

Minutes  
Regular Meeting  
Bluff City Board of Mayor & Aldermen  
March 10, 2011

Vice-Mayor Gentry called the meeting to order at 7:00 p.m.

Members present were Melvin Carrier, J.C. Gentry, Robert Miller, Mark Weaver and Irene Wells.

Prayer was by Vice-Mayor Gentry followed by the Pledge of Allegiance.

Alderman Carrier made a motion to approve the minutes from the regular meeting on December 9, 2010. Second by Alderman Miller.

Roll Call Vote:	Alderman Carrier	yes
	Vice-Mayor Gentry	yes
	Alderman Miller	yes
	Alderman Weaver	yes
	Alderwoman Wells	yes

Vice-Mayor Gentry opened the floor for the first section of citizen comments.

1. Steve Skaggs with the Bluff City Volunteer Fire Department presented the BMA with information on the truck that they had requested money to buy.
2. Julie Venable asked the BMA to consider installing a street light at the OMVT Park and stated that she would like to see something for the children at the park.
3. Jerry Malone stated that he was the fund raiser chairman for the Bluff City United Fund.

Vice-Mayor Gentry opened the public hearing on Ordinance No. 2011-001 at 7:11 p.m. Representative for City Attorney Keith Bowers read Ordinance No. 2011-001, an ordinance to amend Title 18 – 106 known as “Water and Sewer” Connection Charges. Richard Boling asked if the ordinance said that everybody that lives inside the city limits is going to require to hook onto the city sewer. Recorder Dulaney said that has always been that way. Mr. Boling asked if there were anybody inside the city limits who was not hooked onto it. Recorder Dulaney said yes there was two which could not be connected due to the gravity flow. Mr. Boling said that his house was below the line and he had to buy a pump to pump the sewage to a grinder. Recorder Dulaney said that this pump was only an option. Mr. Boling said that the city would not let him put in a septic tank or use the one that was there. Recorder Dulaney said that the septic tank would have to be approved by the Health Department not Bluff City. Mr. Boling said that the foreman that was with the city before Chris Range is the one that told him he had to put the pump in. Vice-Mayor Gentry closed the public hearing at 7:25 p.m.

Vice-Mayor Gentry presented Ordinance No. 2011-001 to the BMA for consideration on second reading. Alderman Carrier made a motion to approve Ordinance No. 2011-001 with a second by Alderman Miller.

Roll Call Vote:	Alderman Carrier	yes
	Vice-Mayor Gentry	yes
	Alderman Miller	yes
	Alderman Weaver	yes
	Alderwoman Wells	yes

Vice-Mayor Gentry opened the floor for discussion/action on the Governor's Highway Safety Grant for \$5,000.00. Recorder Dulaney said that Chief Nelson told her that this grant was lowered to \$4,000.00. Alderman Miller made a motion to apply for the Governor's Highway Safety Grant. Second was by Alderman Carrier.

Roll Call Vote:	Alderman Carrier	yes
	Vice-Mayor Gentry	yes
	Alderman Miller	yes
	Alderman Weaver	yes
	Alderwoman Wells	yes

Vice-Mayor Gentry opened the floor for discussion/action for pay increases for (3) three employees per the city manager's request. Alderwoman Well asked if this was to be a closed session. City Attorney, Keith Bowers representative said that if the board discussed specific employees you cannot ask for it to be a closed session. City Manager Don Weaver said he would not mention the names of the employees. Mr. Weaver said that these positions came open so he went in house and put three employees in these vacancies and there were pay increases involved and the money should be in those line items to do this. Recorder Dulaney said that the problem with this was that the previous city foreman worked in the streets/highway department and the new city foreman works in water sewer so there is not money in the line item in the water/sewer fund to give \$1.00 per hour pay increase without a board vote. Recorder Dulaney stated that the boards past and present have ever approved an organizational chart to create ranks in the police department. Alderwoman Wells made a motion to give Milton Boyd a \$1.00 per hour raise. Second by Alderman Weaver. Recorder Dulaney said the board needed to approve an ordinance if they wanted to create these positions. Vice-Mayor Gentry instructed City Manager Weaver to get with the city attorney and prepare an ordinance adopting an organizational chart. Alderman Miller said that City Manager Weaver was going to forward the paperwork to the board regarding the dismissal of the previous foreman and he has yet to receive it. City Manager Weaver said that the city attorney advised him not to do that and he would address it behind closed doors with the board. Alderman Miller said that City Manager Weaver would not be liable for anything that the board directed him to do as he is an employee of the board, and he was not comfortable granting any other request to promote anyone to a position that he is not absolutely confident was eliminated appropriately. Alderman Miller told City Manager Weaver he should have informed the board that the information was not going to be available to the board. Alderman Miller told City Manager Weaver that

