

CITY OF WHITE HOUSE
Board of Mayor and Aldermen Agenda
January 17, 2008
7:00 p.m.

1. Call to Order by the Mayor
2. Prayer/Pledge
3. Roll Call
4. Adoption of the Agenda
5. Approval of Minutes of December 20, 2007 Meeting
6. Welcome Visitors/Public Communications

7. Public Hearings/Delegations
 - A. **Resolution 08-01** – A resolution of the Board of Mayor and Aldermen of the City of White House, Tennessee, to comply with T.C.A. 6-51-102, requiring a plan of service prior the approval of an ordinance annexing any area.
 - B. **Ordinance 07-37** - An ordinance to amend the floodplain provisions of the zoning ordinance, approve Robertson County GIS formatted FEMA flood maps and incorporate them into the zoning map. **Second Reading.**
 - C. **Ordinance 07-38** – An ordinance to amend Article V of the zoning ordinance as indicated, for the addition of the C-5 Limited Office/Professional zoning district. **Second Reading.**
 - D. **Ordinance 07-39** – An ordinance to annex certain territories and incorporate same within the corporate boundaries of the City of White House, Tennessee. **Second Reading.**
 - E. **Ordinance 07-40** – An ordinance to amend the zoning map relative to Robertson County Tax Map 119B, Group C, Parcel 12 for a 0.81 acre portion of Parcel 12 from R-20, Low Density Residential to R-15, Medium Density Residential and a 0.55 acre portion of Parcel 12 from R-20, Low Density Residential to C-2, General Commercial. **Second Reading.**
8. Communications from Mayor, Aldermen and City Administrator
9. Acknowledge Reports
 - A. General Government
 - B. Police
 - C. Fire
 - D. Public Works
 - E. Wastewater
 - F. Planning and Codes
 - G. Parks
 - H. Library
 - I. Engineering
 - J. Court Clerk
 - K. Monthly Financial Summary

10. New Business

A. Consideration of the following resolutions:

1. **Resolution 08-01** – A resolution of the Board of Mayor and Aldermen of the City of White House, Tennessee, to comply with T.C.A. 6-51-102, requiring a plan of service prior the approval of an ordinance annexing any area.
2. **Resolution 08-02** – A resolution of the Board of Mayor and Aldermen of the City of White House, Tennessee, approving certain amendments and revisions to the Personnel Manual.

B. Consideration of the following ordinances:

1. **Ordinance 07-37** – An ordinance to amend the floodplain provisions of the zoning ordinance, approve Robertson County GIS formatted FEMA flood maps and incorporate them into the zoning map. **Second Reading.**
2. **Ordinance 07-38** – An ordinance to amend Article V of the zoning ordinance as indicated, for the addition of the C-5 Limited Office/Professional zoning district. **Second Reading.**
3. **Ordinance 07-39** – An ordinance to annex certain territories and incorporate same within the corporate boundaries of the City of White House, Tennessee. **Second Reading.**
4. **Ordinance 07-40** – An ordinance to amend the zoning map relative to Robertson County Tax Map 119B, Group C, Parcel 12 for a 0.81 acre portion of Parcel 12 from R-20, Low Density Residential to R-15, Medium Density Residential and a 0.55 acre portion of Parcel 12 from R-20, Low Density Residential to C-2, General Commercial. **Second Reading.**
5. **Ordinance 08-01** – An ordinance amending the Municipal Code, Title 18, Chapter 3, Sewer Rates, Fees and Charges. **First Reading.**
6. **Ordinance 08-02** – An ordinance amending the fiscal budget for the period ending, June 30, 2008. **First Reading.**

C. Finance

1. Presentation and acceptance of FY07 audit by Work and Greer.
2. Board approval to purchase a new Kubota F2880, 4-wheel drive, commercial 72" front deck mower for the Parks Department.
3. Board approval for surplus of Public Works equipment.

- 4 Board approval to purchase a new Ford F250, 4X4, Extended Cab with service bed for the Wastewater Department.
- 5 Board approval of employee "Biggest Loser" contest.

11. Adjournment

CITY OF WHITE HOUSE
Minutes
Board of Mayor and Aldermen Agenda
December 20, 2007
7:00 p.m.

1. Call to Order by the Mayor

Mayor Decker called the meeting to order at 7:00 p.m.

2. Prayer/Pledge

Prayer and Pledge to the American Flag by Ald. Leftwich.

3. Roll Call

Ald. Arnold –Present; Ald. Bibb – Present; Ald. Bracey – Present; Ald. Leftwich – Present, Mayor Decker – Present. **Quorum Present.**

4. Adoption of the Agenda

Motion was made by Ald. Bibb, second by Ald. Leftwich. **Agenda adopted.**

5. Approval of Minutes of November 15, 2007 Meeting

Motion was made by Ald. Bracey, second by Ald. Leftwich, to approve the minutes as written. **Minutes approved.**

6. Welcome Visitors/Public Communications

Mayor Decker welcomed the visitors.

7. Public Hearings/Delegations

- A. **Resolution 07-22** – A resolution of the Board of Mayor and Aldermen of the City of White House, Tennessee, to comply with T.C.A. 6-51-102, requiring a plan of service prior the approval of an ordinance annexing any area. **No one spoke for or against.**
- B. **Ordinance 07-33-** An ordinance amending Article III of the zoning ordinance as indicated below, regarding corner lot front building setbacks. **Second Reading. No one spoke for or against.**
- C. **Ordinance 07-34** – An ordinance to de-annex certain territories and remove same from the corporate boundaries of the City of White House, Tennessee. **Second Reading. No one spoke for or against.**
- D. **Ordinance 07-35** – An ordinance to annex certain territories and incorporate same within the corporate boundaries of the City of White House, Tennessee. **Second Reading. Mark McClosky, of Honey Run Road, questioned if his property was included in the annexation.**

E. **Ordinance 07-36** – An ordinance amending the fiscal budget for the period ending June 30, 2008. **Second Reading. No one spoke for or against.**

8. Communications from Mayor, Aldermen and City Administrator

Alderman Bibb spoke on his appreciation of the speed trailer being set out on Calista Rd. as a traffic calming effort. Alderman Bracey expressed his anticipation and excitement regarding the Police Department's Firearms Simulator and upcoming demonstration. Alderman Leftwich complemented the City on this year's Christmas Extravaganza. Mayor Decker spoke on growth and Robertson County.

9. Acknowledge Reports

- | | | |
|-----------------------|-----------------------|------------------------------|
| A. General Government | E. Wastewater | I. Engineering |
| B. Police | F. Planning and Codes | J. Court Clerk |
| C. Fire | G. Parks | K. Monthly Financial Summary |
| D. Public Works | H. Library | |

Motion was made by Ald. Bibb, second by Ald. Bracey, to acknowledge reports and order them filed. A voice vote was called for with all members voting aye.

10. New Business

A. Consideration of the following resolutions:

1. **Resolution 07-21** – A resolution of the City of White House, Tennessee, to use the White House Watch as the official newspaper for the posting of notices, meetings, budgets, requests for bids, etc.

City Attorney, David Amonette, spoke regarding this issue. He stated that adequate public notice was required, not the designation of a particular paper.

Motion was made by Ald. Bibb, second by Ald. Leftwich to rescind. A voice vote was called for with all members voting aye. **Resolution 07-21 rescinded.**

A second motion was called for to empower the City Administrator to determine the publication used for the City based on the needs of the City. Motion was made by Ald. Bibb, second by Ald. Leftwich to approve. A voice vote was called for with all members voting aye. **City administrator empowered with discretion when posting notices, meetings, budgets, request for bids, etc for the City.**

2. **Resolution 07-22** – A resolution of the Board of Mayor and Aldermen of the City of White House, Tennessee, to comply with T.C.A. 6-51-102, requiring a plan of service prior the approval of an ordinance annexing any area.

Motion was made by Ald. Bibb, second by Ald. Arnold to approve. A voice vote was called for with all members voting aye. **Resolution 07-22 approved.**

3. **Resolution 07-23** - A resolution of the Board of Mayor and Aldermen of the City of White House, Tennessee, appointing members to a recycling committee, formed to research and prepare alternatives in recycling for the City of White House.

Motion was made by Ald. Bracey, second by Ald. Bibb to approve. A voice vote was called for with all members voting aye. **Resolution 07-23 approved.**

4. **Resolution 07-24** – A resolution of the Board of Mayor and Aldermen of the City of White House, Tennessee, instituting the Neighborhood Traffic Management Program to provide the procedure necessary for the application, evaluation and implementation of traffic calming techniques on existing residential streets.
Motion was made by Ald. Bibb, second by Ald. Bracey to approve. A voice vote was called for with all members voting aye. **Resolution 07-24 approved.**
5. **Resolution 07-25** – A resolution of the Board of Mayor and Aldermen of the City of White House, Tennessee, approving the recommendation of Option #4 of the Interstate Interchange Study to the Tennessee Department of Transportation for the purposes of optimum signal spacing and coordination.
Motion was made by Ald. Arnold, second by Ald. Leftwich to approve. A voice vote was called for with all members voting aye. **Resolution 07-25 approved.**

B. Consideration of the following ordinances:

1. **Ordinance 07-33**- An ordinance amending Article III of the zoning ordinance as indicated below, regarding corner lot front building setbacks.
Second reading, no change since first reading. Motion was made by Ald. Bibb, second by Ald. Bracey to approve. Roll call: Ald. Arnold – aye; Ald. Bibb – aye; Ald. Leftwich – aye; Mayor Decker – aye. **Ordinance 07-33 approved on second and final reading.**
2. **Ordinance 07-34** – An ordinance to de-annex certain territories and remove same from the corporate boundaries of the City of White House, Tennessee.
Second reading, no change since first reading. Motion was made by Ald. Bibb, second by Ald. Bracey to approve. Roll call: Ald. Arnold – aye; Ald. Bibb – aye; Ald. Leftwich – aye; Mayor Decker – aye. **Ordinance 07-33 approved on second and final reading.**
3. **Ordinance 07-35** – An ordinance to annex certain territories and incorporate same within the corporate boundaries of the City of White House, Tennessee.
Second reading, no change since first reading. Motion was made by Ald. Bracey, second by Ald. Bibb to approve. Roll call: Ald. Arnold – aye; Ald. Bibb – aye; Ald. Leftwich – aye; Mayor Decker – aye. **Ordinance 07-35 approved on second and final reading.**
4. **Ordinance 07-36** – An ordinance amending the fiscal budget for the period ending June 30, 2008.
Second reading, no change since first reading. Motion was made by Ald. Bibb, second by Ald. Bracey to approve. Roll call: Ald. Arnold – aye; Ald. Bibb – aye; Ald. Leftwich – aye; Mayor Decker – aye. **Ordinance 07-36 approved on second and final reading.**

5. **Ordinance 07-37** – An ordinance to amend the floodplain provisions of the zoning ordinance, approve Robertson County GIS formatted FEMA flood maps and incorporate them into the zoning map. **First Reading.**
Motion by Ald. Leftwich, second by Ald. Arnold to approve. A voice vote was called for with all members voting aye. **Ordinance 07-37 approved on first reading.**
6. **Ordinance 07-38** – An ordinance to amend Article V of the zoning ordinance as indicated, for the addition of the C-5 Limited Office/Professional zoning district. **First Reading.**
Motion by Ald. Leftwich, second by Ald. Arnold to approve. A voice vote was called for with all members voting aye. **Ordinance 07-38 approved on first reading.**
7. **Ordinance 07-39** – An ordinance to annex certain territories and incorporate same within the corporate boundaries of the City of White House, Tennessee. **First Reading.**
Motion by Ald. Leftwich, second by Ald. Arnold to approve. A voice vote was called for with all members voting aye. **Ordinance 07-39 approved on first reading.**
8. **Ordinance 07-40** – An ordinance to amend the zoning map relative to Robertson County Tax Map 119B, Group C, Parcel 12 for a 0.81 acre portion of Parcel 12 from R-20, Low Density Residential to R-15, Medium Density Residential and a 0.55 acre portion of Parcel 12 from R-20, Low Density Residential to C-2, General Commercial. **First Reading.**
Motion by Ald. Arnold, second by Ald. Leftwich to approve. A voice vote was called for with all members voting aye. **Ordinance 07-40 approved on first reading.**

C. Other Business

1. Board approval of the Interlocal Agreement – For the employment of a management intern between the State of Tennessee Cities: Brentwood, Columbia, Murfreesboro and White House, and the University of Tennessee.
Motion by Ald. Bibb, second by Ald. Bracey to approve. A voice vote was called for with all members voting aye. **Interlocal agreement for the employment of a management intern was approved.**
2. Board approval of exception for take home policy.
Motion by Ald. Leftwich, second by Ald. Bibb to approve. A voice vote was called for with all members voting aye. **Exception for the take home policy approved.**
3. Board approval to enter into an agreement with McGill & Associates, P.A to implement the Wastewater Master Plan of Service.
Motion by Ald. Arnold, second by Ald. Bracey to approve. A voice vote was called for with all members voting aye. **Agreement with McGill & Associates, P.A. to implement master plan approved.**

4. Approval to proceed with Task Order #1 Capital Project Financing Plan.
Motion by Ald. Bracey, second by Ald. Leftwich to approve. A voice vote was called for with all members voting aye. **Task Order #1, Capital Project Financing Plan was approved.**
5. Approval to proceed with Task Order #2 Cope's Crossing Lift Station.
Motion by Ald. Bibb, second by Ald. Arnold to approve. A voice vote was called for with all members voting aye. **Task Oder #2, Cope's Crossing Lift Station was approved.**

11. Adjournment

Motion was made by Ald. Bracey to adjourn. Meeting adjourned at 7:58 p.m.

John Decker, Mayor

ATTEST:

Christie M. Odenwald, City Recorder

REPORTS . . .

**City of White House
General Government Department
Monthly Report of December 2007**

Administration

The City's Third Annual Holiday Extravaganza was a big success. The weather was wonderful and everyone enjoyed themselves tremendously. All departments that participated in the preparations and clean-up were very much appreciated and continue to improve and impress with each year. Vice-Mayor Bibb added an extra treat for the attendees by reading "Twas the Night Before Christmas".

The TCMA Legislative committee met at the Brentwood City Hall this month to discuss the process for the upcoming legislative session. The committee will review all bills submitted by category and give input to the TML Legislative update that is sent on a weekly basis. This will assist TML in tracking bills and give forethought as to what consequences local governments could be facing.

The City Administrator attended the Forward Sumner Board Meeting. The Board has agreed to allow all governmental entities within the County to attend these meetings, so the private and public entities can truly be partners.

AT&T attended the Robertson County JECDB meeting to suggest that all issues with the local governments have been addressed. At this time, the bill that remains is the one at the close of session last year.

The City Administrator spoke on a panel at the Willis Conference Center and the topic was "Working Effectively with Regionalism." Sumner County Council of Governments was a great topic to use in that it gives local officials a relaxed forum to communicate and discuss regional issues. The City Administrator also was able to be the guest speaker for the RF Woodall Elementary School Beta Induction. It was a great honor to address such a distinguished group of young men and women.

Also this month the City Administrator continued the quest for a better insurance situation for all employees of the City. More information will be shared next month. Gary Jaeckel, MTAS Consultant, and the City Administrator constructed the agenda for the staff budget retreat to be held again at the Hendersonville City Hall. That's right it is budget time once again and staff will be preparing for the Board of Mayor and Alderman retreat to be held on March 28-29 at the Montgomery Bell State Park.

This year's Employee holiday luncheon was held at Grace Park Baptist Church reception hall. Food was wonderful and employees had a great time with gifts and longevity bonuses were distributed. Thanks to the Board for allowing all of us to have this special time and celebrate the year.

**City of White House
Finance Department
Monthly Report of December 2007**

Finance Section

At the close of December 10% of Robertson County property taxes had been paid, while 9% of the Sumner County property taxes have been paid. The pace will pick up substantially with payment from mortgage companies being heavily received in January.

The Finance Director attended the final session of the MTAS Municipal Management Academy for this round, and all Finance staff met to formulate departmental goals for the next fiscal year. The Finance Director also spent time in December working with Human Resources to finalize the evaluations for Finance staff. December brought the first requisition for disbursement on the \$2.9 million dollar debt being incurred for equipment at the Public Works department as well as construction of the new fire station. Total disbursement in December was \$104,663.91.

On December 6, the Accounting Specialist and Purchasing Coordinator attended training provided by our software vendor, Local Government Corporation in Columbia, Tennessee for the calendar year end requirements of W-2s and 1099s. Also, that same week, the special payroll was processed for the volunteer firefighters. These checks were handed out by Chief Palmer at the Firefighter's Banquet on the 8th. The second special payroll this month was for longevity pay. These checks were distributed at the employee's Christmas luncheon on the 21st.

The Purchasing Coordinator spent a significant amount of time in December working on specifications for a 1 ton dump truck for the Parks Department. Specific effort has been made reviewing state contract options versus sealed bid options. Additionally, the Purchasing Coordinator assisted the Tax Clerk with some property tax receipting in December since the volume is so heavy at this time of the year.

Purchase Orders – December 2007

Codes	2	\$105.97
Fire	8	\$3,641.87
Police	18	\$7,964.60
Human Resources	5	\$448.25
Engineering	2	\$128.73
Administration	3	\$261.14
Finance	3	\$950.07
Court	3	\$85.88
Library	1	\$24.15
Wastewater	14	\$5,318.69
Public Works	12	\$3,513.14
Sanitation	4	\$2,717.38
Parks	36	\$15,321.89

Cemetery	2	\$62.00
Building Maint.	1	\$139.00
Total	114	\$40,682.76
Voids	6	

There were no Emergency Purchase Orders in December 2007

Monthly Performance Indicators

	<u>December</u>	<u>FY</u>
Requests for Information – Finance	0	6
Total New Business Licenses Issued	10	39
Purchase Orders Issued	114	955
Total Invoices Processed	257	1,797

December 07 Monthly Report

Human Resources:

- Continued communication with Burris and Associates regarding bi-annual pay plan process
- Participated in Municipal Management Academy session continuation for City Management
- Continued facilitation of annual employee evaluation process with departments
- Continued facilitation of Police Chief search panel
- Assisted Public Works Department in recruitment and placement of new Sanitation Workers (John Bosch and Patrick Bauman)
- Participated in unemployment hearing process regarding challenge of benefits of former employee
- Secured training material to begin in-house Drug Free Workforce Training for annual employee training
- Met with departments with heavy on-call requirements to construct call back pay policy
- Constructed amendments to personnel manual for submission to Board of Mayor and Aldermen
- Participated in monthly safety meeting with City safety committee
- Continued file auditing for compliance

City of White House Police Department Monthly Report for December 2007

Summary of Month's Activities

During the month of December, the Police Department issued 191 Citations (96 speeding), and made 57 arrests. The department answered 41 (forty –one) 911 calls.

Update on Department's Goals and Objectives

- Canine Command has located a narcotics drug. Officer Jason Ghee should start training with the dog in a couple of weeks.
- The search for a new Chief of Police has ended. The announcement will be made by the first of January.
- The Police Reserve selection process is still under way.
- The FATS (Firearms Training Simulator) training will be held January 8th at the White House Police Department.
- The annual Officer of the Year Luncheon, sponsored by the Rotary Club, is scheduled for January 10, 2008.
- The Citizen Police Academy 8 week session will begin on January 28th.
- Robert F. Woodall D.A.R.E. Graduation is scheduled for January 15th at 12:45 pm.

Departmental Highlights

- The Police Department assisted with traffic at the Christmas Parade.
- The White House Police Department and the White House Fire Department joined together again for the 2007 Toys for Tots campaign. Thanks to group efforts by the Rotary Club, Robert F. Woodall Elementary Jr. Beta Club, White House Children's Clinic, and Dollar General, 2,000 toys were collected in an 18 day period achieving the Biggest Year Ever for the White House Toys for Tots campaign.
- The White House Police Department's 2nd Annual Award's Banquet was held on December 8th at the Indian Ridge Country Club.

