

Mayor & Board of Aldermen – Beer Board Meeting

Meeting Minutes

- March 16, 2023

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

1. Call to Order – Chairman Wiggins

2. Establish Quorum

All present

3. Approve Agenda

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

4. Approval of February 9, 2023 Beer Board Minutes

Alderman Hummel made a motion to approve February 9, 2023 Beer Board Minutes. The motion was seconded by Alderman Cates. All in favor, none opposed the motion passed.

5. Presentation/Discussion – Application for Beer Permit

A. Name & location of business: Sunoco Convenience Store, 6302 US Hwy 64, Oakland, TN 38060

A motion to approve the OFF-Premises application for Sunoco CS was made by Mayor Brown and seconded by Alderman Sutton. A roll call vote was requested; resulting as follow: Yes = Brown, Sutton & Cates. No = Fisher & Hummel with Chairman Wiggins abstaining from vote. The motion passed with a three (3) to two (2) vote.

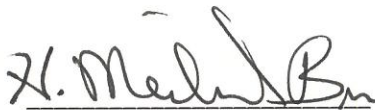
B. Name & location of business: Green Cactus Mexican Grill, 6300 US Hwy 64, Oakland, TN 38060

A motion to approve the On-Premise application for Green Cactus Mexican Grill was made by Alderman Cates and seconded by Alderman Fisher. All in favor, none opposed. The motion passed.

6. Adjournment

Motion made to adjourn by Alderman Cates.

Date March 16, 2023



Michael H. Brown, Mayor



K. Yvonne Bullard, City Recorder

Mayor & Board of Aldermen

Special Call Meeting 6pm

Meeting Minutes

March 28, 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. Establish Quorum – All present

3. Business:

Resolution-23-35: Amend Resolution 23-01 Regarding Charter Amendments for the Town of Oakland

A motion to hear was made by Alderman Fisher.

Attorney Minor stated he was contacted by Representative Gant's office and advised the proposed charter amendment (Resolution 23-01) recently submitted was not something that would be passed, due to the Adequate Facilities Tax included in the amendments. Revised amendments were presented to the Board, excluding the language of Adequate Facilities Tax, keeping the change of allowing the Board to appoint and remove department heads; also, the language regarding the Town Recorder "*When serving as Finance Director*" was excluded.

Vice Mayor Wiggins made a motion to approve Resolution 23-35. The motion was seconded by Alderman Cates. All were in favor, none opposed. Resolution 23-35 passed.

4. Meeting Adjourned – Alderman Cates made a motion to adjourn.

Date: March 28, 2023



H. Michael Brown, Mayor



K. Yvonne Bullard, City Recorder

Mayor & Board of Aldermen – Regular Meeting

Meeting Minutes

March 16, 2023

Present: Mayor H. Michael Brown
Vice Mayor Adrian Wiggins
Aldermen Frank Cates, Debbie Hummel, Jeff Fisher & Alderman Sutton

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

All Present

4. Approval of Agenda

Vice Mayor Wiggins pointed out, Resolution 23-28 indicates a Second Reading item, when in fact this is the first time the item has been before the Board. Mr. Johnson agreed with Mr. Wiggins statement, confirming Resolution 23-28 does require a Public Hearing only.

Vice Mayor Wiggins made a motion to accept the agenda as amended. Alderman Cates seconded the motion. All in favor, none opposed. The motion passed.

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

(A) February 16, 2023 Regular Meeting Minutes

Vice Mayor Wiggins reported the following correction was needed on the February 16, 2023 Regular Meeting Minutes: (page 3 “Resolution 23-21, voting in favor” change Cates to Brown). The correction was noted and corrected.

Vice Mayor Wiggins made a motion to approve the February 16, 2023 Regular Minutes as amended. Alderman Cates seconded the motion. Four (4) in favor, one (1) abstained. The abstaining vote was made by Alderman Sutton, due to his absence of the meeting. The motion passed.

(B) February 23, 2023 Special Call Meeting Minutes

Vice Mayor Wiggins made a motion to approve the February 23, 2023 Special Call Minutes. Alderman Fisher seconded the motion. All approved, none opposed. The motion passed.

6. Citizen's Comments

Mr. & Mrs. Seth Livesay – 20 Windy Cove - 15-year residents of the Oakland community with children active in Oakland Parks & Rec program(s), shared the disappointment in the recent dismissal of a longtime coach; they inquired of the reason behind the decision.

