

MINUTES  
OF THE  
BOARD OF MAYOR AND ALDERMEN

June 14, 2012  
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The Board of Mayor and Aldermen of the City of Henderson, Tennessee met in regular session on Thursday, June 14, 2012 at 7:00 P.M. in the Council Chamber of the City of Henderson City Hall. Present and presiding was Mayor Robert W. (Bobby) King and the following:

Aldermen: Robert C. (Bobby) Barnes, Johnny R. Farris, Tim Faulkner,  
Buel Maness, Michael Phelps and Keith Smith.

Absent: None.

There also present were: City Attorney Jerry Spore, City Recorder Jim E. Garland, Police Chief Tommy Davis, Public Works Director Carter Scales, Fire Chief Glenn Bryan, Utility Director Mark Elkins and Building and Zoning Official Brent Beshires.

Alderman Bobby Barnes gave the invocation and Alderman Michael Phelps led the Pledge to the Flag. The following proceedings were entered here-to-wit:

The minutes of the previous regular meeting and the minutes of the beer board were presented for approval. There being no questions or corrections, motion was made by Ald. Faulkner, duly 2<sup>nd</sup> by Ald. Maness to approve the minutes as prepared. Motion carried.

The accumulated accounts were presented for informational purposes and the board was asked if they had any questions concerning the accounts. Ald. Smith requested an explanation of the purchase from Hill Mfg for "ground zero" for \$3630.00. UD Elkins explained that ground zero was a specialized weed killer used on the sewer lagoon banks to kill weeds and brush. The price is for a drum of the herbicide and it lasts all year. There being no other questions concerning the accounts, the meeting continued.

Delegations were called for by Mayor King, there being none the board moved on to regular business.

Mayor King recognized Mr. Mark Barber a member of the city's Parks and Recreation Advisory Board in the audience especially since the next item pertained to the park. The city was planning on applying for a grant for a walking trail. As part of the grant process, a Public Hearing needed to take place. Said public hearing was duly advertised in the "Chester County Independent" newspaper. Mayor King opened the public hearing and asked for comments concerning the park or the proposed grant application. There were no comments from the audience and therefore Mayor King closed the public hearing.

At the May meeting of the board, the board agreed to apply for a new Local Parks and Recreation Fund Grant (LPRF) for a walking trail at the Gene Record Memorial Park. As

Minutes – June 14, 2012 (Cont'd)

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discussed at the last meeting, the grant is a 50/50 grant and the city decided to apply for \$100,000 and pledged \$100,000 in local funds. Mayor King stated that the city had two years to complete the project so even if the grant application was approved, the local funds would not have to be available till budget year 13/14. A resolution (Resolution No. 2012-002) approving the grant application was presented for consideration. Motion was made by Ald. Farris, duly 2<sup>nd</sup> by Ald. Smith to adopt the proposed resolution and approve applying for the LPRF Grant. Upon a roll call vote the following was cast:

Ayes: Robert C. (Bobby) Barnes, Johny R. Farris, Tim Faulkner, Buel Maness,  
Michael Phelps and Keith Smith.

Noes: None.

Therefore Mayor King declared Resolution No. 2012-002 duly adopted. See the complete resolution on file in the recorder's office.

Last year the city applied for a 100% grant through the 2010 CDBG Disaster Program to resolve some drainage issues on Hill and White Ave. The grant did not get funded in the first round of the grants. The city has the opportunity to apply for the grant again in the second round. The engineer (Fisher, Arnold) revised the cost estimate downward to \$644,820 and the grant application will be handled by Nelson Thornton PC. No funds would have to be expensed unless the grant is funded. Mayor King stated that the odds of the city's application being funded were slim due to the lack of damage and the number of residents that are helped in the project area. The city needed to pass a resolution to apply for the grant. After due discussion, motion was made by Ald. Farris, duly 2<sup>nd</sup> by Ald. Barnes to adopt the proposed resolution (Resolution No. 2012-003) and approve applying for the Second Round of the 2010 CDBG Disaster Grant. Upon a roll call vote the following was cast:

Ayes: Robert C. (Bobby) Barnes, Johny R. Farris, Tim Faulkner, Buel Maness,  
Michael Phelps and Keith Smith.

Noes: None.

Therefore Mayor King declared Resolution No. 2012-003 duly adopted. See the complete resolution on file in the recorder's office.

