

Minutes  
Regular Meeting  
Bluff City Board of Mayor & Aldermen  
October 8, 2009

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

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

Mayor Malone had prayer followed by the Pledge of Allegiance.

Mayor Malone presented the minutes from the regular meeting of August 13, 2009 to the board for consideration. Mayor Malone asked for corrections and additions. Alderwoman Wells asked when could she make a motion to table this until Sandy Harkleroad's testimony, message is put in the minutes because it doesn't agree really with what was attached to the minutes so she thinks that it should be made a part of the minutes. Alderman Miller said he missed the last part. Alderwoman Wells said that when Sandy Harkleroad spoke to the board the attachment is not exactly what she said so she thinks that they need to have that as part of the minutes like they do with other people when they speak. Attorney Frye told the Mayor that he did not hear that. Mayor Malone said that the attachment that was made for Ms. Sandy Harkleroad's speech that she gave doesn't exactly match; he guessed that she had said during the meeting and she wanted to skip these minutes until it is added in like the other people that spoke. Attorney Frye said that they could do that. Alderwoman Wells made a motion to defer the August 13, 2009 minutes until the next meeting. Second by Vice-Mayor Gentry.

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

Mayor Malone presented the minutes for the Special Called Meeting on August 25, 2009 to the board for consideration. Mayor Malone asked for corrections and additions. Alderman Carrier made a motion to approve the August 25, 2009 minutes. Second by Alderman Miller.

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

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

Mayor Malone said that he had a funeral to go to and he would be leaving early if they did not complete the agenda.

Mayor Malone presented Ordinance No. 2009-013 to the board for consideration on first reading. City Attorney Frye read Ordinance No. 2009-13, an ordinance to create a four-way stop at the intersection of Cedar Street and Summit Drive. Alderman Miller made a motion to approve Ordinance No. 2009-013 on first reading. Second by Alderman Carrier. Alderman Carrier stated that he had been running up and down that street for eighty years, what if he forgot and run it, would a man get a warning ticket the first time. Mayor Malone said that would be up to the discretion of the police department. Alderman Carrier asked Chief Nelson what he would say. Chief Nelson said that he would get a ticket. Alderman Miller said that he thought they would give a grace period. Alderman Miller said that he thought it was necessary to the increase of traffic in that area.

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

Mayor Malone said he could not open this back up for discussion could he. Attorney Frye said no sir. Mayor Malone asked if he could abstain. Attorney Frye said that the Charter states that the Mayor votes in case of a tie. Attorney Frye asked the Mayor if he wanted him to look at that. Mayor Malone said he thought they needed to. Attorney Frye said it said that the Mayor shall vote only in case of a tie. Mayor Malone said that he had went out and looked at this intersection during the school traffic and in his opinion he feels like there needs to be one there so he was going to vote yes on Ordinance No. 2009-013.

Mayor Malone presented Ordinance No. 2009-014 to the board for consideration on first reading. City Attorney Frye read Ordinance No. 2009-014, an ordinance to create a four-way stop at the intersection of Smith Street and Summit Drive. Alderman Miller made a motion to approve Ordinance No. 2009-014. Second by Alderman Carrier. Alderman Miller said that this four way stop was at the recommendation of Chief Nelson because of the new privacy fence at the corner of that property was that correct. Chief Nelson said that he told them at the last meeting they had been having parking problems up there now that school is going on and the problem is that the gentlemen that lives on Cedar Street has build a 6 ½ or 7 foot privacy building behind his house on Smith Street and the problem is that there is cars and an awful lot of parents who are getting aggravated with the line of traffic and are cutting of Smith Street and Summit. Chief Nelson said that the school buses go through there like they think they really own the road sometimes and if you have a car

coming up through there and the buses and if they don't do something they are going to have a major crash as they almost had one this morning due to that fact. Chief Nelson said that a lot of people are complaining that they cannot see when they come to a stop and they are pulling out in front of a bus. Alderwoman Wells asked Chief Nelson if he recommended this. Chief Nelson said that because they have a lot more traffic that travels that area than they used to and they are coming off of Main Street and cutting up Summit and they are going through those stop signs so he did make that recommendation. Alderman Miller stated that he did speak to the property owner with the fence and they understand that a stop sign will be placed on two corners of their property and they are okay with that. Mayor Malone said that he had also been out and looked at this intersection but it was at a different time and drove all around that block and there are visibility issues depending on what vehicle you drive as to what you can actually see.