Mayor Brown responded, it was not a decision of the Mayor and Board of Aldermen.

Mr. Johnson answered, that while there were many parents supportive of the coach, there were many calls, emails and text received by him, disputing that coach's behavior and mannerisms; indicating there are two-sides to the story.

Alderman Sutton requested, for the record, the unfavorable messages be disseminated to the Board Members.

7. Communications from the Mayor

None

8. Communication from the Aldermen

Alderman Sutton- Stating he had received numerous calls and emails related to the coach dismissal, advocating on the coach's behalf. In reply to those communications, Alderman Sutton stated he had no part in any meeting that decided who coached teams for Oakland Parks and Rec.

Alderman Sutton addressed issues with trash pickup. He spoke to the fact, that trash companies do not have idle trucks and manpower sitting around waiting to pick up trash for a town the size of Oakland. Regardless, if the town fired the current company, there would not be nobody to pick up the town's trash. The solution is unknown at this time but asked again about the contract performance bond.

Alderman Cates – Inquired of the knuckle boom truck picking up eviction/move out items and trash. Also, asked if the town would be refunded by the trash company for doing their job? Mr. Johnson stated the only thing he knows the boom truck is used for is picking up storm debris.

Alderman Cates asked Alderman Fisher who gave him the right to contact the Parks and Rec coach, dismissing him. Alderman Fisher stated Mr. Johnson had sent a letter to the coach, but he didn't get the hint. Alderman Fisher asked Mr. Johnson, would you like me to call him, which he replied yes. Alderman Fisher called the coach and told him the town was no longer in need of his services with Parks and Rec. The coach said ok, thank you very much, have a nice day.

Alderman Cates asked the record to show, he had nothing to do with a meeting and this coaches dismissal.

Alderman Sutton advised the Board; Mr. Johnson works at the direction of the Board; the Board doesn't take instruction from him. He cautioned the Board, the power of the Board of decision making is done as a whole.

Alderman Cates stated the Board met on February 23, 2023 and voted to have MTAS to perform the Town Manager search. Addressing Alderman Fisher, Cates stated he received an email that Fisher was looking to

contact an independent consultant to conduct the search. Asking Fisher if that was true, Fisher stated he had contacted MTAS inquiring of the search process, prior to the board vote. The MTAS inquiry resulted in a list of “head-hunters” /independent consultants. Immediately following the February 23rd meeting, Fisher provided the list to Mr. Johnson as an alternative for the search, if that was his choice.

Alderman Cates asked Mr. Johnson when he received the email that was then forwarded to Cates; Mr. Johnson stated at the end of the February 23rd meeting Mr. Fisher asked to meet with Mr. Johnson in his office, where he shared the email from Rick Whitehead the MTAS consultant. Mr. Johnson told Mr. Fisher the vote was to use MTAS and not an executive search firm. It was at the conclusion of that meeting, the discussion of the soccer coach came up and wasn’t the purpose for our meeting initially. Alderman Cates asked who was in that meeting? Mr. Johnson replied, it was the two of us and Vice Mayor Wiggins came in towards the end. Alderman Cates if there was discussion of the coach while the Vice Mayor was there? He answered probably so.

Alderman Hummel stated she was not in any meeting and is not aware of a meeting or discussions.

Vice Mayor Wiggins – Recognized Ronnie Lewis, an Oakland employee who passed away suddenly last month. Condolences to his family, co-workers and his friends. Alderman Sutton thanked the Mayor for the proclamation of Mr. Lewis.

9. Department Head Reports

Mayor Brown recognized Interim Director Mullins of a job well done.

Vice Mayor Wiggins asked Finance Director Hodges if the town is within budget and money? She replied, yes.

Alderman Sutton recognized Director Armstrong and all the employees involved in the prompt restoration of service due to a major water main break. Related to the matter, Alderman Hummel asked if the town would be reimbursed the cost of the repair causing the break and if there were penalties for such incidents. Mr. Johnson stated the town would bill the contractor to recoup the cost and Attorney Minor added the contractor would not be penalized.

Chief Walls thanked Alderman Hummel in applying for and obtaining a grant for 2 pet resuscitation devices.

Alderman Fisher welcomed Chief Earl back from his leave.

