

PUBLIC HEARING
April 5 @ 7:00 pm

1. Ordinance No. 218-2 – An Ordinance Approving a Budget Amendment for the Fiscal Year July 1, 2017 through June 30, 2018. Public discussion.

Public Hearing adjourned at 7:10 PM.

CITY OF BANE BERRY
COMMISSION MEETING
April 5, 2018

A prayer was offered by Mayor Hurley and the Pledge of Allegiance was led by Mayor Hurley.

Regular Meeting: The regular City Commission meeting was called to order at 7:15 p.m. Mayor Hurley, Vice - Mayor Metzger, and Commissioner Hernandez were present.

Minutes: Minutes of the Special Meeting on January 24, Regular meeting on February 1, 2018 and Regular meeting on March 1, 2018 meetings were provided to the Commissioners prior to this meeting. Public copies were available at this meeting. Vice-Mayor Metzger moved that the minutes of the January 24, 2018 be approved; Commissioner Hernandez seconded, motion carried. Vice-Mayor Metzger moved that the minutes of the February 1, 2018 be approved; Commissioner Hernandez seconded, motion carried. Vice-Mayor Metzger moved that the minutes of the March 1, 2018 meeting be approved; Commissioner Hernandez seconded, motion carried.

Treasurer’s Report: The Treasurer’s Report was provided to the Commissioners prior to this meeting. Vice-Mayor Metzger moved that the Treasurer’s Report be approved; Commissioner Hernandez seconded; motion carried.

February Treasurer’s Reports:

(February 2018)	General Fund	Vol. Fire Dept. Fund	St. Street Aid Fund	Drug Fund	BI Fund
Previous Balance	\$ 179,932.09	\$ 35,128.96	\$ 63,584.57	\$ 665.00	\$ 105.22
Receipts	\$ 40,152.25	\$ 35,000.00	\$ 1,166.26	\$ 0.00	\$ 0.00
Disbursements Cleared	\$ - 8,720.91	\$ -631.32	\$ 1,198.63-	\$ 0.00	\$ 0.00
Bank Balance	\$ 211,363.43	\$ 69,497.64	\$ 63,552.20	\$ 665.00	\$ 105.22
Disbursements NOT cleared	\$ - 3,350.44	\$ - 86.02	\$ 0.00	\$ 0.00	\$ 0.00
Receipts NOT posted	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
10/31/2017	\$ 149,874.57	\$ 48,537.63	\$ 63,550.71	\$ 665.00	\$ 105.22

	General Fund	Vol. Fire Dept.	St. Street Aid
Cert of Deposit	Money Market \$131,602 12 mo. CD \$149,822 24-mo. CD of \$332,233	1 year CD \$40,465	1 year CD \$50,756
Accumulated Interest	\$2,333	\$91	\$113

REPORTS:

City Manager: Mike Blair, City Manager reported that the surplus 1999 Ford Explorer has been transported to the April 7, 2018 auction sale in White Pine. There has been no communication with the company that was interested in erecting a cell tower on the City owned property at the corner of Nina Road and Harrison Ferry so not sure if they are pulling out or not. Talked to Gary Williams at Appalachian Electric, and will be meeting with him in the next few weeks to discuss the potential solar project. The City has received the Contract and payments terms from Toyne, the manufacturer of the pumper/tanker truck. All changes have been submitted to the manufacturer and as soon as they receive the initial deposit they will get started. The Contract has a 300 day turn around – so delivery should be around January/ February 2019. Request was made to a couple of Jefferson County Sherriff’s Department officers patrolling the Baneberry City limits to be more aware of speeders and vehicles running stop signs.

Planning Commission: Brian Metzger, Planning Commission member, reported that Planning Commission met prior to the City Commission meeting. Permits for three new houses and approval for a lot size increase were approved. Also discussed issues that came up at the special Road commission meeting.

Road Commission: Doug Kremples, Chairman reported the Request for Proposal (RFP) to rebuild East Atherton went out and a bidders’ meeting was held the past week with one vendor attending. The vendor stated that there was too much material in the package to bid on and suggested that the testing and construction phases be separated and should result in a better price for the City. We agreed and are in the process of separating the two parts. Commission Metzger asked, “what is the risk of the dam failing in the next 20/25 years unless something crazy happens and if the risk is not high then why are we putting so much effort into this project when we have roads that need to repaved and striped.” Mr. Kremples stated that the Road Commission looked at all of the roads trying to access those most likely to fail and would cause the most inconvenience. East Atherton levy was one of those roads. Even though there is a way around the levy there is a designated bypass toward the golf course which could be graveled brought it to the commissioners and this is where we are. Vice-Mayor Metzger stated that this situation was brought up a year ago – from my side yes this might be the biggest but there are other things that need to be done – question is will it fail in the next 20 years. Certain road issues are more of a necessity at this time. Clare Davis, resident, commented that you just need to walk over the levy to see what kind of shape it is in. Commissioner Hernandez stated that Charles Tipton, Jefferson County Road Superintendent looked at the levy and suggested