this was not the first time the board has requested information and he failed to produce it. Alderman Miller said that this was not discussed with the recorder but this was done in February, three weeks ago and asked Mr. Weaver why he did not discuss it with her. Mr. Weaver said he discussed it with the recorder after he did it. Alderman Miller said no, why did you not discuss it with her prior to giving the promotions with increases. City Manager Weaver said he did not understand at that time how it had to be paid out of the budget. Alderman Carrier told Mr. Weaver he took the position as the city manager and he should have known that. Alderman Miller said that in the future Mr. Weaver was to seek counsel through the city's financial officer before making these decisions and he would ask that the board support him in this. Alderman Miller said that City Manager Weaver had created a situation that was undesirable as he had awarded an employee a title and promised a raise that he was not 100% certain was legal, appropriate or approved whereas a simple meeting with the financial officer on the subject matter would have come to light immediately. City Manager Weaver said probably. City Manager Weaver asked what was wrong with transferring the money from the streets/highways into the water/sewer fund for the pay increase. Alderman Miller told City Manager if he could shave a couple of laws off the Tennessee State Law and the state will do that they could fix the water lines too, but the problem is it is illegal to move money from the general fund to the water/sewer fund. Alderman Miller stated that this should not be the type of issues that he was informing the city manager of and when they come to the table these things should have already been taken into account by the city manager prior to the meeting. Alderwoman Wells asked the city recorder if the \$1.00 for the foreman could be moved out of the camera fund or unappropriated funds. Recorder Dulaney said that it can be taken from unappropriated funds from the water/sewer fund. Alderman Miller stated that the General Fund had money but the Water/Sewer Fund did not. Alderwoman Wells stated that her motion stands as you could not accept a foreman's position and not be paid more. Alderman Weaver said his second stood as well. Alderman Carrier asked if this was the same person that has a water license and let the waterline freeze on the bridge that was going to cost over \$200,000.00 and then the same person let the water line freeze on the swinging bridge. Alderman Weaver said that there was no proof of this. Alderman Miller asked if there was disciplinary action given to this person for letting the water line freeze. City Manager Weaver said yes. Alderman Miller said then he found him at fault if he gave disciplinary action.

Roll Call Vote:	Alderman Carrier	no
	Vice-Mayor Gentry	yes
	Alderman Miller	no
	Alderman Weaver	yes
	Alderwoman Wells	yes

No report from Mayor

Report from City Attorney – His representative reported that (4) tickets were dealt with in city court. Stated that the ASCAP music license needed to be approved by the board and pay the \$300.00. Report that City Attorney Bowers had made contact with the railroad about leasing the property and he would

report this at the next meeting. Representative stated that he was instructed to look into the security measures for other government bodies and he contacted 76 other government bodies in this state and 59 use metal detectors before meetings and 17 do not use metal detectors. She stated that Mr. Bowers would be back next month.

Comments from the Aldermen:

1. Alderman Carrier said he was glad to see everybody come out tonight.
2. Alderman Miller thanked everyone for coming and he appreciated the fire department and everybody else.
3. Alderwoman Wells thanked everyone for coming to the meeting.
4. Alderman Weaver thanked everybody coming.

Report from city officials:

1. City Manager Weaver - No Report  
Alderman Miller requested that the city manager come to the meetings prepared to give a report to the board of Mayor & Aldermen.
2. City Recorder Dulaney – Stated for the record that she had given the financial statements and bank balances to the board in their packets.
3. Chief of Police Nelson – Presented the police report for the month of February. Stated that he would attend the 911 Board meeting for the budget. Reported that accident reports are going to be required to be done by computer. Alderman Miller asked if the state would be providing the software for the programs. Chief Nelson said yes. Chief Nelson said that the state would not pick up the cost of meth lab cleanups the city would be responsible. Alderman Carrier requested Chief Nelson to train the other police officers to operate the stationary speed trailer.

Officer McClintock presented a power point report to the board with regard to the duties of a reserve police officer and requested the board to consider authorizing funds to operate the police reserve program. Officer McClintock requested the board to consider \$500.00 per reserve officer for (7) reserve police officers. Mayor Wells thanked the officers that provided services for event held by the Bluff City United Fund.

No county commissioners were present.

Vice-Mayor Gentry opened the floor for Old Business. Alderman Miller made a motion to approve the contract with the ASCP music license for \$300.00. Second by Alderman Weaver.

Roll Call Vote:	Alderman Carrier	yes
	Alderman Miller	yes
	Vice-Mayor Gentry	yes
	Alderman Weaver	yes



