

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

Mayor Irene Wells called the meeting to order at 7:03 p.m.

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

Prayer was given by Deacon Howard Cross followed by the Pledge of Allegiance.

Minutes for the March 13, 2012 Special Called Meeting were approved with a motion by Alderman Miller. Second by Vice Mayor Leonard. All in favor. Motion carried.

Minutes for the April 12, 2012 Regular Meeting were approved with a motion by Alderman Miller. Second by Alderman Mullins. All in favor. Motion carried.

Motion to approve Minutes for the May 10, 2012 Regular Meeting was made by Alderman Carrier. Second by Alderman Miller. Vote went as follows: Alderwoman Cornwell abstained. All others in favor. Motion carried.

Mayor Wells opened the floor for discussion / action to authorize someone else to sign the minutes from the Regular Meeting on March 8, 2012 as Mayor Wells has refused to sign them. Alderman Carrier made a motion to have Vice-Mayor Leonard sign the March 8th minutes. Alderman Miller asked City Attorney Paul Frye if they could just appoint someone to permanently sign in the event of this occurrence. Mr. Frye stated that they needed to vote on this Agenda item and take that up in New Business to appoint someone to sign documents when Mayor Wells refuses to sign them and that could save us some called meetings in the future. Alderman Miller seconded Alderman Carrier's motion. Vice-Mayor Leonard abstained. All others in favor. Motion carried.

Mayor Wells opened the floor for Citizen Comments- First Section.

1. Dennis Wagner with the Bluff City Rescue Squad presented a quote for the tools that they requested the city to purchase.

Minutes for the June 26, 2012 Special Called Meeting were approved with a motion by Alderman Miller. Second by Alderman Mullins. All in favor. Motion carried.

Citizen Comments – First Section continued.

2. David Smith of Highland Circle asked for an update on the progress of the war memorial and what it would cost to remove asbestos from the old City Hall, as we maybe could use that as the war memorial as the park is pretty well full.

Mayor Wells closed the first section of citizen comments.

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Mayor Wells presented the Proclamation for Lester Childs to the BMA. City Attorney Paul Frye read the proclamation. Motion to approve the proclamation was made by Alderman Carrier. Second by Vice-Mayor Leonard. All in favor. Motion carried.

Mike Miller, Chairman of the Board of Trustees for the Sullivan County Library System was present to discuss the services that the library has to offer. Mr. Miller introduced Teresa McClahan, Director of the Sullivan County System. Ms. McClahan presented flyers from the library outlining the in-person and online services. Ms. McClahan asked for more donations to the library. Mayor Wells asked City Manager Dulaney if Ms. McClahan needed to do anything else to request more money. Ms. Dulaney stated that she could present the request at the next budget workshop.

Mayor Wells opened the floor for Public Hearing on Ordinance 2012-008 at 7:26 p.m. City Attorney Paul Frye the Ordinance No. 2012-008, which is a Continuing Budget Ordinance. There were no public comments. Mayor Wells closed the Public Hearing at 7:28 p.m.

Motion to approve Ordinance 2012-008 on second reading was made by Alderman Miller. Second by Alderman Carrier. All in favor. Motion carried.

Mayor Wells presented Ordinance 2012-009 to the BMA for consideration on first reading. City Attorney Paul Frye read Ordinance No. 2012-009, which amends Section 12-401 of the Bluff City Municipal Code dealing with Standard Building Codes. Motion to approve Ordinance 2012-009 on first reading was made by Vice-Mayor Leonard. Second by Alderman Miller. All in favor. Motion carried.

Mayor Wells presented Ordinance 2012-010 to the BMA for consideration on first reading. City Attorney Paul Frye read the Ordinance No. 2012-010, which is known as the Property Maintenance Code. Motion to approve on first reading was made by Alderman Miller. Second by Alderwoman Cornwell. Vote is as follows: Alderman Carrier abstained. All others in favor. Motion carried

Mayor Wells presented Ordinance 2012-011 to the BMA for consideration on first reading. City Attorney Paul Frye read the Ordinance No. 2012-011, which Creates an Appeals Board for the Property Maintenance Code. Motion to approve on first reading was made by Alderman Miller. Second by Alderwoman Cornwell. All in favor. Motion carried.

Report From Mayor Wells: Currently Bluff City is under Johnson City's Metropolitan Planning Organization area because of the census. Bristol and Johnson City are both talking with the State so we will have to wait on that decision.

City Attorney J. Paul Frye reported that Alderman Carrier had been cited into Municipal Court and he had a conflict of interest in prosecuting this case so he contacted Tom Seeley Attorney, who is the Town Attorney from Erwin, and he has agreed to be substitute council for him at the rate of \$150.00 per hour. Motion to approve Mr. Seeley was made by Vice-Mayor Leonard. Second by Alderman Miller. Vote was as follows: Alderman Carrier abstained. All others in favor.

Mr. Frye reported that under Tennessee Law the city has no authority to give Day Care Scholarships.