Training

- Supervisors of the Police Department attended the MMA meeting held at the White House Police Department on December 7th.
- Sgt. Jim Ring and Cpl. John Gallups attended a Leadership and Team Building class at Williamson County Sheriff's Department.

Monthly Performance Indicators

PATROL	DEC	TO DATE
Total Arrests	57	758
Offense Reports	39	364
Traffic Accidents	25	252
Accidents w/Injuries	4	57
DUI Arrest	3	48
Animal Calls	43	508
Drug Arrests	44	527
Motor Assist	18	266
Business Checks	1636	22,375
Extra Patrols	243	2,645
Residential Patrols	827	12,211
Assaults	7	49
Property Watches	37	121*

*Property Watch calculations began September 2007.

Dispatch	December	TO DATE (as of 6/13/07)
Calls for Service	1,766*	8,589
Non-CADed Calls	2,743*	21,027

*The above numbers are totals starting with the new CAD system on June 13th. Dispatch calls are now broken into Calls for Service and Non-CADed calls. Non-CADed calls include Business Checks, Extra Patrols, Property Watches, and Residential Patrols.

CID PERFORMANCE INDICATORS FOR DECEMBER 2008

Arrests	6
Agg. Burglary	3
Forgery	5
Cases Open	11
Cases Closed	7

City of White House Fire Department Monthly Report for December 2007

Summary of Month's Activities

The Department answered 74 requests for service during the month with 49 being emergency medical responses. At 3:16 PM on December 1st during the Christmas Parade the department was dispatched to a structure fire on Foster Drive. When fire units arrived on scene light smoke was visible, the homeowner used water to contain the fire. Fire personnel entered the structure and completed the extinguishment of the fire and ventilated the home with positive pressure fans. The fire damaged the appliances and cabinets near the stove where the fire started and there was some smoke damage throughout the home.

The department also responded to a truck fire in the parking lot of Hardees. When fire units arrived on scene the vehicle was 50% involved in fire, hand lines were used to extinguish the fire. The vehicle was a total loss although there was not any other property damaged.

The department responded to 4 motor vehicle accidents, none of which involved any serious injuries. Of the 49 medical responses, one required manpower from our department to assist with transport to the hospital.

The following is a breakdown of the department's responses in 2007 according to the incident type.

100 Series-Fire	35	3.96%
200 Series-Explosion	4	0.45%
300 Series-Rescue & EMS	595	67.38%
400 Series-Hazardous Conditions(No fire)	52	5.89%
500 Series-Service Call	95	10.76%
600 Series-Good Intent Call	13	1.47%
700 Series-False Alarm & False Call	80	9.06%
900 Series-Special Type	9	1.02%

Total responses for 2007 883

Fire Station 2 Update:

The site work continues with fill dirt being moved in to bring the site up to grade. The building pad is nearing completion and work on digging footings should begin within the week of January 14th.

Update on the Department's Goals and Objectives

- Update the departments Standard Operating Guidelines by December 30th, 2007. **(This project is currently being worked on and is 85% Complete)**
- Complete Ground Ladder testing by May 1st, 2008.
- Complete annual apparatus fire pump testing by December 1st, 2007
- Send three firefighters through the Fire Officer I program at the State Fire Academy by May 30th, 2008 **(25% Complete)**
- Send three firefighters through the Smoke Diver course at the State Fire Academy by June 30th, 2008
- Organize a Fire Corps Program by February 1st, 2008**(This project is currently being worked on)**
- Organize and implement a program of annual fire safety inspections and pre-incident surveys of commercial and industrial properties in the city by May 1st, 2008**(This project is currently being worked on)**
- Organize a State Fire Academy Basic Firefighter course(80 hours) to be taught at our department by June 1st, 2008 **(The Class begins on January 12,2008)**

Departmental Highlight

The highlight for the month was the annual fire department banquet on December 8th. It is always a joyful event for department personnel and their spouses to meet together to celebrate another year of service to the department and community. This year's guest speaker was Mr. Jeff Huddleston with the State Fire Marshal's office. He shared a moving experience that emphasized that fire prevention and public education can save lives. A five year service award was received by Rob Brewer, the most active volunteer firefighter award went to Matthew Detlefsen, and the firefighter of the year award went to Solomon Schroeder.

Department Cost Saving Report

There was not any significant cost savings for the month of December.

Monthly Performance Indicators

Structure Fires	0	Total Responses for the Month	74
Cooking/Electrical Fires	1	Total Responses Year to Date	883
Vehicle Fires	1		
Grass, Brush, Trash, Fires	0	Total Training Hours for the Month	161
Hazmat	2	Total Training Hours Year to Date	2854.5
False Alarms/Calls	7		
Assist other Governmental Agency	1		
Other Calls	9	Fire Inspections	11
Emergency Medical Responses	49	Fire Preplans	0
Vehicle Accidents (general cleanup)	3	Plat / Plan Reviews	1
Rescue / Vehicle Accidents (with injuries)	1	Fire Investigations	0

**City of White House
Public Works
December 2007**

SUMMARY OF MONTH'S ACTIVITIES

VEHICLE AND EQUIPMENT MAINTENANCE

For the month of December, the Public Works sanitation trucks had repairs to be completed, but nothing to cause disruption in the daily schedule for citizens refuse collection. The mechanic, however, stayed quite busy working on routine maintenance for the Police, Public Works, Waste Water, Parks & Leisure and Sanitation Departments.

SANITATION AND REFUSE

The Sanitation and Refuse department within Public Works continues to keep the City of White House citizens serviced with minimal complaints. Many citizens called requesting more curbside brush removal on tree limbs, shrubbery clippings, bagged grass, and leaves. Public Works has also had many citizens bringing loads of brush, bagged clippings, bagged grass and leaves to Public Works for disposal. Many citizens took advantage of the recycle collection bin provided by the city located at the White House Municipal Park, for the month of December the city recycled 25,200 pounds of mixed recyclables. We also recycled 7,137 pounds of steel that was brought in to the Public Works Facility by the citizens of White House for disposal.

Monthly Performance Indicators

	Month	Totals	Revenue Received	Revenue year to date
Number of Customers Billed	3574	Net Amount Billed \$53,070.00	\$45,184.19	\$227,001.82

STREETS AND ROADS

The streets and roads crew continue to complete monthly brush removal schedules set forth by Supervisor Warren Garrett.

FACILITIES MAINTENANCE

Facilities Maintenance employee, Ted Sikora continues to move around in departments repairing, replacing, painting, renovating and building as requested by department heads.

NEW SERVICES

The Public Works Facility will continue to be a site for Sumner County mobile emissions testing. Dates have been established through December of 2008.

WELCOME ABOARD

Public Works has two newly hired employees. Please join us in welcoming John Bosch & Patrick Bauman.

DECEMBER 2007 TRUCK TONNAGE AND FUEL COSTS

- 19.25 tons average per day. 616,140 pounds for the month of December.
- Total tonnage on truck number 319 was 111.35
- Total tonnage on truck number 320 was 134.68
- Total tonnage on truck number 321 was 62.04
- Total tonnage for the month of December was 308.07
- Total cost of fuel used for truck # 319 \$707.46
- Total cost of fuel used for truck # 320 \$1,260.90
- Total cost of fuel used for truck # 321 \$619.80
- Total cost of fuel used for R-2 \$339.55
- Total cost of fuel for December = \$ 2,927.71

YTD	Total
Tons per day	17.83 avg.
Pounds for 6 months	3,723,980
Tonnage Truck #319	553.83
Tonnage Truck #320	839.69
Tonnage Truck #321	468.47
Tonnage for 6 months	1,861.99
Fuel used Truck #319	\$2,922.19
Fuel used Truck #320	\$5,807.93
Fuel used Truck # 321	\$2,534.64
Fuel used R-2	\$1,073.44
Fuel used per month	\$13,075.86

DECEMBER B.M.A. REPORT 2007		
MONTHLY INDICATORS		
STREETS AND ROADS/SANITATION/BUILDING MAINTENANCE		
SERVICES PROVIDED	TOTAL	YTD
BRUSH PICK UP	136 Stops	1,739 Stops
BRUSH PICK UP WORK ORDER REQUESTS CALLED IN	23	169
BRUSH TRUCK LOAD	10	324
LIMBS REQUEST	2	66
EMERGENCY CALL OUTS	0	0
DAMAGED CARTS REPLACED	6	53
NEW CARTS FOR NEW HOME CONSTRUCTION	18	116
ADDITIONAL CART REQUEST	3	14
CONCRETE INSTALLED	0	7.37 yards
CURBS REPAIRED	0	0
CURBS SWEEP	0	0
DRAINAGE REQUESTS	1	15
DRAINAGE WORK	80 feet	3,400 feet
LITTER PICK UP (50 GALLON BAGS)	44 = 4 bags per day	348=22 bags per day
LITTER PICK UP PER DAY (MILES)	3.00 Miles Avg. per day	74 Miles Avg. per day
POTHoles REPAIRED	26	41
SALT	0	0
SIGNS INSTALLED	2	39
HANDICAPPED PICK UP	72 Homes	396 Houses
MOVE IN SPECIAL PICK UP	2	23
MOVE OUT SPECIAL PICK UP	2	12
DEAD ANIMAL REMOVALS	3	21
VEHICLE REPAIR/MAINTENANCE BY DEPARTMENT		
	TOTAL	
ADMINISTRATION	0	2
CODES AND PLANNING	0	2
FACILITY MAINTENANCE	0	4
FIRE	0	1
PARKS AND LEISURE	2	8
POLICE	9	42
PUBLIC WORKS	8	27
SANITATION	5	33
WASTE WATER	5	26

*City of White House
Wastewater Department
Monthly Report for December 2007*

Summary of Month's Activities:

Collection system:

Over the past month we have retro fitted twenty hydromatic simplex systems and one duplex system to E-one and installed four new vacuum valves and controllers within the vacuum systems. The department has also provided inspections to eighteen new sewer service connections. (Includes repeats due to failures)

The accelerated failure rate of the Hydromatic grinder pumps (due to age) continues. At present we've retro-fitted fifty-two more systems than anticipated. We are presently looking at all areas in order to reduce expenditures in case it becomes necessary to increase the amount expended for grinder pump replacement and still remain within our budget.

Wastewater Treatment:

The plant continues to operate well below permit levels. The preventative maintenance program takes place daily. The bi-weekly maintenance continues to go as scheduled.

The plant experienced a failure of the influent ultrasonic flow meter and per the State's request staff is performing manual calculations every six hours until the new flow meter is installed.

Development:

- White House Shops (Wal-mart): Complete; service available.
- Cambria phases II: Construction complete. Lacking as-built drawings. **No change**
- Morgan Trace: Commitment fees received; awaiting State approval.
- Heritage Estates (Tate Property): Sewer design under review. **No change**
- Brook Haven & Cope's Crossing: Sewer design under review, negotiations for cost sharing in process. **No change**
- Sage Road Medical Complex: Plans approved by the City awaiting State approval. **No change**
- Bear Creek: Plans corrected and returned for City approval, awaiting payment before approving. **No change**

Goals and Objectives Progress:

- We successfully processed seventy customers for "ACH" (automated bank draft) payments for the January billing. The "ACH" file is created at the time meter reading consumptions are posted and then electronically delivered to Farmers Bank forty-eight hours before the due date for payment processing. This procedure allows the "ACH" customers thirteen days to dispute any pending charges before payment is processed and posted.
- Local Government has begun working on the Internet payment interface and link from our web site which will allow our customers too view account information and make payments online. They are projecting the service to be operational within the next four to six weeks.
- We are presently working with the Finance department to obtain the services of a collection agency in order to collect outstanding debt. At present we have one hundred and thirty seven closed accounts with an accumulative bad debt of \$26,827.26.

Departmental Highlight:

- The department welcomes Daniel McIntosh as the newest member of the Wastewater team as a Wastewater Technician I.

- The option to make a Hope Center donation with your sewer use payment is now available.

Update on Average Sewer User Bill:

Data from December billing (October usage)

Customers	Average Consumption	Average Bill
Residential 3,384	4,939	\$38.65
Non-Residential 263	17,400	\$133.01
Total Customers 3,647*		

*Represents active customers

Monthly Performance Indicators

Service Provided	Month	Totals Year to Date	Amount Billed	Revenue Received	Revenue year to date
New service connections (Capacity fees)	0	43	\$0	\$0	\$86,076.52
Customers billed	3,660	N/A	Net amount billed \$178,914.76	*\$142,347.66	\$1,023,660.13
Applications or transfers for service	31	230	\$1,500.00	\$1,500.00	\$9,025.00
			Amount Applied		
Late penalties applied	1,131	5,7551	\$5,695.76	*\$3,845.19	\$15,640.82
Wastewater Adjustments	85	602	N/A	(\$12,998.70)	(\$59,710.96)
Clerical Services	2	2	\$350.00	\$350.00	\$350.00
Service availability Requests	2	4	\$600.00	\$600.00	\$1,000.00
New service inspections (Connection fees)	0	23	\$0	\$0	\$3,450.00
Field inspection fee	0	0	0	0	0
Cut-offs for non-payment	0	115	0	0	0
Commitments for service	0	131	\$0	\$0	\$39,600.00
Bulk disposal	0	1	0	0	0
				Total \$144,797.66	Year to Date \$1,163,161.65
Mainline repairs	0	2			
Service lines repaired	9	42			
All service requests	179	981			
Billing related service requests	97	351			
L.P. service requests	78	291			
Gravity service requests	0	1			
Vacuum service requests	4	26			
Major lift station repairs	2	12			
	Flow MGD	Plant Capacity			
Average Daily Flow (effluent)	.545	1.4 MGD			

* Revenue is from previous month of service

**City of White House
Planning and Codes Department
Monthly Report December 2007**

Summary of Month's Activities.

Staff prepared and submitted the TDOT Enhancement Grant for the Town Center Streetscape Project. Staff completed multiple new business inspections. Staff researched street lighting standards.

Update of Department's Goals & Objectives:

Comprehensive Plan Update Project: Staff sent out request for proposal to regional planning consulting firms. The consultant proposal is scheduled to be approved at February Planning Commission and Aldermen Meeting. The Planning Commission is designating the project review committee. Committee meetings are scheduled to start in March with the project ending in November. The town center will be a component of comprehensive plan project. Currently 11 citizens have requested to be on the Comprehensive Review Committee.

Growth Boundary Amendment: Robertson County has scheduled an organizational meeting for January 31, 2008 to get the update process underway. The Robertson County Coordinating Committee will need to discuss the format for submitting proposed city updates so each city can prepare the proposed amendments and hold two public hearings before submitting the request to the Robertson County Coordinating Committee.

Departmental Highlight: State Electrical Permits

The City issues state electrical permits for projects within the White House, Portland, and Millersville areas. The City issues permits for three local state electrical inspectors. The City receives a \$ 5 permit issuance fee. The fee covers the cost of staff time spent issuing permits and time spent with answering questions and receiving calls regarding electrical inspections and inspectors.

Department Cost Savings Report:

The Planning, Parks, and Engineering Departments split the cost of a new digital camera and photo printer.

Monthly Performance Indicators: DECEMBER 2007

	Month	FY 07 Total		Month	FY 07 Total
Meetings and Agenda Items			Inspections		
<i>Planning Commission</i>	8	53	Residential	67	586
<i>Board of Zoning Appeals</i>	1	4	Commercial	18	145
Construction Appeals Board	0	1			
Training/Study Session	0	3			
Permits			Codes Enforcement Issues		
New Single Family Residential	1	27	Total Cases	14	190
Multi-Family	0	23			
Other Residential	2	125	Complaints Rec'd	3	53
New Commercial					
Industrial Permits	1	2			
Other Commercial/Industrial Permits	1	15	Scheduled Meetings (Aug first month collected)	13	112
Electrical	52	462			
Sign	3	9			
Occupancy Permits: Res/Comm	42	231			
Other					

	Month	FY 06 Total
Permit Fees	\$ 2,510.54	\$ 61,614.79
Board and Review Fees	\$ 0	\$ 3,400.00
Impact Fees		
Roads	\$ 4,955.02	\$ 38,065.61
Parks	\$ 396.00	\$ 19,569.00
Police	\$ 2,606.50	\$ 41,663.26
Fire	\$ 1,720.28	\$ 27,413.50
Total Impact Fees	\$ 9,677.80	\$ 126,711.37

Builder Bonds

Total Amount	\$ 50,950.00
Deposits	\$ 0
Withdrawals	\$ 0

Subdivision and Commercial Performance 33 Bonds @ value of \$ 3,721,912

Bonds

Working Days in Month: 19

**City of White House
Parks, Recreation, & Cultural Arts Department
Monthly Report December 2007**

Summary of Month's Activities

The annual Christmas Parade went well this year. There were approximately 45 entries in the parade and many people watched. The Grand Marshals for the parade did a great job. Special thanks are due to Linda Brooks for obtaining the convertible for the Oden girls to ride in, and to Cunningham Motors of Springfield for providing it. The Hillcrest Cemetery Candlelight service was postponed one day until Sunday, Dec 16th because of rain on the 15th. There was a good crowd and everything worked out fine. The local Boy Scouts and Cub Scouts helped make the luminary bags and set them out on every grave.

The youth basketball league got underway on December 8th with 19 teams competing in 3 separate divisions. The aerobics program continued to have very good participation during the month as a total of 107 people attended the classes. The Civic Center gymnasium was once again very busy during the month of December. There were 64 practices and 44 games during the month.

This included the youth league, men's league, and private school reservations.

The gymnasium underwent some renovations during the month of December as the White House Christian Academy and the Paint 'n Paper Shop donated plexi-glass, and labor to cover the railing in the upper deck of the gymnasium. In addition to this Ted Sikora renovated the stairs leading to the upper deck, installed hand rails, emergency lighting, exit signs, and carbon dioxide detectors in order to be able to use the existing upper deck.

Park maintenance employees have been busy catching up on some landscaping and cleanup work along the greenway and at the City Park. Northwoods Park received more wood chips around the playground equipment to ensure safety, and backfill was added around the sidewalk at the football stadium to eliminate a trip hazard.

Update on Department Goals and Objectives

The Recreation Educational Services Division of the Tennessee Department of Environment and Conservation is currently reviewing our application for Tier I Level of the Parks and Recreation Benchmarking Program. The Benchmarking Program is designed as a road map to assist local communities in their effort to achieve excellence in community and economic development.

The large pavilion in the park is being re-wired to increase the safety of the public and to supply adequate power for special events. New prison-grade light fixtures have been installed, which is a significant improvement over the exposed incandescent bulbs that were previously used to light the pavilion. The service panel will be free standing, in a weatherproof, lockable enclosure that makes the circuit breakers inaccessible to unauthorized people.

Department Highlight

With the help of State Representative Mike McDonald, we have been awarded a community enhancement grant of \$4,000 in order to buy a new spiral slide for the playground at the park. The old one had to be removed because it was unsafe.

The senior citizens center also received \$4,000 to be used for 2 new computers, 2 printers, and a defibrillator.

Department Cost Savings Report

The department is very thankful for a new Kawasaki Mule 3000 utility vehicle to use throughout the park system for maintenance. It is used every day, and the employees really appreciate it. We were able to save \$475 from what was budgeted in the Capital Improvements Plan.