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

Mayor Malone presented Ordinance No. 2009-015 to the board for consideration on first reading. City Attorney Frye read Ordinance No. 2009-015, an ordinance amending Section 16-113 of the Bluff City Municipal Code regarding skateboards, etc, prohibited on streets, sidewalks and other public places. Alderman Miller made a motion to approve Ordinance No. 2009-015. Motion failed due to a lack of a second.

Mayor Malone presented Resolution No. 2009-012 to the board for consideration. City Attorney Frye read Resolution No. 2009-012, a resolution amending the budget for Fiscal Year ending June 30, 2010 in the water/sewer fund. City Recorder Dulaney said the budget amendment dealt with the notes and bond. City Recorder Dulaney stated that Joyce Welborn was with the Comptroller's Office and she wanted the amounts exact even though there was enough money in the accounts to pay the notes and bonds. City Recorder Dulaney stated that the bottom line on the budget did not change this was just an amendment. Alderwoman Wells said "getting it exact". Mayor Malone said that they basically were moving \$2,500.00 inside the water/sewer fund from one account to another and nothing has changed one way or another as far as the money. Alderman Carrier made a motion to approve Resolution No. 2009-012. Second by Alderman Miller.

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

Mayor Malone reported that the Notice of Violation on a storage tank at the city garage has been given to the city engineer to fill out the paperwork. Mayor Malone stated that the city is going to have to fill it with sand or dig it out and there will also have to be soil tests done. Mayor Malone stated that the city inherited the storage tank from a prior owner as it was put in and there was fuel was put in it but with the EPA regulations the city had to either remove it or fill it in with sand. Mayor Malone stated that the city engineer has that information in his hands and as soon as he gets it back to him then the board can make a decision. City Recorder Dulaney stated that the engineer called today and said that once they did the review they would send you and the board a letter with his recommendation and what the cost would be.

Mayor Malone said that at the last two meetings they have talked about swings at the park and he asked Mark Weaver to help him with this and he has some information but due to illness in his family and himself he is not here. Mayor Malone said that Mr. Frye had also gotten some information on this as far as liability and things like that and the upkeep and requirements.

Mayor Malone said that the city took some equipment to Lady & Equipment today for an auction. Mayor Malone said they took the big tractor that they no longer use, a mowing machine and some additional equipment outside that but those were the two pieces of equipment that came to his mind real quick. Mayor Malone said that there was a bid on the tractor and they called Judy before they came into the meeting and the rest of equipment they don't know yet but he would try to get the board some figures on that.

Mayor Malone said that the city engineer came and reviewed the storm water issue in River Bluff Landing and there is going to be some additional work. Mayor Malone said that there is also some other storm water issues through out the city that they are working on and as soon as they can get the city workers available they are going to try to work on those.

Mayor Malone said that they have had multiple issues with the water treatment plant and it is the telemetry and as far as he knew the city hasn't had to buy water. Mayor Malone said that they have had several people come in and review the software in the computer system, the telemetry that goes between these sites, because somehow it is not getting all of its communications back and forth. Mayor Malone said that he talked to the plant operator at great length over the weekend and he guessed that most of this happened earlier in the week. Mayor Malone said that they had people come out and look at the software and they have been trying to get the telephones looked at. Mayor Malone said that he has not had an update from her since Saturday evening when they finally left. Mayor Malone said that they had major problems with that thing communicating as it thinks that the remote pumps

are on and the remote pumps are not on so they have had water outages in the city that were due to that problem he hoped. Mayor Malone said that as far as he knew they were still looking into that problem because it was his understanding that they are still not communicating everywhere in the city that they need to. Mayor Malone said that the pumps are running at this point and the alarms are going off but they are still not communicating with every piece of the system.

