

# Mayor & Board of Aldermen – Regular Meeting

## Meeting Minutes

September 15, 2022

Present: Mayor H. Michael Brown  
Vice-Mayor Ken Sutton  
Aldermen Frank Cates, Greg Duncan, & Jeff Fisher

### **Prayer and Pledge of Allegiance to the American Flag**

1. **Call to order by Mayor Brown**
2. **Prayer & Pledge of Allegiance to the American Flag**
3. **Establish Quorum**

A quorum was established. Alderman Hahn was absent.

4. **Approval of Agenda**

A request to consider adding to the agenda “Gas Easement” and “Riverwood Subdivision- large vacant lot” was made by Town Manager, Mr. Johnson. Mayor Brown suggested to add them as items (E) & (F) under New Business. Mr. Johnson pointed out the Beer Board Minutes were mistakenly left off the agenda, however the Beer Board Minutes were included in the packets. Vice Mayor Sutton requested, “Social media post by Board Members” to be added. Mayor Brown called for a motion. Vice Mayor Sutton made a motion to accept the agenda as amended. Alderman Cates seconded the motion. All were in favor, none opposed. The motion passed.

5. **Reading and correction/Approval of Minutes of Regular Board**

Alderman Cates made a motion to approve August 11 & 30, 2022 Board Meeting Minutes. The motion was seconded by Alderman Fisher. All in favor, none opposed. The motion passed.

Alderman Duncan made a motion to approve August 11, 2022, Beer Board Minutes. The motion was seconded by Vice Mayor Sutton. All in favor, none opposed. The motion passed.

6. **Citizen’s Comments**

Oscar Ethridge- 515 Black Ankle Dr. – Expressed frustration in the inconsistency of yard debris pick-up and not receiving a return phone call from the Town Manager as requested.

Alderman Sutton – Made an inquiry as to response to the comments made by the citizens during the August meeting. Mr. Johnson stated the wording related to citizens comments was approved by the Board and a drafted resolution to change it would be presented to the Board at October’s meeting revising the wording.

Alderman Sutton made a motion to “suspend the rule” thus allowing citizens comments to be addressed. The motion was seconded by Aldermen Fisher. All in favor, none opposed. The motion passed.

Alderman Sutton asked Mr. Johnson to address Mr. Ethridge’s comments. Mr. Johnson stated he had driven by 515 Black Ankle and saw tree limb debris, not only at the 515 address, but also next door. Mr. Johnson reiterated that what

Mr. Etheridge was told when called City Hall and spoke to Tiffany was correct; "At the present time the town does not pickup yard waste debris, except following a storm." He stated once the new truck has been delivered, a policy must be drafted in addressing protocol moving forward. He also explained that town employees' direct citizens to contact Team Waste directly to arrange for a special pickup and charged to the citizen. Further discussion resulted in Mr. Johnson reviewing the Team-Waste contract and report to the Board.

**7. Communications from the Mayor**

None.

**8. Communication from the Aldermen**

Vice Mayor Sutton – Questioned the social media post, by Alderman Fisher, related to the Board having been notified in 2017 the need of a sewer upgrade. Alderman Fisher stated he had no comment.

Alderman Cates – inquired of Attorney Minor the interruption of the Town's Sign Ordinance. Attorney Minor stated that no signs are allowed in the public right-of-way of the corporate town. Signs outside of corporate limits are not governed by the Town of Oakland.

Alderman Cates referring to Facebook post, asked Attorney Minor if he was aware of any illegal contracts that the Town has entered. Attorney Minor stated that all contracts he has reviewed are legal. Attorney Minor requested, anyone with question of an illegal contract that the Town of Oakland is involved in, to contact him directly.

Alderman Duncan - Requested a review and consideration of Mayor and Board of Alderman salary increase. Mr. Johnson was instructed by Mayor Brown to check into Mr. Duncan's request.

**9. Department Head Reports**

Mr. Johnson reported a lighting strike hit a water well the last week of August, the emergency repair purchase order came in at \$8,000.00.

Vice Mayor Sutton referred to the waste-water report provided to the Board, indicating less than 1m gallons a day was pumped for 3 consecutive months and a decrease in ammonia violations for the month.