Monthly Performance Indicators

Activity	December 2007	FY to Date
Maintenance Division		
Mowing Hours	6	371
Pounds of Grass Seed Sown	30	2825
Pounds of Fertilizer Applied	250	5050
Number of Trees / Shrubs Planted	0	28
Recreation Division		
Number of Youth Program Participants	163	351
Youth Program Revenue	\$12.00	\$17,233.25
Number of Adult Program Participants	160	430
Adult Program Revenue	\$281.00	\$8,193.00
Number of Programs Offered		9
Number of Theatre Production Attendees	0	0
Theatre Production Revenue	0	0
Number of Special Events Offered	1	5
Number of Special Events Attendees	360	2610
Special Event Revenue	\$0	\$4,430.00
Administration		
Miscellaneous Revenue	\$1,428.13	\$21,037.88
Number of Shelter Reservations	0	46
Shelter Reservation Revenue	\$50.00	\$1,455.00
Number of Facility Reservations	38	155
Facility Reservation Revenue	\$1,862.50	\$10,621.60
Senior Center		
Number of Senior Center Participants	172	1706
Number of Senior Center Trips	2	19
Number of Senior Center Trip Participants	28	177
Senior Center Trip Revenue	0	\$1,860.00
Number of Senior Meals Served	2	23
Number of Senior Meal Participants	126	1616
Senior Meal Revenue	\$360.50	\$4,692.50
Number of Senior Center Programs	4	4
Senior Center Program Revenue	0	0
Nutrition Donation Received	0	0
Donations	0	0

Library Monthly Report

December 2007

-Judy Speight, Director

Summary of December's Activities

With the holidays and people being so busy this month, the library circulation was down. However, we did have several activities for adults and children. There were five children's programs, one of which was a holiday program for children of all ages, 2 to 92. The Christmas Open House brought 175 to 200 people to the library, and the Christmas Boutique to raise funds for the Friends of the Library was held in the Civic Center.

I went to the Hendersonville library for the last circulation system demonstration this month. Afterward, the librarians and regional librarian made final changes to the Request For Quote before sending out to the four system vendors in consideration. When the RFQs are returned, the librarians will all meet again to make the final decision.

The last week of this month was spent weeding unused and worn out books in the adult fiction area. Because we haven't met our goal of weeding 5% for the last three years, we are trying extra hard to catch up this year.

Training for this month was the last MMA class for the year. Sherry Tackett has been representing the Library in the monthly safety meetings.

We haven't heard yet if our request for the 2008 Technology Grant has been accepted.

Rep. Bob Bibb personally delivered his \$2,000 Community Enhancement Grant check on the 20th, and Rep. McDonald will deliver his \$3,000 grant check on Wednesday afternoon, January 16th at 1:30.

Departmental Highlight

The Christmas Open House was the highlight of the month. We had a last minute snafu to deal when the Sumner County Symphony was unable to provide the music. We were happy to secure the White House Dulcimer Club instead, and it worked out perfectly. The music went well with our 1840's Christmas decorations and reenactors in period dress. It was one of the nicest events we've ever held.

Department Cost Saving Report

The Community Enhancement Grant for a new circulation system will save us many thousands of dollars, the exact amount is unknown at this time. The 2008 Technology Grant is a matching grant and will save us \$900.

Performance Indicators for December 2007

Official Service Area Population: 12,076

Total Materials Available for Checkout: 22,411 (543 less than October, 2007)

<u>Library Circulation:</u>	3,156	<u>Computer Users:</u>	427
Last Month:	3,885	Last Month:	468
FYTD:	25,979	FYTD:	2,495
Service Value of: 3,885 X \$20 =	\$63,120		
Service Value FYTD:	\$519,580		
<u>Materials Added:</u>		<u>Materials Purged:</u>	
Local:	138	Local:	256
FYTD:	667	FYTD:	344
Regional	0	Regional	307
FYTD:	321	FYTD:	371
TOTAL:	138	TOTAL:	563
TOTAL FYTD:	962	TOTAL FYTD:	715
<u>Children's Programs:</u>	5	<u>Materials Lost in Circulation:</u>	
FYTD:	36	Local:	20
Attendance:	147	FYTD:	35
FYTD:	1,234	Regional	6
		FYTD:	12
		TOTAL:	41
		TOTAL FYTD:	64
<u>Adult Programs:</u>	1	<u>New Memberships:</u>	
FYTD:	8	Adult:	41
Attendance:	175	Juvenile:	14
FYTD:	369	TOTAL:	27
		TOTAL FYTD:	511
<u>Interlibrary Loan Service:</u>		<u>Tutoring Sessions:</u>	0
Borrowed:	18	FYTD:	17
FYTD:	212		
Loaned:	3	<u>TN Electronic Library Sessions:</u>	
FYTD:	55	Inside Library Usage:	13
		FYTD:	43
<u>Tests Proctored:</u>	2	Remote Usage:	402
FYTD:	5	FYTD:	
		Total:	415
<u>Reference Transactions:</u>	180	TOTAL FYTD:	2,473
Last Month:	180		
TOTAL FYTD:	1175	<u>R.E.A.D.S. (Regional Ebooks</u>	
		& Audiobooks Downloads)	
<u>Wireless Internet Usage:</u>	8	Ebooks	4
FYTD:	28	Audiobooks	68
		2nd Qtr. Total:	72
<u>Library Revenue:</u>	\$581.53	FYTD:	175
Last Month:	506.45		
FYTD:	\$3,960.28		
<u>Voter Registrations:</u>	0		
FYTD:	11		

Engineering Department Monthly Report December 2007

The Neighborhood Traffic Management Program was finalized and passed. Engineering had more than a dozen meetings with developers and property owners this month. The Walmart traffic signals were bagged and will remain covered until the store opens. Changes to the Signs section of the Subdivision Regulations were submitted to the Planning Commission for initial review.

Monthly Performance Indicators:

Inspections:	<u>Sites</u>	<u>Subdivisions</u>	<u>Other</u>
Erosion & Sediment Control	2	2	1
Detention / Retention Pond	1	1	
Storm Drainage	1	3	2
Proof-roll (sub-grade & stone)	0	0	
Binder	0	0	
Sidewalks	1	3	
Asphalt topping	0	0	
Performance Bond	2	0	
Maintenance Bond	0	3	
Existing roads for repair			1
Surveying			0

Citizen Complaints:	<u>Calls</u>	<u>Resolved</u>	<u>Outstanding</u>
Drainage	4	3	1
Sidewalk	0	0	0
Roadway	1	1	0
Signals	3	3	0

Projects:	<u>Estimated Cost</u>
Tyree / Palmers Intersection Improv.	\$200,000 / City, County, & State
Paving Contract	\$200,000 / City
Roadway Repair Contract	\$200,000 / City
Calista Road Drainage	\$200,000 / City
Hwy 76 Sidewalks	\$585,000 / State, Federal

Purchases:	<u>Cost</u>
14.92 gallons of gas	\$ 43
References	\$ 63
Professional Fees	\$ 0
Seminar / Meeting Fees	\$ 8
Office & field supplies	\$ 98
Vehicle repairs	\$ 52

Training seminars / conferences:

- Robertson Co. e-community Leadership – Robertson County Offices
- MTAS Municipal Management Academy Part 8 – WHPD
- Storm Water Phase II MS4 meeting – Sumner County Offices
- TDOT Local Project Management – James K. Polk Bldg, Nashville

CITY COURT REPORT DECEMBER 2007

CITATIONS:

TOTAL MONIES COLLECTED FOR THE MONTH	\$14,110.51
TOTAL MONIES COLLECTED YTD	\$108,841.91

STATE FINES:

TOTAL MONIES COLLECTED FOR MONTH	\$2,483.48
TOTAL MONIES COLLECTED YTD	\$22,439.18

TOTAL REVENUE FOR MONTH	\$16,593.99
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TOTAL REVENUE YTD	\$131,281.09
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DISBURSEMENTS

LITIGATION TAX	\$515.82
TBI FEES	\$0.00
DOS/DOH FINES & FEES	\$983.25
RESTITUTION/REFUNDS	\$0.00
TRANSFER OUT FROM FINES & COURTS	\$0.00
WORTHLESS CHECKS	\$0.00
D/A FEES	\$0.00

TOTAL DISBURSEMENTS FOR MONTH	\$1,499.07
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TOTAL DISBURSEMENTS YTD	\$9,198.66
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ADJUSTED REVENUE FOR MONTH	\$15,094.92
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TOTAL ADJUSTED REVENUE YTD	\$122,082.43
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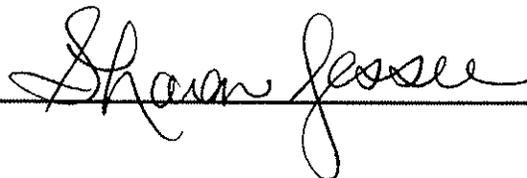
DONATION TO DRUG FUND FOR MONTH	\$3,394.64
TRANSFER TO DRUG FUND	\$0.00
	\$0.00

DONATIONS YEAR TO DATE	\$21,479.74
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DONATION TO CAMERA FUND FOR MONTH	\$250.00
	\$0.00

DONATIONS YEAR TO DATE	\$750.00
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CITY COURT CLERK



RESOLUTIONS . . .

RESOLUTION 08-01

WHEREAS, T.C.A. 6-51-102 AS AMENDED REQUIRES THAT A PLAN OF SERVICE BE ADOPTED BY THE GOVERNING BODY OF THE CITY PRIOR TO PASSAGE OF AN ORDINANCE ANNEXING ANY AREA, AND

WHEREAS, the City of White House is contemplating annexation of certain areas that are bounded as shown on the map of the proposed annexation areas, dated 2007.

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the City of White House:

Section 1. Pursuant to the provisions of the section 6-51-102, Tennessee Code Annotated, there is hereby adopted for the proposed annexation areas the following PLAN OF SERVICE:

Robertson County Tax Records were recently corrected to coordinate city boundaries with the City of White House Annexation Ordinance # 73-4. The residence at 3661 Hwy 31W has been assessed city taxes and received city services for twenty years. Due to the conditions of the issue, existing City Services will not be delayed to the residence during the annexation process.

A. Police

1. Patrolling, radio response to calls, and other routine police services, using present personnel and equipment, will be provided upon the effective date of annexation.
2. Traffic signals, traffic signs, street markings, and other traffic control devices will be installed as the need therefore is established by appropriate study and traffic standards.

B. Fire

Fire protection by the present personnel and equipment of the fire fighting force of the City, within the limitations of available water, will be provided upon the effective date of annexation.

C. Water

An adequate water supply for fire protection is required by the City in its subdivision regulations affecting the development of this property.

D. Wastewater

The property is being annexed as vacant property for future development with the understanding that the existing and future property owners or developers of the property will be required to extend sewer service. This will also require the

payment of associated costs and rates in accordance with the established policies of the City of White House. If the sewer infrastructure is not installed within three (3) years, then the city will reevaluate the plan of service and annexation approval.

E. Refuse Collection

The same regular collection service now provided within the City will be extended to the annexed area. The service shall commence upon approval of annexation ordinance.

F. Streets and Roads

Routine maintenance of the streets and roads will be provided as is currently done with existing City streets. The service shall commence upon approval of annexation ordinance.

G. Inspection Services

Any inspection services now provided by the City (building, plumbing, gas housing, property maintenance, etc.) will begin in the annexed area on the effective date of the annexation.

H. Planning and Zoning

The planning and zoning jurisdiction of the City will extend to the annexed area on the effective date of the annexation. City planning will thereafter encompass the annexed area.

I. Street Lighting

Street lighting will be installed in accordance with the established policies of the City.

J. Recreation and Parks

Residents of the annexed area may use all existing park and recreational facilities and programs on the effective date of the annexation. The same standards and policies now used in the present City will be followed in expanding the recreational program and facilities of the enlarged city boundaries, when and where needed.

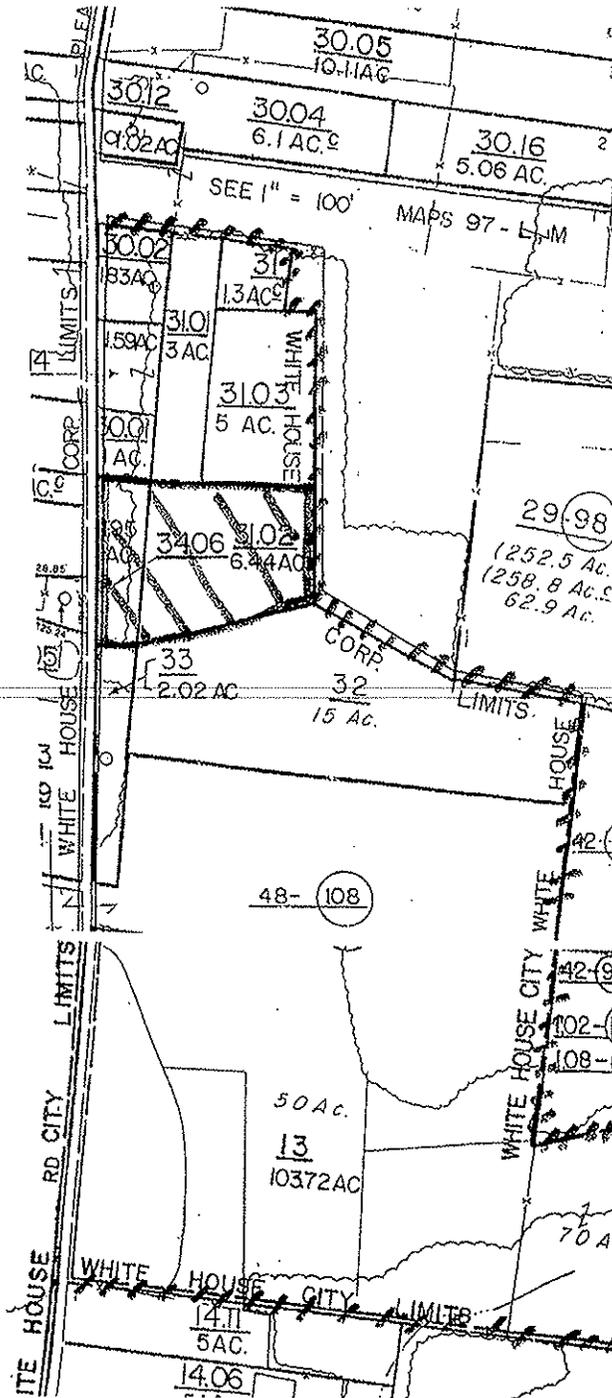
Section 2. This resolution shall be effective from and after its adoption.

Adopted this 17th day of January 2008.

John Decker, Mayor

ATTEST:

Christie M. Odenwald, City Recorder



January 7, 2008

MEMORANDUM

To: Board of Mayor and Aldermen

From: John Grubbs
HR Director

Re: Personnel Manual Revisions

I would like to recommend approval of the revised Personnel Manual to be effective January 18, 2008.

Below is a summary of included changes:

Revisions

- Addition of language to clarify non-contractual nature of Personnel Manual under Section I – Personnel Policies; Part A - Purpose and Objectives on Page #1
- Deletion of Section IV – Benefits; Part N – Longevity Bonus on page #21 to indicate Longevity Bonus as a discretionary bonus per the Fair Labor Standards Act
- Deletion and addition of language contained the Travel Policy Section VII – Miscellaneous Policies, Part I- Pages #25 – 32 of the Personnel Manual to align policy with State Comptroller guidelines
- Replacement of Section VII – Miscellaneous Policies, Part R- “Reserved for future use” with newly created Call Back Pay policy for on-call non-exempt employees per the Fair Labor Standards Act
- Addition of language contained in Section VII – Miscellaneous Policies, Part T- Cellular Phones, Page #41 to allow employee accountability for neglected or abused cellular equipment
- Addition of language to Section VIII – Separations and Disciplinary Actions; Part B – Types of Disciplinary Action, page #43 clarifying the intent and process of disciplinary actions
- Table of Contents amended to indicate changes

Examples of policy changes attached

RESOLUTION 08-02

A RESOLUTION OF THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF WHITE HOUSE, TENNESSEE, APPROVING CERTAIN AMENDMENTS AND REVISIONS TO THE PERSONNEL MANUAL.

WHEREAS, the City maintains a consistent set of adopted rules and procedures for the administration of personnel matters; and

WHEREAS, the City Administrator is charged with the duty to review the adopted policies and procedures that govern the City's personnel system and make recommendations of updates and improvements to the procedures; and

WHEREAS, the City has engaged the services of a professionally trained Human Resources Director to advise on personnel matters, including improvements to language contained in the Personnel Manual; and

WHEREAS, this consultant has made a number of recommendations to revise the personnel rules and procedures; and

WHEREAS, the Board of Mayor and Aldermen wish to amend the current personnel policies to make them more in line with current state and federal laws as well as common industry standards;

NOW, THEREFORE, the Board of Mayor and Aldermen of the City of White House do hereby resolve that the Personnel Manual is hereby amended by changing and updating various sections and subsections as detailed in the attachment.

This resolution shall be effective upon passage.

Adopted this 17th day of January 2008.

John Decker, Mayor

ATTEST:

Christie M. Odenwald, City Recorder

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CITY OF WHITE HOUSE

SECTION I - PERSONNEL POLICIES

A. PURPOSE AND OBJECTIVES

The purpose of these policies is to establish a high degree of understanding and cooperation among the City of White House employees, which comes from the application of good procedures in personnel administration, and to provide uniform policies for all employees, with all the benefits such program ensures without regard to race, color, religion, national origin, gender, age or disability. The City of White House is an at-will employer. This means that an employee may be terminated at any time with or without notice, with or without cause as long as the termination does not violate existing employment laws. This Personnel Manual should not be construed as a contract or guarantee of continued employment.

The fundamental objectives of good personnel administration to be achieved by these policies are:

1. To promote and increase efficiency and cooperation among employees of the City of White House.
2. To provide fair and equal employment opportunity to all qualified citizens on the basis of demonstrated merit and fitness, as ascertained through fair and practical methods of selection.
3. To develop a program of recruitment, advancement and retention which will make the city attractive as an employer and encourage each employee to render their best service.
4. To establish and maintain a uniform plan of evaluation and compensation.
5. To establish and promote high morale among the employees by providing good working relationships, uniform personnel policies, and opportunities for advancement.

B. PERSONNEL POLICY STATEMENT

It is the policy of the City of White House to apply and foster a sound program of personnel management.

The policies of the municipal government are as follows:

1. EMPLOYMENT AND PLACEMENT

- a. To fill all positions, in accordance with job qualifications and requirements without discrimination as to race, color, religion, national origin, gender, age or disability.

N. ~~LONGEVITY BONUS~~ *Reserved for future use*

~~Employees will be eligible for longevity bonuses contingent upon budget approval based on the following:~~

5 - 9 years of service	\$ 500.00
10 - 14 years of service	\$ 1,000.00
15 or more years of service	\$ 1,500.00

~~Years employed shall be computed as of the employee's anniversary date at the time of bonus distribution.~~

- obtaining, viewing or downloading information that is unlawful, obscene, indecent, vulgar, pornographic or otherwise objectionable.
- Internet access records and records of downloaded files are not private and may be occasionally monitored as the City Administrator or Department Head deems necessary.
- Department Heads shall be responsible to ensure proper employee use of the internet.
- Inappropriate or unlawful use of the internet may result in the loss of access for the user and, depending on the seriousness of the infraction, can result in disciplinary action as deemed necessary.

E-Mail Usage:

- Electronic mail may constitute a public record under certain circumstances and may be accessible or obtainable by individuals, agencies and others outside the city and subject to state archivist rules for retention / destruction.
- All electronic mail originating from or received by city computer systems is city property, and is not considered private information.
- Electronic mail may be monitored by the Department Head and/or the City Administrator as they deem necessary.

Q. WORKPLACE VIOLENCE

Employees who have knowledge of an act of workplace violence or of another employee's intent to commit an act of violence against a co-worker, supervisor or citizen have an obligation to report such information to their supervisor. Failure to report or refusal to cooperate in an investigation regarding workplace violence may result in disciplinary action. The HR Manager is the person designated to investigate any claims of workplace violence.

Upon completion of an investigation, a written report will be presented to the City Administrator. If it is determined that the information is correct, immediate and appropriate disciplinary action will be taken against the employee guilty of workplace violence. The disciplinary action may include demotion, suspension, warning, reprimand or termination. A determination of the level of action shall be made on a case-by-case basis.

R. Reserved for future use CALL BACK PAY

Non exempt employees of the City with on-call responsibilities, excluding public safety employees, will be paid a once daily call back premium of \$35.00 per day for being called to work outside of scheduled or normal working hours. The call back premium is to be paid only in the event that the on-call employee reports to perform work. All hours worked will be paid at the appropriate straight time or overtime rate as applicable per the Fair Labor Standards Act. The call back premium will apply to a 24 hour period of on call status beginning and ending at midnight.

