Town of Arlington
5854 Airline Road, Arlington TN 38002
Board of Mayor and Aldermen
November 4, 2019
6:30 P.M.

MEETING MINUTES

I. Call to Order and Roll Call.

Present
Mike Wissman, Mayor
Larry Harmon, Alderman
Jeff McKee, Alderman
Harry McKee, Vice Mayor
Jeremy Biggs, Alderman
Russell Wiseman, Alderman
Oscar Brooks, Alderman

Others Present
Catherine Durant, Town Administrator
Gerald Lawson, Town Attorney
Brittney Owens, Town Recorder/Treasurer

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

II. Opening Prayer.

Opening prayer was led by Jeff McKee, Alderman.

III. Pledge to the Flag.

The Pledge of Allegiance was led by Wade Wissman.

IV. Approval of the minutes from October 7, 2019.

Motion: Alderman McKee made a motion to approve the minutes from October 7, 2019.
Alderman Harmon seconded the motion.

The motion carried unanimously.

V. Grievances and Comments from Citizens:

Ruby Hannah, 12015 Brown Street, thanked the Public Works Department and WastePro by stating that everyone has been very helpful with quick responses to her needs.
VI. Communication from the Mayor.

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

The full report is on file at Town Hall.

B. Arlington Fire Department Report for the Month of October.

Mayor Wissman recognized James Harvill, Fire Chief. Chief Harvill stated that there was a total of 87 responses with 42 of them being EMS calls. There were 12 calls south of I-40 and 9 calls on I-40. On October 30th, a Push In and dedication ceremony was held for the new quint and it will be in service in the next two weeks.

Alderman McKee noted that things are looking productive at the location for the new fire station.

C. Elect Vice Mayor.

Mayor Wissman explained that the election for Vice Mayor occurs every two (2) years concurrent with the election cycle. He opened the floor for nominations.

Nominations for Vice Mayor: Alderman Brooks nominated Harry McKee based on his commitment to the Arlington community and his previous experience as Vice Mayor. Alderman Wiseman seconded the nomination.


Vote on Nomination: Nomination for Harry McKee passed unanimously.

D. Committee Appointments.

Mayor Wissman noted that the Town had several new applications for committees from very experienced and qualified individuals. He noted that this was a stressful process.

The Mayor noted that the Board of Mayor and Aldermen makes one appointment to the Planning Commission and asked that nominations be made for this appointment.

Nominations for Planning Commission: Alderman McKee nominated Alderman Brooks. Vice Mayor McKee seconded the nomination.

Alderman Harmon nominated Alderman Biggs. Alderman Biggs seconded the nomination.

Mayor Wissman called for a Roll Call Vote on the Nominations.
Roll Call: Harmon-Biggs
Wiseman-Biggs
J. McKee-Brooks
Brooks-Brooks
H. McKee-Brooks
Biggs-Biggs
Mayor-Brooks

Vote on nomination goes 4-3 to Alderman Brooks, who will take the position on the Planning Commission.

Mayor Wissman made the following Committee Appointments:

Planning Commission: Victor Ghosheh to replace Don Hinkle. EXP 11/20

Design Review Committee: Alderman McKee EXP 11/20
Rick Eavenson EXP 11/21
Josh Holtgrewe EXP 11/21
Ron Colin EXP 11/21

Board of Zoning Appeals: Jon Moultrie EXP 11/21
Alderman Wiseman EXP 11/21

Finance: Ricky Hunt EXP 11/21
Eric Howell EXP 11/21
Ron Williams EXP 11/21
Vice Mayor McKee 11/20

Health and Safety: Alderman Harmon EXP 11/20

Parks and Recreation Advisory Board: Alderman Biggs EXP 11/20

Library: Alderman Wiseman EXP 11/20

IDB: Appointments for this committee will take place in January.

E. Other as properly presented.

1. Tonia Howell, Chamber of Commerce noted that the next luncheon will be on November 13. She stated that the Veterans Ceremony will be held on November 10th in Depot Square. Mrs. Howell read a proclamation from Lee Harris, Mayor of Shelby County into the record. The proclamation referenced a bicentennial celebration that will be held on November 24th. Arlington will be participating in the celebration.
2. Mayor Wissman recognized Cheryl Pardue for all her hard work and dedication as an Alderman for the past two years. In honor of her service she was presented with a plaque.
3. Mayor Wissman noted that Christmas on the Square will be held at Depot Square on November 23rd and the Christmas Parade will be held on December 7th.
4. Mayor Wissman noted that he will be meeting with the County Commissioner regarding sales tax and MATA issue.

VII. Committee Reports

Mayor Wissman stated the Planning Commission, Parks and Recreation Advisory Board, and Design and Review Committee, met during the month of October.

The Treasurer’s report for the month of October and the financial reports had been given to the Board. Alderman Brooks read the Treasurer’s report into the record.

Vice Mayor McKee noted that on December 10th at 10 AM there will be a regional TML Conference in Millington, TN. This meeting will prepare municipalities for changes of legislation that may impact the area.

Brittney Owens, Town Recorder/Treasurer, noted that there will be auditors at Town Hall November 18-22.