Mayor Malone stated that they had another issue but they are not sure if this is related or not. Mayor Malone said that up at Chiquapin there is a little pump station that back feeds the water up to Underwood Springs and the pump was down over the weekend which went out sometime in the middle of the week. Mayor Malone said that from his understanding it was one of the pieces that communicated back and forth with the telemetry system at the water plant. Mayor Malone said that the water plant thought that the pump was running but it wasn't. Mayor Malone said that Milton called him and they had a lengthy discussion as to what to do and he was also on the phone with the water plant operator as well. Mayor Malone said that this is a big concern to him as he did not want to see the system go down in any way. Mayor Malone said that on Friday the system was down from Friday to Monday and they had some people come in and look at it on Saturday morning and at the end of the day on Saturday the pump was diagnosed as being bad. Mayor Malone said at that point they went in search for a pump and could not really make contact or find one over the weekend. Mayor Malone said that Milton pulled the pump out on Monday and takes it to Kingsport or Bristol; he did not know which one as they had discussed both places and one of those places diagnosed the pump as being good so they brought the pump back and re-installed it. Mayor Malone said that they called in another company to come and work on the pump so when they come they found a switch on the pump that was bad and also a fuse that was blown. Mayor Malone said that the first company should have found the fuse problem very easily, which they didn't do but anyway none the less that system as far as the pump itself is up and running. Mayor Malone said that it was fixed on Monday and the Chiquapin pump is back up but the telemetry between the two is still not working as far as he knew right now unless that has been repaired between the last communication that he had with the pump operator.

Mayor Malone said that when he ran for Mayor the last time his situation was a little bit different as far as his jobs. Mayor Malone stated that he had changed careers he guessed. Mayor Malone said that he had took on a new job and he was having a really hard time trying to keep up with running his regular job, trying to run a part-time business and devote the time that he needs here. Mayor Malone said that he was going to ask the board to consider a part-time city manager for the city at this point. Mayor Malone said that they definitely will have to put it on the agenda or do a Special Called Meeting to discuss it.

Malone said that he wanted them to consider it and he thought at this point it would probably be in the best interest of the city if they can financially afford it to put on a part-time city manager so he is asking the board to think about that and they will try to get back either on the next meeting or a Special Called Meeting to discuss that.

City Attorney Frye said that in regard to the board asking him to check into horseshoe pits there were no standards or any official specifications. Attorney Frye said that the only thing they would have to do is maintain it and keep it inspected so it would be safe and there would be no additional cost on the insurance for that.

City Attorney Frye said that in regard to playground equipment there are national standards and we have a copy of those and have the specs. Attorney Frye said that the recommendation from the insurance carrier was that we buy it from commercial vendors and get it commercially installed. Attorney Frye stated that it would have to be maintained and inspected on a regular basis and there would be not additional cost or insurance for this. Attorney Frye said that the standards don't call for it but when he told them the situation they did recommend that it be fenced in.

City Attorney Frye reported that a couple of weeks ago they had two depositions in the Lester Childs case. Attorney Frye said that with all the non profits involved he hoped that the parties would get together and settle it. Attorney Frye stated that after the depositions it may be likely but they don't know when that will come.

City Attorney Frye said that he collected \$6,304.79 through delinquent property tax suits.

Mayor Malone opened the floor for comments from the aldermen.

Alderman Carrier said that he was glad to see all of the folks out tonight.

Alderman Miller thanked everyone for coming and they appreciate it greatly and hope the turnout next month will continue to improve.

Alderwoman Wells said that she was glad to see everybody here and hope they can get some others to come out.