S. COMPENSATORY TIME

Exempt employees may be eligible for compensatory time, should their attendance be required at scheduled meetings or for emergency call-outs. Time earned will be one hour for each hour worked and will expire 12 months from accrual date. An employee's compensatory time balance is not paid out should the employee leave the city's employ.

T. CELLULAR PHONES

Employees issued a city-owned cellular phone due to the nature of their position shall be able to receive and initiate personal calls outside regular business hours. However, should personal minutes exceed the number of minutes allowed by the City's cellular phone plan, the employee is responsible for reimbursement to the City for the overage charges. Any employee habitually having a balance due for cellular phone charges may be subject to disciplinary action. Cellular phone etiquette shall be observed at all times. If employee loses or damages City owned cellular telephone due to abuse or neglect, employee may be held responsible for replacement cost of equipment.

U. DIRECT DEPOSIT

All employees hired on or after January 19, 2006 are required to have their payroll checks deposited via direct deposit into the financial institution of their choice. Current employees hired prior to January 19, 2006 may choose and are encouraged, but not required, to participate in the city's payroll direct deposit program.

V. CODE OF ETHICS

1. PURPOSE:

It is essential to the proper government and administration of the City of White House that employees be, and also give the appearance of being, independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of the governmental structure and that no public office shall be used for personal gain. The public, public officials and city employees should have confidence in the integrity of its government. It is the policy of the City of White House to meet its legal responsibilities and to conduct its business in accordance with high ethical standards. In recognition of these goals, a code of ethics is hereby established for all employees.

2. RESPONSIBILITIES OF EMPLOYEES:

Employees are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the laws of the nation, state and city and thus to foster respect for all government. They are bound to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their office regardless of personal consideration, recognizing that the public interest must be their primary concern. Their conduct in both official and private affairs should be above reproach.

B. TYPES OF DISCIPLINARY ACTIONS

Whenever an employee's performance, behavior, work habits or personal conduct falls below an desirable acceptable level as defined in current job description, personnel manual, City of White House Municipal Code, or applicable reference, supervisors shall inform employees promptly either verbally through coaching and counseling, or in writing using the City of White House performance correction notice, as appropriate and ~~shall give them counsel and assistance. If appropriate and justified, a reasonable period of time for improvement may be allowed before initiating disciplinary action.~~ In some instances, a specific incident, in and of itself, may justify severe initial disciplinary action up to, and including, termination.

Copies of all disciplinary action shall be forwarded to Human Resources for inclusion in the employee's personnel folder.

1. ORAL REPRIMAND

In situations where an oral warning is deemed sufficient, a written record of the warning will be given to the employee, and a copy shall be placed in the employee's personnel folder.

2. WRITTEN REPRIMAND

In situations where an oral warning has not resulted in the expected improvement, or when more severe initial action is warranted, a written reprimand will be given to the employee, and a copy shall be placed in the employee's personnel folder.

3. SUSPENSION

An employee may be suspended with or without pay by his/her Department Head with the approval of the City Administrator.

A written statement of the reason for suspension shall be given to the employee affected prior to the time the suspension becomes effective. Employees may be suspended with or without pay pending an investigation of any charges against them. An employee determined to be innocent of the charges shall be returned to duty with full pay for the period of suspension.

4. TERMINATION

The City Administrator may terminate any employee. Reasons for termination may include, but shall not be limited to: misconduct, negligence, incompetence, insubordination, unauthorized absences, falsification of records, violation of any of the provisions of the Charter, ordinances or this personnel manual. The City Administrator's decision will be final and binding on all parties involved.

C. COMPLAINT PROCEDURES

A complaint is defined as an expression of dissatisfaction; disagreement or dispute arising between a current employee and his/her supervisor and/or employer with some

I. TRAVEL POLICY

1. GENERAL RULES

The City Administrator or his/her designee shall be responsible for the enforcement of the following travel regulations.

- a. In the interpretation and application of this policy, the term “traveler” or “authorized traveler” means any elected or appointed municipal officer or employee, including members of municipal boards and committees appointed by the mayor or the municipal governing body, and the employees of such boards and committees who are traveling on official municipal business and whose travel was authorized in accordance with this policy. “Authorized traveler” shall not include the spouse, children, other relatives, friends, or companions accompanying the authorized traveler on city business, unless the person(s) otherwise qualifies as an authorized traveler under this policy.
- b. Authorized travelers are entitled to reimbursement of certain expenditures incurred while traveling on official business for the city. Reimbursable expenses shall include expenses for transportation; lodging; meals; registration fees for conferences, conventions, and seminars; and other actual and necessary expenses related to official business as determined by the City Administrator. Under certain conditions, entertainment expenses may be eligible for reimbursement.
- c. Authorized travelers can request either a travel advance for the projected cost of authorized travel, and/or advance billing directly to the city for registration fees, air fares, meals, lodging, conferences, and similar expenses. Travel advance requests are not considered documentation of travel expenses. If travel advances exceed documented expenses, the traveler must immediately reimburse the city. It will be the responsibility of the City Administrator to initiate action to recover any undocumented travel advances.
- d. Travel advances are available only for special travel and only after completion and approval of the travel authorization form.
- e. The Statement of Expense Claims Form (see appendix) will be used to document all expense claims.
- f. To qualify for reimbursement, travel expenses must be
 - Directly related to the conduct of the city business for which travel was authorized, and

- Actual, reasonable, and necessary under the circumstances. The City Administrator may make exceptions for unusual circumstances. Expenses considered excessive will not be allowed.
- g. Claims of \$5 or more for travel expense reimbursement must be supported by the *original* paid receipt for lodging, vehicle rental, phone call, public carrier travel, conference fee, and other reimbursable costs.
- h. Any person attempting to defraud the city or misuse city travel funds is subject to legal action for recovery of fraudulent travel claims and/or advances.
- i. Mileage and motel expenses incurred within the city are not ordinarily considered eligible expenses for reimbursement.

2. **TRAVEL REIMBURSEMENT RATE SCHEDULE**

Authorized travelers shall be reimbursed according to the State of Tennessee travel regulation rates. The city's travel reimbursement rates will automatically change when the rates are adjusted. The city may pay directly to the provider for expenses such as meals, lodging, and registration fees for conferences, conventions, seminars, and other education programs.

3. **TRAVEL REQUESTS**

To ensure reimbursement for official travel, an approved travel authorization form is required. See Authorization for Travel Form in appendix. Lack of pre-approval does not prohibit reimbursement, but it does assure reimbursement within the limits of the city travel policy. All costs associated with the travel should be reasonably estimated and *shown* on the Authorization for Travel Form. An approved authorization form is needed before advanced expenses are paid or travel advances are authorized. A copy of the conference program, if applicable, should be attached to the authorization form. If the program is not available prior to the travel, you must attach it to your Statement of Expense Claims Form.

4. **TRAVEL DOCUMENTATION**

It is the responsibility of the authorized traveler to:

- a. Prepare and accurately describe the travel,
- b. Certify the accuracy of the reimbursement request,
- c. Note on the reimbursement form all direct payments and travel advances made by the city, and

- d. File the expense form with the necessary supporting documents and original receipts. The expense form should be filed with the finance department within 10 days of return or at the end of the month, whichever is more practical.

5. **TRANSPORTATION**

All potential costs should be considered when selecting the modes of transportation. For example, airline travel may be cheaper than automobile when time away from work and increased meal and lodging costs are considered. When time is important, or when the trip is so long that other modes of transportation are not cost-beneficial, air travel is encouraged. If the traveler goes outside the state by means other than air, the reimbursement will be limited to air fare at tourist or economy class, ordinary expenses during the meeting dates, and one day's meals and motel before and after the meeting. The traveler will be required to take annual leave for any additional time taken beyond the day before and the day after the meeting dates.

Exceptions: When the traveler extends the trip with personal time to take advantage of discount fares, the reimbursement will be limited to the lesser of the:

1. Actual expenses incurred or
2. Amount that would have been incurred for the business portion only. The calculations for the business portion of the trip must be made using the least expensive rates available. All expenses and savings associated with extending the trip must be submitted with the expense reimbursement form.

a. **Air**

When possible, the traveler should make full use of discounts for advance airline reservations and advance registration. The traveler should request conference, government, or weekend rates, whichever is cheaper, when making lodging or rental car reservations. The city will pay for tourist or economy class air travel. The traveler should get the cheapest reasonable fare and take advantage of discount fares. Airline travel can be paid by direct billing to the city. Mileage credits for frequent flyer programs accrue to the individual traveler. However, the city will not reimburse for additional expenses—such as circuitous routing, extended stays, layovers to schedule a particular carrier, upgrading from economy to first class—for travelers to accumulate additional mileage or for other personal reasons. The city will not reimburse travel by private aircraft unless authorized in advance by the City Administrator.

b. **Rail or Bus**

The city will pay for actual cost of ticket.

c. **Vehicles**

Automobile transportation may be used when a common carrier cannot be scheduled, when it is more economical, when a common carrier is not practical, or when expenses can be reduced by two or more city employees traveling together.

- **Personal Vehicle.** Employees should use city vehicles when possible. Use of a private vehicle must be approved in advance by the City Administrator supervisor. The city will pay a mileage rate not to exceed the rate allowed by the state schedule. The miles for reimbursement shall be paid from origin to destination and back by the most direct route. Necessary vicinity travel related to official city business will be reimbursed. If an indirect route is taken, MapQuest mileage will be used to determine the mileage to be reimbursed. If a privately owned automobile is used by two or more travelers on the same trip, only the traveler who owns or has custody of the automobile will be reimbursed for mileage. It is the responsibility of the traveler to provide adequate insurance to hold harmless the city for any liability from the use of the private vehicle. In no event will mileage reimbursement, plus vicinity travel and associated automobile costs, exceed the lowest reasonable available air fare and associated air fare travel costs. Travelers will not be reimbursed for automotive repair or breakdowns when using their personal vehicle.

- **City Vehicle.** The city may require the employee to drive a city vehicle. If a city vehicle is provided, the traveler is responsible for seeing that the vehicle is used properly and only for acceptable business. The employee will be reimbursed for expenses directly related to the actual and normal use of the city vehicle when proper documentation is provided. Out-of-town repair cost to the city vehicle in excess of \$100 must be cleared with the proper city official before the repair is authorized.

- **Rental Cars.** Use of a rental car is not permitted unless it is less expensive or otherwise more practical than public transportation. Approval of car rental is generally required in advance by the City Administrator. Always request the government or weekend rate, whichever is cheaper. Anyone who uses a rental car for out of-state travel must obtain liability coverage from the vendor.

- Fines for traffic or parking violations will not be reimbursed by the city.

- Reasonable tolls will be allowed when the most direct travel route requires them.

d. **Taxi, Limousine, and Other Transportation Fares**

When an individual travels by common carrier, reasonable fares will be allowed for necessary ground transportation. Bus or limousine service to and from airports should be used when available and practical. The city will reimburse mileage for travel to and from the local airport and parking fees, provided such costs do not exceed normal taxi/limousine fares to and from the airport. Receipts are required. For travel between lodging quarters and meetings, conferences, or meals, reasonable taxi fares will be allowed. Remember, *original* receipts are required for claims of \$5 or more. Transportation to and from shopping, entertainment, or other personal trips is the choice of the traveler and not reimbursable. Reimbursement claims for taxis, limousines, or other ground transportation must be listed separately on the expense form, claiming the destination and amount of each fare.

6. **LODGING**

The amount allocated for lodging shall not ordinarily exceed the maximum per diem rates authorized by the state rate schedule.

- a. Tennessee's reimbursement rate varies according to location and does not include appropriate taxes. State rates for travel reimbursement can be found in the state regulations online at <http://www.state.tn.us/finance/act/policy8.pdf>.
- b. Original lodging receipts must be submitted with the expense form. *Photocopies are not acceptable.*
- c. If a traveler exceeds the maximum lodging per diem, excess costs are the responsibility of the traveler.
- d. If the best rate is secured, and it still exceeds the maximum lodging per diem, the ~~City Administrator~~ supervisor may authorize a higher reimbursement amount. Even if it costs more, travelers may be allowed to stay at the officially designated hotel of the meeting; however, more moderately priced accommodations must be requested whenever possible. It will be the traveler's responsibility to provide documentation of the "officially designated meeting site" room rates, if these rates are higher than the normal reimbursable amounts.
- e. If two or more city employees travel together and share a room, the lodging reimbursement rate will be the maximum of two single rooms. If an employee shares a room with a non-employee, the actual cost will be allowed up to the maximum reimbursable amount. The receipt for the entire amount must be submitted with the expense form.

7. **MEALS AND INCIDENTALS**

Receipts are not required for meals and incidentals. The authorized traveler may be reimbursed the daily amount based on the rate schedule and the authorized length of stay. The per diem meal amounts are expected to cover meals, tips, porters, and incidental expenses. The authorized traveler will not be reimbursed more than this. Whether meals may be claimed depends on when the traveler leaves and returns to the official station. The traveler's official station is home or work, whichever produces the least cost to the city. When partial day travel is involved, the current per diem allowance is determined as follows:

MEAL	IF DEPARTURE BEFORE	IF RETURN AFTER
Breakfast	7:00 a.m.	8:00 a.m.
Lunch*	11:00 a.m.	1:30 p.m.
Dinner**	5:00 p.m.	6:30 p.m.

~~*Generally, lunch will not be reimbursed unless overnight travel is involved. Lunch may be reimbursed if departure is before 11 a.m. and the employee is eligible to be reimbursed for dinner.~~

~~** When overnight travel is involved, dinner reimbursement is made regardless of departure time~~

Regardless of which reimbursement rate the city uses, the amounts include tip, gratuity, etc. The hour and date of departure and return must be shown on the expense form.

The excess cost of an official banquet may be allowed provided proper documentation or explanation is submitted with the expense form. If a meal is included as part of a conference or seminar registration, or is included with the air fare, then the allowance for that meal should be subtracted from the total allowance for the day. For example, if a dinner is included as part of the conference fee, the maximum meal allowance for the day should be reduced by the allowed dinner amount.

8. **MISCELLANEOUS EXPENSES**

- a. Registration fees for approved conferences, conventions, seminars, meetings, and other educational programs will be allowed and will generally include the cost of official banquets, meals, lodging, and registration fees. Registration fees should be specified on the original travel request form and can include a request for pre-registration fee payment.
- b. The traveler may be reimbursed for personal phone calls while on official travel, but the amount will be limited to \$5 per day.

- c. A \$4 allowance will be reimbursable for hotel/motel check-in and baggage handling expenses.
- d. Laundry, valet service, tips, and gratuities are considered personal expenses and are not reimbursable.
- e. For travel outside the United States, all expenses claimed must be converted to U.S. dollars. The conversion rate and computation should be shown on each receipt.

9. **ENTERTAINMENT**

The city may pay for certain entertainment expenses provided that the

- a. Entertainment is appropriate in the conduct of city business;
- b. Entertainment is approved by the City Administrator;
- c. Group or individuals involved are identified; and
- d. Documentation is attached to the expense form to support the entertainment expense claims.

To request reimbursement for authorized entertainment expenses, be sure to include with the expense form

- a. Required receipts. All requests must be supported by original receipts from the vendor (restaurant, caterer, ticket office, etc.) Reasonable tips and gratuities included on the receipt *by the vendor* are reimbursable.
- b. A disclosure and explanation statement, explaining the purpose of the entertainment and identifying the group and the number of people entertained (or individual names listed if not a recognized group). If the City Administrator is the person filing the claim, then it must be approved by the governing board before the finance officer authorizes payment.

10. **TRAVEL RECONCILIATION**

- a. Within 10 days of return from travel, or by the end of the month, the traveler is expected to complete and file the Statement of Expense Claims Form. It must be certified by the traveler that the amount due is true and accurate. Original lodging, if the city provided a travel advance or made advanced payment, the traveler should include that information on the expense form. In the case of advances, the form should have a reconciliation summary, reflecting total claimed expenses with advances and city pre-payments indicated. The balance due the traveler or the refund due the city should be clearly shown below the total claim on the form or in a cover memo attached to the front of the form.

- b. If the traveler received a travel advance and spent less than the advance, the traveler should attach a *check* made payable to the city for that difference.
- c. The City Administrator will address special circumstances and issues not covered in this policy on a case-by-case basis.

11. TRAVEL VIOLATIONS

Violation of the travel rules can result in disciplinary action for employees. Travel fraud can result in criminal prosecution of officials and/or employees.

J. USE OF CITY VEHICLES AND EQUIPMENT

Employees who are assigned a city owned vehicle may use that vehicle in the execution of their official duties for the city. In addition, the vehicle may be used daily in commuting to and from their place of employment, if the individual resides within the city limits. Any exceptions must be approved by the Board of Mayor and Aldermen.

City vehicles and equipment are considered city property, therefore, only approved city employees are allowed use of the vehicles and equipment. As city property, smoking is not allowed in any city owned vehicle.

In some cases, take home use of a city owned vehicle is a fringe benefit and is considered taxable income. The required daily charge for use of a take home vehicle as issued by the Internal Revenue Service shall be reported annually by the city on employees' W-2 forms.

The City of White House employees that drive a city-owned vehicle will at all times operate them in a safe manner, adhering to all local, state, and federal traffic laws. Employees are expected to extend common driving courtesies to fellow motorists at all times. Employees must possess a valid driver's license with the proper endorsements in order to be eligible to operate a city-owned vehicle.

The Take Home Vehicle Policy includes, but is not limited to, the provisions below:

1. Employees shall be granted take home privileges of city vehicles when determined for the convenience and benefit of the city by the City Administrator. City owned-vehicles are not assigned, nor shall they be used for the convenience of the employee with regard to personal transportation needs or other non-business activities. Vehicles shall be driven only for city business and not for personal business.
2. Only those employees who are "on call", i.e., those who are designated to respond to calls of city business after routine business hours, or who are designated by their Department Head and the City Administrator as vital to the continuation of city government and services shall be considered for take home vehicle use.

ORDINANCES . . .

MEMORANDUM

TO: White House Board of Mayor and Aldermen,
Angie Carrier, City Administrator

FROM: Addam McCormick, Planning/Codes Dept.

DATE: December 12, 2007

RE: Zoning Ordinance Amendment: Robertson County Flood Maps

The White House Regional Planning Commission at the December 10, 2007 Meeting recommended to amend the zoning ordinance and zoning maps to include the 2008 Robertson County Flood Maps and related information. In 2006, the City adopted the updated FEMA floodway and floodplain management ordinance and the updated Sumner County maps. FEMA is working on a project to change all maps to a digital GIS format that overlays floodway and plain areas onto county parcel maps. The new 2008 maps are replacing the 2002 flood maps. The floodway and flood plain areas in Robertson County include Honey Run Creek and sections of the city near Bill Moss Road, and at the south west section of city within the Burrus Ridge Development. The maps are available for review in the Planning/Codes Office and will be available at Aldermen Meeting for review.

ORDINANCE 07-37

**AN ORDINANCE OF THE CITY OF WHITE HOUSE, TENNESSEE
AMENDING THE FLOODPLAIN PROVISIONS OF THE ZONING
ORDINANCE, APPROVING ROBERTSON COUNTY GIS FORMATTED FEMA
FLOOD MAPS AND INCORPORATING THEM INTO ZONING MAP.**

WHEREAS, the Federal Emergency Management Agency (FEMA) has developed and issued Flood Plain Maps for Robertson County and all the cities within the county, and

WHEREAS, the White House Regional Planning Commission at the December 10, 2007 meeting has reviewed and recommended the adoption of the revised floodplain provisions attached herewith.