10. Town Manager Report

Nothing to report

11. Public Hearing: Proposed Town of Oakland Urban Growth Policy Map Amendments

Mr. Johnson explained as part of the update to Fayette County Urban Growth, each city/town can propose changes to their own boundary map. All proposed changes require a minimum of two (2) public hearings, which the second has been called tonight. A resolution will be presented to the Board at next meeting. Mayor Brown asked if anyone wished to speak.

Mr. Ed Allen approached the podium speak on the possibility of his property being included in Oakland's Urban Growth Boundary. His property is located on the north side of Feathers Chapel Road at the intersection of 194 and has shared his view on why he wishes to remain outside the UGB. Feathers Chapel is the currently the northern boundary of Oakland's UGB; It was by design for the reason the area north of Feathers Chapel is recognized by FEMA as much of the area is 100-year and 500-year flood zone. The flood prone areas are good for farming and soil enrichment, but not for so much for municipal development. Those in the Feathers Chapel Community, choosing to live outside the Oakland UGB are happy with the level of services currently received and expressed concern of an adverse effect in property value and quality of life of the existing residents if included in the Oakland UGB.

Mayor Brown clarified the area Mr. Allen spoke on is not included in Oakland's Urban Growth Plan submitted to Fayette County.

12. Consent Agenda

(A) Acknowledge Receipt of TDEC- WWT Plant Compliance Evaluation Inspection

(B) Resolution 23-27 Authorizing One Year Extension with Rogers Hydrant Service, Inc.

(C) Resolution 23-33 Authorizing Bidding for Office Copiers for Town Hall and Operating Departments

(D) Authorizing a one-year Extension with Mid-South Turf Professions for Park

Alderman Sutton requested item "D" to be removed from the consent agenda, moved to end of agenda for further discussion.

For the record Vice Mayor Wiggins inquired of Mr. Johnson, the status of the TDEC inspection. Mr. Johnson reported they were favorable.

A motion made to approve the March 16, 2023 consent agenda as amended was made by Vice Mayor Wiggins. Alderman Sutton seconded the motion. All in favor, none opposed. The amended consent agenda passed.

Old Business:

(A) Ordinance 23-04 (Public Hearing and 2nd Reading) - Amending the City Code Title 5, Chapter 3 Purchasing

Vice Mayor Wiggins made a motion to approve the 2nd Reading of Ordinance 23-04. Alderman Hummel seconded the motion. All approved, none opposed. The 2nd Reading of Ordinance 23-04 passed.

(B) Resolution 23-02 Awarding a Bid for Fire Station #1 Building Addition and Improvements; Fire Fee Fund

A motion was made Vice Mayor Wiggins to hear Resolution 23-02.

Mr. Johnson requested this item to be deferred until next meeting, as the architects were unable to attend tonight's meeting. Vice Mayor Wiggins noted this item was deferred at the February 16, 2023 meeting.

Vice Mayor Wiggins made a motion to defer Resolution 23-02. Alderman Fisher seconded the motion. All in favor, none opposed. The motion passed

(C) Resolution 23-10 A Resolution Authorizing an Amendment to the Professional Service Agreement with King Engineering on Roadway Improvements-Wirt Road Extended

A motion was made Vice Mayor Wiggins to hear Resolution 23-10.

Mr. Johnson, based upon recommendation of staff, requested Resolution 23-10 to be withdrawn. To advise the Board on the reason why, Mr. Johnson stated the Acting Public Works Director Mullins and his crew were able to use hot-mix asphalt to fill potholes and failure areas on Wirt Road Extended.

Mr. Johnson regarding the Board's question in how the situation with Wirt Road happened, asked that Dennis Mullins and Doug Swink having knowledge and experience, to share their knowledge.

Dennis Mullins spoke on the current road condition stating 10 tons of asphalt has been laid, making it passable for now. He opined, there is no need to put a lot of work and money into the road work at this time, with new subdivision construction in that area; the trucks and equipment will cause additional wear and tear. Until the subdivision is completed, the need for more patching can be expected. He reported approximately \$900.00 was spent on surface work as a temporary fix.

