

Minutes  
Regular Meeting  
Bluff City Board of Mayor and Aldermen  
January 12, 2012

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

Members present were Melvin Carrier, Robert Miller, Lon Gene Leonard and Sheena Cornwell.

Brian Mullins was absent.

Prayer was by Mayor Wells followed by the Pledge of Allegiance.

Mayor Wells presented the minutes of the regular meeting of the BMA on November 11, 2011 to the BMA for consideration. Alderman Miller made a motion to approve the minutes from November 11, 2011. Second by Alderman Carrier.

Roll call vote:	Alderman Carrier	yes
	Alderman Miller	yes
	Vice-Mayor Leonard	yes
	Alderwoman Cornwell	yes

Mayor Wells presented the minutes from the regular meeting of the BMA on December 8, 2011 to the BMA for consideration. Alderman Miller made a motion to approve the December 8, 2011 meeting. Second by Alderman Carrier.

Roll call vote:	Alderman Carrier	yes
	Alderman Miller	yes
	Vice-Mayor Leonard	yes
	Alderwoman Cornwell	yes

Mayor Wells opened the floor for the first section of citizen comments. There were none.

Mayor Wells introduced City Auditor Mike Eddy CPA. Mr. Eddy presented the audit for year ending June 30, 2011. Mr. Eddy informed the Board to ask any questions they had during his presentation. Mr. Eddy directed the board to page 5, the third paragraph down. Mr. Eddy stated that the city received an Unqualified Opinion, which is the best opinion you can get. Mr. Eddy stated that the city has done a very good job this last fiscal year and highlighted some increases that needed to be done and that has been taken care of. Mr. Eddy reported that the balance sheet shows the Governmental Funds and last year the city had a little over two million dollars in operating funds in bank accounts and twenty five thousand in investments and CDs as of the end of the year which is up about \$867,000 dollars over the prior year. Mr. Eddy stated that the traffic camera tickets revenue was only in effect approximately six months the prior year and a full twelve months this year. Mr. Eddy reported that in the Water / Sewer fund there were some uncollectible water receivables that need to be written off and his recommendation is for the BMA to approve writing these bad debts off. Mr. Eddy reported that there is a program that comes from the Comptroller's Office called the Red Flags Program and the Comptroller's office is cracking down on this. Mr. Eddy recommended that the BMA approve some policies and procedures to protect them as a board, the employees and the citizens.

Vice – Mayor Leonard made a motion to approve the audit. Second by Alderwoman Cornwell.

Roll call vote:	Alderman Carrier	yes
	Alderman Miller	yes
	Vice-Mayor Leonard	yes
	Alderwoman Cornwell	yes

Mayor Wells introduced City Engineer Dave Wilson with Mattern & Craig for project updates. Mr. Wilson reported that the alternate water source across the bridge is approximately 75% complete. Mr. Wilson reported that the boardwalk improvements will begin after the water line is completed. Mr. Wilson reported that the reinforcement of the boardwalk posts project has been advertised and there will be a pre bid meeting on site on January 17<sup>th</sup> and the bids will be opened January 24<sup>th</sup> at City Hall at 2p.m. Mr. Wilson reported that TDOT sent a letter requesting information on any utilities located in the area of the proposed interchange and Mattern & Craig Engineering will be responding. Mr. Wilson reported that the City is working with First Tennessee Development District to apply for CDBG (Community Development Block Grant) to make improvements to the water system and that process is under way and there will be a public hearing scheduled for January 18<sup>th</sup>. Mr. Wilson stated that Ms. Dulaney requested that the priority projects be presented along with a cost of engineering services. Mr. Wilson stated that the first project is to assist the city in updating their current mapping. Mr. Wilson stated that the estimate for this is approximately five thousand dollars. Mr. Wilson stated that he had discussed with Ms. Dulaney the need for a more comprehensive inventory of the street conditions related to asphalt so when the annual paving budget comes up they can give a better recommendation of which streets need paving. City Manager Dulaney reported that she had asked them to do the projects in phases and the one she would like to be done first is the Water System Evaluation Map on hard copy and on computer.

Motion to approve the six projects Mr. Wilson presented was made by Alderman Miller. Second by Vice-Mayor Leonard.

Roll call vote:	Alderman Carrier	yes
	Alderman Miller	yes
	Vice-Mayor Leonard	yes
	Alderwoman Cornwell	yes

City Engineer Dave Wilson discussed the waste water pump station Mr. Wilson reported that both pump stations are at or past their run life and are both in poor condition. Mr. Wilson stated that the staff does a good job keeping them running. Mr. Wilson stated that in his opinion they should be replaced. Mr. Wilson stated that the estimate for both is approximately \$300,000. Alderman Carrier asked if they could help us get a grant for it. Mr. Wilson stated they could but it is very hard to get a grant for this.

