

Mayor & Board of Aldermen

Special Call Meeting 7pm

Meeting Minutes

June 29, 2023

Present: Mayor H. Michael Brown
Vice-Mayor Adrian Wiggins
Aldermen Frank Cates, Debbie Hummel, Jeff Fisher and Ken Sutton

Prayer and Pledge of Allegiance to the American Flag

1. Call to order by Mayor Brown

2. Prayer & Pledge of Allegiance

3. Establish Quorum

All present

4. Approval of Agenda

Town Manager Johnson requested that item 8C *Proposed Cost-Share Agreement* is deferred to July 6, 2023 Work Session.

Alderman Cates made a motion to approve the agenda as amended. Alderman Hummel seconded the motion. Four (4) were in favor, Alderman Fisher opposed. The motion passed.

5. Citizens Comments

John Finn- 100 Arcadia Ci. – Expressed concern about the Property Tax increase that is being proposed in the FY24 Budget and for what they will be used. He also asked why past Budgets were not posted on the town's website.

Patricia Umberger - 45 Oakland Woods Dr. Asked why, with the influx Oakland is experiencing, are the citizens being faced with a significant tax increase.

6. Old Business: Consideration of Second and Final Reading of Ordinances

A. Public Hearing: Ordinance 23-11 Adopting the Annual Budget and Tax Rate for FY2024.

No one approached the podium to speak. The public hearing was closed.

A motion to reconsider Ordinance 23-11 was recommended by Attorney Tom Minor as there was confusion in the previous meeting whether the second reading resulted in the adoption of Ordinance 23-11 at that time.

Alderman Sutton made a motion to reconsider Ordinance 23-11 to set the FY24 Budget. Alderman Cates seconded this motion. Alderman Fisher requested a roll-call vote: In Favor were Alderman Sutton, Cates, Hummel and Wiggins; Alderman Fisher was opposed.

Vice Mayor Wiggins made a motion to adopt the second reading Ordinance 23-11. Alderman Sutton seconded the motion. Alderman Fisher requested a roll-call vote: In Favor were Alderman Sutton, Cates, Hummel and Wiggins; Alderman Fisher was opposed. The final reading of Ordinance 23-11 passed.

B. Public Hearing: Ordinance 23-12 Establishing the Municipal Property Tax Rate for FY2024, providing and Effective Date

No one approached the podium to speak. The public hearing was closed.

A motion to reconsider Ordinance 23-12 was recommended by Attorney Tom Minor as there was confusion in the previous meeting whether the second reading resulted in the adoption of Ordinance 23-12 at that time.

Alderman Sutton made a motion to reconsider Ordinance 23-12 to set the FY24 Budget. Alderman Cates seconded this motion. Alderman Fisher requested a roll-call vote: In Favor were Alderman Sutton, Cates, and Hummel; Vice Mayor Wiggins and Alderman Fisher was opposed. The final reading of Ordinance 23-12 passed.

Alderman Cates made a motion to adopt the second reading of Ordinance 23-12. Alderman Hummel seconded the motion. Alderman Fisher requested a roll-call vote: In favor were Alderman Sutton, Cates, and Hummel; Alderman Fisher and Vice Mayor Wiggins were opposed. The final reading of Ordinance 23-12 passed.

7. New Business: Consideration of First Reading of Ordinances

None presented

8. Consideration of Resolutions

A. Resolution 23-74 Establishing FY2024 Employee Pay Plans

Vice Mayor Wiggins made a motion to hear Resolution 23-74.

Vice Mayor Wiggins made a motion to accept Resolution 23-74. Alderman Cates seconded the motion. All in favor, none oppose. Resolution 23-74 passed.

B. Resolution 23-75 Establishing Health Insurance Coverage Deductions for FY2024

Vice Mayor Wiggins made a motion to accept Resolution 23-75. Alderman Fisher seconded the motion. All in favor, none oppose. Resolution 23-75 passed.

C. Resolution 23-76 Designating a Water Fund and Sewer Fund Within the FY2024

Vice Mayor Wiggins made a motion to hear Resolution 23-76.