Doug Swink explained, during 2000-2007 Oakland was experiencing exponential growth when the economy crashed; most of the developments started, recently completed or under construction at that time were foreclosed. Mr. Swink reported they were fortunate in not facing default and in serving as a "go-to" for the banks who acquired the assets and didn't know what to do with them. Fairway Hills was one in default with Bancorp South. In analyzing Fairway Hills Phase 1(a), the bank invested \$200K to do needed road work and later the bank did the same for Phase 2 (b). Wirt Road was reported as a "very dangerous asset" with approximately 100 lots and one access point at the dangerous "Y" intersection. The bank also owned the property to the west of that area creating a real problem if they intended to sell the properties. Eventually, the bank took the recommendation, hired an engineer and entered into an agreement with the town. He emphasized it was not the original developer, it was the bank who constructed it from drainage, base, curb and gutter, then the initial base surface of asphalt, simply to sell the asset.

Attorney Minor said he had a conversation with an engineer who recommends a Full Depth Reclamation.

No action was taken. Resolution 23-10 is withdrawn.

(D) Consideration of Resolution 23-13 A Resolution Authorizing a Professional Services Agreement with Renaissance Architects for Schematic Design of Fire Station #2

Vice Mayor Wiggins made a motion to hear Resolution 23-13.

Vice Mayor Wiggins made a motion to approve Resolution 23-13 as written. Alderman Hummel seconded the motion. All in favor, none opposed. Resolution 23-13 passed.

(E) Consideration of Resolution 23-21 Approving Development Agreement/Subdivision Contract Amendment for Cross Creek PD, Phase 3

Alderman Hummel made a motion to hear Resolution 23-21.

Alderman Hummel made a motion to approve Resolution 23-21. Vice Mayor Wiggins seconded the motion. All in favor, none opposed. Resolution 23-21 passed.

13. New Business

None

Consideration of Resolutions

(A) Resolution 23-28 Approving the Issuance of Bonds by the Health and Educational Facilities Board of the City of Dickson TN for the Benefit of BTT Development IV, LP and Housing Associates, LP., for Acquisition and Rehabilitation of 16 Unit Multi-Family Housing Facility located at 55 Eisinger Cove, Oakland TN

Mayor Brown called for a Public Hearing on Resolution 23-28. With no response from audience, the Public Hearing was closed.

Chris Kirskey owner of Volunteer Management, Jackson TN approached podium for questions or concerns. Mayor Brown asked what will happen to the residents during renovation? Mr. Kirskey stated those who have family nearby, will be given \$200 per week to stay with them; or placing them in hotel. Hotel fees will be absorbed by the management company. Since the facility is completely rented by residents, only a couple of the units will be done at a time.

Alderman Hummel asked about the expenses incurred by the residents like moving and what hotel(s) will they be relocated to; how will they get to and from the services they are in need of? Mr. Kirskey stated the relocation of residents are budgeted for this project. Expenses such as a moving company (both moving out and back) and climate-controlled storage. He acknowledged that it was not going to be an easy process. Alderman Hummel requested to see the relocation package and the contract. Mr. Kirskey offered to email it to Mr. Johnson.

Other question and concerns of the Board were "residents who live there will remain there; (HDA) keeping them affordable for next 30 years; are these restrictions in writing and transferrable as written if sold; and \$60K in construction cost per unit."

Alderman Sutton made a motion to approve contingent to Attorney Minor reads the contract and understands it will be kept and conveyed according to the way it currently is written on restrictions. Vice Mayor Wiggins seconded the motion. All in favor, none opposed. The motion passed, based on contingency.

(B) Resolution 23-29 Authorizing an Agreement with Fayette County on Fire-EMS Services

Alderman Fisher made a motion to hear Resolution 23-29.

A motion to approve Resolution 23-29 was made by Alderman Sutton. Alderman Cates seconded the motion. A roll call vote was requested: Yes = Sutton, Cates, Hummel and Fisher; with Vice Mayor Wiggins abstaining from vote. Resolution 23-29 passed.

(C) Resolution 23-31 Re-Naming Bowers Rd to Mewborn Farms Rd

Alderman Cates made a motion to hear Resolution 23-31.

Alderman Sutton made a motion to approve Resolution 23-31. Alderman Cates seconded the motion. Alderman Hummel requested permission to question Carol Ann Mason Fayette County 911 Director. Ms. Mason was asked if anyone had contacted the 911 Office prior to the real-estate transaction occurring for input? She answered no, it was not until Debbie (Mewborn) Crawford called her to ask, which she was referred to the town.

