

**PUBLIC HEARING
May 3 @ 7:20 pm**

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

Public Hearing adjourned at 7:30 PM.

**CITY OF BANE BERRY
COMMISSION MEETING
May 3, 2018**

A prayer was offered by Pat Lunsford, resident, and the Pledge of Allegiance was led by Mayor Hurley.

Regular Meeting: The regular City Commission meeting was called to order at 7:35 p.m. Mayor Hurley, Vice - Mayor Metzger, and Commissioner Hernandez were present.

Minutes: Minutes of the Regular City Commission meeting on April 5, 2018 meetings were provided to the Commissioners prior to this meeting. Public copies were available at this meeting. Vice-Mayor Metzger made a motion to accept the minutes of the April 5, 2018; Commissioner Hernandez seconded, motion carried.

Treasurer’s Report: The Treasurer’s Report was provided to the Commissioners prior to this meeting. Vice-Mayor Metzger made a motion to accept the Treasurer’s Report, Commissioner Hernandez seconded; motion carried.

March Treasurer’s Reports:

(March 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	\$ 70.26	\$ 0.00	\$ 0.00
Receipts NOT posted	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
03/31/2018	\$ 208,012.99	\$ 69,411.62	\$ 63,481.94	\$ 665.00	\$ 105.22

	General Fund	Vol. Fire Dept.	St. Street Aid
Cert of Deposit	Money Market \$131,602 12 mo. CD \$149,822	1 year CD \$40,465	1 year CD \$50,756

	24-mo. CD of \$332,233		
Accumulated Interest	\$2,333	\$91	\$113

REPORTS:

City Manager: Mike Blair, City Manager reported that the City has received one quote for approximately \$12,000 for the installation of a gate at the intersection of Iron Gate and Nina Road and two additional quotes are pending. If the amounts stay above the \$10,000 threshold then the City will have to advertise through a sealed bid process. Mayor Hurley asked about the one quote and what the quote included. City Manager stated that the quote included installation of a 16 foot slide gate black coated chain link, 100 card keys, and median area on both sides of the gate. The city would be responsible for getting an electrician to connect the gate to the electricity. Appalachian Electric (AE) would have to install a pole for electric and AE suggested installing a light on the pole. The 1999 Ford Bronco was sold at auction (Pro Team – White Pine TN) last month for \$425. The community center and the fire hall have termites and the buildings are scheduled to start treatment on Tuesday May 8. The transfer of a Certificate of Deposit in the amount of \$150,000 from the General Fund to the Street Aid fund should be finalized in the next day or so without incurring any additional cost of loss of funds. There has been some discussion about whether there are two grants, one for \$100,000 and one for \$20,000, or just the one for \$100,000. The City has submitted documentation for the Firewise Community Grant in the amount of approximately \$81,000. Commissioner Hernandez stated that she had heard that the primary amount would go to Sevier County and secondary amount would be for counties touching Sevier County. There is a total of \$200,000 that would be split between 4 counties and the cities within those counties. Notifications of awards are scheduled to be announced during the next 6 to 8 weeks.

Planning Commission: Judy Keane, Chairman, reported that the Planning Commission met prior to the City Commission meeting. The primary purpose was to discuss and vote on the new process on building setbacks. The vote for the new ordinance – Amend Building Ordinances 212-5 – Zoning ordinance; and 215-13 – Building permits and Inspections passed by committee vote.

Road Commission: Doug Kremples, Chairman reported that Iron Gate and has a few potholes and is a little messy when it rains but the road is a mile long and it will be costly to pave the day comes. Residents on Stoneway Court met but have not gotten back with the Road Commissioner on what they want to do. Road Commissioner will get back with those residents in the next few days.

Parks and Recreation: Commissioner Metzger reported that a Parks and Recreation meeting will be held on May 7. Plans for the Fourth of July festivities will be discussed. The community yard sale will be held on May 19 from 8:00 a.m. to 2 p.m. Parks and Recreation held two

candidates' night's events. Fifteen candidates spoke on the March 27 event and 6 candidates spoke on April 3 event. At both events, residents had the opportunity to speak one on one with each candidate. A special thank you to all of those who came out for the Street Cleanup event which was held on April 14. Parks and Recreation is still collecting items for the new Jefferson County animal shelter and a box has been placed in the lobby of the Community Center for this purpose. Mayor Hurley reiterated about what a great event the candidate night was.

Police Department: No report.