The proposed resolution on annual salary adjustments was presented as Resolution No. 2012-004 for consideration as follows.

**RESOLUTION # 2012-004 with 2.5% COLA**

WHEREAS, the Board of Mayor and Aldermen met as a committee to conduct a study and review of the salaries of it's employees pursuant to Section 4-222 of the Henderson Municipal Code; and,

WHEREAS, the Board of Aldermen met with each respective department head to consider the salary and wage rates of each employee in their respective department; and,

WHEREAS, the said board considered and reviewed the recommendations made by each department head for their employees as well as the budget constraints,

## Minutes – June 14, 2012 (Cont'd)

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NOW BE IT THEREFORE RESOLVED by the Board of Mayor and Aldermen that:

SECTION I. All full-time employees and all part-time employees shall be given a 2.5% Cost of Living Adjustment (COLA).

SECTION II. Several employees are due step raises as part of approved Pay Scales, therefore as part of this Resolution; Exhibit A containing the Pay Scale for the Utility Department, Pay Scale for the Public Works Department, Step Increases for Certifications for the Building and Zoning Official and Department Head/Mid-Management Pay Scale is hereby adopted.

SECTION III. All Full Time Employees are to receive Christmas Bonus Pay based on the number of years of continuous employment with the city in the amount of \$50.00 per year with a minimum of \$100.00. All Part Time Employees are to receive \$100.00 flat Bonus Pay. This Bonus Pay shall be paid in one lump sum on or about December 1, 2012. In order to receive the Christmas Bonus based on years of service, an employee must be on the payroll in some "pay" status (working, annual leave, sick leave or workman's comp. leave) on December 1<sup>st</sup> of the current year. The amount paid is based on the number of total years completed as of December 31<sup>st</sup> of the current year.

BE IT FURTHER RESOLVED that all pay raises and title changes stated in this resolution become effective with the payroll period beginning June 25, 2012.

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Recorder Garland explained that the resolution spells out the salary adjustments discussed in recent budget meetings including; a 2.5% Cost of Living Adjustment, Standard Christmas Bonus Pay based on years of service, the utility pay scale, the public works pay scale, the building officials raises for certifications, as well as department head and middle management pay scales. Ald. Faulkner asked if the clerks in the recorder's office had a pay scale. Recorder Garland stated that he did have a pay scale he uses that almost mirrors the clerk pay scale in the utility department pay scale but it was not part of this document. Ald. Faulkner recommended that they be included in this document in the future. Recorder Garland stated that the way things had worked out through the years and with adding middle management to the pay scale this year, there were very few positions that were not on a standardized scale, those being policeman, fireman and the clerks in his office. Ald. Barnes asked about the difference between the assistant police chief salary and the assistant fire chief salary when the police chief and the fire chief make the same. Mayor King stated that when he worked up the pay scale for the middle management, he used the existing salary with percent increases. The assistant police chief and the assistant fire chief have never made the same amount and the previous city boards had known that. The differences between the positions were discussed but no changes were recommended at this time.

After due discussion, motion was made by Ald. Farris, duly 2<sup>nd</sup> by Ald. Phelps to adopt the proposed resolution (Resolution No. 2012-004) on salary adjustments. Upon a roll call vote the following was cast:

Ayes: Robert C. (Bobby) Barnes, Johny R. Farris, Tim Faulkner, Buel Maness,  
Michael Phelps and Keith Smith.

Noes: None.

Therefore Mayor King declared Resolution No. 2012-004 duly adopted and the salary adjustments contained therein approved.

Minutes – June 14, 2012 (Cont'd)

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The 2012-2013 Budget and Tax Rate Ordinance was presented for consideration on the first reading. The proposed tax rate was the existing Tax Rate of \$1.22 per \$100 of assessed value. Detailed line item budgets were provided to the board members and well as department heads in their packets on Tuesday prior to the meeting for review. Being the same figures discussed in recent budget meetings, motion was made by Ald. Smith, duly 2<sup>nd</sup> by Ald. Barnes to approve the ordinance as prepared on the first reading. Upon a roll call vote the following was cast:

Ayes: Robert C. (Bobby) Barnes, Johny R. Farris, Tim Faulkner, Buel Maness,  
Michael Phelps and Keith Smith.

Noes: None.