NOW, THEREFORE BE IT ORDAINED:

SECTION 1

Article: V Zoning Districts

Section: 5.055 Floodway and Flood Fringe Districts

Item 1-3 General Provisions

Section B. Basis for Establishing the Areas of Special Flood Hazard

Existing Ordinance:

The Areas of Special Flood Hazard identified on the White House, Tennessee, Federal Emergency Management Agency, Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM), Community Panel Numbers (Sumner County Maps) 0125, 0257, 0259, 0270, and 0280, dated, September 20, 2006, and ~~(Robertson County Maps) 0260, dated November 21, 2002 and the (Robertson County Section of Map 0257), dated November 21, 2002~~ along with all supporting technical data, are adopted by reference and declared to be a part of this Ordinance.

Amended Ordinance:

The Areas of Special Flood Hazard identified on the White House, Tennessee, Federal Emergency Management Agency, Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM), Community Panel Numbers (Sumner County Maps) 0125, 0257, 0259, 0270, and 0280, dated, September 20, 2006, and **(Robertson County Maps) 405, 410, and 415 dated April 16, 2008** along with all supporting technical data, are adopted by reference and declared to be a part of this Ordinance.

MEMORANDUM

TO: White House Board of Mayor and Aldermen,
Angie Carrier, City Administrator

FROM: Addam McCormick, Planning/Codes Dept.

DATE: December 12, 2007

RE: Zoning Ordinance Amendment: C-5, Limited Office/Professional Zoning
District

The White House Regional Planning Commission at the November 13, 2007 Meeting recommended to approve the zoning ordinance to include the C-5, Limited Office/Professional zoning district. The new district is to provide a transitional zoning district between residential and commercial zoning districts. The district is set up for limited office/professional uses. The Commission discussed that the existing C-4, Office/Professional Zoning district permits certain land uses that could cause compatibility problems with adjoining residential uses.

ORDINANCE 07-38

AN ORDINANCE AMENDING ARTICLE V OF THE ZONING ORDINANCE AS INDICATED BELOW, FOR THE ADDITION OF THE C-5 LIMITED OFFICE/PROFESSIONAL ZONING DISTRICT.

WHEREAS, the Board of Mayor and Aldermen wishes to amend the Zoning Ordinance to add a new zoning district for limited professional services. The new zoning district would provide a transitional zoning district between residential and commercial uses.

NOW THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen that Article V is amended as indicated below:

Article V Zoning Districts

Section 5.053 Commercial Districts

Addition of New Sub-Section 5.053.5

5.053.5 C-5, Limited Office/Professional Service District

A. District Description

This district is to provide for the provision of professional offices and services. The district would provide a transitional zoning classification with residential and commercial uses. In addition to office activities, certain community facilities are permitted. Uses requiring the outdoor storage of goods and services, the repair and maintenance of vehicles, as well as the sale of retail products are prohibited within this district.

B. Uses Permitted

1. Essential municipal services such as:
 - city, county, state, and federal offices
 - civil defense facilities
 - court buildings
 - fire department facilities
 - police department facilities
 - post office
 - parks and recreation
2. Churches and places of assembly
3. Utility facilities (without storage yards) necessary for the provision of public services
4. Day care centers
5. Professional (Non-Medical) Offices and Services

C. Uses Prohibited

Industrial uses, automobile wrecking and/or recycling uses, junk or salvage yards, van, car, or truck storage uses, body shops and other types of vehicular repair uses, general retail trade uses, automotive, marine, trailer, and farm implement sales uses, distribution, warehousing and construction uses, all types of rental storage uses, as well as any type use requiring outdoor storage, as well as any other uses not otherwise permitted.

D. Dimensional Regulations

All uses permitted in the C-5, Office/Professional Service District, shall comply with the following requirements except as provided in Article VI.

1. Minimum Lot Size Requirements

No minimum lot size shall be required.

2. Minimum Yard Requirements

Front Yard	35 feet
Side Yard	15 feet
Rear Yard	25 feet

3. Maximum Lot Coverage

On any lot or parcel of land, the area occupied by all buildings may not exceed sixty (60%) of the total area of such lot or parcel.

4. Height Requirements

No building shall exceed thirty-five (35) feet in height, except as provided in Article VII, Section 7.040. (Amended by Ordinance 03-10, August 21, 2003)

E. Landscape Requirements

As regulated in Article III

F. Outdoor Storage

There shall be no outdoor storage allowed within the C-5 District.

This ordinance shall become effective upon its final reading and adoption by the Board of Mayor and Aldermen, and publication, the public welfare requiring it.

First Reading: December 20, 2007 PASSED

Second Reading: January 17, 2008

ATTEST:

John Decker, Mayor

Christie M. Odenwald, City Recorder

MEMORANDUM

TO: White House Board of Mayor and Aldermen,
Angie Carrier, City Administrator

FROM: Addam McCormick, Planning/Codes Dept.

DATE: December 12, 2007

RE: Brinkley Property Annexation Request

The White House Planning Commission at the December 10, 2007 meeting recommended to approve the plan of services and annex two properties 1.95 and 6.44 acres on Pleasant Grove Road. The Planning Commission discussed the proposed properties to be annexed are within a city limits "do-nut hole." The area east of Pleasant Grove Road between Holly Tree and industrial properties on SR 76 are within a city limits "do-nut hole." Properties within the "do-nut" include 5 residences and three agricultural properties. The Planning Commission discussed that the owners of the other properties be contacted to see if the owners would want to be in the city limits.

The Board of Mayor and Aldermen can direct staff to contact the property owners about being annexed into the city limits. Since the properties are in Robertson County and under the growth boundary local agreement, the city can't annex the property unless the owners request the annexation. If the Aldermen wants staff to contact the property owners and the owners agree, then a new plan of services will be required for the properties. The purpose of the plan of services is to detail the list of services to be provided by the city. Mr. Brinkley's properties will not contain any residences until the properties are developed. The property currently contains an old mobile home that Mr. Brinkley has agreed to remove.

The plan of services for Mr. Brinkley's property is based on the sewer being upgraded with the development. The plan of services for the existing homes would need to include a detailed time line of when the sewer infrastructure would be available to the property owners. The property owners would be required to pay all related tap fees. Under state plan of service requirements, when Cities annex properties with existing residences then the city has to make services available within a reasonable time. The City has typically only annexed vacant properties for development and the developer has been required to extend sewer service to the area. The other city services should not be an issue for Mr. Brinkley's or the other existing properties since city services are currently being provided for Holly Tree Subdivision.

See excerpt from December Planning Commission Staff Review Letter:

Item#5**Brinkley Plan of Services**

Action: Recommendation to the Board of Mayor and Aldermen to approve plan of services for a proposed annexation on Pleasant Grove Rd.

Applicant: Jim Brinkley

Location: Pleasant Grove Road south of Holly Tree Subdivision

Recommendation: Approval

Staff Notes:

The property being requested to be annexed is located on two tracts which totals 8.39 acres. The property adjoins the Holly Tree Subdivision. The plan of services is to ensure that the City can provide City Services to the property. The property currently contains a vacant mobile home that according to owner will be moved shortly from property. The only city service that could not occur with annexation at this time is sewer service. Sewer capacity is sufficient at the plant for this property and according to Mr. Crusenberry, Waste Water Director, a sewer line at developer's expense will have to be extended from the entrance of Holly Tree Subdivision to this property. Due to the age and design of the city's sewer system this area of the city and growth boundary requires the least amount of sewer improvements for development. As discussed at last month's meeting the development of the north side of town near 31 W will require substantial sewer improvements for development.

The issue with the annexation is that annexing the property will break an existing "city limits donut hole" into two smaller areas. On the east side of Pleasant Grove the City limits includes Holly Tree Subdivision and the industrial properties near the intersection of SR 76. The farm land and multiple residential tracts with 5 homes is out of the city limits. The annexation of the property would be best to include the additional tracts but the properties are in Robertson County and based on the local agreement with the growth boundary, the City cannot annex the property without the owner requesting the annexation. I can notify all the affected property owners about being annexed into the City limits. The problem with city limit holes is in providing 911 emergency services due to questions of who is in and out of city limits.

The question is should this property be annexed until the other properties are included. Due to the sewer access issues discussed above, I would recommend approval of the request with the stipulation that Planning Commission recommend to Aldermen to have staff contact the other property owners in the area about being annexed. If the owners agree, the City would have to do another plan of services. Annexing the properties that contain existing homes would make the City responsible for Having sewer accessible to the property within a defined time limit that would be detailed in the plan of services. The property owners would be required to pay tap fees. If annexed, the property will be designated as R-20, Low Density Residential.

This issue is an example of why the City is requesting to amended the Robertson County growth boundary to change the local agreement to allow the City the ability to annex adjoining properties in situations like this.

ORDINANCE 07-39

AN ORDINANCE TO ANNEX CERTAIN TERRITORIES AND INCORPORATE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF WHITE HOUSE, TENNESSEE.

WHEREAS, a public hearing before this body will be held on the 17th day of January 2008, and notice thereof published in the White House Watch on January 2, 2008; and

WHEREAS, application from the property owner has been received to annex the below mentioned properties into the City limits, and

WHEREAS, a Plan of Services for such territory will be duly adopted by the White House Board of Mayor and Aldermen, and

WHEREAS, the annexation of such territories is deemed necessary for the welfare of the property owner thereof and of the City as a whole;

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the City of White House, Tennessee that the territories described below be annexed and incorporated within the corporate boundaries of the City of White House:

Robertson County Tax Map 95 Parcel 105

LAND in the 11th Civil District of Robertson County, Tennessee, and described according to a survey by Ray G. Cole Registered Land Surveyor No. 924, dated May 08, 1998, as follows:

BEGINNING at an iron pin found, a corner to James W. Brinkley, Trustee (deed book 334, page 43), and being the most northwest corner of this tract; thence with a new dividing line, South 89° 14' 45" East, a distance of 151.20 feet to an iron pin found; thence, South 89° 14' 45" East, a distance of 391.74 feet to an iron pin set in the line of Janice Kay Dennis (deed book 322, page 345); thence, South 1° 19' 48" West, a distance of 441.95 feet to an iron pin found, a corner to said Dennis, and a corner to

Deborah Henderson Et Vir; thence South 78° 45' 46" West, a distance of 590.63 feet to an iron pin found by a rock, a corner to said Henderson, and said Brinkley; thence North 4° 43' 47" East, a distance of 566.00 feet to the beginning, containing 6.44 acres, more or less.

This description contains the property located on Parcel 105, Robertson County Tax Map 95; the property contains 6.44 acres, more or less. The property described above contains the location of former mobile home at 3335 Pleasant Grove Road. The property is referenced on revised 2007 Robertson County Tax Map.

Robertson County Tax Map 95 Parcel 106

LAND in the 11th Civil District of Robertson County, Tennessee, and described according to a resurvey by Ray G. Cole, Registered Land Surveyor No. 924, dated November 25, 1994, as follows:

BEGINNING at an iron pin (found) in the easterly margin of Pleasant Grove Road, a corner to John L. Tate (Deed Book 291, page 204), and being the most northwest corner of this tract; thence, leaving said road and with the line of said Tate, N. 84 deg. 53 min. 29 sec. E. 179.33 feet to an iron stake (axle) found, corner to said Tate, and a corner to Lymon Simmons (Deed Book 111, page 237); thence, with said Simmons, S. 08 deg. 39 min. 57 sec. E. 566.24 feet to a corner rock (found), a corner to said Simmons, Deborah Henderson (Deed Book 279, page 38), and Margaret Baker (Deed Book 98, page 229); thence, with said Baker, S. 79 deg. 33 min. 28 sec. W. 129.05 feet to an iron pipe (found) in the margin of said Pleasant Grove Road; thence, with said road, N. 10 deg. 50 min. 08 sec. W. 237.21 feet to an iron pin set; thence, continuing with said road, N. 15 deg. 27 min. 32 sec. W. 346.76 feet to the beginning, containing 1.95 acres, more or less.

BEING the property conveyed to Rick Osborne by deed from Wayne Parks recorded in Deed Book 312, page 645, as corrected by instrument of record in Deed Book 334, page 430, both in the Register's Office for said County.

This description contains the property located on Parcel 106, Robertson County Tax Map 95; the property contains 1.95 acres, more or less. The property is referenced on revised 2007 Robertson County Tax Map.

BE IT FURTHER ORDAINED that the attached map is made exhibit to this ordinance.

This ordinance shall become effective upon publication of final reading and thirty (30) days upon final reading, the public welfare requiring it.

First Reading: December 20, 2007 PASSED

Second Reading: January 17, 2008

John Decker, Mayor

ATTEST:

Christie M. Odenwald, City Recorder

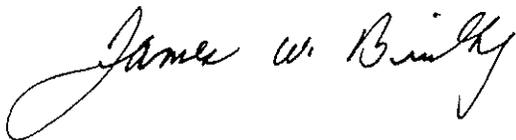
November 21, 2007

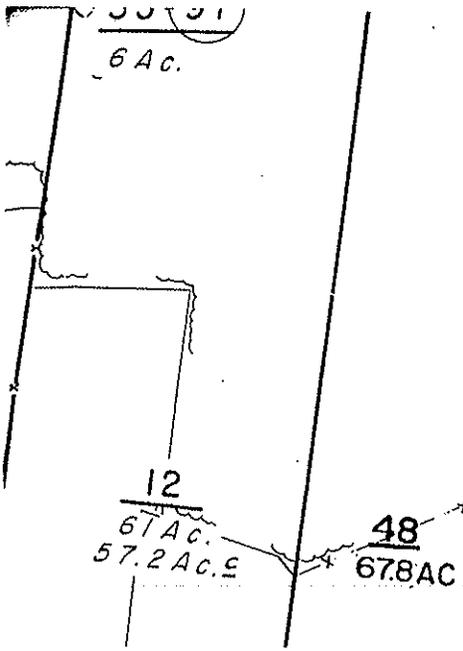
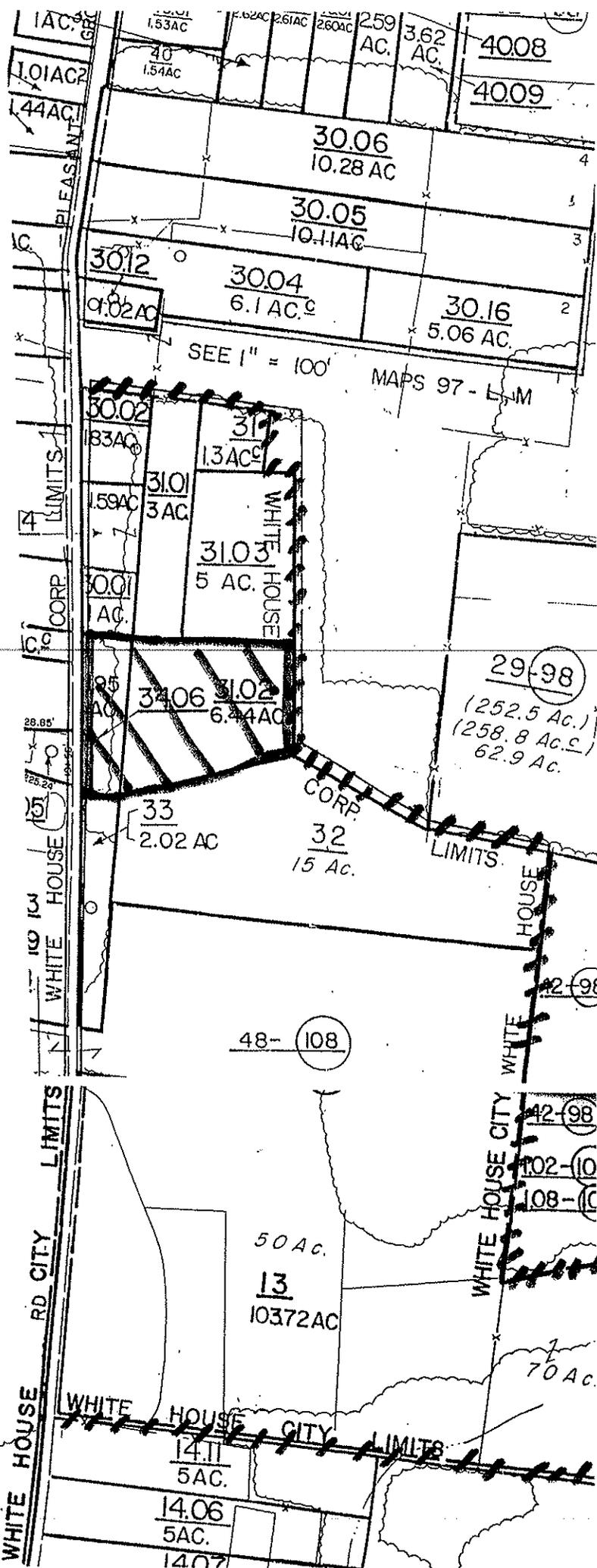
White House Board of Mayor and Aldermen,
White House Regional Planning Commission

I would like to request annexation of Robertson County Tax Map 95 Parcel 105 6.44 acres and Tax Map 95 Parcel 106 1.95 acres. Total area 8.39 acres. The purpose of the annexation request is to develop the property with city services.

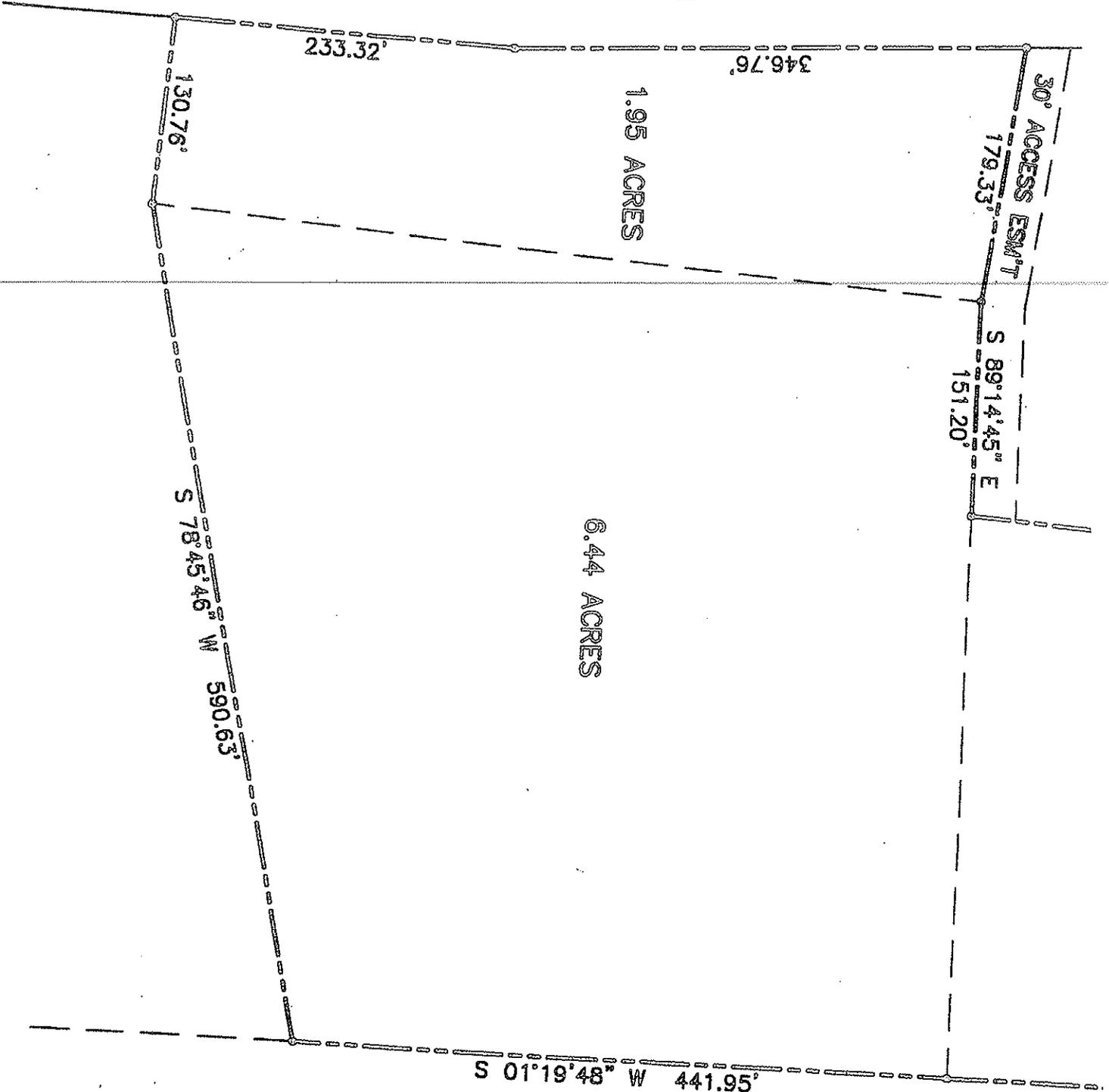
Sincerely,

James W. Brinkley

A handwritten signature in cursive script that reads "James W. Brinkley". The signature is written in dark ink and is positioned below the typed name.



