

ORDINANCE NO. 2014-015

**AN ORDINANCE TO FIX THE TIME AND PLACE OF REGULAR MEETINGS
OF THE BOARD OF MAYOR AND ALDERMEN**

WHEREAS, pursuant to Article III, Section 5. of the Charter of the Town of Bluff City, Tennessee the Board of Mayor and Aldermen shall by ordinance fix the time and place at which the regular meetings of the Board shall be held; and

WHEREAS, the Board of Mayor and Aldermen deem that meeting once a month will be more efficient and cost effective.

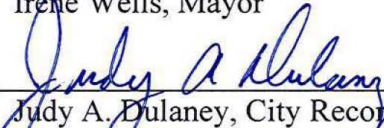
**BE IT THEREFORE ORDAINED BY THE BOARD OF MAYOR AND
ALDERMEN OF THE TOWN OF BLUFF CITY, TENNESSEE:**

1. The regular meeting of the Board of Mayor and Aldermen shall be held on the 1st Tuesday of each month at 7 o'clock p.m. (Eastern Standard Time).
2. This ordinance shall become effective from and after its final passage the public welfare requiring it.



Irene Wells, Mayor

Attested:



Judy A. Dulaney, City Recorder

Approved
as to form:



J. Paul Frye, City Attorney

Passed on First Reading:

10/9/14

Passed on Second Reading:

11/13/14

Public Hearing:

11/13/14

Minutes
Regular Meeting
Bluff City Board of Mayor and Aldermen
October 9, 2014

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

Members present were Melvin Carrier, David Harmon, Lon Gene Leonard and Richard Bowling.

Ray Harrington was absent.

Prayer was given by Deacon Fred Lowery, followed by the Pledge of Allegiance.

Minutes for the September 11, 2014, Regular Meeting, were approved with a motion by Alderman Carrier. Second by Alderman Bowling. All in favor. Motion carried.

Mayor Wells opened the floor for the following:

Citizen Comment First Section:

Attorney Wendall Jackson stated that he was a lawyer that represented several citizens of Bluff City. Mr. Jackson stated "I would like to ask Ms. Dulaney if she owes the town of Bluff City any Money." Alderman Harmon asked is this appropriate sir. City Manager Dulaney stated this is the Mayor's attorney. Alderman Harmon asked if what he is doing was appropriate and Mr. Jackson stated " Why wouldn't it be". Mr. Harmon stated why would it be, this is a town meeting. Mr. Jackson stated well Bluff City Employees (sentence interrupted) Mayor Wells stated I think I can handle it. Mr Jackson continued saying " work on and maintain her property (sentence interrupted) Mayor Wells stated I'm the one handling this meeting. Mr Jackson continued stating "that is something that the Board of Mayor and Aldermen need to know about". City Attorney Paul Frye stated " Mr. Jackson this is inappropriate professional conduct in that all these people sitting up here are defendants in a lawsuit that you have filed, I just want to put you on notice of it. Mr. Jackson stated " so, the question is do you owe the town of Bluff City any money". City Manager Dulaney stated I do not have to answer you. City Attorney Paul Frye stated "This is not a question and answer session. Don't respond to any of his questions." Mr Jackson stated " Do town employees work on and maintain your property." Mayor Wells stated this is Citizen Comments no one has to answer. Mr Jackson stated I would want to answer those questions Madam Mayor.