Mayor King declared the ordinance passed on the first reading. A public hearing on the proposed budget must be held before the ordinance can be considered on the final reading. This will take place at the July meeting of the board.

The Utility Department Operations and Capital Budgets were presented for consideration as follows:

HENDERSON UTILITY DEPARTMENT  
2012-2013 OPERATIONS BUDGET SUMMARY

Water Revenue:

Water Sales -----	\$1,069,200
Water – All other Revenue -----	\$ 97,800
Total Water Revenue -----	\$ 1,167,000

Water Expenses:

Water – Power and Pumping -----	\$ 42,000
Water – Treatment Plant -----	\$ 211,200
Water – Distribution System -----	\$ 118,400
Water – Shop & General Maintenance -----	\$ 42,000
Water – Billing and Collection -----	\$ 82,850
Water – Admin & General Expense -----	\$ 348,550
Water - Other Expenses -----	\$ 322,000
Water – Funds in Reserve -----	\$ 0
Total Water Expenses -----	\$1,167,000

Sewer Service Revenue -----	\$ 650,000
Sewer – All other Revenue -----	\$ 5,500
Total Sewer Revenue -----	\$ 655,500

Sewer Expenses:

Sewer – Collection Lines and Pumps -----	\$ 83,700
Sewer – Treatment & Disposal -----	\$ 36,700
Sewer – Laboratory and Testing -----	\$ 41,750
Sewer – Shop and General Maintenance -----	\$ 28,000
Sewer – Billing and Collection -----	\$ 25,250
Sewer – Admin & General Expense -----	\$ 144,900
Sewer – Other Expenses -----	\$ 272,850
Sewer – Funds in Reserve -----	\$ 22,350
Total Sewer Expenses -----	\$ 655,500

TOTAL WATER/SEWER COMBINED ----- \$1,822,500

# Minutes – June 14, 2012 (Cont'd)

## Gas Revenue:

Gas – Natural Gas Sales -----	\$ 1,200,000
Gas – Natural Gas Markup Revenue -----	\$ 900,000
Gas – All Other Revenue -----	\$ 102,300
Total Gas Revenue -----	\$ 2,202,300

## Gas Expenses:

Gas – Purchase Gas for Resale -----	\$ 1,200,000
Gas – Transmission and Distribution -----	\$ 150,100
Gas – Shop and General Maintenance -----	\$ 67,500
Gas – Billing and Collection -----	\$ 96,500
Gas – Admin and General Expense -----	\$ 348,600
Gas – Other Expenses -----	\$ 293,420
Gas – Funds in Reserve -----	\$ 46,180
Total Gas Expenses -----	\$ 2,202,300

## HENDERSON UTILITY DEPARTMENT 2012-2013 CAPITAL OUTLAY BUDGET

	<b><u>WATER DEPARTMENT</u></b>	<b><u>12-13 Budget</u></b>
413-16210	WT- Buildings and Improvements	\$ -
413-16431	WT-Transportation Equipment	\$ 21,000.00
413-16441	WT-General Office Equipment	\$ 3,000.00
413-16451	WT-Work Equipment	\$ 15,000.00
413-16460	WT-Radio Equipment	\$ -
413-16610	WT- Water Unclassified	\$ -
413-16611	WT-Water Filtration Plant	\$ 61,000.00
413-16612	WT-Distribution Mains	\$ 10,000.00
413-16613	WT-Service Lines	\$ 10,000.00
413-16614	WT-Meters	\$ 5,000.00
	WT AMR Meters	\$ 20,000.00
413-16615	WT-Water Tanks	\$ -
413-16616	WT-Water Wells	\$ -
	<b>WATER TOTAL -----</b>	<b>\$ 145,000.00</b>
	<b><u>SEWER DEPARTMENT</u></b>	<b><u>12-13 Budget</u></b>
413-16220	SW-Buildings and Improvements	\$ -
413-16432	SW-Transportation Equipment	\$ -
413-16442	SW-General Office Equipment	\$ 2,250.00
413-16452	SW-Work Equipment	\$ 5,000.00
413-16462	SW-Radio Equipment	\$ -
413-16620	SW-Mains	\$ 12,500.00
413-16621	SW-Lagoons	\$ 5,000.00
	<b>SEWER TOTAL -----</b>	<b>\$ 24,750.00</b>
	<b><u>GAS DEPARTMENT</u></b>	<b><u>12-13 Budget</u></b>
415-16200	GS-Buildings and Improvements	\$ -