PLEASANT GROVE ROAD

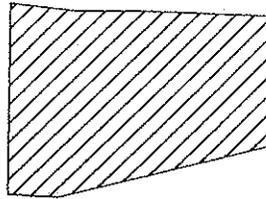


City of White House



Holly Lane

Pleasant Grove Road



Pinson Lane

MEMORANDUM

TO: White House Board of Mayor and Aldermen,
Angie Carrier, City Administrator

FROM: Addam McCormick, Planning/Codes Dept.

DATE: December 12, 2007

RE: Welch Property Rezoning Request

The White House Regional Planning Commission at the November 13, 2007 meeting recommended to rezone 1.36 acres from R-20, Low Density Residential to R-15, Medium Density Residential and C-2, General Commercial. The property is located on Hwy 31W north of Deer Crossings Center. The property contains two older homes. The owner has requested to subdivide the property so that the homes would be on separate lots and to create a commercial lot adjoining the Deer Crossings Center. The property would be split to have 0.81 acres for both residential lots and 0.55 acres for the commercial property.

ORDINANCE 07-40

**AN ORDINANCE OF THE CITY OF WHITE HOUSE, TENNESSEE
AMENDING THE ZONING MAP RELATIVE TO ROBERTSON COUNTY TAX
MAP 119 B, GROUP C, PARCEL 12 FOR A 0.81 ACRE PORTION OF PARCEL
12 FROM R-20, LOW DENSITY RESIDENTIAL TO R-15, MEDIUM DENSITY
RESIDENTIAL AND A 0.55 ACRE PORTION OF PARCEL 12 FROM R-20,
LOW DENSITY RESIDENTIAL TO C-2, GENERAL COMMERCIAL.**

WHEREAS, application has been received from the owner to rezone a 0.81 acre portion of Robertson County Tax Map 119 B, Group C, Parcel 12 from R-20, Low Density Residential to R-15, Medium Density Residential and a 0.55 acre portion of Robertson County Tax Map 119 B, Group C, Parcel 12 from R-20, Low Density Residential to C-2, General Commercial. Robertson County Tax 119B, Group C, Parcel 12 contains 1.36 acres, more or less.

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen that the following property is rezoned as indicated above:

Robertson County Tax Map 119 B, Group C, Parcel 12 containing approximately 1.36 acres, more or less.

BE IT FURTHER ORDAINED that this rezoning has been approved by the Planning Commission; and

BE IT FURTHER ORDAINED that the attached map shall become a part of this ordinance.

This ordinance shall become effective upon its final reading and adoption by the Board of Mayor and Aldermen, and publication, the public welfare requiring it.

First Reading: December 20, 2007 PASSED

Second Reading: January 17, 2008

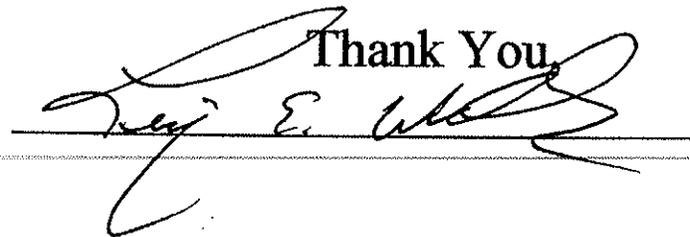
John Decker, Mayor

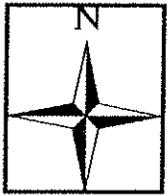
ATTEST:

Christie M. Odenwald, City Recorder

I, Leif Welch, request that my property located at 2779 & 2781 Hwy. 31W South all on one parcel, be subdivided into three separate lots. The lot is zoned R-20 to get the appropriate set-backs, I request it to be rezoned R-15 medium density to get each house on a separate lot if its own.

I also request that the separate lot that is vacant be rezoned C-2 general commercial for future development.

Thank You,




SAGE RD

Meadowlark Dr

HWY 37W

Memo

TO: Board of Mayor and Alderman
Angie Carrier, City Administrator

FROM: Bill K. Crusenberry, Director of Wastewater

DATE: January 3, 2008

SUBJECT: Additions to the Sewer Use Ordinance Chapter 3 Rates, Fees,
and Charges

I request approval of the following additions to the Sewer Use Ordinance, Chapter 3, Rates, Fees, and Charges. These modifications are proposed in order to more fairly and equitably distribute the sewer system's operating and maintenance costs to those who generate the costs.

Summer Service Rates – Residential user charges during the months of June, July and August will be changed to reflect an average usage based on the previous twelve months of water usage billing, or the actual monthly bill, whichever is less. If less than twelve months of water billing usage data is available, the adjustment will be made based on the data available or the rated capacity of the water meter in the case of a new service without a water usage billing history. Residential customers will not be permitted any other wastewater usage adjustments while summer service rates are in effect.

The summer service rate adjustment is offered to existing residential customers to automatically adjust the customer's monthly bill during the summer months of highest water usage. This high usage in the summer months of June, July, and August is most commonly related to increases in outdoor water consumption for lawn and garden watering and car washing that does not create increases in water flows to the wastewater collection system. These months are also the most common months for customers to request a residential sewer bill adjustment under the City's current ordinance and adjustment policy. In addition to providing the City's residential customers with some financial relief from higher summer sewer bills, this automatic adjustment will also relieve the City of the expense related to the individual processing of residential customer adjustments throughout the summer months.

Capital Cost Recovery Fee – A non-refundable fee shall be paid prior to connection to the wastewater system, including individual service connections, to recover a portion of the capital cost expended by the City for the extension of the sewer system that will serve the applicant's request for sewer service. The appropriate fee amount will be a prorated portion of the total capital expenditures by the City for such extension, including all principal and interest on debt at the time of fee payment, with the proration based on the

amount of system extension capacity to be utilized by the applicant relevant to the total capacity of the extension.

Wastewater Plans Review Fee – A fee in the amount of \$300.00 shall be paid at the time plans are submitted for review.

The capital cost recovery fee and the wastewater plan review fee will be assessed to new customers to recover the costs associated with extensions of the existing sewer collection system and with the reviewing of plans and specifications for new developments and customers so that the City's existing customer's do not unfairly bear the burden of these expenses.

Reconnection Charge- A charge of fifty dollars (\$50.00) will be applied to any user that has been disconnected for non-payment before reinstatement will be permitted.

The reconnection charge will be issued to customers whose services have been disconnected for non-payment to recover the City's expenses related to the disconnection and re-connection of the customers' service.

We feel that the summer rate adjustment and the fees and charges listed above will allow us to more fully meet the needs of our growing customer base while still allowing us to maintain and properly operate the City's sewer collection and treatment system.

I would be happy to answer any questions you may have regarding the requested additions. Thank you

ORDINANCE 08-01

AN ORDINANCE OF THE CITY OF WHITE HOUSE, TENNESSEE AMENDING THE MUNICIPAL CODE, TITLE 18, CHAPTER 3 SEWER RATES, FEES AND CHARGES.

WHEREAS, the Board of Mayor and Aldermen desires to amend the wastewater rates, fees and charges;

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen that the White House Municipal Code Title 18, Chapter 3 is amended to reflect changes.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances in conflict herewith are hereby repealed.

~~This ordinance shall become effective upon its final reading and adoption by the Board of Mayor and Aldermen, and publication, the public welfare requiring it.~~

First Reading: January 17, 2008

Second Reading: February 21, 2008

John Decker, Mayor

ATTEST:

Christie M. Odenwald, City Recorder

CHAPTER 3

SEWER RATES, FEES AND CHARGES

SECTION

18-301. Rates

18-302. Fees and Charges

18-301. Rates

(1) **Free Service Prohibited** - Wastewater service shall not be furnished or rendered free of charge to any person or user, as defined in Section 2.

(2) **Wastewater Usage Rates** - Wastewater service shall be charged at rates established by the City of White House. Users will be charged a minimum based on the number of water meters installed unless one water meter is used to serve multiple units. In such cases, each unit will be charged at least the minimum usage rate for each individual unit served. The monthly wastewater rate schedule shall be as follows:

City of White House
Wastewater Usage Rate Schedule
Exhibit A

	<u>Residential</u>	<u>Non-Residential</u>
Minimum Bill 0 – 1,000 gallons	\$14.00	\$28.00
All over 1,000 gallons	\$6.65 per 1,000 gallons	\$6.65 per 1,000 gallons

City of White House
Wastewater Usage Rate Schedule
Single Metered Multiple Units
Exhibit B

	<u>Residential per unit</u>	<u>Non-Residential per unit</u>
Minimum Bill 0 – 1,000 gallons	\$14.00	\$28.00
All over 1,000 gallons	\$6.65 per 1,000 gallons	\$6.65 per 1,000 gallons

(3) **Summer Service Rates** – Residential user charges during the months of June, July and August will be changed to reflect an average usage based on the previous twelve months of water usage billing, or the actual monthly bill, whichever is less, or the water usage billing that is available if it is less than twelve months, or the rated capacity of the water meter if it relates to a new service without a water usage billing history. Residential customers will not be permitted any other wastewater usage adjustments while summer service rates are in effect.

(4) Wastewater Usage Adjustments - Users may be entitled to an adjustment to their wastewater usage charges for the use of water not being discharged into the wastewater system. Users wishing to have their wastewater usage charges adjusted must fill out a Wastewater Adjustment Request Form and submit to the City of White House Wastewater Department. Each adjustment will be reviewed on a case-by-case basis by the City's Wastewater Director, who will notify the user in writing of their decision. When an adjustment is granted, the user charges will be changed to reflect an average usage based on the previous twelve months of water usage billing, or the water usage billing that is available if it is less than twelve months, or the rated capacity of the water meter if the adjustment relates to a new service without a water usage billing history. Wastewater user rates in effect at the time of the adjustment request will be applied to the adjusted usage figure. Wastewater usage adjustments may be granted according to the following schedule:

Time frame	Situation
Once per calendar year	Filling of swimming pool.
Once per calendar year	Watering of lawn, garden, powerwashing of house/driveway.
Once per 24 month period	Water leak that enters sewer system, when substantiated by an affidavit from a plumber or any governmental entity. User will receive 50% of the adjustment amount.
Anytime	Water leak that does not enter the municipal sewer system in the sole judgment of the City

(5) Delinquent Payments - Wastewater usage charges shall be paid by the due date. Usage charges that are not paid by the due date shall be assessed a penalty in the amount of ten percent (10%) of the amount due. Should wastewater usage charges and related penalties remain unpaid by the 10th day of the month following the due date, the water meter may be removed from service, unless there are extenuating circumstances in the opinion of the City. It shall be the responsibility of the person to whom the wastewater usage charges are assessed to pay all charges and past due amounts before reconnection of service.

18-302. Fees and Charges

(1) **Application Fee** – A non-refundable application fee in the amount of \$25.00 shall be paid by the applicant for wastewater service at the time the application is filed with the City.

(2) **Administrative Fees** – Fees to cover the various administrative costs of obtaining wastewater service for multiple service residential and commercial developments and for any industrial facilities shall be as follows:

- (a) Clerical Fee in the amount of \$175.00 shall be paid at the time of application for wastewater service.
- (b) Wastewater Availability Fee in the amount of \$300.00 shall be paid at the time of application for service if the Wastewater Director deems that an assessment of system capacity is needed to determine the service availability.
- (c) Wastewater Plans Review Fee in the amount of \$300 shall be paid at the time plans are submitted for review.
- (d) Field Inspection Fee in the amount of \$300.00 minimum shall be paid prior to beginning construction of the wastewater system facilities to be completed by the applicant. Additional fees shall be paid at the rate of \$50.00 per every 10 lots or units, or partial increment thereof, to be served above the initial 10 lots or units. This fee may be waived at the sole discretion of the Wastewater Director for individual connections to the wastewater system.

(3) Capital Cost Recovery Fee – A non-refundable fee shall be paid prior to connection to the wastewater system, including individual service connections, to recover a portion of the capital cost expended by the City for the extension of the sewer system that will serve the applicant’s request for sewer service. The appropriate fee amount will be a prorated portion of the total capital expenditures by the City for such extension, including all principal and interest on debt at the time of fee payment, with the proration based on the amount of system extension capacity to be utilized by the applicant relevant to the total capacity of the extension.

(4) **Capacity Fee** – A non-refundable fee in the amount appropriate in the following table shall be paid prior to beginning construction of the wastewater facilities to be completed by the applicant, including individual service connections, to cover the value of the wastewater system capacity to be consumed by the applicant.

Table of Capacity Fees		
	<u>Description of Service</u>	<u>Amount</u>
(a)	Single family residence (Base Fee)	\$2,500.00
(b)	Multi-family residence (including mobile home parks)	\$2,500.00 per unit
(c)	Motels, hotels and similar type units	Base Fee + \$115.00 per unit
(d)	Restaurants	Base Fee + \$30.00 per seat
(e)	Day care, child care centers, and schools	Base Fee + \$15.00 per student
(f)	Car wash/truck wash	Base Fee + \$750.00 per bay
(g)	Self-service laundries	Base Fee + \$150.00 per washer
(h)	Retail commercial stores	Base Fee + \$30.00 per 1,000 square ft under roof
(i)	Multiple-unit shopping centers	Base Fee per unit

(j)	Assisted Care / Nursing Homes	Base Fee + \$125.00 per bed
(k)	Hospitals	Base Fee + \$150.00 per bed
(l)	Service Stations	Base Fee + \$225.00 per pump
(m)	Movie Theaters	Base Fee + \$10.00 per seat
(n)	Other Facilities	Base Fee + Add-on to be determined by the City

(5) Commitment Fee – A non-refundable fee in the amount of \$300.00 per lot or unit shall be paid by the applicant prior to the approval of the plans for the wastewater facilities to be constructed by the applicant to cover the reservation of the wastewater system capacity until such time as the wastewater facilities are constructed by the applicant and accepted by the City for service. The commitment to reserve the system capacity shall expire at the end of 12 months and may be renewed by the applicant for an additional 12 months without additional fee. If the applicant has not commenced construction of any of the required system facilities at the expiration of second 12 month period, the commitment shall expire or may be renewed at the sole discretion of the City for an additional 12 months with the second payment of the commitment fee by the applicant. If significant construction progress of the required wastewater system facilities is interrupted for more than 12 months, the City may terminate the capacity commitment without notice.

(6) Connection Fee – A fee of \$150.00 to cover the costs of field inspection and approval of the physical tap or connection to the City’s wastewater system, such connection to be performed on behalf of and at the expense of the applicant by a contractor or plumber approved by the City.

(7) Bulk Disposal Fee – A fee of \$150.00 per load to allow the disposal of septage into the City’s wastewater system under controlled and approved conditions monitored by the City.

(8) Commercial Food Preparation Fee – A fee of \$100.00 per year for all users who engage in commercial food preparation requiring the inspection of grease traps and interceptors and other specialty appurtenances preventing the discharge of prohibited fats, oils and grease into the wastewater system.

(9) Industrial Permit Fee – A fee of \$1,200.00 per year for all users who have a pretreatment discharge permit issued by the City to discharge their wastewater into the City’s wastewater system under the conditions and provisions of such permit.

(10) Rental Property Deposits - A \$50.00 non-refundable deposit shall be required on all residential rental property, and a \$100.00 non-refundable deposit on all commercial rental property prior to service being connected, or reconnected after service disconnection, to the wastewater system.

(11) Returned Check Charge – A charge of twenty dollars (\$20.00) or the amount of the check, whichever is lesser will be applied to any user or potential user whose check for payment of any rates, fees or charges related to wastewater service is returned to the City due to insufficient funds, or for any other reason.

(12) Reconnection Charge- A charge of fifty dollars (\$50.00) will be applied to any user which has been disconnected for non-payment before reinstatement will be permitted.

(13) Emergency Service Charges – When the wastewater system sustains damages due to the actions of a party other than the City, the Wastewater Department may repair such damages if such repairs are needed immediately, in the sole opinion of the City, to protect the operational integrity of the City's wastewater system. The costs of such repairs shall be charged to the party responsible for the damages, such costs to be determined by the City's Wastewater Director.



City of White House Memorandum

Date: January 9, 2008

To: Board of Mayor and Aldermen
Angie Carrier, City Administrator

From: Ashley Smith, Director of Parks and Recreation

Re: Parks Department Budget Amendments

Because of the efforts of Representative Mike McDonald, we have been awarded a \$4,000 community enhancement grant to purchase a new spiral slide for the City Park playground, and \$4,000 for 2 new computers, 2 printers, and a defibrillator for the Senior Citizens Center. These awards will require a budget amendment in order to make the purchases, so please consider this as a request for an amendment to the Park Maintenance and Senior Citizens budget for the respective amounts. Thank you.

In correlation with the contract for new soccer field lighting, as entered into with the White House Youth Soccer League, there must also be a budget amendment this year for \$30,000.

ORDINANCE 08-02

AN ORDINANCE OF THE CITY OF WHITE HOUSE, TENNESSEE, AMENDING THE FISCAL BUDGET FOR THE PERIOD ENDING JUNE 30, 2008.

WHEREAS, it has become necessary to amend the current year's annual budget recognize additional revenue and expenditures related to receipt of Community Enhancement Grant monies and related purchases for the Parks and Recreation Department; and

WHEREAS, with these funds, the Parks and Recreation Department will purchase a new spiral slide for the City Park and two (2) new computers with printers, as well as a defibrillator for the Senior Citizen's Center, and

WHEREAS, the City routinely amends the annual adopted budget during the year to accurately reflect unanticipated costs or tax revenues,

NOW, THEREFORE, BE IT ORDAINED, by the Board of Mayor and Aldermen that the Fiscal Budget ending June 30, 2008 is hereby amended as part of the attached exhibit.

This ordinance shall become effective upon final reading the public welfare requiring it.