Mayor Wells opened the Public Hearing at 7:54 p.m. on Ordinance 2011-024. City Attorney Paul Frye read Ordinance 2011-024 which is an Ordinance to Adopt a New Zoning Map for the City as Recommended by the Planning/Zoning Board. There were no public comments. Mayor Wells closed the public hearing at 7:56 p.m. Motion to approve Ordinance 2011-024 on second reading was made by Alderman Miller. Second by Alderwoman Cornwell.



Mayor Wells presented Resolution No. 2012-001 to the BMA for consideration. City Attorney Paul Frye read Resolution No. 2012-001 which was a resolution to appropriate funds in the amount of \$50,000.00 for operating expenses to the Boys & Girls Club, The Bluff City Unit. Motion to Approve Resolution No. 2012-001 was made by Alderman Miller. Second by Vice-Mayor Leonard. Mayor Wells asked if this

money had already been paid to the Bristol Unit because said that it had been received. Mr. Frye stated no that means after it is passed. Alderman Miller stated that is how all the charitable resolutions read. Mr. Frye stated yes.

Roll call vote:	Alderman Carrier	yes
	Alderman Miller	yes
	Vice-Mayor Leonard	yes
	Alderwoman Cornwell	abstained

Mayor Wells presented Ordinance 2012-001 to the BMA for consideration on first reading. City Attorney Paul Frye read Ordinance 2012-001, an ordinance to reclassify certain territory owned by Danny Bartley and Jerry Buchanan on Holston Drive from R-1 to B-3. Motion to approve Ordinance 2012-001 on first reading was made by Vice-Mayor Leonard. Second by Alderman Carrier. Alderwoman Cornwell asked what the property was going to be used for. Jerry Buchanan stated they were going to use it for a camping ground.

Roll call vote:	Alderman Carrier	yes
	Alderman Miller	yes
	Vice-Mayor Leonard	yes
	Alderwoman Cornwell	yes

Mayor Wells presented Ordinance 2012-002 on first reading to the BMA for consideration. City Attorney Paul Frye read Ordinance No. 2012-002, an ordinance to reclassify certain territory owned by C.Thomas Jarrell located adjacent to Jarrell Drive from R-1 to R-3. Motion to approve Ordinance 2012-002 was made by Alderman Carrier. Second by Alderwoman Cornwell. Alderman Miller reported that he wanted to talk to the Planning Commission about this one and asked that it be tabled until next month. Alderwoman Cornwell withdrew her second. Alderman Miller made a motion to defer until next month. Second by Alderwoman Cornwell.

Roll call vote:	Alderman Carrier	yes
	Alderman Miller	yes
	Vice-Mayor Leonard	yes
	Alderwoman Cornwell	yes

Mayor Wells presented Ordinance No. 2012-003 on first reading to the BMA for consideration. City Attorney Paul Frye read Ordinance No. 2012-003, an Ordinance amending the Bluff City Municipal Code by adding provisions making certain findings relative to synthetic marijuana, "Bath Salts" and similar compounds; making the use, possession, production, manufacture, distribution, transport, sale, offering for sale, trade, barter, exchange or purchase of certain substances unlawful; providing for the certain exception, fixing a penalty for the violation of this Ordinance, providing for severability of this

ordinance; and fixing the effective date of this Ordinance. Motion to adopt Ordinance 2012-003 on First Reading was made by Vice-Mayor Leonard. Second by Alderman Miller.

Roll call vote:	Alderman Carrier	yes
	Alderman Miller	yes
	Vice-Mayor Leonard	yes
	Alderwoman Cornwell	yes

Mayor Wells presented the report from Networks on the 2011 scorecard. Mayor Wells reported that she attended the Northeast Tennessee and Virginia Home Consortium Board Meeting and the HUD passed the annual performance evaluation of this board. Mayor Wells reported that Home Consortium had two groups that applied for \$182,809.20 to be primarily used for building homes. Mayor Wells reported that Peoples Incorporated requested the same amount for refurbishing homes. Mayor Wells reported that the group decided that it would not split the funds because it would not help either group very much; therefore they awarded the amount to Eastern Eight. Mayor Wells reported that the balance of Home Ownership Money available to Bluff City is \$44,700 and the balance for Home Owner Rehab for Bluff City is \$124,145.55. Mrs. Wells stated that she will be working to find people that are eligible for these funds. Mayor Wells reported that the First Tennessee Human Resource Agency is moving their office to 704 Rolling Hills Drive. Mayor Wells thanked everyone for coming and for their support.

Alderwoman Cornwell asked Mayor Wells if she attended the MPO Meeting. Mayor Wells stated that the result on that one is that they passed the Bluff City Project that was for the priority of the Highway.

Alderwoman Cornwell asked Mayor Wells if it would be a problem for her to give BMA a typed out letter of the meetings she attends. Mayor Wells stated that was no problem.