415-16430	GS-Transportation Equipment	\$ 21,000.00
415-16440	GS-General Office Equipment	\$ 3,000.00
415-16450	GS-Work Equipment	\$ 15,000.00
415-16460	GS-Radio Equipment	\$ -
415-16650	GS-Distribution Mains	\$ 10,000.00
	Special Project – Mains	\$ 500,000.00
415-16651	GS-Service Lines	\$ 25,000.00
415-16652	GS-Meters	\$ 35,000.00
415-16653	GS-Regulator Stations/Equip.	\$ 5,500.00
	<b>GAS TOTAL -----</b>	<b>\$ 614,500.00</b>

After due consideration, motion was made by Ald. Farris, duly 2<sup>nd</sup> by Ald. Phelps to pass both the Utility Operations Budget and the Utility Capital Outlay Budget as presented. Motion carried.

A resolution (Resolution No. 2012-005) entitled: “A RESOLUTION OF THE CITY OF HENDERSON, TENNESSEE, AUTHORIZING THE ISSUANCE OF INTEREST BEARING GAS SYSTEM REVENUE AND TAX CAPITAL OUTLAY NOTES, SERIES 2012, IN AN AMOUNT NOT TO EXCEED \$500,000 AND PROVIDING FOR THE PAYMENT OF SAID NOTES.” was presented for consideration. The notes would be for a period of seven years and would be issued through the Tennessee Municipal Bond Fund Alternative Loan Program with a fixed interest rate of 2.5 to 4%. The exact interest rate would be determined when the notes are sold. The recently received financial rating from Moody’s of an A2 will help the city obtain a lower interest rate. The estimated annual debt service would be between \$75,000 to \$80,000 per year. The proceeds would be used to construct a natural gas main between Mt Pleasant Church just west of Mifflin to Pinson on Ozier Road. The resolution included language to allow the city to reimburse itself for materials, etc. used in the first phase of the project that is now underway using city forces. Phase 2 would be completed by a private contractor. The debt issuance does conform to the city’s Debt Policy. The only outstanding debt on the Gas Fund is the 2002 issue which pays off in April 2013 thus freeing up over \$200,000 annually in cash. A portion of these funds will be used to repay the new debt.

After due discussion, motion was made by Ald. Farris, duly 2<sup>nd</sup> by Ald. Phelps to adopt the proposed resolution (Resolution No. 2012-005) authorizing the issuance of the 7 Year Capital Outlay Notes in the amount of \$500,000. Upon a roll call vote the following was cast:

Ayes: Robert C. (Bobby) Barnes, Johny R. Farris, Tim Faulkner, Buel Maness, Michael Phelps and Keith Smith.

Noes: None.

Therefore Mayor King declared Resolution No. 2012-005 duly adopted and the capital outlay notes approved.

UD Elkins reported that the city crews had almost completed the line from Mt Pleasant to Five Points. Next, they would run back to New Friendship and tie back in on Bray Road. That would complete the city’s part of the project. The city crews would then concentrate on installing services.

Minutes – June 14, 2012 (Cont'd)

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The city advertised for bids on the Hot-In-Place Asphalt Recycling/Paving for North Ave and Mill Street. As expected due to the specialized nature of the process, the city only received one bid. The bid was from Gallagher Asphalt Corporation. The bids were a per unit price but as estimated, the total cost would be \$181,010. The project would not include N. Washington (from Main to Hart) or Mill Street west of the railroad. Pavement core samples taken did not show the pavement being deep enough to allow the process. Those areas would have to be overlaid as regular under the city's normal paving contract. After due discussion, motion was made by Ald. Farris, duly 2<sup>nd</sup> by Ald. Phelps to approve the bid from Gallagher Asphalt Corporation. Motion carried.

The contract to perform the annual audit by Alexander, Thompson and Arnold PLLC (ATA) in the amount of \$22,715 plus \$3,000 for Single Audit (if required) was presented for consideration. Recorder Garland presented a history report on the cost of the annual audit. The fee increased approximately 8.8% over last year's fee. Recorder Garland recommended approval of the proposed contract with ATA. Motion was made by Ald. Barnes, duly 2<sup>nd</sup> by Ald. Faulkner to approve the audit contract with ATA. Motion carried.