Alderman Fisher made a motion to accept Resolution 23-76. Vice Mayor Wiggins seconded the motion. All in favor, none oppose. Resolution 23-76 passed.

D. Resolution 23-77 Authorizing Amendment #1 to Engineering Services Agreement with JR Wauford Co.

Vice Mayor Wiggins made a motion to hear Resolution 23-77.

Alderman Sutton made a motion to accept Resolution 23-77. Alderman Cates seconded the motion. All in favor, none oppose. Resolution 23-77 passed.

E. Resolution 23-78 Authorizing Bidding for Wastewater Treatment Plant Improvements

Vice Mayor Wiggins made a motion to hear Resolution 23-78.

Alderman Cates made a motion to accept Resolution 23-78. Alderman Hummel seconded the motion. All in favor, none oppose. Resolution 23-78 passed.

9. Consideration of Business Items

A. Acknowledge Receipt of Cyber Security Plan for IT System

Vice Mayor Wiggins made a motion acknowledging receipt of Cyber Security Plan. Alderman Hummel seconded the motion. All in favor, none oppose. The motion passed.

B. Directing the Town Recorder to Include Disclosure Agreement as Related to Subdivision Development Contracts

Alderman Sutton made a motion directing the Town Recorder to supply a Disclosure Agreement to developers engaging in a subdivision contract with the Town of Oakland. Alderman Cates seconded the motion. All in favor, none opposed. The motion passed.

C. Proposed Cost Share Agreement with Renaissance Development for Hwy 64 Water Line Extension (item was deferred from June 22nd)

Town Manager Johnson requested this be item to be deferred, until the July 6, 2023 work session.

D. Donation of Surplus Police Vehicle

Discussion of Board members lead to a consensus, in offering the car to the Town Galloway for a reasonable. Chief Earl was tasked in following up and reporting back to the Board, July 20, 2023.

Alderman Fisher made a motion to table this item until July 20, 2023 Regular Meeting. Alderman Sutton seconded the motion. All in favor, none opposed. The motion passed.

E. Consideration of Town Manager Position

Attorney Minor offered a review of Harvey Ellis contract that was presented to the Board, pointing out paragraph 4 (salary), 6 (benefits), 12-13 (residency requirement & relocation expense), 15-17 (termination & severance), all to be carefully reviewed and considered.

Alderman Sutton inquired of Attorney Minor, the Boards authority according to the town's charter in allowing the Board to designate an administrative officer to serve as acting Town Manager, in the event of an absence. Attorney Minor stated that was correct. Alderman Sutton recommended to the Board, it would be best to appoint him as interim, then review the contract details later.

Alderman Sutton made a motion to appoint Harvey Ellis as interim in the absence of Mr. Johnson, which will allow the residency requirement to be waived, adjust his income to receiving an additional \$1,000. (one thousand dollars) per month and include the official use of the town vehicle (SUV) provided for the town manager's use. Again, stating this would give the Board time to review the details of the contract. Vice Mayor Wiggins seconded the motion.

Alderman Sutton requested to amend his motion to include, that Mr. Ellis has the option to return to his current position at any time. Vice Mayor Wiggins seconded the amended motion. Vice Mayor Wiggins requested a roll call vote: In Favor were Alderman Sutton, Cates, and Hummel and Vice Mayor Wiggins. Alderman Fisher was abstained from vote. The motion passed 4 in favor, 1 abstention.

Mayor Brown addressed Mr. Ellis in would he consider accepting the position as acting Town Manager based on the motion of the Board. Mr. Ellis accepted the Mayor and Boards offer.

Consideration of Part-Time Temporary Employment – Consulting Agreement with Jay Johnson

Mayor Brown asked the Board's wishes on the consulting contract. Vice Mayor Wiggins stated his understanding, that Mr. Johnson will continue to be paid through the month of July. Mr. Johnson agreed with Vice Mayor Wiggins' statement. Vice Mayor Wiggins clarified with this consulting that Mr. Johnson would remain employed by the town through the end of this year; in July he continues his current pay, then the 5-month contract would begin starting August 1st and end December 31st.