City Attorney Paul Frye had no report.

Reports from Aldermen.

1. Alderman Carrier thanked everyone for coming and wished them a Happy New Year.
2. Alderman Miller thanked everyone for coming and stated that they had a good Boys and Girls Club Meeting and appreciated everyone's hard work and enthusiasm.
3. Vice-Mayor Leonard had no Comment.
4. Alderwoman Cornwell thanked everyone for coming and their continued support of the Boys and Girls Club. Mrs. Cornwell stated that there had been some negativity towards it, which is expected. Alderwoman Cornwell asked Mayor Wells for an apology and stated that at the City Christmas Dinner she felt that it was very unprofessional of her to grab her plate and slam it into the garbage and walk out. Alderwoman Cornwell stated that she did not have anything to say to one side of the room, but she did speak to the Police Department and some of the city employees. Alderwoman Cornwell stated that she was very hurt as she has never done anything to her. Mayor Wells stated that she doesn't have anything against anyone and she has been put through a lot and

at the Christmas Dinner she felt that the City Manager should have recognized her and she did not.

Ms. Dulaney stated that first and foremost it was a very informal luncheon for the employees and she did not think that she needed to recognize her. Ms. Dulaney stated that she did not recognize Alderwoman Cornwell or Alderman Carrier either. Ms. Dulaney stated that it was informal and if she wanted to say something she could have got up and spoke. Ms. Dulaney stated that Mayor Wells had contacted the auditor and told him not to come to the board meeting and did not inform her or the board as the only way she found out was that she got a call from the auditor. Mayor Wells stated that she asked the auditor a question.

City Manager Dulaney reported that from now on the elections will be held in the meeting room at city hall. Ms. Dulaney reported that the water loss for the past month has been 34%. Ms. Dulaney reported that they had met with TDEC and FTDD to enlist their help for getting the stuff together for the CDBG. Ms. Dulaney stated that the city had to take a low to moderate income survey in order to apply for the Community Development Block Grant and they are getting ready to send them out. Ms. Dulaney explained that the only people that would see the surveys would be First Tennessee Development District. Ms. Dulaney stated that she had a model ordinance on Fraud and Mitigation from TML to submit to the City Attorney for his review Ms. Dulaney reported that she would be sending the Public Works Director to a two day OSHA class that the City of Johnson City is sponsoring in February. Ms. Dulaney stated that the Comptroller wants the Financial Reports reflected in the minutes. Ms. Dulaney presented the financial reports and requested approval from the board. Motion to approve the financial report was made by Vice-Mayor Leonard. Second by Alderman Miller.

Roll call vote:	Alderman Carrier	yes
	Alderman Miller	yes
	Vice-Mayor Leonard	yes
	Alderwoman Cornwell	yes

Mayor Wells asked Ms. Dulaney when the election was changed. Ms. Dulaney stated that she had received a call from Jason Booher and there has been a new law that allows the Election Commission to hold elections at any public building that they felt is satisfactory for the need.

Mr. Miller reported that there had been no major leaks that they have had to repair. Mr. Miller stated that they had problems with both pump stations. Mr. Miller stated that the engineers are working with them on the Summit Street and the Cedar Street water line projects. Mr. Miller reported that they found a storm drain stopped up and will be re-digging the storm drains. Mr. Miller reported that they are starting the Lakeview Drive Project next week and it will be about a three to three and one half week project and they are notifying the residents there. Mayor Wells asked if he had found why the road is caving in on McClelland Street. Mr. Miller stated that there is a lot of water runoff from the railroad track and the traffic is wearing the soil down and causing the pavement to sink. Mr. Miller stated that they had paved it in the past but he is waiting for warmer weather.

Chief Depew presented the Monthly Report. (SEE ATTACHMENT III)

Chief Depew reported that the new cruisers have been received and they should be on the road by Monday. Chief Depew stated that he is reworking the contract with Shooters Edge and the officers will be receiving training on the use of the new rifles. Chief Depew reported that on December 14<sup>th</sup> and 15<sup>th</sup> he met with Johnny Welch with the Post Commission. Chief Depew stated that there were several things that weren't right with regard to paperwork dealing with employees. Chief Depew reported that Officer Whitaker was hired in February of 2010 and Post had no record of him being employed by the Bluff City Police Department, which made him not a certified officer. Chief Depew reported that all of the paper work he had submitted since he was appointed interim Police Chief was correct. Chief Depew reported that in-service is set up for this year and he has a full staff of 7 reserves. Mayor Wells asked how many reserve officers he hired. Chief Depew stated three. Mayor Wells asked how many applications he gotten for the position. Mr. Depew stated 6 or 7. Mayor Wells asked if he had any females apply. Chief Depew stated 1 and she was interviewed. Mayor Wells asked if she met the qualifications. Chief Depew stated she did, but he had others that he felt could serve the city better. Alderman Carrier stated that he was doing a good job.

