. Vice Mayor McKee seconded the motion. The motion carried unanimously.

Meeting adjourned.



Mike Wissman, Mayor

6-4-12
Date



Catherine D. Durant, Recorder

6-4-12
Date

Submitted By: Theresa Smith, Planning Clerk