Vice-Mayor Gentry thanked everyone for coming.

City Recorder Dulaney stated that she had included the financial statements with the board's packets. Recorder Dulaney said as of today there was \$89,246.20 in the General Fund, \$21,460.34 in the city hall building fund, \$81,446.35 in the savings account, \$25,208.28 in a CD, \$6,247.51 in the Sanitation Fund, the Police Drug had \$10,109.11, \$154,919.87 in the Debt Service and the Water/Sewer Fund had \$126,068.16 for a total of available cash in all funds \$514,705.82.

City Recorder Dulaney reported that as the first of the year the city will no longer collect business taxes and this was approved during the state legislative session this year. Recorder Dulaney stated that the city would collect the taxes through the end of the year and then the state will collect them and it will be treated like any other stated shared tax. Recorder Dulaney stated that the city would still issue business license.

Chief of Police Nelson gave the board of copy of the report for the month of September. (See Attached Report) Chief Nelson said that if they noticed the calls are down and the mileage is down. Chief Nelson said that the accidents are still up and so are the arrests. Chief Nelson said they keep having problems with accidents, fender benders is what they call them there anymore. Chief Nelson said that used to they would only have four or five a month but now it is in the teens. Chief Nelson said he would like to give an update on the speed camera installation. Chief Nelson said that he had talked to Shawn Golden this morning and he said that what has taken so long is that they were having a problem with the satellite internet service out there. Chief Nelson said that they had a meeting today and the problem has been resolved and they want to start construction within two weeks.

Chief Nelson told the board that he had laid a couple of things on their desks to show them what the police department is doing, which is some of the things that they have ordered thru their drug fund. Chief Nelson said that the police department is working on project "Child Safety" and have given out 300 gun locks free of charge to make guns safer around kids. Chief Nelson said that they were trying to distribute the gun locks to the citizens in the community that have children and that have guns as they can use these locks to secure their weapon.

Chief Nelson said that the Boy Scouts of America has an outdoor club in Bluff City for East High School, Bluff City Middle School and Bluff City Elementary. Chief Nelson said they do the Tennessee Handgun Safety Course for the scouts and the police department donated 200 gun locks for them when the kids go through the training. Chief Nelson said that they have been recognized by the National Child Safety Association for that. Chief Nelson said that they were the first to do this but they started early and there would be others cities to do this.

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Chief Nelson said that tomorrow the police department would deliver trick or treat bags which include coloring books, drug free pencils, drug free bracelets and police badges that were bought out of the drug fund and the sale of the calendars. Chief Nelson said that this was giving back to the community as required. Chief Nelson said that the drug fund can be used for other things but they need to put some of it back into our kids because our kids are what it is all about. Chief Nelsons said they are going to take them to the elementary school tomorrow morning and distribute them.

Chief Nelson said that Norfolk & Southern Railroad has a coloring book out called Toby the Train which talks about being safe around train tracks so they donated a bunch of coloring books for that and they are going to donate them to the elementary school.

Chief Nelson stated that the police department had been awarded a \$5,000.00 High Visibility Grant. Chief Nelson stated that they cut back on a lot of departments this year and in order to meet this criteria they had to be a part of the campaign by going to different locations and setting up road blocks and helping out with different departments and they have met the criteria. Chief Nelson said that the Mayor had signed the paperwork. Chief Nelson said that they could use the grant for training, equipment and radar overtime so he and the city manager will sit down and discuss where this needs to be used.