First Reading: January 17, 2008

Second Reading: February 21, 2008

John Decker, Mayor

ATTEST:

Christie M. Odenwald, City Recorder

City of White House
 Budget Amendment II
 January 17, 2008

					Current Budget	Proposed Budget	Amendment
110	33400		General Fund	State Grants	588,000	596,000	8,000
110	44740	900	General Fund-Park Maintenance	Capital Outlay	8,750	12,750	4,000
110	44310	320	General Fund-Senior Services	Operating Supplies	1,000	5,000	4,000

1. *To amend current 2007-2008 budget to recognize additional revenue and expenditures related to receipt of State grant monies and related Parks purchases.*

200	36700		Debt Service Fund	Contributions and Donations	0	30,000	30,000
200	49000	610	Debt Service Fund	Bond and Debt Payments	438,537	468,537	30,000

2. *To amend current 2007-2008 budget to recognize additional revenue and expenditures related to execution of the soccer lighting agreement between the City of White House and White House Youth Soccer.*

*FINANCE AND
OTHER BUSINESS . . .*



City of White House Memorandum

Date: Dec. 18, 2007

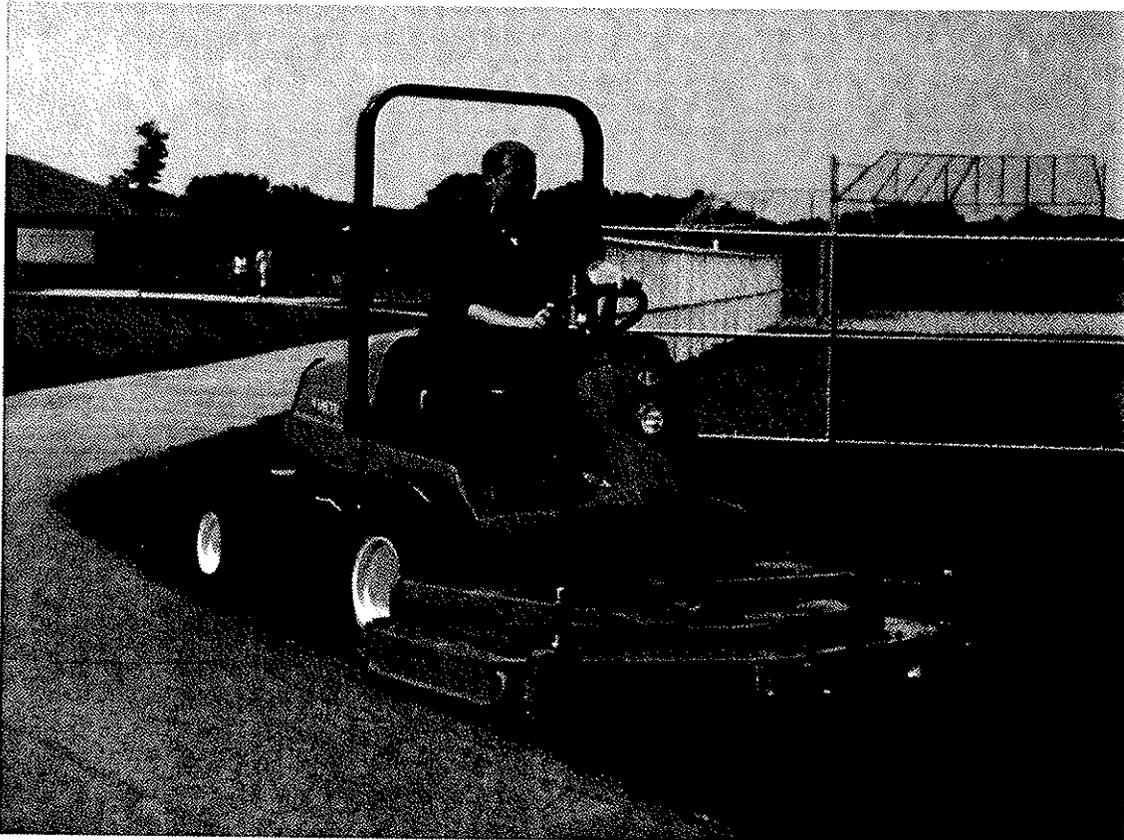
To: Board of Mayor and Aldermen
Angie Carrier, City Administrator

From: Ashley Smith
Director of Parks and Recreation Department

Re: Purchase of Commercial Front Deck Mower

I am seeking permission to purchase a new Kubota F2880 4-wheel drive, commercial 72" front deck mower for use throughout the park system, and it is listed on the Tennessee Statewide Contract list. This machine is budgeted in the 2007-2008 CIP at \$16,000, but we can buy off the state contract for \$13,479.00. The vendor which was awarded this state contract is Cirrus Outdoor Power Equipment in White House, so the money will remain local if approved.

Thank you for considering this purchase.



Memo

To: Board of Mayor and Alderman
From: Ed Hickman – Director
CC: Christie Odenwald
Date: 1/7/2008
Re: Request for surplus of the following equipment at Public Works.

On this date, January 3, 2008, we are requesting that the following equipment be surplus. Items to be placed on GovDeal.com for sale, after approval of Mayor and Alderman.

- 1993 Freightliner FL80 with Heil Trash compactor body Vin # 1FVXJLBB6RL630827
- 1988 Ford F800 with Heil Trash compactor body Vin # 1FDYK84A9JVA21962
- 2001 Isuzu NPR with Heil Trash compactor body Vin # JALC4B14927000831
- 1976 ? CASE 585 Tractor with (1992 model) Alamo Side Arm Boom Mower

Thank you for your consideration. If you have any questions regarding this matter, you may contact me at 672-0215.

Memo

TO: Board of Mayor and Alderman
Angie Carrier, City Administrator

FROM: Bill K. Crusenberry, Director of Wastewater

DATE: January 4, 2008

SUBJECT: C.I.P. purchases, Ford F250 4 by 4 Extended Cab w/service bed

I request your approval to purchase from the State wide contract a new Ford F250 4 by 4 extended cab w/service bed.

Please see the attached information. I would be happy to answer any questions you may have. Thank you

Quotation Response

TOWN & COUNTRY



BID #: 2059224 - pb
White House

Fleet and/or Sales Manager: Town & Country Ford Office: (615) 865-1280

Cell Phone: (615) 300-6312 Fax: (615) 868-6295

Concessions: QS132 Attachments: Yes No

Does the vehicle meet the minimum required specifications? (Circle one) Yes No

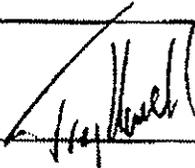
Stock Number: T.B.D. Year/Make: 2008 Ford

Model: F-250 4x4 Extended Cab (X21) Colors: White

5.4L with
Reading Svc
Body

Extended Price: _____ Quoted Price: \$25,475.00

Delivery within 90 - 120 days from date of P.O.

Submitted By: Trey Howell 

Title: Commercial Sales Manager

Date: November 26, 2007

Approved by Purchasing: _____



Business Preferred Network
SALES SERVICE FINANCE

Trey Howell - Commercial Sales Manager
Town & Country Ford
101 Anderson Lane
Madison, TN 37115

Ph.: (615) 865-1280 Cell: (615) 300-6312 Fax: (615) 868-6295
Email: thowell@fordnashville.com

==>

Dealer: F47231

2008 F-SERIES SD

Page: 1 of 2

Order No: 1126 Priority: B2 Ord FIN: QS132 Order Type: 5B Price Level: 820

Ord PEP: 600A Cust/Flt Name: WHITEHOUSE PO Number:

	RETAIL		RETAIL
X21 F250 4X4 S/C	\$27685	X3L 3.73 LTD SLIP	\$300
158" WHEELBASE		JOB #2 BUILD	
Z1 OXFORD WHITE CC		9400# GVWR PKG	
A VNYL BNCH W/ARM	NC	SPARE TIRE/WHL3	NC
S MEDIUM STONE		524 TILT WHEEL	150
600A PREP EQUIP PKG		525 CRUISE CONTROL	235
.XL TRIM		54D TELE TT MIR-MAN	125
47Z .AMP PKG NOT REQ		572 AIR CONDITIONER	850
531 .TRAILER TOW PKG	NC		
55D .DRIVER AIRBAG	NC	TOTAL BASE AND OPTIONS	31890
55P .PASSNGR AIRBAG	NC	TOTAL	31890
587 .AM/FM STER/CLK	NC	*THIS IS NOT AN INVOICE*	

995 .5.4L EFI V8 ENG NC

44T 5-SPD AUTOMATIC 1490

* MORE ORDER INFO NEXT PAGE *

TBK .LE245 BSW AS 17

F8=Next

F1=Help

F2=Return to Order

F3/F12=Veh Ord Menu

F4=Submit

F5=Add to Library

8006 - MORE DATA IS AVAILABLE.

QC01466

WHITEHOUSE

4wo

CNGP30 VEHICLE ORDER CONFIRMATION 11/26/07 13:18:39

2008 F-SERIES SD Dealer: F47231
Order No: 1126 Priority: B2 Ord FIN: QS132 Order Type: 5B Price Level: 820 Page: 2 of 2
Ord PEP: 600A Cust/Flt Name: WHITEHOUSE PO Number:

	RETAIL		RETAIL
JACK			
668	UPFITTER SWITCH	85	
942	DAY RUNNING LTS	45	
	SP CLR ACCT ADJ		
	SP FLT ACCT CR		
13	U.S. GAL GAS		
64A	NEW INV FLT OPT	NC	
	DESP AND DELIV	925	

TOTAL BASE AND OPTIONS 31890
TOTAL 31890
THIS IS NOT AN INVOICE

F1=Help F2=Return to Order F7=Prev
F4=Submit F5=Add to Library F3/F12=Veh Ord Menu
S099 - PRESS F4 TO SUBMIT QC01466

WHITE HOUSE
4WD

January 10, 2008

MEMORANDUM

To: Board of Mayor and Aldermen

From: Jeremy Sisk – Fire Marshall

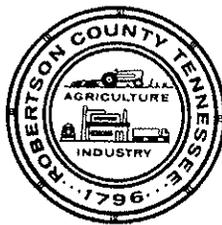
Re: Proposal for Employee Fitness Program “*City of White House Biggest Loser*”

In the spirit of improving the general health, fitness and wellness of the employees of the City of White House, I would like to propose a contest to begin February of 2008, continuing through July of 2008. This contest would be open to all City Employees for participation and would provide a periodic reward for winners of each stage as well as a Grand Prize to be awarded in August 2008.

The highlights of the contest are as follows:

- Grand Prize: 1 years membership to a local gym to be awarded on August 7, 2008 for the overall grand prize winner (approximate value of \$400.00)
- Prize awards for winner of each weigh-in held bi-weekly on City pay days (total of 12 prizes awarded beginning February 21, 2007 through July 24, 2007): 8 hours of time off, either as vacation time or sick time (choice of winner). Total of 960 hours of vacation or sick time to be awarded
- Bi-weekly weigh-ins proctored by a local physician or health care professional
- Final weigh-in proctored by a local physician or health care professional, at conclusion of contest to determine overall grand prize winner
- Program to be facilitated by Human Resources
- There will be no eliminations from the contest for failure to achieve results
- Results will be measured by percent of body weight lost from previous weigh-in
- Contest to begin with initial weigh-in on February 7, 2008
- Upon approval of Board of Mayor and Aldermen, contest details and sign up sheets will be made available to City employees in week beginning January 21, 2008

OTHER INFORMATION . . .



**HOWARD R. BRADLEY
COUNTY MAYOR**

Robertson County Government

December 18, 2007

Honorable John Decker
Mayor, City of White House
Post Office Box 69
White House, Tennessee 37188

Dear Mayor Decker:

This office has received a formal request from one of the County's municipalities requesting that the Comprehensive Growth Plan for Robertson County be reopened for possible amendments. Amendments to the Growth Plan require the identical process that was used in developing the original plan.

Therefore, as specified under Section 6-58-104 of the Tennessee Code Annotated the County Mayor and the mayor of each municipality is charged with taking the appropriate action to reconvene and re-establish the coordinating committee. The coordinating committee will have to go through the process of producing a revised plan that will have to be approved by the legislative body of each municipality and the County.

I have set Thursday January 31, 2008 at 7:00 P.M. as the organizational meeting for the new coordinating committee to hear requests and determine a meeting schedule. This meeting will be held at Springfield City Hall Board Room located at 405 North Main Street in Springfield.

Each city needs to be represented by either the mayor or his designee that is confirmed by the legislative body. The coordinating committee will establish a meeting schedule.

Sincerely,

Howard Bradley
County Mayor

HRB/wlg

MEMORANDUM

TO: Board of Mayor and Aldermen,
Angie Carrier, City Administrator

FROM: Addam McCormick, Planning/Codes

DATE: January 9, 2008

RE: Street Lighting Maintenance Plan

CEMC recently ended their decorative street light maintenance program. The program included CEMC maintaining the decorative street lights in subdivisions with underground utilities. CEMC will still maintain regular utility pole and street lights. CEMC designated a type of pole and multiple fixture options. The purpose of designating a type of pole and light fixture is to lower the costs associated with maintaining and keeping replacement parts for the poles and light fixtures. A CEMC representative stated that their problem with the program was due to the multiple types of poles and fixtures actually installed within developments, which did not meet their designated types. CEMC discussed a problem was with developers that wanted a higher quality and more decorative light fixture than CEMC designated. Staff has researched and is discussing developing a street light maintenance program. Enclosed is a rough-draft of the maintenance policies and design standards. The proposed standards were based on the NES street lighting manual. Staff is also reviewing hiring an electrical contractor to maintain the decorative street lights.

The Planning Commission will be discussing the proposal at the January Meeting. The Planning Commission discussion will include who would be responsible for street light maintenance, either the city or development homeowner's association. The Planning Commission will also be reviewing types of decorative light poles and fixtures. If the proposal is approved, staff will review proposals from lighting vendors to designate a light pole and fixture. The vendor proposals will be reviewed to determine the quality, price, cost, and the ability to interchange replacement bulbs and electrical components of the light fixtures.

Staff is meeting with City of Portland officials and CEMC Officials on Friday the 18th. The meeting is an attempt to develop a compromise with CEMC officials regarding maintenance of decorative street lights.

DRAFT OF STREET LIGHTING REGULATIONS:

Existing Street Lighting Section of Subdivision Regulations:

4.110.1 Street Lighting

It shall be the responsibility of the developer to develop and implement a street lighting plan in subdivisions where the electric service will be underground.

Proposed Street Lighting Section of Subdivision Regulations:

4.110.1 Street Lighting

It shall be the responsibility of the developer to develop and implement a street lighting plan in subdivisions where the electric service will be underground. The lighting plan shall include maintenance guidelines to be listed in the development homeowner's association guidelines. The maintenance guidelines shall cover general maintenance of light fixtures and poles and the cost of replacing damaged or stolen decorative lighting equipment within the subdivision and bulb replacement. The lighting plan shall be included with construction documents required for the development.

Decorative light poles and fixtures shall be located at the intersection of all streets and located along residential streets with maximum spacing of 400 feet and in all cul-de-sacs. A street light shall also be installed at all designated pedestrian crossings within the development. Light poles shall be located within public rights-of-way and be located two feet from back of curb or two feet from back of sidewalk and shall be at least ten feet from fire hydrants or tree overhangs. Street lights shall be located on the sidewalk side of street. The poles shall generally be located at lot lines. Poles and base shall be located to allow maintenance of pole, base, and fixture and adjacent utility fixtures and structures.

Decorative street light fixtures shall be:

Cooper Light Savannah Fixture ACW10SWW33x124 or approved equivalent with interchangeable components 150 Watt High Pressure Sodium, mogul base.

Decorative street pole shall be:

Hapco Arlen #82106-006P1 or approved equivalent 14" fluted aluminum decorative pole. The foundation and anchor bolts shall meet manufacturer's specifications and standard footing drawings shall meet City building standards.

Other styles of decorative street lights and poles on major residential streets and non-commercial streets must be approved by Planning Commission.

All electrical wiring and utilities shall comply with local utility provider requirements. The City will inspect pole foundations to ensure compliance with manufacture specifications and standard footing drawing. The developer shall provide information to ensure proper light pole and fixture is purchased prior to City inspection. The City will not complete electrical inspections.

ELECTED OFFICIALS ACADEMY LEVEL II COURSE DESCRIPTIONS

THREE-STAR PROGRAM

The Three-Star Program of the Tennessee Department of Economic and Community Development (ECD) requires at least one member of the municipal legislative body for each municipality (population over 500) for each local Three-Star Program to complete Level I or Level II of EOA in order to reach the Benchmark Level II of the newly-revised Three-Star Program.

Benchmark Level I requires the city mayor to attend at least one training program per year. Any Municipal Technical Advisory Service (MTAS) training session or seminar, including the Municipal Administration Program's monthly offerings statewide, will qualify as Benchmark Level I credit.

COUNCIL AT WORK

This session will provide participants with a variety of techniques designed to increase their effectiveness as a member of a governing body. Participants will discuss and identify internal effectiveness tools that will help them evaluate their board effectiveness and improve board discussion. They will also discuss tools to link the governing body with both the community and municipal staff.

FIRE

Participants of this session will explore functionality of the fire department in their municipalities. Participants will examine the importance and advantages of having Mutual Aid agreements. Content will focus on the basic component of (ISO) grading and will inform the participant what impact it has on the citizens within their municipalities.

HUMAN RESOURCES

This session focuses on key personnel issues within a municipality. Participants will learn the importance of personnel policies, explore how to evaluate the status of those policies and analyze recruitment and selection policies. Special emphasis will also be on analyzing compensation and benefit programs. Participants will also explore other liability areas in their personnel programs.

LEGISLATIVE ISSUES

This session will cover the essential elements of the legislative process. Participants will learn how local governments can lobby effectively. Current issues before the legislature will be discussed and participants will gain an understanding of how the legislation will affect local government.

PARKS AND RECREATION

This session will provide participants with information about developing a municipal recreational program. Participants will

discuss the benefits of inter-local agreements and learn what it takes to support a successful parks and recreation program. Information will be provided about state assistance agencies and grant programs.

PLANNING AND ZONING

This session will cover the planning and zoning process and will give participants an update on Chapter 1101. Participants will learn the six steps in the comprehensive planning process and will be able to list the four purposes of the comprehensive planning process.

POLICE

Participants of this session will explore functionality of the police department in their municipalities. Participants will understand the advantages of a police department being accredited and other key law enforcement issues.

PUBLIC WORKS

This session will cover important public works issues within a municipality such as pavement management, drainage, and maintenance. The second half of the session will concentrate on enhancing the awareness of elected officials on solid waste composition, collection, disposal and recycling methodology, practices, equipment and costs.

RISK MANAGEMENT

This session will provide participants with the elements of a sound risk management program that will effectively address various loss exposures to municipalities.

TML ROLE AND RESOURCES

Participants will learn about the background and creation of the Tennessee Municipal League (TML), the TML Risk Management Pool and the TML Bond Fund. Valuable information about the role of TML, their staff, resources and benefits to municipalities will be included.

WATER AND WASTEWATER

The distribution of water and proper collection and treatment of wastewater is one of the most important city services. This session assists officials by explaining briefly the operation of the water and wastewater systems, describing the basic laws and regulations, discussing the most common problems and identifying funding issues related to operating these systems.

WORKING WITH THE MEDIA

This session will cover the long-term goals of media coverage in local government. Participants will gain an understanding of how to become more proactive with local news media. Tennessee's open meetings law and tips on how to give a successful interview will also be covered.

2008 Elected Officials Academy Level II Registration Form

Please complete the information below and include your phone number and a mailing address where you would like to receive communication concerning EOA scheduling. You must attend all sessions to complete the requirements for Level II certification.

Name: _____

City/Town: _____

Title: _____

Mailing Address: _____

City/State/Zip: _____

Phone: (____) _____ Fax: (____) _____ E-mail: _____

TRAINING LOCATIONS/DATES

- Johnson City March 7 – 8**
Johnson City Public Library, 100 West Millard Street
- Collegedale March 28 – 29**
City Hall, 4910 Swinyar Drive
- Jackson April 4 – 5**
West Tennessee Center for Agricultural Research,
Extension and Public Service
605 Airways Boulevard
- Nashville April 25 - 26**
TML Conference Room (Street Level)
226 Capitol Boulevard

Day One at each location: 8 a.m. – 7 p.m.
Date Two at each location: 8 a.m. – 3 p.m.

CONTACT INFORMATION

Kurt Frederick
MTAS Training Consultant
(615) 253-6385
kurt.frederick@tennessee.edu

Sandy Selvage
MTAS Administrative Specialist
(865) 974-0411
sandy.selvage@tennessee.edu

METHOD OF PAYMENT

A one-time fee of \$150 covers instruction for both Levels I and II of the Elected Officials Academy.

Check Enclosed Visa MasterCard

Card No: _____

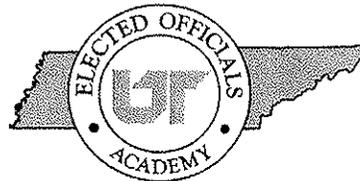
Expiration date: _____

Name: _____

Signature: _____

Please return your completed form to:
The University of Tennessee
Municipal Technical Advisory Service
Attention: Elected Officials Academy
120 Conference Center Building
Knoxville, Tennessee 37996-4105

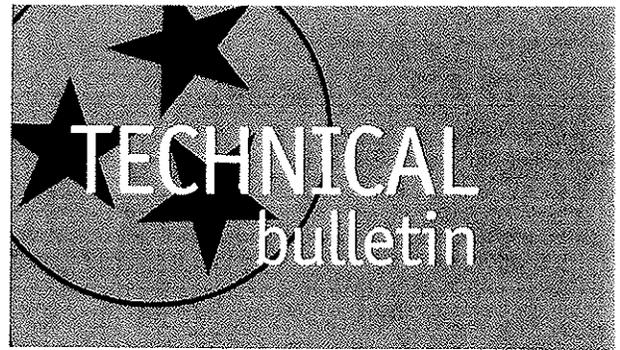
Or fax your form to (865) 974-0423.