VIII. Consent Agenda

A. Resolution 2019-57 to adopt a Hiring Policy, Safety and Operations manual, and Drug and Alcohol Policy

B. Resolution 2019-58 to authorize Mike Wissman, in his capacity as Mayor, of the Town of Arlington, Tennessee to enter into an employment agreement with Catherine D. Durant as Town Administrator

C. First Reading of Ordinance 2019-11 to amend Title 4, Chapter 4 travel policy by the Amendment, Deletion and Addition of certain sections.

Mayor Wissman called for a motion to approve the Consent Agenda.

Main Motion:

Vote on Main Motion: The motion carried unanimously.
IX. Old Business

There was no old business brought forward.

X. New Business

A. Resolution 2019-54 to adopt a permit application process and fee scheduled, for small cells, in accordance with the Competitive Wireless Broadband Investment Deployment, and Safety Act of 2018, Public Chapter 819

Mayor Wissman recognized Catherine Durant, Town Administrator. Mrs. Durant stated the State of Tennessee adopted House Bill 2279 on April 12, 2018 which was enacted by Governor Bill Haslam, to amend Tennessee Code Annotated, Title 13 relative to enacting Competitive Wireless Broadband Investment, Deployment and Safety Act of 2018. This act will enhance the 5G wireless connectivity that will be critical for safety operations of the Town as well as communication for the area and residents. The Town will also be adopting a permit application review process to support the structures that will be placed. Mrs. Durant noted that there will be an Ordinance brought before the Board regarding the changes to the permit process. Staff recommends approval.

Mayor Wissman called for a motion.

Main Motion: Alderman Brooks made a motion to approve Resolution 2019-54. Vice Mayor McKee seconded the motion.

Mayor Wissman called for discussion or questions. Hearing no further discussion, Mayor Wissman called for a vote on the main motion.

Vote on Main Motion: The motion carried unanimously.

B. Resolution 2019-55 to authorize Mike Wissman, in his capacity as Mayor of the Town of Arlington, Tennessee to enter into a contract with White Construction for construction services for SR-205 Widening for I-40 to North of Milton Wilson Blvd in accordance with TDOT requirements for Locally Managed Projects, TDOT PIN#120178.00

Mayor Wissman recognized Catherine Durant, Town Administrator. Mrs. Durant stated that a notice to contractors was published in the Daily News on September 26th and in the Commercial Appeal on September 27th. The Town received sealed bids on October 29th until 2PM at which time the bids were opened publicly and read aloud. A total of four (4) bids were received, with the lowest responsive bidder being White Construction based on the total base bid in the amount of $2,616,633.11. This contract is subject to funding and review and approval by the Tennessee Department of Transportation (TDOT). Fisher Arnold, the engineer on
the project, presented a letter of recommendation and it was provided to the Board. There is also an 80/20 TDOT match for this project as well as 270 days for completion from the contract date. Mrs. Durant noted that once everything has been approved and the contract date has been set, she will advise the Board on the determined completion date. Staff recommends approval.

Mayor Wissman called for a motion to approve.

**Main Motion:** Alderman McKee made a motion to approve Resolution 2019-55. Alderman Brooks seconded the motion.

Mayor Wissman called for discussion and questions. Hearing no further discussion, the Mayor called for a vote on the main motion.

**Vote on Main Motion:** The motion carried unanimously.

C. **Resolution 2019-56 to replace the Personnel Policy with an Employee Handbook.**

Mayor Wissman recognized Brittney Owens, Town Recorder/Treasurer. Mrs. Owens stated that this was a handbook created between staff and the Town’s third party HRO Partners. She stated that this is a complete rewrite of the handbook and noted that staff would highlight some of the major changes. Staff has also added witness leave, clarified the social media policy, removed the travel policy and removed the purchasing policy which is now a separate policy adopted in January 2019. The purpose of the handbook is to educate a new employee on what is expected of them as well as a reference guide for department heads to assist their own staff.

Jessica Fussell noted that under the employment section language was added to state that upon termination of employment that the employee would lose seniority. She noted that the introductory period has increased from 90 days to 180 days, and clarified that employees will accrue PTO during their 180 days but an employee will be permitted to use the accrued PTO after the first 90 days. Retirement will not be matched until the employee has met the 180 day period. The employee can contribute but the Town will not match until the introductory period has been complete.

She noted that language was added in the Conduct and Behavior section to reference insubordination. She explained the Chain of Command will be upheld, and it will be prohibited to file complaints with Elected Officials or Town Administration without notifying the Director of that department. The grievance procedure has been updated to state that if an employee has a grievance, they must file it in writing with their next level supervisor. A response will be granted within 10 days of receipt. An employee can go to the next level of supervision if they feel
that the response received was not satisfied. This can continue all the way up to the Town Administrator. If the complaint is about a Department Head, Town Administrator, Town Recorder or the Town Attorney, a third party must be brought in to investigate within 10 business days. Mrs. Owens stated that this policy was not written to prevent Elected Officials from speaking with employees however an employee must go through their chain of command first.