Fire Department: Mayor Hurley reported nine calls for the month of March: 5 mutual aid, 2 brush fires, 1 car wreck and 1 gas leak. Commissioner Hernandez asked about the status of the brush truck and Mayor Hurley responded that the truck is not finished yet. There is a punch list, parts have been ordered, and some have been received. Mayor Hurley stated that when all is done the truck cost should be less than the expected total cost and in the end it should be good. Only three to four volunteers are working on the brush truck. Mayor Hurley stated that one of the brush fires was in our fire district but none were in the City limits. Mayor Hurley stated that the new radio, new tower and radios are working and the ability to communicate has vastly improved.

Codes Enforcement: Mike Broughton, Codes Enforcement Officer, had no report.

Firewise Community: City Manager, Mike Blair, reported that prior to the meeting the Tennessee Division of Forestry presented the City of Baneberry a Firewise Certificate. Mayor Hurley thanked Bob McDonald and Carol Lloyd for all of their assistance for getting the City involved. Mayor Hurley asked Judy Keane if there was still a committee, and Ms. Keane stated that were a couple of members left on the committee. Mayor Hurley asked if there was a list off specific requirements to maintain the certification. City Manager Mike Blair stated that one of the requirements is to have an annual Firewise Safety Day each year. City Manager stated that more volunteers are needed for the committee and Mayor Hurley suggested putting a notice on the bulletin board at the mail center for volunteers.

Web Site Report: No report. Mayor Hurley stated that we still need a Web Master. Nancy Zander stated that she would volunteer. Mayor Hurley stated that's great but would love to get some new folks involved instead of the same 10 people doing everything. Mayor asked Nancy Zander if she would be so kind to give us time to find a new person; the City would accept your offer. Nancy Zander stated that she doesn't want the city to pay anyone to operate the website and the Mayor agreed.

Old Business: City Manager, Mike Blair, reported since there has not been any communication between Source One, the cell tower company, and the city within the past 4 to 6 weeks, therefore this venture appears to be at a dead end. The City manager met this morning, May 3, 2018, with Appalachian Electric representatives about leasing the property at the corner of Harrison Ferry and Nina Road to them or a private company for the installation of a solar farm. AE stated that TVA has a new program coming out in October that the city property might

qualify and another option is to promote the property to a public company. Mayor Hurley asked how much of the property and city manager stated all 12 acres. Carmen Kammann asked what would it look like and the city manager stated that there is one currently near New Market School and the panels should not be more than 8 feet in the air compared to a cell tower of 150 feet. Jean Best inquired about the current status of the police chief and do we have any candidates. Mayor Hurley stated that we do not have a police chief. Commissioner Metzger stated that we have two candidates, but since the county will have a new sheriff that gives us another option to explore which we plan on discussing with the new sheriff. Commissioner Hernandez asked why the county sheriff would still not continue to patrol. Commissioner Metzger replied that they would but might be looking at using the former Baneberry Police chief office as an outpost. Mayor Hurley stated that the City would like to sit down with the new sheriff and see what his thoughts are.

New Business: Ordinance No. 218-2 – An Ordinance Approving a Budget Amendment for the Fiscal Year July 1, 2017 through June 30, 2018. 1st Reading

Commissioner Hernandez inquired about the \$165,000 charges through April 2018. City Manager stated that the amount included \$140,000 initial payment for the new truck, costs associated with the brush truck, and the loan payments. Commissioner Hernandez asked where \$35,000 is budgeted that we would need for accessories for the new truck. Plans were to file for a FEMA grant for the \$35,000 and if we do not get the grant then Fire Chief Williford will review the funds available at that time to see where we are and might be able to purchase in FY19 and in FY20. Commissioner Metzger asked why did we estimate the cost of East Atherton at \$160,000 and include in the road budget but did not include the \$35,000 for the equipment for the new fire truck in the fire department budget. City Manager responded that the road fund has the available funds whereas the fire department does not have the available funds to budget for the \$35,000 budget. Commissioner Metzger stated that since we took out the loan for \$400,000 how does that not work out that the truck is not paid for when \$240,000 of the loan proceeds goes toward the cost of the truck which is \$270,000 and change. Commission Hernandez and Mayor Hurley both stated the City only allocated \$200,000 from the loan for the new fire truck. The final payment for the truck will not be due until late February or early March 2019 at final delivery which is included in the FY19 budget. Commissioner Hernandez asked about the \$4,991 in other sources (FY18) on the fire department budget and City Manager stated that was income (reimbursement from White Pine) and expense (purchase of concrete) for the new communication tower in White Pine. Commissioner Hernandez asked if we would get “dinged” on that and City Manager stated that since it was a reimbursable transaction then the City should not. The \$152,000 (roads) is in the beginning fund balance. Commissioner Hernandez stated that previously the commissioners discussed the \$35,000 allocated for grounds maintenance from the loan proceeds that originally was to fix the places where we were going to have pipe installed. Since we are not doing the pipes we talked about moving those funds. Mayor Hurley stated those funds could be used for the fire truck. Commissioner Hernandez stated that there some discussion about putting the \$35,000 in the road fund. Mayor Hurley suggested that we need to be careful about transferring money into the road fund because once it goes in then it has to be used on