- The University of Tennessee will seek to accommodate all persons with disabilities. If you require auxiliary aids, special services, or other accommodations, please check here. Someone from our office will contact you.

For titles VI and IX compliance, we ask for voluntary disclosure of the following information. Gender: Male Female

Race: Caucasian African American Other (please specify): _____



January 8, 2008

**OPEN MEETINGS IN TENNESSEE:
Compliance with the Public Meetings Law**

Melissa Ashburn, Legal Consultant

The Tennessee Public Meetings Law is commonly referred to as the "Open Meetings Law" or the "Sunshine Law," and it is one of the most comprehensive open meetings laws in the country. The statute declares that all public policy and public business decisions must be made in meetings that are open to the public. The Public Meetings Law not only requires that meetings be open to the public, but also requires adequate public notice and thorough minutes of such meetings. This publication explains the scope and application of this law so that city officials may understand how to perform their duties in compliance with the statute.

TENNESSEE PUBLIC MEETINGS LAW

The Public Meetings Law declares closed-door, back-room meetings by public officials illegal if there is any deliberation toward a decision. The text of the Public Meetings Law can be found at T.C.A. § 8-44-101, *et seq.* Practically all meetings of a city's governing body and boards are covered by the Public Meetings Law, with a few exceptions.

GOVERNING BODY

A two-pronged test must be used to analyze the meeting to determine if the Public Meetings Law applies: (1) Is the body a "governing body" under the act; and

(2) Is there deliberation toward a decision. Following is the definition of "governing body" contained in the act:

(b)(1) "Governing body" means:

(A) *The members of any public body which consists of two (2) or more members, with the authority to make decisions for or recommendations to a public body on policy or administration...so defined by this section shall remain so defined, notwithstanding the fact that such governing body may have designated itself as a negotiation committee for collective bargaining purposes, and strategy sessions of a governing body under such circumstances shall be open to the public at all times; T.C.A. § 8-44-102 (emphasis added).*

Clearly, your city's governing body fits this definition, but what about other boards or bodies established by your city or boards that include city officials? Court opinions shed some light on this issue.

The Tennessee Supreme Court refined the definition of "governing body" used in the act in *Dorrier v. Dark*, 537 S.W.2d 888 (Tenn. 1976). The court states:

It is clear that for the purpose of this Act, the Legislature intended to include any board, commission, committee, agency, authority or any other body, by whatever name, *whose origin and authority may be traced to State, City or County legislative action and whose members have authority to make decisions or recommendations on policy or administration affecting the conduct of the business of the people in the governmental sector.* *Dorrier*, at 892 (*emphasis added*).

This opinion establishes a further two-pronged test for applicability of the Act: (1) There must be some ordinance, resolution, private act, or general law under which the board or body was formed for the Public Meetings Law to apply to its meetings; and (2) The board must have some authority to affect decisions made by the governing body.

Based on this reasoning, the Tennessee Court of Appeals has ruled that a grievance committee created by the South Central Human Resource Agency is not subject to the Public Meetings Law, despite being established under a specific law, since the "sole function of the committee is to hear and dispose of personnel complaints in accordance with the policies and procedures of the governing board." *Hastings v. South Central Human Resource Agency*, 829 S.W.2d 679, 686 (Tenn. App. W.S. 1992). The committee did not have the authority to make recommendations to the agency on matters of policy, but had the purpose of applying established policies in grievance hearings and, as such, was not subject to the Public Meetings Law.

The Court of Appeals determined that the "governing body" definition applied to a preferred provider organization's (PPO) board of directors on grounds that the PPO's charter indicated that it was created as a government instrumentality of the county general hospital district. *Souder v. Health Partners, Inc.*, 997 S.W.2d 140 (Tenn. App. 1998). The PPO further made policy decisions and comingled funds with the county general hospital district. The court found the PPO to be subject to the Public Meetings Law, and actions taken in closed meetings were invalidated.

If a board or committee appointed by your governing body has the purpose of making recommendations to the governing body that may affect policy or decisions, the committee or board is a "governing body" subject to the Public Meetings Law. Such boards include planning commissions, boards of zoning appeals, and economic development boards.

Boards that have the authority to carry out the policies of your governing body, however, do not necessarily meet the definition of "governing body" found in the law. An example is the civil service board, which hears employment matters and renders decisions based on the city's policies. If the board has the authority to make recommendations to the governing body on matters of policy, however, then such meetings must be open to the public.

MEETING AND DELIBERATION

Although your city council or board clearly fits the description of a "governing body," not all meetings or functions of the body

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OPEN MEETINGS IN TENNESSEE

are required to be open under the law, unless the board is deliberating toward a decision. The act states:

(2) "Meeting" means the convening of a governing body of a public body for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter. "Meeting" does not include any on-site inspection of any project or program.

(c) Nothing in this section shall be construed as to require a chance meeting of two (2) or more members of a public body to be considered a public meeting. No such chance meetings, informal assemblages, or electronic communication shall be used to decide or deliberate public business in circumvention of the spirit or requirements of this part.
T.C.A. § 8-44-102.

One must examine the topic of discussion as well as the purpose of a meeting to determine if a particular meeting or discussion between board members must be open to the public. For instance, if board members are discussing any matter that is pending before the board, the discussion must be held during an open meeting. If the board members are discussing personal matters or personal opinions on topics that will not come to a vote before the board, such discussions do not have to be open to the public.

It is permissible for a governing body to have a "retreat" or a closed-door meeting during which the relations of council members are discussed or the functions of the board are

addressed in general, as long as no matters of city business are discussed. However, when board members meet in private it is often difficult to keep them from talking about matters pending before the board.

Such was the case in *Neese v. Paris Special School District*, 813 S.W.2d 432 (Tenn. App. 1990). Members of a board of education and the superintendent attended a retreat in another state at which the issue of whether to adopt a clustering plan was discussed. The decision concerning the adoption of a clustering plan had been considered by the board for several years, and following the retreat the board finally approved a clustering plan at the next regular meeting. The plaintiffs argued that the board members discussed the proposed clustering plan at length during the retreat and made their decision before the next board meeting. The court found that the retreat was actually a "meeting" as defined in the Public Meetings Law, stating "regardless of whether any Board member made a decision at the meeting, we do not believe that the Board can successfully avoid the fact that it deliberated toward making a decision." *Neese* at 435. It is important to remember that the fact that a vote is not called or that a quorum may not be present does not relieve board members of the requirements of the Public Meetings Law. Any discussion of pending or anticipated city business must be held in an open forum with notice to the public.

Private meetings may be held with public officials for the purpose of gathering information if the person seeking comments has the authority to make decisions

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OPEN MEETINGS IN TENNESSEE

independent from the governing body. Meetings between city officials and a purchasing agent in which the officials provided their opinions regarding whether a contract should be awarded to a low bidder were found to be exempt from the Public Meetings Law, as the purchasing agent had the power to make the decision without the officials' input and no quorum was required. *Metropolitan Air Research Testing Authority, Inc. v. Metropolitan Government of Nashville and Davidson County*, 842 S.W.2d 611 (Tenn. App. MS, 1992).

Phone calls made by a county commissioner to his fellow commissioners in which he solicited their support for his appointment as county trustee were determined not to violate the Public Meetings Law as no meeting took place as defined under the Act. *Jackson v. Hensley*, 715 S.W.2d 605 (Tenn. App. ES, 1986).

What about meetings between city officials and consultants in which the consultants solicit the officials' opinions as guidance? The Tennessee Attorney General has opined that meetings of a third-party consultant with individual board members to discuss each member's preferences regarding a list of candidates for a new city manager are not subject to the Act and may be held privately. Op. Tenn. Atty. Gen. No. 99-193.

The Attorney General has further opined that exit conferences between the State Comptroller and members of a governing body to discuss results of an audit or investigation are not required to be open under the Act as such conferences are held for the limited purpose of providing

information to the local officials and no deliberation occurs. Op. Tenn. Atty. Gen. No. 99-090.

EXCEPTION FOR ATTORNEY-CLIENT PRIVILEGE

The Tennessee Supreme Court used similar reasoning to determine when meetings between governing bodies and their attorneys concerning pending litigation are required to be open. Although there is no exception stated in the Act to preserve the attorney-client privilege, the court found the exception to be covered under the phrase "except as provided by the Constitution of Tennessee," which appears in the opening sentence of T.C.A. § 8-44-102 of the Public Meetings Law. The Tennessee Supreme Court states on this issue:

The majority of states have fashioned an exception to their states' open meeting laws to permit private attorney-client consultation on pending legal matters even where the statute itself makes no such express exception.... Two approaches, both based upon the same policy consideration, are given for permitting this exception: (1) the evidentiary privilege between lawyer and client and (2) the attorney's ethical duty not to betray the confidences of his client...we believe the second approach, the attorney's ethical duty to preserve the confidences and secrets of his client, provides a better basis for establishing an exception to the Open Meetings Act. *Smith County Education Association v. Anderson*, 676 S.W.2d 328, 332-333 (Tenn. 1984).

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OPEN MEETINGS IN TENNESSEE

The exception has been applied to discussions between public officials and their attorneys concerning pending controversies that have not yet reached litigation. *Van Hooser v. Warren County Board of Education*, 807 S.W.2d 230 (Tenn. 1991). But not all meetings between governing bodies and their attorneys to discuss pending litigation or controversies may be closed meetings. The application of the exception depends on the discussion that takes place.

Clients may provide counsel with facts and information regarding the lawsuit and counsel may advise them about the legal ramifications of those facts and the information given to him. However, *once any discussion, whatsoever, begins among the members of the public body regarding what action to take based upon the advise of counsel, whether it be settlement or otherwise, such discussion shall be open to the public* and failure to do so shall constitute a clear violation of the Open Meetings Act. *Smith County*, at 334 (*emphasis added*).

After the attorney has updated the officials on the status of a case and the board and counsel have received the factual information needed, if the discussion turns to what action the city should take based on such information the meeting must be open to the public at that point.

NOTICE

Another issue that frequently arises under the Public Meetings Law is adequate notice of public meetings. The Act states:

§ 8-44-103. Notice

(a) NOTICE OF REGULAR MEETINGS. Any such governmental body which holds a meeting previously scheduled by statute, ordinance, or resolution shall give adequate public notice of such meeting.

(b) NOTICE OF SPECIAL MEETINGS. Any such governmental body which holds a meeting not previously scheduled by statute, ordinance, or resolution, or for which notice is not already provided by law, shall give adequate public notice of such meeting.

(c) The notice requirements of this part are in addition to, and not in substitution of, any other notice required by law.

No definition of “adequate public notice” is provided in the Act. Tennessee courts have been reluctant to adopt a specific meaning of “adequate public notice”:

We think it is impossible to formulate a general rule in regard to what the phrase “adequate public notice” means. However, we agree with the Chancellor that adequate public notice means adequate public notice under the circumstances, or such notice based on the totality of the circumstances as would fairly inform the public. *Memphis Publishing Company v. City of Memphis*, 513 S.W.2d 511, 513 (Tenn. 1974).

An unpublished opinion, *Englewood Citizens for Alternate B v. The Town of Englewood*, 1999 WL 419710 (Tenn. App. 1999), provides further guidance concerning what constitutes adequate public notice:

First, the notice must be posted in a location where a member of the community could become aware of such notice. Second, the contents of the notice must reasonably describe the purpose of the meeting or the action proposed to be taken. And, third, the notice must be posted at a time sufficiently in advance of the actual meeting in order to give citizens both an opportunity to become aware of and to attend the meeting.

The *Englewood* case concerns the selection of a route for a highway construction project. A special meeting was scheduled for December 12, and the town recorder testified that notice of the meeting was posted on December 10 at the local post office, at city hall, and at a bank. The city recorder also faxed a copy of the notice to the local newspaper, but the paper did not publish the notice. Although the court found the locations of the posting of the notice to be reasonable, the contents of the notice were insufficient to adequately inform the public of the purpose of the meeting. The notice simply stated "letter to State concerning HWY 411," and the court determined the notice was inadequate, stating "a more substantive pronouncement stating that the commission would reconsider which alternative to endorse for Highway 411 should have been given."

Notice of a city council meeting to hear an appeal from a discharged police officer was found to be adequate in *Kinser v. Town of Oliver Springs*, 880 S.W.2d 681 (Tenn. App. ES 1994). Without discussing the contents of the notice, the court determined that the posting of notices inside city hall, where people pay their water bills, and over the entrance to the police department and council room to be sufficient. It is important to note that the *Kinser* case involved an appeal of a termination by an employee and was not a matter affecting a number of city residents.

The Court of Appeals found the content of a meeting notice to be inadequate in *Neese v. Paris Special School District*, 813 S.W.2d 432 (Tenn. App. WS 1990). Members of a board of education and the superintendent attended a retreat in another state at which the issue of whether to adopt a clustering plan was discussed. The planned retreat was announced at a prior regular meeting of the board and was further mentioned in media reports. The notice published in the paper stated that two issues would be addressed at the retreat but made no mention of consideration of the clustering plan. *Neese*, at 435. The court found the notice to be insufficient, stating "'adequate public notice under the circumstances' is not met by misleading notice." *Neese*, at 436.

When providing notice of public meetings, a city should follow its normal procedures established for the posting of notices. The Attorney General opined that a city did not provide adequate public notice of a special meeting when it failed to follow

its normal procedure for posting meeting notices. This Attorney General's opinion also considered the fact that city employees were not aware of the meeting, and employees informed some members of the public that no meeting was scheduled for that date. Op. Tenn. Atty. Gen. No. 00-095.

Posting notices of meetings on an Internet site will likely not satisfy the adequate public notice requirement of the Public Meetings Act unless combined with other posting locations and notice published in the media. Op. Tenn. Atty. Gen. No. 00-090.

MINUTES

The Public Meetings Law also addresses minutes of meetings of governing bodies. The Act requires:

§ 8-44-104. Meetings recorded and open to the public — Secret votes prohibited.

(a) The minutes of a meeting of any governmental body shall be promptly and fully recorded, shall be open to public inspection, and shall include, but not be limited to, a record of the persons present, all motions, proposals and resolutions offered, the results of any votes taken, and a record of individual votes in the event of a roll call.

In a rather alarming opinion, the Court of Appeals found beer board meeting minutes to be insufficient under the Act in the unreported case *Grace Fellowship Church of Loudon County v. Lenoir City Beer Board*, 2002 WL 88874 (Tenn. App. 2002). The church challenged the issuance of

a beer permit that was in violation of a distance requirement contained in the city ordinance. An application for the beer permit was denied at first but was granted on reconsideration at a later meeting. The minutes for both meetings state the time and location, identify the application being considered, name the member making the motion, and record the vote of each of the two board members. Nevertheless, the Court found the minutes to be lacking information but failed to specify what was missing from the minutes. The minutes did not list the names of members present at the meeting, but since this was a board composed at the time of only two members whose votes were recorded, it is difficult to conclude that this omission alone led to the court's decision. In any event, cities should take notice of this opinion and strive to record in detail all events that occur in meetings.

Boards or councils may take action in subsequent meetings to correct or cure deficiencies in meeting minutes without being required to debate issues again or call for votes a second time as long as debate and discussion actually occurred during the earlier meeting. *Zseltvay v. Metropolitan Government of Nashville and Davidson County*, 986 S.W.2d 581 (Tenn. App. 1999).

VIOLATION AND REMEDIES

Action taken at a meeting held by a public body in private and in violation of the Public Meetings Law is void unless the action taken concerns the public debt of the city. T.C.A. § 8-44-105. A violation can be cured if the matter is brought before the body at an open meeting, the body holds another

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deliberation and discussion of the matter, and the minutes reflect that the issue was properly addressed. If board members violate the law by discussing pending matters outside open meetings, those discussions should be repeated in an open meeting, and the matter must be reconsidered.

A violation of the Public Meetings Law by a committee that reports to a governing body may be cured by the governing board, but only if a full discussion and reconsideration of the matter occurs. In the unreported opinion *Allen v. City of Memphis*, 2004 WL 1402553 (Tenn. App.), the Court of Appeals found that a committee appointed by the City Council to analyze costs associated with a proposed annexation violated the law by failing to keep minutes of meetings. In one committee meeting held between the first and second readings on the ordinance, the scope of the annexation was changed by removing an area from the property description. The committee meeting was open to the public and proper notices were posted, but minutes were not kept of the discussion that led to the alteration of the ordinance. The Memphis City Council later approved the amended ordinance after public hearing, but there was no discussion of the reasons the ordinance was changed. The court, citing the *Neese v. Paris Special School District* opinion, states:

We do not believe that the legislative intent of this statute was forever to bar a governing body from properly ratifying its decision made in a prior violative manner. However, neither was it the legislative intent to allow such a body to

ratify a decision in a subsequent meeting by a perfunctory crystallization of its earlier action. We hold that the purpose of the act is satisfied if the ultimate decision is made in accordance with the Public Meetings Act, and if it is a new and substantial reconsideration of the issues involved, in which the public is afforded ample opportunity to know the facts and to be heard with reference to the matters at issue. *Allen*, at p.5, citing *Neese v. Paris Special School District*, 813 S.W.2d 432, 436 (Tenn. App. 1990).

The court found that the city failed to cure the violation of the law since there was no new and substantial reconsideration of the issue in the council meeting.

A governing body acted appropriately to cure a violation of the Public Meetings Law by holding numerous public meetings on the topic. *Dossett v. City of Kingsport*, 2007 WL 4192020 (Tenn. App.). In this unreported case, some members of Kingsport's Board of Mayor and Aldermen attended private meetings to discuss a potential sale of city property. Despite such private meetings, the Court of Appeals found that any violation of the Public Meetings Law was subsequently cured:

After two private meetings, each of which included two members of the Board, the entire Board then met in several public meetings to consider selling the EAP Building to TriSummit. After carefully reviewing the record, including the minutes of these public meetings, we hold that the Board conclusively established

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that it cured the alleged violations of the Open Meetings Act by fully and fairly considering the proposed sale during its five public meetings following the last private gathering. It is undisputed that the public was afforded at these five public meetings both ample opportunity to know the facts and to be heard as to the proposed sale. It was only after these public meetings that the decision to sell the property ultimately was made. *Dossett*, at p.10.

Government of Nashville and Davidson County, 986 S.W.2d 581 (Tenn. App. 1999).

Once city officials realize that a violation of the Public Meetings Law has occurred, the governing body must act to place the issue on the next meeting agenda for full discussion and reconsideration. If an ordinance was passed following discussions that violate the law, the ordinance should be reconsidered and the readings and votes must be repeated. Otherwise the ordinance or other action taken by the governing body will be void, and the city may be subject to litigation.

Governing bodies that violate the Public Meetings Law and do not take appropriate corrective action may be sued in circuit or chancery court by any party affected by the board action. T.C.A. § 8-44-106. If the trial court determines that the Act has been violated, it will issue an order called an "injunction" that permanently forbids the governing body from violating the law. The court will have jurisdiction over the governing body for one year, during which time the council or board must report to the court twice, in writing, regarding its compliance with the Act. T.C.A. § 8-44-106(c),(d).

Even if a governing body takes action to cure a defect in the meeting minutes or deliberates an issue a second time at a properly noticed meeting, the body may not be able to avoid a court order. If a lawsuit has been filed and the court determines that a violation occurred, whether intentional or not, an order may issue that requires the governing body to remain under the court's watch for a full year. *Zseltway v. Metropolitan*

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