that the levy should be reinforced in the spill way area. Mr. Kremples stated that some of the guardrails are hanging out in the air and 10 years ago there was over six to eight feet good space but that area has eroded away. Vice-Mayor Metzger asked if the engineering firm would take a core sample and make some recommendations. Mr. Kremples responded that he would hope that they would. Vice-Mayor Metzger asked if the County Road Commissioner (CRC) sign off stating the dam is fine. Mr. Kremples stated that even though CRC said the road was fine and sign off of on it I am not comfortable with that. There is currently seepage around the discharge pipe that could be a serious issue or not. Mr. Kremples, in regard to Iron Gate, wants to blade Iron Gate to move around gravel and maybe add a little more gravel. Mayor Hurley stated that what is needed is a “del rio” type road and if it takes 3 to 4 years to get it done then that is fine – at least we have plan in motion. Mayor Hurley would also like to see a gate at the end of Iron Gate where it intersects with Nina Road. Stoneway needs some potholes filled however there is concern on where the private property and the road are and should be. Mr. Kremples stated that they are meeting the surveyor tomorrow morning to walk over the results of the Stoneway survey so that at everyone has a good understanding of where the road is and where the road should be. Mayor Hurley requested that the City Manager get quotes on placing a gate at the end of Iron Gate near Nina Road. As far as size is concerned, 16 vs 24 foot; concern would be if a utility vehicle pass through the gate.

Parks and Recreation: Mark Davis, Chairperson reported that a Parks and Recreation meeting was held on April 2, 2018. Since the last meeting Park and Recreation has hosted two candidates nights. Fifteen spoke at the March 27 event and six candidates spoke at the April 3 event which was for District 3 county commissioner candidates only. At each event residents had the opportunity to speak one on one with candidates. Future events discussed during the meeting were (1) a street clean-up day to be held on April 14, 2018, residents participating are asked to meet at the community center, (2) the community yard sale will be held on May 19 from 8:00 am to 2:00 pm, (3) the Fourth of July parade route will be begin at the mail center continue down back nine, left on Mountain View, left on Harrison Ferry, then left on Iron Gate, and returning and ending at the Mail Center. Prizes will be awarded for the most creative golf cart and also for the most patriotic golf cart. First, second, and third prizes will also be awarded for the best children’s entries. The committee will sponsor a pot luck dinner in early Fall that will include a White Elephant auction for which the proceeds will be donated to the Jefferson County Chamber of Commerce Christmas in Jefferson County event. The committee is also sponsoring a fundraiser for the new Jefferson County animal shelter. Once information is obtained regarding needed items for the shelter, residents will be asked to donate needed items. This fundraiser will continue through the Fourth of July event at which time the items donated will be collected and donated to the shelter.

Police Department: No report.

Fire Department: Baneberry Fire Chief, Donnie Williford, reported six calls for the month of March: 4 mutual aid and 2 medical responses.

Codes Enforcement: Mike Broughton, Codes Enforcement Officer, reminded residents that political signs must not be in the road right of way and all signs must be removed within 24 hours after the election.

Firewise Community: City Manager, Mike Blair, reported that more volunteers are needed for the committee. Clare Davis asked if we could lose fire wise status. She thinks that we should do a media blast for more volunteers.

Web Site Report: For the month of March there were 6,000 + page views. Baneberry Real Estate is still one of the most viewed items.

Old Business: City Manager, Mike Blair, is still in discussion with a company for a cell tower to be located on the City owned property located outside the City limits. Concerning the Police Chief position, we inquired to the Police Chief of White Pine to see if the City of White Pine would be interested in doing a mutual aid agreement with our police department. After various discussions with the White Pine Police Chief we were informed that the White Pine City Council was not interested in this type of arrangement. Commissioner Hernandez commented on what additional assistance we would receive with a police chief that we are not currently receiving. Vice Mayor Metzger stated that dumping is starting to increase on Iron Gate whereas in the past the amount of dumping has gone down. Our own police gave us protection and citizens felt protected. Safety is #1, and in his opinion we are not receiving that level of safety from the County Sheriff's Department. Jean Best, resident, commented that in the last 10 months she has felt safe and has seen sheriff deputy's patrolling in the area.

New Business: None

Commissioner's Update: None

Open Floor Discussion:

Budget Discussion

Commissioner Hernandez inquired about why there was not a budget workshop. City Manager stated that each Department was contacted and requested an amount for their Department for the FY19 budget. Departments submitted them either in writing or through verbal discussion, and the plan was to use the end of this monthly meeting as a budget discussion/planning session. Mayor Hurley asked if any of the Commissioners had any questions about the budget. Commissioner Hernandez had a concern about the income on building permits versus the payments made to the building inspector and why the amounts were not the same in the current year. The City Manager explained that when an individual applies for a building permit the full amount of the permit is paid at that time and the building inspector requests payments for inspection(s) as they are performed. So there could be up to a year lag on when the City receives funds for the permit and when the City records the expense/payment for the inspection. Unless the City quits issuing building permits, the expenses and revenues might not ever equal each other during the same year. Nancy Zander asked "Why the \$5,000 grant money was in the budget but the Firewise grant funds were not." City Manager stated that

both can be included, each of those grants is a reimbursable grant; item(s) have to be purchased then a request for reimbursement has to be requested/submitted. Vice-Mayor Metzger asked if there are any plans on what the \$20,000 will be spent on. City Manager stated that there is no plan on what items are going to be purchased with the funds. The funds have to be used for fire prevention related equipment. Mayor Hurley asked if equipment can be used to purchase equipment for brush truck. City Manager stated that a follow up would be made to determine what types of expenses are allowed under the grant. There were various discussions about the Firewise grants. A suggestion was made to invite Leon Kontz, Tennessee Division of Forestry to the next meeting. Commissioner Hernandez commented on the amount budgeted for TN State Planning Services (Acct # 41990-257) for \$300. Commissioner Hernandez stated that Susan Gass, Jefferson County Assessor informed her that the amount would be between \$12-13,000. City Manager stated that there will be a follow up with the County Assessor. Vice-Mayor Metzger discussed options that a homeowner can dispute an appraised amount after receipt of the current appraisal. A homeowner can challenge the value but only during a certain time period. Commissioner Hernandez commented that there was no allocation of funds for the Bonnevista Drive cul-de-sac, nor an estimate of the additional costs of the insurance on new fire truck or East Atherton levy money for the roads budget. Commissioner Hernandez stated the original ordinance showed a different allocation of the loan amount (\$145,000). The description on the ordinances stated it is actually for Street Aid repairs and maintenance and not for pipes. Mayor Hurley stated that the funds can be used for Street Aid even though the funds are in the general account. Commissioner Hernandez asked about the purpose of \$35,000 general grounds in the ordinance. Mayor Hurley stated that he could not remember what the specific purpose of the \$35,000 was. Commissioner Hernandez asked if we need another ordinance - discussion on the ordinance and the related categories – Commissioner Hernandez was wondering if to make it legal we have to change the ordinance – Mayor Hurley stated that we did not have to. Commissioner Hernandez asked if funds are going to be added to finish the brush truck. City Manager stated that \$17,000 of the over budget are mostly for the two items (1) the new tower in White Pine and (2) new radios which were never budgeted in the beginning of the year because we did not anticipate those the costs. The City Manager will be submitting a budget amendment. The City Manager stated that currently the City is projected to receive \$95,000 more in revenue than expenses for the FY18. Commissioner Hernandez stated that the excess could be used for roads. Nancy Zander commented that the City has spent about ½ million dollars total in FY18. City Manager explained the improvement fund balance is at \$105.22 and in the FY19 proposed budget is \$1,000 to be transferred to the fund. Nancy Zander stated that taxes are going to have to go up in order to have the funds that we need to do the road repairs. Commissioner Hernandez asked “Why can’t the City physically put the money in the road fund.” Mayor Hurley stated that there is nothing keeping the City from transferring the funds to the State Street Aid Account. Pat Lunsford, resident, stated that the reasons the fund is going down is because the City started taking mail center and street lights out of the Street Aid Fund instead of the General Fund and also an annual transfer of \$30,000 per year transfer from the general fund to the street Aid Fund was stopped a few years ago. Gary Zander stated that the City is looking at a 10 to 15 year road program. Vice-Mayor Metzger stated that the City needs to start working on a road plan which should go through the Road Commission. City Manager stated that the total

property assessment for the City is currently around \$18 million with about \$2.5 million either under or going to be under construction within the next few months. With the 7 homes under construction those homes when completed will add about \$4,900 in property tax receipts. Nancy Zander stated that the City could eliminate the Police Department and add the Police Department budget amount to the Street Aid Fund. There was some discussion about not specifying specific road names in the Street Aid budget but rather have a single line item covering all road maintenance. City Manager stated the change to the proposed FY19 Street Aid budget will be made prior to the next meeting. Parks and Recreation will be including a dinner for the veterans of the City in their FY19 budget. The City Manager stated that there is some discussion for a veterans memorial monument located near the Community Center at hopefully no cost to the city.

Rick Powers stated that he applied for a road facilitation review over seven years ago. Stoneway Court has ruts in the road and some places are so bad that his cars have to go into a grass area to get around the ruts. It would take approximately \$2,000 worth of gravel to fix. It seems not be a lot since about six houses on the road pay about \$10,000 in property taxes and for the most part all we get is trash pick-up. Mr. Waddell did not have anything to add saying Mr. Powers pretty much said it all. The homeowners are going to meet with the Road Commissioners tomorrow morning to walk the Stoneway Court and review the road survey that was recently completed.

Adjournment: There being no further business, Commissioner Metzger made a motion to adjourn, Commissioner Hernandez seconded. Motion carried unanimously at 9:00 p.m.

Respectfully submitted,

Attest: _____
Thomas M. Blair

J. Clint Hurley, Mayor

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