

MINUTES

CITY COUNCIL MEETING

January 27, 2009

PRESENT: **Charles Rollins**
 Dean Lay
 Bud Knott
 Lex Orr
 Marilyn Nixon

The regular monthly meeting of the Monteagle City Council was called to order at 6:00 PM by Mayor Charles Rollins.

Following the pledge of allegiance, the Minutes of the regular monthly meeting of December 18, 2008, and the Minutes of the Utility Board meeting of January 12, 2009, were approved on a motion by Ald. Lay which was seconded by Ald. Orr and carried 5/0.

REPORTS OF COMMITTEES AND OFFICERS

1. POLICE DEPARTMENT – Copy attached

Ald. Orr gave Chief McNeece a copy of a letter the city received commending Officer Dykes.

2. FIRE DEPARTMENT – Copy attached

There was a discussion on a Standard Operating Procedure and also on training for the department. Chief Layne gave the council a training log that they have developed and asked that it be approved. Ald. Lay made a motion to adopt the Monteagle Volunteer Fire Department's training log. Ald. Knott seconded the motion and it passed 5/0. They will have a draft of a Standard Operating Procedure for the next regular meeting.

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- 3. PLANNING COMMISSION – Copy attached**
- 4. MAYOR – None**
- 5. ALDERMEN – Ald. Nixon said she has been in touch with Ben Lomand about a web site for the city. Bill Lynch said he is interested in submitting a proposal for the web site. Ald. Lay made a motion to solicit proposals for the meeting on February 9th. Ald. Orr seconded the motion and it passed 5/0. Mary Jane Flowers will work with the city recorder on a list of companies that do web sites. There was a question about the change of a street name from Justus Street to Cemetery Drive. Ald. Knott noted that the county did this. Ald. Nixon discussed a party at the Armory on New Year’s Eve. She said the council had decided some time ago that all businesses operating in Monteagle need to obtain a business license. George Burkhard said he had held the party there for the past few years. He said it is not done as a business or a fund raiser. It is a private party. No alcoholic beverages or food are sold at the party. He said they do sell tickets to cover the cost of the food and drinks. Ald. Nixon wanted to be on the record stating that she was not directing this at one person or one group. She felt the city’s rules should apply fairly to everyone. The city attorney has sent an opinion on business licenses, beer and liquor licenses. There was a discussion on whether this function qualifies as a business. No action was taken.**
- 6. CITY RECORDER – The city recorder said she had a request that the city replace the reflectors on Laurel Lake Drive that had come loose. Also there is a ditch in front of a log cabin in Dripping Springs that is very deep and a resident has asked if we could put a warning sign there. The mayor said he would have Carl look at this.**

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OLD BUSINESS

- 1. HAILEY ENGINEERING – Anthony Pelham gave a recap of the meeting at TDEC last Thursday. He said he felt it was a good meeting. TDEC approved connecting CVS to the sewer system. He noted that they would like to see some concrete data on the change from a low pressure system to gravity flow. Next meeting is March 26th at 9:00 am. Mr. Pelham was asked to discuss with Dr. Urban as soon as possible any items that need to be done for the Agreed Order. He reported that the plans for the new sewer plant have been submitted. As soon as we get the release from TDEC we can advertise for bids. Mr. Pelham said we should have ECD's approval on the sludge de-watering boxes by next week. Ald. Lay asked if there was a copy of the plans for the new sewer plant here at city hall and was told that Kevin Gilliam has a set. Ald. Lay asked Mr. Pelham to see if he could try to obtain a set of plans for the existing STP #2. Ald. Orr made a motion to authorize the mayor and Kevin Gilliam to sign the necessary documents to proceed with the project. Ald. Knott seconded the motion and it passed 5/0. Mr. Pelham presented the council with a budget on the proposed work and asked that the existing agreement be amended. Ald. Lay asked if the only contract Hailey has with us at this time is to design the new sewer plant and Mr. Pelham said that was correct. Ald. Lay asked about the price of the entire project for sewer rehab and was told that it will be about \$8,000,000.00. Mr. Pelham said it could run less. There was discussion of the fact that Arcadis had discussed a new treatment plant, but had failed to provide a way to pump the sewage to the plant. Anthony Pelham said a transfer plant will cost about 1.1 million. All the work that needs to be done including the new lab, rehab work, a new treatment plant, and other work under the Agreed Order will be about 8.5 million. We have applied for 6.3 million. There was a discussion on other funding sources. Ald. Lay made a motion to table that until we hear from SRF about the funding we have applied for. Ald. Orr seconded the motion and it passed 5/0. There was a lengthy discussion on flow monitoring to be able to determine how much I & I we have stopped. The costs for this work were discussed. A 45-day study will run about \$26,500.00. Purchasing the equipment to do this ourselves will run about \$60,000.00. The**