Mr. Frye reported in reference to hens inside the city limits the Municipal Code 10-101 states that running at large is prohibited. Mr. Frye stated that Section 10-102 states that you can't have these animals within 250 feet of any residence, place of business or public street without a permit from the Mayor. The Mayor may issue a permit when in his\her sound judgment; the keeping of such animal will not be injurious to the public health.

Mayor Wells asked the lady wanting the chickens if she was within 250 (Sentenced Stopped) Audience member stated that she had 2 acres. Lady asked if it has to be 250 feet from all property lines. Mr. Frye stated that it says without a permit from the Mayor. Mayor Wells stated that she wanted to look at the area before making her decision. Member of the audience asked to make a comment. Mayor Wells allowed the comment. Lillian Cutten in Union Park Subdivision stated that she did not buy her house to have chickens as she does not have a dog or cat. Mrs. Cutten stated that she does not want to go to work in her yard and step in chicken you know what. Julie Venable of 209 Smith Street Extension stated that there are places in town that have chickens.

Comments from Aldermen:

Alderman Carrier stated that he was glad to see everyone out tonight.

Alderman Mullins stated that he was happy to see everyone and he appreciates everyone.

Alderman Miller stated that he appreciated everyone for coming and their comments.

Vice Mayor Leonard thanked everyone for coming and making comments. Mr. Leonard thanked the Police Department.

Alderwoman Cornwell thanked everyone for coming.

City Manager Dulaney reported the following:

1. Presented the financial report thru yesterday. (SEE ATTACHMENT II)
2. Introduced Bill Walker as the new person over Water and Sewer.
3. Looking into a grant for war memorial.
4. In reference to letter given to board from Mayor requesting documents. Mayor has not requested them as they are public records that anyone can request to see.
5. Mayor Wells asked if Ms. Dulaney had hired the two seasonal workers. Ms. Dulaney stated that she had.

Motion to approve financial report was made by Vice Mayor Leonard. Second by Alderwoman Cornwell. All in favor. Motion carried.

Report from Public Works Supervisor Ron Miller:

1. (SEE ATTACHMENT III) Welcomed Bill Walker and stated that he had been a big help.

Report from Police Chief Greg Depew:

1. Everything going well and he is getting good reports from citizens.
(SEE ATTACHMENT IV)

Mayor Wells stated that she had a citizen compliment the police department.

Alderwoman Cornwell asked how the curfew was doing. Chief Depew stated that it was going good so fa

Mayor Wells opened the floor for new business:

2. Mayor Wells asked if there was any information on the Old City Hall Building. City Manager Dulaney stated that she was not asked to look into anything just to put it on the agenda before for discussion. Ms. Dulaney stated that she would have to get a quote on what it would cost to have it analyzed. Ms. Dulaney stated that S & ME does that in this area. Mayor Wells asked if we had anything stating that it is not a sound structure. Ms. Dulaney stated that she would pull the old documents.
3. Mayor Wells asked if the city was still going to do an auction on the old cars. Ms. Dulaney stated that it would probably be in the fall.
4. Alderman Carrier asked if there was any information on the water lines in Hillcrest. Ms. Dulaney stated that would have to be in a workshop.
5. City Manager Dulaney read a letter from Hillary and Tanya Baldrige commending the Police Department.
6. Alderman Carrier stated that a hydrant needed to be installed at Bakers Sub Division and Ms. Dulaney stated that the city does not have the pressure at this time. Mr. Carrier stated that the city needed to see about putting a speed hump on Railroad Street and in Union Park.
7. Alderman Miller made a motion to designate Vice Mayor Leonard to sign documents when the Mayor refuses to sign them. Second by Alderman Carrier. Vote went as follows: Vice Mayor Leonard abstained. All others in favor. Motion carried.
8. Alderman Carrier stated that the sign next to Lakeview trailer park advertising the Civitan Club, etc. needed painting.

9. Vice Mayor Leonard asked City Attorney Paul Frye what they needed to do about the speed humps Mr. Carrier had mentioned and Mr. Frye stated that we had to get a traffic engineer to look at it.

Mayor Wells opened the floor for Citizen Comment - Second Section:

1. Becky Buchanan of Dry Branch Road thanked the board for leaving the park bathroom doors open.
2. Lillian Cutten of Union Park stated that they need speed bumps badly in Union Park.
3. Connie Leonard of 314 Main Street stated that there was something in the paper in reference to a letter that was being circulated by Mayor Wells criticizing the City Attorney and City Manager about her jobs and responsibilities. Ms. Leonard stated that after contacting local cities she found that the Mayor presides over the meetings and serves as a ceremonial head for the city but has no other executive or administrative powers or duties. Ms. Leonard handed out copies of the information. Ms. Leonard stated that they are elected and a Mayor is appointed and they take turns as Mayor each year and asked if the BMA had ever considered doing that. Ms. Leonard stated that this letter is another example of you (Mayor Wells) bringing negativity to the city.

With no other comments, Mayor Wells adjourned the meeting at 8:25 p.m.

Irene Wells, Mayor

Attest this: 12th Day of July, 2012

Judy Dulaney, City Recorder