**10. Town Manager Report**

Mr. Johnson informed the Board, the 21 acres on Hwy 64 West is in the process of being signed and transferred to Fayette County.

Also, the Fire Fee Per Call is now working its way through the county commission and back to this board in the next month or two. Once that is approved, the current Fire Contract with Fayette County will be dissolved.

**11. Consent Agenda**

Mayor Brown introduced the consent agenda; Alderman Fisher made a motion to approve. The motion was seconded by Vice Mayor Sutton. All in favor, none opposed. The motion passed.

**12. Old Business**

None

**13. New Business – Ordinances – First Reading**

None

**14. New Business – Ordinances -First Reading**

• **Ordinance 22-17 – 1<sup>st</sup> Reading- Amending the Adopted FY2023 Annual Budget; Establishing Public Hearing Dates**

A motion to hear 1<sup>st</sup> Reading of Ordinance 22-17 was made by Alderman Fisher.

A motion to approve 1<sup>st</sup> Reading of Ordinance 22-17 was made by Vice Mayor Sutton. The motion was seconded by Alderman Fisher. All in favor, none opposed. Ordinance 22-17 -1<sup>st</sup> reading passed.

**15. Consideration of Resolutions**

• **Resolution 22-136 - Authorizing the Mayor to sign A Letter of Intent for 2023 Special Census**

A motion to hear Resolution 22-136 was made by Alderman Duncan.

A motion to approve Resolution 22-136 was made by Vice Mayor Sutton. The motion was seconded by Alderman Cates. All in favor, none opposed. Resolution 22-136 passed.

• **Resolution 22-137 - Authorizing Bid Award for Fire Department Rescue Truck Top Mounted Storage Boxes**

A motion to hear Resolution 22-137 was made by Alderman Cates.

A motion to approve Resolution 22-137 was made by Alderman Fisher. The motion was seconded by Alderman Duncan. All in favor, none opposed. Resolution 22-137 passed.

• **Resolution 22-138 - Authorizing Bid Award for Outdoor Sports Lights for Cypress Creek Park to MUSCO in the amount of \$333,000**

A motion to hear Resolution 22-138 was made by Vice Mayor Sutton

A motion to approve Resolution 22-138 was made by Vice Mayor Sutton. The motion was seconded by Alderman Fisher. All in favor, none opposed. Resolution 22-138 passed

• **Resolution 22-139 - Authorizing Bid Award for Tractor and Mower for Public Works to First Choice Equipment in the amount of \$59,297.81**

A motion to hear Resolution 22-139 was made by Alderman Cates.

A motion to approve Resolution 22-139 was made by Vice Mayor Sutton. The motion was seconded by Alderman Fisher. All in favor, none opposed. Resolution 22-139 passed

• **Resolution 22-140 - Authorizing Bid Award for Mower for Park and Recreation Department to First Choice Equipment, Eads, TN in the amount of \$8,778**

A motion to hear Resolution 22-140 was made by Alderman Fisher.

A motion to approve Resolution 22-140 was made by Vice Mayor Sutton. The motion was seconded by Alderman Cates. All in favor, none opposed. Resolution 22-140 passed

#### 16. Consideration of Business Items

- A. **Establishing Work Session Meeting Date of September 29, 2022 for discussion of the Waste Water System @ 6pm**
- B. **Establishing a work session meeting date for review of the noise ordinance: September 29, 2022 - @ 6pm**
- C. **Establishing 2022 Annual Christmas Parade for Saturday Dec. 10, 2022 @ 5pm.**  
A backup date was established as Dec 17, 2022.
- D. **Establishing the 2023 4<sup>th</sup> of July Event Date- For Saturday July 1<sup>st</sup>**
- E. **Gas Easement – Twin Oaks & Bowers Road**  
Somerville Gas is working with Grant homes to put a new gas line down Bowers Road, that will serve their subdivision and the town's park. The developer is responsible for a 2" line and Somerville Gas wants a 4". As part of that they need site for a regulator station.

Vice Mayor Sutton made a motion to have Attorney Minor to draw up the agreement with Somerville Gas Company. Alderman Duncan seconded the motion. All in favor, none opposed. The motion passed.