Chief Nelson said that the reserve program is up and running and they have a good program as they take a lot of the burden off of the officers like at Heritage Days and the race traffic. Chief Nelson said that they have to meet the same requirements as an officer and they do it free. Chief Nelson said that down the road he wished that they would consider doing something for the reserves to show appreciation such as a dinner or whatever. Chief Nelson said that sometimes if they have uniforms available they try to provide for them but if we don't they have to provide their own uniform and equipment. Chief Nelson said that he and the city manager had talked about when they use the reserves it cuts down on some of the overtime and they did and the officers feel more secure and safe. Chief Nelson said that the reserves see the problem that they are having at the school and said that one citizen is willing to come and help at the school crossing as it takes two officers to work the school crossing with all the heavy traffic and by him helping with the school crossing this is going to free one officer up to help with the traffic and there is another reason for this as this month we had four break ins at the White's Dollar Store where people are breaking into cars and this is something that is popular and we are not the only ones having this problem other cities are too so this will free them up to have an officer in that area. Chief Nelson said that his officers were doing a fantastic job and they are concentrating more on their mileage as they have initiated a plan whereas they park and observe. Chief Nelson said that the State of Tennessee is fixing to go into a State Crash

Report on the computer so probably after the first of the year he will probably have to send officers to training to learn how to do the accident reports on the computer. Chief Nelson said that he thought the software was going to be donated by the State of Tennessee and they already have the new computers. Chief Nelson said that the crime lab has also requested that he send officers for training for one hour so instead of them going down and get a crime lab report they can log on and get it through the computer. Alderwoman Wells said that where the police officers have to go for the training is it possible for one officer to go and then them be able to come back and train the other officers. Chief Nelson said that was discussed at the Chief's Meeting last week. Chief Nelson said that the State of Tennessee is requiring them to take training but they are staying in the middle of the state they are not coming to East Tennessee and it costs us and they understand and that is something that they have addressed and they are going to look at it as it is hard for little cities like us to go to Jackson and do that training. Alderman Carrier said that the schools are county schools and couldn't the Chief ask for a county officer to come and help. Chief Nelson said that he had talked to the Sullivan County School Board but the streets are our responsibility. Chief Nelson said that they had been doing this for years and to be honest parents and students love to see them up there and they get a lot of good thanks and during the holidays they bring them cookies and stuff and they feel like they are appreciated and they ought to provide a little service. Alderman Miller said that he thought this was great and as he had mentioned before he was a big fan of interaction in the community with the police and he thought it was great that they get out there and work with the kids and building trust and rapport with them as that is where it starts and there is a lot of unnecessary fear from kids from the police for some reason.

Alderwoman Wells asked the City Recorder if she had a copy of the figures that she gave them on each one of the accounts that she might get a copy of it. Recorder Dulaney said that she would type up a copy and give to her as her copy was in her handwriting. Alderwoman Wells said she did not care if it was in her handwriting.

Mayor Malone said that it rained on Heritage Days but the spirit of the people they stayed in the rain. Mayor Malone said that he stayed with the city workers on Friday and Saturday and with the rain that came on Saturday they were all soaking wet from head to toe. Mayor Malone said that he appreciated everybody's effort that was put into it as it really amazed him that the citizens turned the way they did and they stayed under the tent most of the time none the less it turned out really well and he really appreciated all of the city workers for what they done throughout that event.

Mayor Malone said that the Choate's Ford Trail that they had at the schools was a great success and appreciated Judy's time and effort that she put into that of course there was a grant involved that helped pay for the food, drinks and entertainment and things like that. Mayor Malone said that he knew that the two events came in the same week and it was very hard on us and the city workers to get this done and both events turned out really well and he appreciated all the work that went into these.

Mayor Malone said that as the Chief had stated they have ramped up and took a really hard look at the reserves and brought on two new ones in the past month and he hoped by the middle of next week they will have two more coming in. Mayor Malone said that those guys really step forward to do a great service for the community and he really appreciated them for what they do as he knows sometimes they get overlooked and they don't get that pat on the back but they really deserve it as all of our employees do.

Aldерwoman Wells said that she would like to thank the City of Bluff City for allowing the Scat Cats to play and she said that her husband did not get any money but they had a wonderful time and they really enjoyed it.

Mayor Malone said that there will be a dedication for the street name change to J. Forrest Thomas on Saturday at noon.