roads. Mayor Hurley stated we have roads that need to be fixed and if we leave it in general fund the funds can still be used for roads. MTAS (Municipal Technical Advisory Services) recommended leaving it in general fund until the City needs it. Mayor Hurley is fine with putting funds into roads but not all of it since we can always transfer from the general fund. Mayor Hurley stated that you can run the whole City from one fund account and allocate the expenditure. Commissioner Hernandez stated that the State Street Aid is down to nothing compared to where we were in the past and understands that if the roads that did not need repair then leaving the funds in general account would be fine. Jean Best, resident, asked how the process was handled in the past. Commissioner Metzger stated that MTAS recommend that we keep the funds in the general account and transfer when we need to maintain the flexibility of how the funds are spent. Commissioner Hernandez asked who from MTAS made the statement and the other two Commissioners thought that it was Pat Hardy. Commissioner Metzger stated that the City in the past transferred funds to the road fund until they talked with MTAS. Discussion continued on whether the funds should be kept in General Fund as needed or transferring to the street Aid Fund, especially since the state street fund has in the past few years being paying for the street lights out of the road fund. Commissioner Hernandez commented her concerned on how can we keep spending more than the revenue than we are taking in. City Manager stated that if spending and revenue goes as budgeted then Fire Department and Street Aid funds are almost used up. Commissioner Hernandez expressed concern about expenses going up and revenue staying about the same how is the City going to put funds away for street projects. No one wants higher taxes but not sure how spending can keep up at this rate. Commissioner Hernandez had some other questions about the debt service and where the interest and principal are being recorded. Mayor Hurley stated that as far as CARE is concerned he thinks is a great cause and doing a service to the community; however in principle, does not like the idea of taking tax payers' dollars to make contributions and any city resident can make a contribution directly to CARE or any other organization.

Leon Kuntz – Tennessee Division of Forestry - The grant for Firewise is \$20,000 the first year and then \$10,000 each year thereafter. Due to the fires in Gatlinburg, there is a special grant for \$200,000 just for areas in Sevier County and surrounding counties and cities. Division of Forestry has received about \$800,000 in requests and those funds must be spent by September 2019. Mayor Hurley asked what could be purchased under the program and about a certain type of training that would help the City qualify for additional funds. Mr. Kuntz stated there is a list of eligible items in the Firewise package that can be purchased. As far as any training that would benefit the City, we would have to make an inquiry to the Tennessee Department of Forestry.

Commissioner's Update: None

Open Floor Discussion:

Alan Palmieri, Jefferson County Mayor, gave an update on the animal shelter history and the transition from the Human Society to CARE and how CARE was selected. CARE has made the

commitment to provide services to all cities in the county and the services that each city needs. We are asking the city to include a contribution in its budget process; it is open whether it is \$500 or \$1,000 but at least gets the ball rolling.

Honey Miller, President of CARE (Companion Animal Rescue Education) gave a brief history of her background, why CARE was founded and their philosophy of operating the Jefferson County animal shelter. Ms. Miller requested that the City include a donation in the budget for CARE.

Commissioners discussed the donation requested by CARE and decided that it would be best for the City not to donate but promote CARE to the City residents and let each resident make a decision on whether they want to donate.

Ordinance No. 218-2 – An Ordinance Approving a Budget Amendment for the Fiscal Year July 1, 2017 through June 30, 2018. 1st Reading. Vice-Mayor Metzger made a motion to accept the first reading of Ordinance 2018-2 subject to title changes in the road budget, seconded by Mayor Hurley. Motion passed.

Adjournment: There being no further business, Commissioner Metzger made a motion to adjourn, Commissioner Hernandez seconded. Motion carried unanimously at 9:35 p.m.

Respectfully submitted,

Attest: _____
Thomas M. Blair

J. Clint Hurley, Mayor

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