Alderman Hummel made a motion to accept the consulting agreement as presented. Alderman Cates seconded the motion. Attorney Minor stated the consulting agreement, Mr. Johnson has agreed to be available to the town during the month of July, whereas, if there was no consulting agreement, he would still receive his July salary with full benefits and no obligation to the town, terminating his employment July 31, 2023. Mayor Brown called for a vote; In Favor were Alderman Sutton, Cates, and Hummel and Vice Mayor Wiggins. Alderman Fisher was abstained from vote. The motion passed 4 in favor, 1 abstention.

Approval of Invoices

Three (3) invoices were presented. Alderman Sutton made a motion to approve the payment of all invoices. All in favor, none opposed. The motion passed.

10. Consideration of Motion to Enter an Executive Session

Attorney Minor called attention to an email that he had received and was forwarded to the Mayor & Mr. Johnson today, from Mr. Grant requesting to address the Board prior to entering the executive session. Attorney Minor stated this was allowable under Robert's Rule, if the Board wishes to make a motion permitting Mr. Grant's request.

A motion by Alderman Cates to allow Mr. Grant to address the Board. Vice Mayor Wiggins seconded the motion. All in favor, none opposed. The motion passed.

Keith Grant -Collierville, TN- Mr. Grant stated he had learned in the past week or so, there was an issue dealing with the width of the roads, 3 lanes. Mr. Grant presented the chronological order of the approvals as related; August 4, 2020 the "Developer's proposed Preliminary Plan for Twin Oaks Planned Development PH 1" was approved. "In there it's a 3-lane rural section and turn lanes located at intersections; typically, in 3-lane turn lanes, grass medians or asphalt can be used". Mr. Grant pointed out, while he was knowledgeable of the town buying the park land, he had not seen any plans of what was being approved. Mr. Grant presented the Board with a meeting agenda that took place on November 9, noting that, then, Mayor Goodman, public works and newly employed, Jay Johnson was in attendance. In that meeting a discussion of the looks of 3 straight lanes of asphalt was not very appealing, so adding grass medians was a decision made at that time. Mr. Grant clarified the November 9, 2020 meeting took place in Oakland's courtroom with Oakland staff and Mayor Goodman present. June 1, 2021 the "Developer's proposed Construction Plat for Twin Oaks Planned Development PH 1" was approved with the grass medians, breaks in medians and turning staging lanes at Hwy 64. The plans were submitted to engineering, signed by engineering on May 25th, then presented to Planning Commission on June 1, 2021. In the Planning Commission the question was raised by the Board, asking if the 3 lanes were asphalt. The town clarified, saying there will be grass medians.

Mr. Grant explained Bowers Road Agreement/Contract was drawn up separately from the Twin Oaks Planned Development Agreement, due to the cost share addressed in the contract. A part of that agreement is attaching "Improved Plans," the improved plans showed grass medians. October 12th the Mayor and Board of Aldermen approved the agreements. Mr. Grant stated at that point they followed the contract in building to plans referenced in the exhibit.

Alderman Sutton made a motion to enter an executive session. Alderman Fisher seconded the motion. All in favor, none opposed. The motion passed.

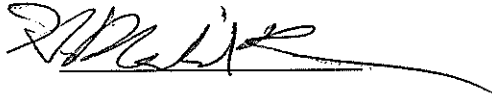
12. Reconvene Special Call Meeting for Consideration of Any Matters from the Executive Session

Alderman Fisher made a motion to accept the advice of council and to set a special call meeting for July 6, 2023. Alderman Sutton seconded the motion. All in favor, none opposed. The motion passed.

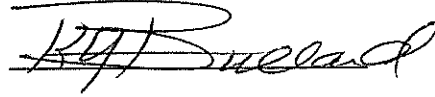
13. Adjournment

Alderman Cates made a motion to adjourn the meeting.

Date: June 29, 2023



H. Michael Brown, Mayor



K. Yvonne Bullard, City Recorder