- F. **Transfer of Fayette County Property Acquired Through Tax Sales**  
Fayette Co has acquired four (4) lots from a 2018 "Tax Sale", which they would like to transfer to the Town Of Oakland. One of the four parcels is the 1.4 acres backing up to the Riverwoods Subdivision, which has been a topic of controversy with the neighbors & this Board because the owner (Tate) would not maintain the property and the Town has had to mow it the past several years. Fayette Co. has given permission for the Town of Oakland to mow the property, at the town's expense, in anticipation of the town taking ownership. Mr. Johnson agreed that taking ownership of the unbuildable property the town will be assuming the financial burden and if the Board chooses not to take ownership, there will be a continual back and forth of who will maintain it and insure it provides the function of a storm water basin for the town. The Board agreed that buying this property is not a good use of taxpayer dollars.

Attorney Minor offered a solution in having the court-order certified and filing it with the county registers office, as a deed. Notify Fayette County, they are responsible, as owner, for the maintenance of the property and if they don't mow it, the town will mow and bill the county for the service.

Vice Mayor Sutton made a motion to allow Attorney Minor to file the deed with the register's office. Upon confirmation that has been done, Mr. Johnson is to immediately begin the official notification process. The motion was seconded by Alderman Cates. All in favor, none opposed. The motion passed.

**17. Approval of Credit Applications**

One (1) presented by the Fire Department– New Pig.

Vice Mayor Sutton made a motion to approve the credit application. The motion was seconded by Alderman Cates. All in favor, none opposed. The motion passed.

**18. Approval of Invoices – Presented & reviewed by board.**

2 invoices were presented: both over 45 days.

A motion to approve the presented invoices was made by Vice Mayor Sutton. The motion was seconded by Alderman Cates. None opposed. The motion passed.

**20. Meeting Adjourned** – A motion was made by Alderman Cates to adjourn the meeting.

Date: September 15, 2022



H. Michael Brown, Mayor



K. Yvonne Bullard, City Recorder

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# Mayor & Board of Aldermen

## Special Call Meeting 6pm

### Meeting Minutes

August 30, 2022

Present: Mayor H. Michael Brown  
Vice-Mayor Ken Sutton  
Aldermen Frank Cates, Greg Duncan, & Jeff Fisher

#### **Prayer and Pledge of Allegiance to the American Flag**

1. **Call to order by Mayor Brown**
2. **Prayer & Pledge of Allegiance to the American Flag**
3. **Establish Quorum** – Alderman Hahn absent
4. **Approval of Agenda**

A motion was made by Alderman Cates to approve the agenda. The motion was seconded by Vice Mayor Sutton. All were in favor, none opposed. The motion passed.

#### **5. Consideration of Resolutions**

- **Resolution 22-134: Proposed 180-Day Suspension of New Subdivision Plats Within Town of Oakland**

A motion to hear Resolution 22-134 was made by Vice Mayor Sutton.

Mr. Johnson presented the Board Members a projected schedule of the Wastewater Renovation and Expansion.

Wastewater Director, Blake Coker prepared and presented to the Board, a 3-year chart reporting average flow and number of violations as it relates to the Wastewater Treatment Plant and issuing "will-serve letters" for new development. He began by pointing out the term, "adequate capacity", is key terminology in issuing "will serve letters". He explained that the town isn't always at capacity, but very often, operates at capacity or above it. He stated the fact is, the town is struggling to meet its permit requirements and any added flow or loadings will exacerbate the situation. He went on to say, the town was put under a consent order by the state in April 2020. Referring to the chart, he described the data shown, is from the year before the state's consent order was issued, the year during, as well as, the year after. Mr. Coker explained, the March 2019-March 2020 average flow .870 MGD, 33 ammonia violations, plus other combined violations was reasoning for the state's action. When a consent order is issued by the state, requirements are established for the municipality to put together a corrective action plan; which, Oakland did produce a multifaceted plan implementing numerous things to try to better the situation. Although, corrective action and measures were put in place, the Town continues to experience increased average flow and violations, causing his reluctance in signing "will serve letter".

Vice Mayor Sutton suggested that a "co-op" with Somerville or other surrounding municipalities might be a good conversation to have. Mayor Brown and Mr. Johnson offered to initiate the discussion in the morning.