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Council agreed that some sort of flow monitoring will have to be done in order to satisfy TDEC. Ald. Lay asked if we could proceed with some of this under our earlier declaration of emergency. Attorney Bill Killian said we could because of the moratorium. Ald. Lay made a motion to have Kevin Gilliam put together a report on the numbers for flow monitoring and have the mayor call a special meeting as soon as this report is ready. Ald. Orr seconded the motion and it carried 5/0. Mr. Pelham said the sample section of pipebursting is scheduled for Tuesday, February 3rd between 4th and 5th Streets. They will do about 182'. The mayor reported that Sequachee Valley has called him about the service to the new plant. Anthony Pelham is resolving all issues with SVEC.

- 2. ORDINANCE 08-24 - PERSONNEL POLICY – Second Reading – Ald. Knott said he would like to have a workshop on this. Ald. Lay said he felt we need to go ahead with the second reading and we can amend it later if necessary. Ald. Lay made a motion to adopt Ordinance No. 08-24 on second reading and make any changes that are necessary as amendments to that ordinance. Ald. Nixon seconded the motion which passed 4/1 with Ald. Knott voting no. The mayor noted that the city recorder has more than 160 hours vacation and asked that steps be taken to get this down to the 160 hours permitted. Ald. Lay noted that the council gets a report every month on the employees vacation and sick leave hours and no one has made an issue of any of the employees on the list that were over 160 hours. (At this time Ald. Lay had to leave the meeting for a short time and the mayor went on to other business until his return.)**
- 3. LAWSON FAMILY EASEMENT – The mayor said he had talked to other family members and they do not want an easement to the property Mitch Lawson is talking about. Ald. Orr made a motion to table this matter until someone presents something in writing to the council. Ald. Knott seconded the motion and it passed 4/0.**
- 4. WORKSHOP WITH CITY ATTORNEY – A workshop to discuss Occupancy Tax and the Monteagle Assembly was discussed.**

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NEW BUSINESS

- 1. BUSINESS LICENSE – There was one application for a business licenses from Mark and Helen Studtmann for the Mountain Breeze Café which will be located in the former wedding chapel by the Smokehouse. Ald. Nixon made a motion to approve the application. Ald. Orr seconded the motion and it passed 4/0.**

(Ald. Lay returned to the meeting at this time.)

- 2. SCHOOL CROSSING LIGHTS - The mayor reported that the light at the east end of the school crossing zone had fallen when the pole was damaged. He has contacted Marion County about the problem but does not know the outcome of it yet. Ald. Nixon made a motion that a fax be sent to the Marion County Department of Education about the situation and request immediate action and that a copy be sent to Terry Case as well. Ald. Orr seconded the motion and it passed 5/0.**

The discussion resumed on the Personnel Policy and Ald. Lay asked the city attorney if we could make this policy retroactive and he said we could not. He said that if the city council had to approve additional vacation accrual, an employee might not be able to accrue the additional hours even though the council was aware of them each month. Ald. Knott read from the old policy which did not require council approval of the additional hours. The mayor said he wanted the issue resolved and the city recorder's vacation brought down to 160 hours whether we paid her for the time or she took the time off. The city recorder said she did not want pay for the vacation hours because she would pay a great deal of additional taxes by taking it as a lump sum payment. After a lengthy discussion, the city recorder said she would take pay for six weeks and take three weeks off by the end of May.