Staff gave a brief overview of employee health and safety and the zero tolerance policy for any use of drugs or alcohol. The personal appearance and hygiene section has been streamlined and the main point is the Town requires employees to maintain a neat and clean appearance in the workplace. Staff indicated that the Social Media policy has been modified and these guidelines do not to infringe on an employee’s section 7 rights. However, staff encourages employees to avoid online harassment, provide honest information, avoid defamation, and employees must not use Town information to run a social media site.

Mrs. Owens presented the changes in the compensation section stating that overtime and time work that is subject to overtime rates has been clarified. All job descriptions state that employees are required to work overtime and employees are not allowed to work unauthorized overtime. Employees that are habitually unavailable to work overtime are subject to discipline. Staff is currently working with HRO Partners and UT MTAS on Performance Evaluations and she noted this will be brought back before the Board as an amendment.

Mrs. Owens explained the proposal to go to bi-weekly payroll instead of weekly beginning January 1st, 2020. She stated that staff understands that this will be a hardship for our employees and proposed that the last check in December be two weeks’ worth of pay to help adjust employees over to the bi-weekly pay pending Board approval. Their first paycheck in 2020 will be January 10th. She stated that beginning January 1st, employees will not get their birthday off but in place will receive Veteran’s Day. Staff also noted that per employee feedback, the amount of sick time allowed to be carried on the books was concerning. Staff is proposing for an 8 hour employee that the amount goes from 720 to 960 hours of sick time and for 24 hour employees that the amount goes from 1080 to 1400 hours which equates to 6 months. Mrs. Owens wanted to remind the Board that this was an employee request through the feedback that was received during the employee surveys, and stated that it would only affect a handful of employees. The maximum of vacation has changed from 20 to 25 days equal to 5 weeks and for 24 hour employees increases from 10 to 12.5 shifts. Lastly, bereavement leave has increased from 2 to 3 days for 8 hour employees and 2 shift days for 24 hour employees.

Mayor Wissman called for a motion.
Main Motion: Vice Mayor McKee made a motion to approve Resolution 2019-56. Alderman Brooks seconded the motion.

Mayor Wissman thanked staff for their recommendations as well as trying to accommodate the employees via their feedback from the surveys. Alderman Harmon inquired about the maximum of sick hours and how long would it take an employee to accrue 6 months. Mrs. Owens stated that an 8 hour employee accrues 1 day per month and a 24 hour employee accrues .5 shifts per month. Mrs. Owens stated that there are only 5 employees currently maxed out on their sick time. Alderman Harmon stated his only concern is that people with injuries that can’t come in where others have been able to. Mrs. Owens stated that there are laws in place that protect employees and the Town is required to make reasonable accommodations if they are available. She also stated that the amount of sick time allowed to be carried on the books would carry them through the time period needed to be eligible for Long-term disability.

Mrs. Durant noted that this handbook is a collaborative effort between staff and HRO Partners. With HRO’s help, staff has been able to make sure that all policies are up to State and Federal regulations.

Alderman McKee inquired about how the paychecks would be distributed beginning January 1st. Mrs. Owens stated that employees will be paid every other Friday so in some instance’s employees may be paid three times in one month. Alderman McKee wanted to clarify that the extra week of pay at the end of December is being voted on at the same time as the Resolution. Mrs. Owens stated that it is a request to help the employees out but that it could come back at a later date if needed. Alderman McKee and Mayor Wissman both stated that it is a great gesture. Alderman Biggs asked if the extra week of pay was approved would it affect the budget as far as more money being requested. Mrs. Owens stated that there would be an amendment to reallocate the funds from the health insurance line item to the salary line items but that it would not be a request for additional funding.

Vice Mayor McKee inquired about how the deductions would be distributed employees paychecks. Mrs. Owens said that currently deductions are run on a 48 week cycle with four paychecks not having any deductions taken. The new cycle would be a 26 week cycle and employees would have two paychecks with no deductions.

Hearing no further comments, Mayor Wissman called for a vote.

Vote on Main Motion: Vote carried unanimously.

D. Other as properly presented
Brittney Owens, Town Recorder/Treasurer stated that an emergency purchase has been presented before the Board regarding the Wastewater Treatment Plant. Staff is asking for the Board to acknowledge and approve the purchase of a Drum Scrubber in the amount of $22,900.

Mayor Wissman called for a motion.

Main Motion: Alderman Wiseman made a motion to approve the emergency purchase requested by Waste Water. Alderman Brooks seconded the motion.

Mayor Wissman called for discussion and questions. Hearing no further comments, Mayor Wissman called for a vote on the main motion.

Vote on Main Motion: The vote carried unanimously.

XI. Approval of the bills for payment

Mayor Wissman called for a motion to approve the bills for payment.

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

Mayor Wissman called for a vote on the main motion.

Vote on Main Motion: The motion carried unanimously.

XII. Adjournment:

Main Motion: Alderman Brooks made a motion to adjourn. Alderman McKee seconded the motion.

Meeting Adjourned.

Mike Wissman, Mayor

Brittney Owens, Recorder

Date

Date