Mr. Johnson requested this resolution be placed on the September 2022 agenda for a formal public hearing.

A motion was made by Vice Mayor Sutton to table the discussion. The motion was seconded by Alderman Fisher. All approved, none opposed. Resolution 22-134 was tabled.

**6. Consideration of Other Business**

**A. Report on Water Line Connection under Bowers Road for New Park**

Mr. Johnson informed the Board of a change order in the current phase to place the water line on the east side of Bowers Road now, instead of putting it in after the road is completed. There would be no additional cost, it just the money would be spent now, and not in the next phase of the project.

A motion was made by Vice Mayor Sutton to approve the water line connection under Bowers Road for the new park project. The motion was seconded by Alderman Fisher. All approved, none opposed. The motion passed.

**B. Status Report on Oakland Sports Complex Project**

Mr. Johnson stated this was on the agenda only for informational purposes. The project is approximately 25% complete; and a public notice is being advertised related to the wet-lands permit (.26 acres). The state requires a 30-day notice.

**C. American Legion TN Post 292 Agreement for Cypress Creek Concession Stand – September 1-December 21, 2022**

A motion was made by Vice Mayor Sutton to approve the agreement. The motion was seconded by Alderman Cates. Three approved, one abstained. Alderman Fisher abstained from vote. The motion passed

**20. Meeting Adjourned** – A motion was made by Alderman Cates to adjourn the meeting.

Date: August 30, 2022



H. Michael Brown, Mayor



K. Yvonne Bullard, City Recorder



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# Mayor & Board of Aldermen – Regular Meeting

## Meeting Minutes

August 18, 2022

Present: Mayor H. Michael Brown  
Vice-Mayor Ken Sutton  
Aldermen Frank Cates, Greg Duncan, Jeff Fisher & Todd Hahn

### Prayer and Pledge of Allegiance to the American Flag

1. Call to order by Mayor Brown
2. Prayer & Pledge of Allegiance to the American Flag
3. Establish Quorum

A quorum was established. All were present.

#### 4. Approval of Agenda

A request was made by Town Manager, Mr. Johnson to consider adding a "Sub-set B" to Resolution 22-133 should the board choose not to approve the resolution there will need to consider an alternative measure. Alderman Fisher requested, "pursuant to the TN Comptroller's letter" (8/10/22), to remove *Old Business – A*, and *Considerations of Resolutions- A, B, C, D, F & G*. Further discussion of Alderman Fisher's request, resulted in moving Item XV-B, "Comptroller's Letter" to 1<sup>st</sup> agenda item. Mayor Brown called for a vote to move Item XV-B, to the beginning of the agenda, **stating Alderman Fisher made the motion**; the motion was seconded by Alderman Hahn. The motion passed. Alderman Cates made a motion to accept the agenda as amended. Alderman Hahn seconded the motion. Four were in favor, one opposed. Opposing vote was cast by Alderman Fisher. The motion passed.

#### 5. Reading and correction/Approval of Minutes of Regular Board

Vice Mayor Sutton made a motion to approve July 21, 2022, Regular Board Meeting Minutes. The motion was seconded by Alderman Fisher. All in favor, none opposed. The motion passed.

Alderman Cates made a motion to approve August 1, 2022, Special Call Meeting Minutes. The motion was seconded by Alderman Duncan. All in favor, none opposed. The motion passed.

#### 6. Citizen's Comments

Ken Sutton – 85 Black Ankle Dr. – Suggested the Board address citizens complaints during monthly board meetings, as confirmation their complaints and concerns are heard and what action is being taken in addressing them.

Adrian Wiggins –55 Cypress Point Cv. – Requested that citizens be allowed to comment on agenda items, prior to the board's vote.

Judy Miller – 150 Country Wood LN – Requested status of live-streaming town meetings.

#### 7. Communications from the Mayor

None.

## 8. Communication from the Aldermen

Vice Mayor Sutton – Enforcing Saturday construction work; current ordinance states weekdays work is permissible and over-rides all other documents (subdivision contracts). Planning Director Ed Courton recognized that review and revision is warranted, with emphasis placed on “new construction”.