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- 3. MAY JUSTUS MEMORIAL LIBRARY – Ald. Lay said the librarian, Karen Tittle, has asked the city to help her with the matching funds for a grant that would let the library purchase five additional computers. The matching funds needed would be \$5500.00. She said the library could put in up to \$1000.00. Ald. Lay made a motion that the city match the grant funds up to \$5500.00 for the May Justus Memorial Library if the grant is approved. Ald. Nixon seconded the motion and it passed 5/0 on roll call.**

- 4. GRUNDY COUNTY HISTORICAL SOCIETY – Oliver Jervis asked the city to write a letter in support of the Society’s application for funding to purchase the old bank building in Tracy City. Ald. Nixon made a motion to send a letter of support for this project. Ald. Orr seconded the motion and it passed 5/0.**

- 5. OCCUPANCY TAX REPORT FORM – The city recorder gave the council a copy of a proposed form for reporting Occupancy Taxes. Ald. Orr made a motion to adopt the new form. Ald. Knott seconded the motion and it passed 5/0.**

- 6. LETTER FROM STACY MORRISON – The mayor gave each of the council members a letter from the Local Planning Office about the make-up of the Board which said that any Boards created by the city should be filled according to the distribution of the races in your city.**

- 7. ROAD REPAIRS – The mayor reported that we have several roads that are in very bad shape, among them Armory Road, North Bluff Drive, and College Street. Ald. Lay suggested that we have Carl review the roads that need repair and submit a list to the city at the February meeting.**

PUBLIC UTILITY BOARD MEETING

- 1. MANAGER’S REPORT – Kevin Gilliam reported that he is working on several projects at this time.**

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- 2. TDEC – There was a discussion on several items including a report of a complaint to TDEC that Monteagle is trying to pressure people to go off of the sewer system in order to free up service for businesses. This is untrue and Kevin will investigate the complaint. There was also a discussion on the camera work that has been done. Ald. Lay asked about the Grease Ordinance (No. 08-20). Mr. Gilliam said he felt it was not strong enough and it was agreed that we would re-write the ordinance and rescind 08-20. Ald. Lay said he felt it was important that we have our budget ready by July 1st and we would need to start working on it right away if that was going to happen. The mayor and Ald. Lay said they have discussed hiring two part-time employees at 30 hours each instead of one full-time employee for the utility department. The need for a sludge truck was discussed.**

The council agreed to have a workshop on February 5th at 9:00 with the council, the city attorney, and Mark Allen of Allen, McGee and Associates.

- 3. CUSTOMER DEPOSITS – This was tabled until the February 9th meeting.**

CITIZENS HEARING

David Meeks presented a petition asking that the 911 building be renamed to the Calvin Lee Parker Building. Ald. Lay said he thought this was a nice idea, but felt the family should be contacted and asked about it before any action was taken. The mayor said he would contact Donna Jo.

There being no further business the meeting adjourned at 9:29 PM and was followed by a hearing on water adjustments.

Respectfully submitted,

PUBLIC UTILITY BOARD

**WATER ADJUSTMENTS HEARING
JANUARY 27, 2009**

PRESENT: Charles Rollins
Dean Lay
Bud Knott
Lex Orr
Marilyn Nixon

There were two requests for adjustments on water bills:

1. Betty Harris – Mrs. Harris said her commode flapper had hung up and run her water bill up. Ald. made a motion to adjust Mrs. Harris' bill in accordance with our current leak policy. Ald. Knott seconded the motion and it passed 5/0.

2. Kathy Santisteban sent the council a letter explaining that her outside faucet had been turned on by someone and had been running for an undetermined period of time. She said that a local realtor had sent her a contract for renting the house, but she didn't sign the contract and had been told that the realtor had rented the house out anyway. She thinks one of these renters had left the faucet running. The board did not feel this was a leak and that, if there was a dispute over rentals, it should be settled between the owner and the realtor. Ald. Orr made a motion that no adjustment be made. Ald. Knott seconded the motion and it passed 5/0.

It was reported that the water bill for Frank Gipson had a reading error on it and the bill has been adjusted.

The Board received copies of a letter to the Montegle Assembly concerning their request that the city recorder review their bills to see if an error had been made. The city recorder reviewed the past 25 months and found several errors. Those have been corrected and copies were given to the Board.

The hearing adjourned at 9:41 PM.

Joy Sturtevant, City Recorder