The Magic Valley Water Tank was discussed. The tank that only provided fire protection to two plants had been taken out of service several months earlier. Approximately 8 to 10 years earlier, the city took bids on getting the tank sandblasted and repainted. Due to the fact that the existing paint contained lead, the cost of having the tank tented and blasted with all the waste being disposed of properly made the cost of repainting the tank more expensive than a new tank. The tank was left in service as is and a couple of years later a new one million gallon tank was constructed on Industrial Drive. The Magic Valley tank was no longer needed due to the fact the city could provide adequate water flows from the one million gallon tank on Industrial Drive. The tank's physical appearance continued to deteriorate and in order to make sure it did not become an eyesore, the city requested quotes to have the tank removed. The city hoped that with the cost of scrap metal being high the cost would be low to have the tank removed. The city received two quotes as follows:

1. Iseler Demolition Inc. ---- Romeo, MI ----- \$ 6,800.00
2. All Industrial Services Inc.- Youngstown, OH ----- \$22,088.00

The bids stipulated that the demolition company would receive and remove all the metal but would leave the concrete foundations. The tank would be taken down with a crane. After discussion by the board, motion was made by Ald. Barnes, duly 2<sup>nd</sup> by Ald. Smith to contract with Iseler Demolition to have the tank removed. Motion carried.

Recorder Garland presented a report of budget line items that needed to be amended in the current 2011-2012 budget to cover cost overruns. The report is as follows:

<u>Account No.</u>	<u>Description</u>	<u>Budget</u>	<u>Change</u>	<u>New Budget</u>	
110-41000-999	Capital Outlay - Unclassified	\$ 344,937.76	\$ (28,675.00)	\$ 316,262.76	*
110-41500-143	FA - Retirement	\$ 17,200.00	\$ 500.00	\$ 17,700.00	
110-41500-245	FA - Mayor/Judge/Rec Cell Phone	\$ 2,500.00	\$ 100.00	\$ 2,600.00	
110-41500-799	FA - Misc Expense	\$ 5,000.00	\$ (600.00)	\$ 4,400.00	*

110-41810-211	GG - Postage/Shipping	\$ 2,400.00	\$ 500.00	\$ 2,900.00	
110-41810-245	GG - Telephone Expense	\$ 19,000.00	\$ 5,000.00	\$ 24,000.00	
110-41810-799	GG - Misc Expense	\$ 7,500.00	\$ (2,500.00)	\$ 5,000.00	*
110-42100-179	PD - State Court Cost	\$ 6,000.00	\$ 7,000.00	\$ 13,000.00	
110-42100-245	PD - Telephone Expense	\$ 6,000.00	\$ 250.00	\$ 6,250.00	
110-42100-261	PD - Car Maintenance	\$ 10,000.00	\$ 4,000.00	\$ 14,000.00	
110-42100-314	PD - Dispatch TIES Interface	\$ 4,000.00	\$ 400.00	\$ 4,400.00	
110-42100-901	PD - Car/Equip Purchases	\$ 63,000.00	\$ (11,650.00)	\$ 51,350.00	*
110-42200-142	FD - Health & Life Insurance	\$ 18,000.00	\$ 1,300.00	\$ 19,300.00	
110-42200-245	FD - Telephone Expense	\$ 3,900.00	\$ 350.00	\$ 4,250.00	
110-42200-331	FD - Gas, Diesel and Oil	\$ 6,000.00	\$ 1,200.00	\$ 7,200.00	
110-42200-798	FD - Exp due to Lightening damage	\$ -	\$ 5,300.00	\$ 5,300.00	
110-42200-510	FD - Insurance	\$ 28,000.00	\$ (4,000.00)	\$ 24,000.00	*
110-42400-143	BI - Retirement	\$ 6,200.00	\$ 250.00	\$ 6,450.00	
110-42400-510	BI - Insurance	\$ 3,600.00	\$ 375.00	\$ 3,975.00	
110-42400-900	BI - Equipment Purchase	\$ 1,000.00	\$ (625.00)	\$ 375.00	*
110-42500-249	CCEMA - Tornado Siren Utilities	\$ 1,100.00	\$ 325.00	\$ 1,425.00	
110-43100-143	ST - Retirement	\$ 20,750.00	\$ 1,600.00	\$ 22,350.00	
110-43100-245	ST - Cell Phone Expense	\$ 1,000.00	\$ 250.00	\$ 1,250.00	
110-43100-261	ST - Truck/Equip Maint	\$ 20,000.00	\$ 3,000.00	\$ 23,000.00	
110-43100-326	ST - Uniform Service	\$ 3,200.00	\$ 800.00	\$ 4,000.00	
110-43100-331	ST - Diesel, Gas and Oil	\$ 33,000.00	\$ 1,000.00	\$ 34,000.00	
110-43100-932	ST - Traffic Signal Project	\$ 180,000.00	\$ 28,000.00	\$ 208,000.00	
110-43100-268	ST - Street Maint/Paving	\$ 75,000.00	\$ (34,650.00)	\$ 40,350.00	*
110-43170-329	SHOP - Materials and Supplies	\$ 4,000.00	\$ 500.00	\$ 4,500.00	
110-43170-510	SHOP - Insurance	\$ 6,400.00	\$ 250.00	\$ 6,650.00	
110-43170-900	SHOP - Equip Purchases	\$ 2,000.00	\$ (750.00)	\$ 1,250.00	*
110-44143-510	DP - Insurance	\$ 1,300.00	\$ 200.00	\$ 1,500.00	
110-44400-999	CP - State Grant Project	\$ 200,000.00	\$ 21,000.00	\$ 221,000.00	
124-43230-329	SAN - Materials and Supplies	\$ 2,000.00	\$ 1,300.00	\$ 3,300.00	
124-43230-989	SAN - Capital Outlay Reserved	<u>\$ 66,000.00</u>	<u>\$ (1,300.00)</u>	<u>\$ 64,700.00</u>	*
			\$ -		