Alderman Fisher publicly congratulated Adrian Wiggins (County Commission) and Jim Valasity (School Board) on their campaign success.

Alderman Hahn- Requested an update on the Activity Center. Mr. Johnson reported the replacement doors are scheduled in the 1<sup>st</sup> week of October, painting and minor repairs, leaks are continuing and air conditioning issue has developed.

Alderman Fisher – Timeframe related to “Fire Works Tents” are erected and taken down. Mayor Brown stated this had been discussed before and it was determined to revisit at the Fire Work Ordinance later this fall.

## 9. Department Head Reports

None, however, Vice Mayor Sutton requested clarification of the Waste-Water report submitted to the Board.

Vice Mayor Sutton stated he had a question for Public Works Department related to mud in streets and silt fencing; Director Loftin was not in attendance of the meeting.

## 10. Town Manager Report

Mr. Johnson addressed the citizen comment of livestreaming; in that a wiring issue was discovered and the town expects re-wiring to be installed throughout city hall in September and October 2022.

## 11. Acknowledgement of Receipt of Comptroller’s Letter Regarding FY2023 Annual Budget

Mr. Johnson referred to a letter from the TN Comptroller stating the Oakland FY2023 budget could not be approved due to the FY21 Audit has not been completed and filed with the state. The Board questioned as to which budget the town was to work from. Mayor Brown directed Mr. Johnson to contact the TN Comptroller’s office for clarification.

## 12. Consent Agenda

None

## 13. Old Business

### A. Consideration of Resolution 22-126: A Resolution Adopting the FY 2023 Employee Pay Plan

Without a motion to hear, Vice Mayor Sutton made the following statement to the Board, “What ever was passed (in the budget) for employee pay raises, should have already received them”, reiterating what took place during the passage of the FY23 budget. Further discussion determined general employees had not received the 5% increase as stated in the FY23 Budget which rendered the following; A motion was made by Vice Mayor Sutton to give the 5% pay increase to those employees, who did not receive special compensation, according to the budget that was passed, making it retro active to July 1, 2022. Alderman Hahn seconded the motion. All in favor, none opposed. Resolution 22-126 passed.

## 14. New Business – Ordinances – First Reading

None

## 15. New Business – Resolutions

- **Consideration of Resolution 22-125 Authorizing Bid Process for Street Improvements**

A motion to hear Resolution 22-125 was made by Alderman Cates.

A motion to approve Resolution 22-125 was made by Vice Mayor Sutton. The motion was seconded by Alderman Cates. All in favor, none opposed. Resolution 22-125 passed.

- **Resolution 22-127: Authorizing Agreement for Subdivision Development Contract with Village Park Development LLC for Village Park Subdivision, Phase III**

A motion to hear Resolution 22-127 was made by Alderman Duncan.

Vice Mayor Sutton expressed concern in approving this contract based on the builder's disregard for the construction area where they are currently working; truckloads of building trusses and lumber stacked along both sides of the street and not on the lots. Mr. Johnson agreed that the town receives more complaints on this builder, than others.

Alderman Fisher requested to hear comments from Pinky Dike of W.H. Porter Consultants, the engineer on record for Village Park Development. Mr. Dike explained that the item before them was a subdivision development contract, not building. Once the development is completed and the plat is recorded, the lots are then sold to builders. Developers cannot control builders' actions, pointing out that the town's code enforcement is responsible in enforcing compliance.

Resolution 22-127 died for a lack of a motion. Resolution 22-127 failed.

- **Resolution 22-128: Authorizing Agreement for Subdivision Development Contract with Renaissance Dev. S-Corp, Inc for Hickory Withe Subdivision, Phase 7**

A motion to hear Resolution 22-128 was made by Vice Mayor Sutton.

A motion to approve Resolution 22-128 was made by Alderman Cates. The motion was seconded by Alderman Hahn. All in favor, none opposed. Resolution 22-128 passed.

- **Resolution 22-129: Authorizing King Engineering Agreement for Subdivision Inspection Contract for Hickory Withe Subdivision, Phase 7**

A motion to hear Resolution 22-129 was made by Alderman Cates.

