

MINUTES

CITY COUNCIL MEETING

March 31, 2009

PRESENT: **Charles Rollins**
 Dean Lay
 Lexie Orr
 Bud Knott
 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 prayer and pledge of allegiance, Ald. Orr made a motion to approve the Agenda for tonight's meeting. Ald. Knott seconded the motion and it passed 5/0. Ald. Orr then made a motion to approve the Minutes of the meetings of February 24, and March 9, 2009. The motion carried 5/0.

OTHER ITEMS OF BUSINESS

- 1. CITY ATTORNEY BILL KILLIAN – Mr. Killian discussed the following items:**
 - a.) TDEC Fines – The fines that TDEC levied against the Town of Monteagle for noncompliance with the Agreed Order totaling \$20,000.00 have not been paid. The city was told that TDEC might waive or reduce the amounts and to hold off on payment until that was determined. However, approval of our application for stimulus money is being held up because the fines haven't been paid. Ald. Lay made a motion to instruct the mayor to issue a check to TDEC in the amount of \$20,000.00. Ald. Orr seconded the motion and it carried 5/0 on roll call.**
 - b.) Occupancy Tax – Mr. Killian reported that he is waiting for a report from the auditors. He said it would probably be a couple of weeks because the auditor is involved in tax season.**
 - c.) The state has dismissed their 1999 lawsuit against the city and Dean Lay regarding wetlands.**
 - d.) Mr. Killian said he is writing a letter to Nelson Layne asking for the probate of the Frank Bradford estate to be speeded up.**
 - e.) The Monteagle Assembly wants to do depositions on Anthony Pelham and Dean Lay on April 7th.**

**MINUTES
CITY COUNCIL MEETING
March 31, 2009
Page Two**

- 2. HAILEY ENGINEERING – Anthony Pelham discussed the following items:
a.) Mr. Pelham said he needs the mayor to sign a cover letter to TDOT before we apply for a permit from them. b.) Mr. Pelham said they would be having a pre-construction conference soon on the dewatering boxes. c.) Mr. Pelham updated the council on the Agreed Order and said he would report to TDEC next month.**

REPORTS OF COMMITTEES AND OFFICERS

- 1. POLICE DEPARTMENT – Copy attached**
- 2. FIRE DEPARTMENT – Copy attached**
- 3. PLANNING COMMISSION – Copy attached**
- 4. MAYOR – The mayor reported that Dr. Urban of TDEC is not satisfied with us**
- 5. ALDERMEN – None**
- 6. CITY RECORDER – The city recorder presented a Proclamation in celebration of the sixtieth anniversary of MTAS. Ald. Orr made a motion to approve the proclamation. Ald. Knott seconded the motion and it passed 5/0.**

OLD BUSINESS

- 1. ORDINANCE 08-24-01A – Second Reading – This is an amendment to the Personnel Policy. It changes the wording in two sections to that recommended by the city attorney. Ald. Orr made a motion to approve Ordinance 08-24-01A on second reading. Ald. Lay seconded the motion which carried 5/0.**
- 2. DYE TESTING CONTRACT – The mayor said he had received a letter from TDEC stating that we are required to do this work. The council previously**

**MINUTES
CITY COUNCIL MEETING
March 31, 2009
Page Three**

approved \$7500.00 for Griggs & Maloney to get the work started and the contract to complete the work is \$26,698.25. Mayor Rollins asked Steve Maloney if they had used up all of the \$7500.00 and had stopped working. Mr. Maloney said they were still working under the \$7500.00. Ald. Orr made a motion that the mayor be authorized to sign the contract with Griggs & Maloney in the amount of \$26,698.25. Ald. Nixon seconded the motion and it passed 5/0 on roll call. Ald. Orr asked that the record show that the city proceeded with the work in the amount of \$7500.00 before getting the response from TDEC. He noted that Griggs & Maloney and the city's engineers had both requested that we get a written response from TDEC saying that this work is a requirement before approving the contract, but wants the record to show that we proceeded with the work immediately under the \$7500.00 which was approved to begin the work.

NEW BUSINESS

- 1. DIZZY DEAN BALL CLUB – Ald. Lay gave the council members a handout showing the financial statement for the ball teams from the previous season. Fred Ladd addressed the council and told them that they had more teams than last year. Ald. Lay made a motion to approve \$4500.00 for the ball teams for this year. Ald. Orr seconded the motion and it carried 5/0 on roll call.**
- 2. HANNAH PICKETT PARK – Ald. Lay reported that the council had discussed doing an inspection of the park. He said there was a discussion about appointing a Parks and Recreation Committee. Ald. Lay made a motion to appoint a five-member committee to oversee parks and recreation and that the names be submitted at the April council meeting. Ald. Orr seconded the motion and it passed unanimously.**
- 3. E-911 BUDGET – The Director of the E-911 program, Wanda McDaniels, has asked the council to approve training for two dispatchers in the amount of \$180.00 each, along with state mileage and reimbursement for meals. Ald.**

**MINUTES
CITY COUNCIL MEETING
March 31, 2009
Page Four**

Nixon made a motion to approve the money for this training. Ald. Orr seconded the motion and it passed 5/0.