\* To reduce budget line item to cover cost overruns.

Total amount of all adjustments is \$84,750.00

Recorder Garland explained several of the larger adjustments and asked the members of the board if they had questions about any of the remaining items. This year unlike in previous years, an ordinance is not required because the adjustments are all within individual expense line items and not overall total budget amounts being increased. After due discussion, motion was made by Ald. Farris, duly 2<sup>nd</sup> by Ald. Barnes to approve all the budget amendments contained in the report above. Motion carried.

Mayor King advised the board that he was asked to bring a matter to the attention of the board. The practice of putting yard sale signs on every utility post, traffic signal post, over stop signs, etc. had become a major problem and really detracts from the appearance of the town. The board members all agreed that this was a problem. The newspaper was asked to do a story



Minutes – June 14, 2012 (Cont'd)

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asking people to not do this. The members also asked about the possibly of issuing citations for this practice. Mayor King stated he was going to have the PWD remove all signs erected on city poles and facilities. The city attorney was instructed to review this matter and make suggestions to correct these problems and to provide an enforcement of the policy.

Fire Chief Glenn Bryan advised the board that it was time again to apply for the FEMA Assistance for Fire Fighting Grants. He planned on applying in two categories, one being a Pumper Truck and the other being for Equipment. The grant required a 5% local matching funds. The department had not been successful in obtaining any FEMA grant funds in several years but for only a 5% match, the city could not afford not to apply. Motion was made by Ald. Barnes, duly 2<sup>nd</sup> by Ald. Phelps to approve the applications and the local matching funds. Motion carried.

Mayor King reported on the status of other projects stating the City Park was complete except for a special sign from the LPRF program. The Downtown Park construction had begun. Mayor King also stated that the city department heads and the board members had been asked to cook at Arts in the Alley on June 21<sup>st</sup>. A different civic group does this each month and the Arts Commission provides all the materials and supplies.

City Recorder Garland advised the board that the city needed to address an issue at the city cemetery. Through the years older monuments have been pushed or fallen over. Even newer stones have become unlevel causing the top to topple over. Some of the older stones are unreadable. This is some history that needs to be preserved. He asked that the city look into possible solutions and funding to fix the problems including grants, donations or even city funds. Ald. Barnes stated that funds were available for both Confederate and Union Soldiers of the Civil War. The matter was discussed and the board members agreed that this needed to be addressed.

There being no other business, motion was made by Ald. Farris, duly 2<sup>nd</sup> by Ald. Smith to adjourn. Motion carried.

APPROVED: \_\_\_\_\_  
MAYOR

ATTEST:

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CITY RECORDER