A motion to approve Resolution 22-129 was made by Alderman Cates. Alderman Hahn seconded the motion. All in favor, none opposed. Resolution 22-129 passed.

- **Resolution 22-130: Accepting ARPA Funding from Fayette County for Utility Projects**

A motion to hear Resolution 22-130 was made by Alderman Fisher.

A motion to approve Resolution 22-130 was made by Alderman Hahn. Vice Mayor Sutton seconded the motion. All in favor, none opposed. Resolution 22-130 passed.

- **Resolution 22-131: Award Bid for Geo-Technical Engineering – Wastewater Treatment Plant Project**

A motion to hear Resolution 22-131 was made by Alderman Hahn.

A motion to approve Resolution 22-131 was made by Alderman Fisher awarding the contract to Geo-Tech. Alderman Hahn seconded the motion. Four in favor, one opposed. The opposing vote was cast by Vice Mayor Sutton. Resolution 22-131 passed.

- **Resolution 22-132: Stryker Corporation – Sole Source Provider**

A motion to hear Resolution 22-132 was made Alderman Hahn.

A motion to approve Resolution 22-132 was made by Vice Mayor Sutton. Alderman Hahn seconded the motion. All in favor, none opposed. Resolution 22-132 passed.

- **Resolution 22-133: Authorizing the Transfer of Property Option to Fayette County, TN**

A motion to hear Resolution 22-133 was made by Vice Mayor Sutton.

A motion to approve Resolution 22-133 was made by Vice Mayor Sutton, interjecting "Sub-Set B", allowing the town manager and town attorney to cancel the obligation should Fayette County not approve the transfer option. Alderman Hahn seconded the motion. All in favor, none opposed. Resolution 22-133 passed.

**16. Consideration of Business Items**

**A. Presentation and Discussion – Team Waste Contract**

Mr. Johnson introduced representatives, Larry Meanly and Steve Litton of Team Waste. The primary issue discussed was Team Waste like many other companies are lacking qualified manpower.

**B. Establish a Special Call Meeting Date**

Mr. Johnson requested to set a Special Call Meeting for August 30, 2022 at 6pm.

**17. Other Items of Business:**

None

**18. Approval of Credit Applications**

None

**19. Approval of Invoices – Presented & reviewed by board.**

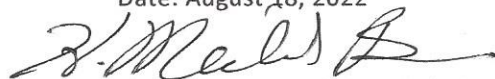
14 invoices were presented: all over 45 days and 1 invoice with no PO.

Director Schmidt (Parks & Rec) was asked to explain the invoice without a Purchase Order. In his explanation, he wanted to include for the record that during the transition in June 2022, his entire file with all invoices, purchase request and credit card purchases disappeared from his office. He stated the Town Manager was notified July 5, 2022 when it was noticed.

A motion to approve the present invoices was made by Vice Mayor Sutton. The motion was seconded by Alderman Hahn. None opposed. The motion passed.

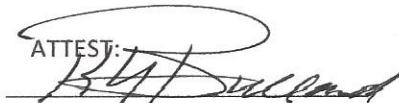
**20. Meeting Adjourned – A motion was made by Alderman Cates to adjourn the meeting.**

Date: August 18, 2022



H. Michael Brown, Mayor

ATTEST:



K. Yvonne Bullard, City Recorder

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# Mayor & Board of Aldermen – Beer Board Meeting

## Meeting Minutes

- August 18, 2022

Present: Mayor Michael Brown  
Vice-Mayor Ken Sutton  
Aldermen: Frank Cates, Greg Duncan, Jeff Fisher and Todd Hahn

1. Call to Order – Chairman Sutton
2. Establish Quorum
3. Presentation/Discussion – Application for Beer Permit – On Premises

A. Name & location of business: Baby Jacks  
6540 US Hwy 64, Oakland, TN 38060

A motion to approve the application for Baby Jacks was made by Mayor Brown and seconded by Alderman Hahn. Four in favor, one opposed. The opposing vote was cast by Alderman Fisher. The motion passed.

#### 4. Adjournment

Motion made to adjourn by Alderman Cates and seconded by Mayor Brown.

Date August 18, 2022



Michael H. Brown, Mayor



K. Yvonne Bullard, City Recorder