Mayor Malone left at 7:45 p.m.

Sullivan County Commissioner John McKamey reported that the agenda for the county commission would be fairly short but there were two or three items that have created a lot of attention. Mr. McKamey said they had three speed limit signs and three stop signs which will not take very long. Mr. McKamey said that one resolution is to request the State of Tennessee to pass a law pertaining to the appointment of the director of schools, in other words now you appoint schools and this resolution if passed by the county commission would be sent to the state which would have to do this. Mr. McKamey said that there is a bill now on the state level by Representative Winingham and Senator Burke which simply states if they pass this that it would come back to the local body to decide if the superintendent would be appointed or elected. Mr. McKamey said that it would pass by the county commission or the city council then it would have to go to an election of the people before it could be changed to the election of the superintendent. Mr. McKamey said that the second one was receiving a grant from Home Land Security of roughly \$1,220,000.00 for the whole area and Sullivan County's share is roughly \$580,000.00. Mr. McKamey asked Chief Nelson if they were participating in the Homeland Security Grant. Chief Nelson said

yes. Mr. McKamey said that the purchasing agent has requested that they change their method of auctions and instead of having auctions and practically giving things away they go online with the state as they have started a new program called govdeals online and all of the surplus can be put on that and it is kind of like ebay, people can go on it and bid and the cities and counties that are already on it their surplus has been bringing a whole lot more money than just when they have had the local auction. Mr. McKamey said that another resolution for incentive for retirement to some of the employees. Mr. McKamey said that if you are 55 years of age and got 25 years in there would be an offer of \$10,000.00 if you would take retirement and then 65 years of age would be \$5,000.00 but that probably does not have much of a chance. Mr. McKamey said another resolution to change the time of the regular meeting of the county commission, they meet on the third Monday at 9:00 a.m. now, and the resolution is to changed it to 5:30 p.m. on the third Monday to have a night meeting which would give more people and opportunity to come to the meetings and see what was going on. Mr. McKamey said that the last resolution is to designate the 4.4 miles from Webb's Store to the new bridge as the Veterans Memorial Highway

Vice-Mayor Gentry opened the floor for old business. Alderman Carrier said that last week when it was raining hard he was up on Mill Street and the water was running down the street in this man's yard right beside his house and he was wandering when they could get something done about it. Alderwoman Wells asked if Alderman Carrier knew the man's name. Alderman Carrier said yes it was Doctor Jerry Vanover. Vice-Mayor Gentry said that should have been under new business.

Vice-Mayor Gentry opened the floor for new business. Alderman Carrier said that Mark Walker a city employee brought it to his attention that the city had a backhoe and when you run it up and down the blacktop those tires are not made for highway use they are made for in the dirt and soil and it wears them out. Alderman Carrier said that two weeks ago when he called the Lady man he told him that he had a good used one, a new one costs between nine and ten thousand, and he said that he had one up there that was perfect for a backhoe and it was a good used one for \$4,000.00 and they could use some of the money out of the sale and buy it and it would save the tires. Vice-Mayor Gentry asked if they had anything to pull it. Alderman Carrier said yes he said they had a dump truck to pull it. Alderman Carrier said that he didn't want to buy something if they didn't have anything to pull it with, but he thought it would be a good idea to go look at it and see if it would meet our needs and let Mark look at it and wanted to bring it up to the board and let them think about it because it costs a lot of money to buy a set of tires for them backhoes and over the long haul the float would pay for itself even if you have to go up to Underwood to work on a line or something.

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

1. Julie Venable of 209 Smith Street said that she wanted to thank the board for having the park benches painted like she asked before Heritage Days because they look real nice. Vice-Mayor Gentry said your welcome.

Vice-Mayor Gentry adjourned the meeting at 7:55 p.m.

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Todd Malone, Mayor

ATTEST:

This 8<sup>th</sup> Day of October, 2009

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Judy Dulaney, City Recorder