Report from Sullivan County Commissioner Dwight King. Mr. King reported that the county is in good shape financially. Mr. King reported that they had been working on redistricting which state law requires every 10 years. Mr. King reported that District 5, which he represents, is the only district that grew this year. Mr. King reported that they passed a resolution on Bath Salts but hopefully Nashville will take care of it and the State law will override it. Mr. King reported that they are going to have a barking dog ordinance. Mr. King reported that the county was losing area to Johnson City due to requested annexation to obtain sewer service. Mayor Wells asked Mr. King how many they lost in the highway department. Mr. King said that it went from 139 last year to about 100 and some was due to retirement. Mr. King stated that insurance went up as well.

In Old Business:

Mayor Wells asked City Manager Dulaney if the city had received an answer from the railroad about the property at the trail head. Ms. Dulaney reported that the railroad said it would probably be sometime during the first quarter of 2012.

In New Business:

Alderwoman Cornwell requested permission from the BMA to close Main Street on March 31, 2012 for a Car Show from 10 am to 4 pm. Alderwoman Cornwell stated that this would be for a fundraiser for the Boys & Girls Club. Vice-Mayor Leonard stated that the city would need to notify the Funeral Home. Motion to approve the request was made by Vice-Mayor Leonard. Second by Alderman Miller.

Roll call vote:	Alderman Carrier	yes
	Alderman Miller	yes
	Vice-Mayor Leonard	yes
	Alderwoman Cornwell	yes

Vice-Mayor Leonard requested a workshop be scheduled to review the Charter. The Board of Aldermen scheduled a workshop for January 24, 2012 at 6:00 p.m. Alderman Miller stated he could not attend the workshop but he would forward his suggestions to Ms. Dulaney.

Alderman Carrier asked if a notice could be sent to TDOT stating that the city did not want the road closed to the businesses that will be affected by the new interchange. Motion to send a letter was made by Alderman Carrier. Second by Alderwoman Cornwell.

Roll call vote:	Alderman Carrier	yes
	Alderman Miller	yes
	Vice-Mayor Leonard	yes
	Alderwoman Cornwell	yes

Vice-Mayor Leonard reported that he had been asked by the Principal of the Middle School to announce that there will be a meeting on January 19<sup>th</sup> at 6:00 in the gym and the Sullivan County Sheriff's Department will be giving an educational talk about synthetic drugs.

Alderwoman Cornwell introduced Eric Clark with the Boys and Girls Club and asked the Bluff City United Fund for a donation to the organization. Mrs. Cornwell asked Mayor Wells about money she had mentioned that was left in an account (Teen World Fund) as to whether it could be turned over to the Boy's & Girls Club. Mayor Wells asked City Attorney Paul Frye if they would have to have a meeting of the people that was left on that board and the name of it was Teen World. Mr. Frye asked who has custody of the funds. Mayor Wells stated that it has been in the bank. Vice-Mayor Leonard asked who had the statements to that account. Mayor Wells stated that they were coming to City Hall and now they come to her house. Alderwoman Cornwell asked how much money was in the account. Mayor Wells stated about two thousand and some dollars. Mr. Frye asked if it was a non- profit organization. Mayor Wells stated yes. Mr. Frye stated he would have to look into it.

Mayor Wells opened the floor for the second section of Citizen Comments:

1. Piyush Majmudar of 142 Jarrell Drive stated that he feels that it is better to handle personal differences behind the scene rather than in open meetings.
2. Rachel Roden daughter in law to a resident of Bluff City stated that she thought that it was unprofessional to speak out about personal differences in front of the citizens.
3. Eric Clark with the Boys & Girls Club thanked everyone for the time and effort that has been put into starting the Boys & Girls Club of Bluff City. Mr. Clark stated that the kids will benefit from this. Mr. Clark stated that the tentative start date will be August 13<sup>th</sup>.
4. Jerry Malone 372 Smith Street, works with the United Fund of Bluff City in fund raisers and they will try to help with funding of the Boys & Girls Club. Mr. Malone stated that the Bluegrass at the Rescue Squad on Tuesday nights is going well.

5. Lillian Cutten of Duty Drive stated that they have a nice board now and she feels that if they have a grievance with each other they should have a special meeting without everybody here and take care of it there instead of in the meeting.
6. Dave Watson of 327 Mill Street thanked the board for approving the money for the Boys & Girls Club and for the Car Show and invited everyone to come out on February 2<sup>nd</sup> for the auction. Mr. Watson thanked the Police Department for solving two crimes at his house.

Mayor Wells adjourned the meeting at 8:20 p.m.

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Irene Wells, Mayor

Attest this 12<sup>th</sup> Day of January, 2012

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Judy Dulaney, City Recorder