- 4. FIRE DEPARTMENT TRAINING – Ald. Orr said he met with the chief and discussed training with him. He noted that there is a difference between training and certification. Not all training leads to certification. This will be discussed at the next workshop.**
- 5. WATER DEPOSITS – Ald. Orr asked the city recorder to give him a written account of how we currently handle deposits and this will be discussed at the next meeting.**
- 6. WEB SITE – Ald. Nixon made a motion that the city employ Comp E R, owned by Bill Lynch, to work with us on designing and maintaining a web site for the city in the amount of \$1860.00 for one year, and that the money be paid for from the utility budget. Ald. Knott seconded the motion and it passed 5/0 on roll call.**
- 7. ORDINANCE 09-26 – Landscaping Ordinance – Ald. Orr complimented the committee on the landscape ordinance they have put together. He said that the council has not had time to review it properly and made a motion that the Parks & Recreation Committee, when it is appointed, be asked to review the proposed ordinance and make a recommendation. Ald. Lay seconded the motion and it passed 5/0.**
- 8. MONTEAGLE VIDEO FROM GCTV – GCTV has proposed doing a video for the city to promote tourism. The video will cost \$4500.00. Ald. Nixon made a motion to purchase the video in the amount of \$4500.00 and charge the expense to professional services. Ald. Orr seconded the motion which carried 5/0 on roll call.**
- 9. CODES ENFORCEMENT OFFICER – Ald. Lay reported that he has talked to our Building Inspector, Earl Geary. He said that Mr. Geary is interested in becoming the codes enforcement officer. If we appoint him, it would become**

**MINUTES
CITY COUNCIL MEETING
March 31, 2009
Page Five**

effective on July 1, 2009. Ald. Lay made a motion to adopt the concept of having Mr. Geary become our Codes Enforcement Office subject to working out the compensation with Mr. Geary. Ald. Orr seconded the motion and it passed 5/0.

10. **INVENTORY** – The city recorder gave each member of the city council the most recent copy of the inventory.
11. **SCHEDULE FOR MEETINGS IN APRIL** – The mayor read the dates and times of the workshops and meetings for the month of April. The workshops will be on April 7th and 21st at 10:00 am. The Public Utility Board meeting will be on April 14th at 10:00 am. The Planning Commission will be at 6:00 pm on April 21st and the City Council will meet at 6:00 pm on April 28th.
12. **INTERLOCAL AGREEMENT WITH TML RISK MANAGEMENT POOL** – Resolution No. 2009-134 – This Resolution updates our agreement with TML for our insurance. Ald. Orr made a motion to approve the Resolution. Ald. Lay seconded the motion which carried 5/0.
13. **CONTRACT WITH SETDD** – This contract is for the Development District to administer the funds Monteagle will be receiving to do our sewer projects. The fee for doing this will not exceed \$30,000.00 for the whole project. Ald. Orr made a motion to authorize the mayor to enter into a contract with SETDD to administer the funds for this project. Ald. Nixon seconded the motion and it passed 5/0 on roll call.

PUBLIC UTILITY BOARD MEETING

1. **MANAGER'S REPORT** – a.) Kevin Gilliam reported that the video company doing the work on the Grundy County side has completed their work. He asked the council to approve videoing the Marion County side at a cost of \$23,180.00. He said they had found some very significant issues on the Grundy side. Ald. Orr said he would like to know if any of the expenses we have incurred will be considered part of our matching funds. He then made a motion to authorize the

**MINUTES
CITY COUNCIL MEETING
March 31, 2009
Page Six**

mayor to enter into a contract to proceed with the videoing of the Marion County side with the total contract not to exceed \$45,955.00. Ald. Nixon seconded the motion and it carried 5/0 on roll call. b.) Mr. Gilliam said he would like to see the council approve proceeding with the \$97,000.00 expenditure that was previously approved but was later held up. He said the flow meters have been installed and we should be able to receive credits from TDEC after the repairs are done. Ald. Orr made a motion to authorize the mayor to release the \$97,000.00 to be spent on pipe bursting in the areas to be chosen by the mayor and the utility manager. Ald. Nixon seconded the motion and it carried 5/0 on roll call. Ald. Lay asked if any of this work was to be done inside the Assembly and Mr. Gilliam said that some of it would be inside. Ald. Lay also asked if the number of linear feet or the number of manholes would be reduced and Mr. Gilliam said no. Ald. Lay also asked if the money for this work is to be taken from the proceeds of the sale of the gas system. The council agreed that the money would come from that sale.

CITIZENS HEARING


- 1. Mary Jane Flowers spoke on behalf of the Chamber of Commerce. She reported that the Blackberry Winter Ball this year would be a charity ball. Part of the proceeds would go to the Relay for Life. She noted that they would be asking for sponsors in the amounts of \$250.00, \$500.00, or \$1,000.00. She said they would appreciate anything the city could do to help.**
- 2. Virginia Uden from the Monteagle Assembly asked about the dates of the meetings because she understood the Monday utility meeting had been changed to Tuesday. She was told this is correct. The change was made so that all of our meetings will be on Tuesdays from now on. The city recorder gave Ms. Uden a copy of the meeting dates.**
- 3. Nate Wilson spoke on behalf of the Mountain Goat Trail Alliance. He gave an update on their progress. They are currently working with TDOT to obtain an easement for a right-of-way across their property. He said this is expected to take quite a while. Ald. Orr suggested that anything that comes up about Mtn.**

**MINUTES
CITY COUNCIL MEETING
March 31, 2009
Page Seven**

Goat Trail should be referred to the Parks Committee once it is established. Mr. Wilson said that Neal Hansen of TDOT recommended that the city send a letter to them saying that the Mtn. Goat Trail Alliance is the contact for everything about the Mtn. Goat Trail. Mr. Wilson discussed what steps need to be taken concerning this project. The mayor recommended that the council discuss this at the April 21st workshop.

There being no further business the meeting adjourned at 7:07 PM.

Respectfully submitted,



Joy Sturtevant, City Recorder