City Engineer Dave Wilson with Mattern & Craig addressed the issue of the Rural Development Loan/ Grant. Mr. Wilson stated that they had gone over it in a workshop and a board meeting where they discussed improvements. Mr Wilson stated that on March 25th they made the final submission based on the Resolution that the BMA did sign for the loan and grant. Mr. Wilson stated that last week RUS did tender an offer that was within the constraints of that resolution. Mr Wilson recommended consideration and acceptance of the grant/loan pending all further approvals. Mayor Wells stated that the USDA man from Greenville called her and told her it was a 1.6 million dollar loan and 830,900.00 grant. Mr Wilson stated that the figures he was given were close to that as he has 1,686,000.00 in loan and 830,900.00 in grant. Mayor Wells stated that he must have just rounded that off. Mr. Wilson stated that was Lewis Trivett. Mr. Wilson stated that the package started out to be 70% loan vs. 30% grant and the new package offered is better at 67% loan and 33% grant. Mr. Wilson stated that if it is acceptable they would like to be here on October 28th between noon and 3 to make the announcement. Mayor Wells stated that Mr.

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Trivett had spoken to her and informed her that the papers would be ready to sign in about 2 weeks. Mrs. Wells stated that he asked if she would sign and she said as long as all the paperwork is correct and Mr. Frye agreed she would be happy to sign. Mr. Wilson stated to his knowledge everything is correct and he would be going over it. Motion to accept was made by Alderman Harmon. Second by Alderman Bowling. All in favor. Motion carried.

Ordinance 2014-005 on First Reading. City Attorney Paul Frye read the ordinance which fixes the time and place of the BMA regular meeting changing it to read that the regular meeting will be held on the first Tuesday of each month at 7:00 p.m. Motion to accept was made by Alderman Harmon. Second by Alderman Carrier. All in favor. Motion carried.

Discussion / Action on Inter-local agreement between Sullivan County, City of Bristol, City of Bluff City and City of Kingsport to jointly provide and utilize a county wide Simulcast P124 Digital 800MHZ Radio System. City Attorney Paul Frye stated that this is the new radio system as some areas the old system will not reach. Mr Frye stated that the only obligation of the city was to purchase the radios and pay the user fee each year which is \$200.00 per radio. Motion to approve was made by Alderman Carrier. Second by Alderman Bowling. All in favor. Motion carried.

Discussion / Action on changing 2 part time positions to full time in the Water/Sewer Department. City Manager Dulaney asked that this be considered. Motion to approve was made by Alderman Carrier. Second by Alderman Leonard. All in favor. Motion carried.

Mayor Wells reported the following: See Attachment

Thanked everyone for coming.

She attended the following meetings, Sullivan County Commission Meeting on September 16th, 1st Tn. Development District Executive Board Meeting on September 17th, the ceremony of Fort Womack on September 25th, the Sullivan County, Bluff City and Kingsport animal board meeting on September 25th, the Networks Full Board Meeting on October 8th.

City Attorney Paul Frye reported the following:

In reference to prohibiting gun sales during Heritage Day's , we do not have the power to do that as we are not set up totally on City Property. Mr. Frye suggested that we could tell people that we would prefer they not do it.

The Directors Order that is against Bluff City, he has appealed that, and has started preliminary discussion with the States attorneys.

Comments from Aldermen:

Alderman Carrier stated that he was glad to see everybody out.

Alderman Harmon thanked everyone for coming.

Alderman Leonard glad to see everybody here and come back every time. Remember the new meeting night

Alderman Bowling glad to see everybody here and remember the new meeting night.

City Attorney Paul Frye stated that they would have to have another reading on the meeting night change before it became effective.

City Manager Dulaney reported the following:

Ms. Dulaney presented a copy of the vehicles sold on Gov. deals.com to the Board. Ms. Dulaney stated that we have not received the money yet but the amount was \$7,373.22.

The valves for the water tank have been ordered and will start work on that probably within the next 2 weeks.

The Financial Analysis that she just presented them, they will now be receiving to show that all checks are in numerical order and accounted for. The regular report that she presents them is a summary of the accounts that these checks go to.

She had spoken to the auditor and the auditor had spoken to City Attorney Paul Frye in reference to the fraud check in the amount of \$3,876.92. Ms. Dulaney stated that the bank had refunded one half of that in October for \$1,938.46, and it has appeared that it would cost more to attempt to do anything legal to try to get the rest of it and take a chance of still not getting it back. Ms Dulaney stated that the auditor suggested that the board consider approving getting it off the books and dismiss it as it may cost \$3,000.00 to collect \$1,900.00. Ms. Dulaney stated that the auditor had been aware of it since day one. Motion to write off the balance of \$1,938.46 was made by Alderman Leonard. Second by Alderman Harmon. All in favor. Motion carried.

The cash balances are as follows: The General Fund- \$73,715.48, Sanitation -\$7,814.39, Special Police Drug Fund-\$2,251.81, Sinking Fund- \$3,094.75, Debt Service - \$229,694.73, Water/ Sewer-\$295,386.45, FHA Reserve- \$690.75. Motion to approve the Account Analysis for September, Account balance and Financial Summary Statement was made by Alderman Leonard. Second by Alderman Harmon.

Chief of Police Greg Depew reported the following;

Monthly Report – SEE ATTACHED

Sullivan County Commissioner Sherry Grubb reported the following:

Mrs. Grubb stated that she was there on behalf of the County Commission and on Behalf of the other commissioner Andy Hare who had planned to be there but had some things come up. Mrs. Grubb stated that they were very happy to be representing the citizens of Bluff City and are looking forward to work hard to see that Bluff City gets their fair share. Mrs. Grubb stated that as far as reporting on the first commission meeting it is really (disruption from audience) Mayor Wells stated Hey what's going on, and asked Mrs. Grubb to wait a minute.

Man from audience stated you better stop it. Mayor Wells asked Mr. Frye what was going on. Shout from man in audience stating I'm not afraid of you either. Mayor Wells asked that it be written down that Lon Gene is leaving the meeting. Mayor Wells asked Mr. Frye what is going on and he said I don't know Mayor. Mayor Wells stated that this is getting totally ridiculous. Mayor Wells asked Chief Depew what the man did and Mayor Wells stated that they need a county officer or somebody else here because I was sitting here looking right at him and didn't see him do a thing and these people out here say he didn't do anything so what's going on. Chief Depew told he that she needed to talk to the arresting officer. Mayor Wells asked the board's permission to have a county officer at the next meeting. Alderman Harmon stated "You run the meeting Mayor you can have anybody here you want."

Mayor Wells stated come up here Sherry (Grubb) it will be okay, maybe you won't get arrested.

County Commissioner Grubb stated that their first County Commission Meeting was pretty much organizational. Mrs. Grubb stated that she and Mr. Hare are going to be attending Bluff City meetings regularly to let us know they are working for us as well. Mrs. Grubb stated that they are excited about the collaboration between the cities with the new radio system. Mrs Grubb stated that they are there to help you as much as they can and be the best representatives for Bluff City that they can be.

In Old Business – Alderman Harmon asked Alderman Carrier about attending the Animal Board meetings. Alderman Carrier stated he would go. Mayor Wells stated that the current officers times are up and they are doing new ones and asked for a motion for Melvin Carrier to be the representative. Motion was made by Alderman Bowling. Second by Alderman Harmon. All in favor. Motion carried.

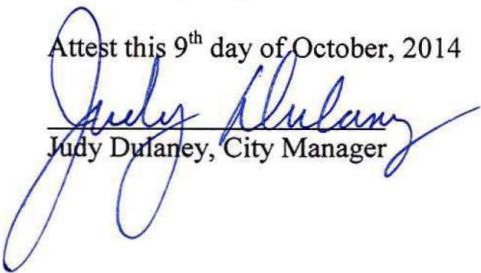
In New Business – There was none.

Mayor Wells opened the floor for Citizen Comment- Second Section: There was none.

With no other business. Alderman Harmon made a motion to adjourn. Second by Alderman Bowling. All in favor. Meeting adjourned at approximately 7:40 p.m.


Irene Wells, Mayor

Attest this 9th day of October, 2014


Judy Dulaney, City Manager