Ms. Mason stated the big issue is, the transaction took place in 2021 and we are 2023, she has two (2) subdivisions, as well as the park entrance, that have been addressed with Bowers Road address. Mr. Johnson requested the names of the 2 subdivisions; she replied Twin Oaks and Riverwood. Mr. Johnson stated Twin Oaks final plat has not been approved by the planning commission. Ms. Mason said Twin Oaks plat had been submitted to her and it has been addressed. Additional questions from Alderman Hummel revealed the addresses have been submitted to developer, election office, utility companies, tax office and post office. Alderman Hummel pointed out there are several expressed concerns of public safety related to multiple streets having the same or similar name. Alderman Hummel referring to page 9 of the Purchase/Sell Agreement, related to naming rights of the "overall park site"; the agreement does not address a road. (According to TCA 29-2-010(a) "shall be in writing.").

Attorney Minor validated Alderman Hummel's comments as it related to the language of Purchase/Sell Agreement, between the Smoot family and the Town.

Vice Mayor Wiggins concerned of possible legal ramifications and expense to Mr. Cordeni, asked the board to consider postponing the vote for further information.

Alderman Sutton withdrew his motion and Alderman Cates withdrew his second for the purpose of additional research, bringing it back to Board next month.

Resolution 23-31 dies due to lack of a motion.

(D) Resolution 23-32 Authorizing Rental Policy and Fees, Oakland Activity Center

Alderman Hummel made a motion to hear Resolution 23-32.

Alderman Hummel made a motion table Resolution 23-32 for fees & deposit information and insert "if available" related to Use of Town Owned Utensils" and other serving wear. Vice Mayor Wiggins seconded the motion. All in favor, none opposed. Resolution 23-32 was tabled.

14. Consideration of Business Items

(A) Report on Bowers Rd North Improvements and Acceptance as a Public Street

Mr. Johnson stated the final coat of asphalt has been put down and the road striped, but as of Tuesday afternoon, Mr. King did not have all of the certifications and Geotech reports and the final plat dedicating the right-of way has not been approved by the planning commission, therefore, no action by the Board is needed at this time.

Attorney Minor added the warranty, has yet been signed. Due to the unique situation, Attorney Minor was adamant that a three-party warranty agreement must be signed by all parties (Browning, Grant Homes & Town). Attorney Minor reemphasized to the Board; "Grant will not agree to a warranty, it will have to be a work-out."

(B) Request for Charitable Donation from Carl Perkins Center

Mr. Johnson presented the Board with a letter from Carl Perkins Center, requesting a donation in the amount of \$2,500 (twenty-five hundred dollars) for FY2024.

There was no action taken on the donation request. Due to the Board's discussion, Mayor Brown tasked Mr. Johnson to draft 2 resolutions, the first, stating this Board will consider making donations based on individual request and the second, this Board will not consider any.

(C) Discussion of UGB Map Amendments

Mr. Johnson provided a memo to the Board, proposing five additional areas to consider in Oakland's UGB. Revising the UGB Plan will require going through the process of 2 Public Hearings. Vice Mayor Wiggins made the point, the state is considering doing away with the current UGB process, making it more difficult to obtain later than now. For further consideration this additional information will be presented to Oakland's Planning Commission.

(D) Report on Emergency Purchase for repair of Storm Drain, Chickasaw Ridge Dr.

Mr. Johnson reported a Storm Drain failure on Chickasaw Ridge, that was repaired under an "Emergency Purchase". The quote was \$33,740. (thirty-three thousand, seven hundred forty dollars). If the damage is determined to be the fault of a utility, that utility will be invoiced for reimbursement.

(E) Acknowledge correspondence from Tennessee Comptroller's Office on Fiscal Year 2022 Audit

Mr. Johnson provided a letter from the TN Comptroller's office stating the FY22 Audit has not been received.

(F) Parks and Recreation Director Appointment

Mr. Johnson reported five applicants had been interviewed and two finalists have been selected. Anticipating making an employment offer as quickly as possible.

(G) Public Works Director/CIP Co-Ordinator Appointment

Mr. Johnson announced an rehire employment offer was extended to former employee, Harvey Ellis, which he accepted. Mr. Ellis is scheduled to report for duty as Public Works Director/CIP Coordinator on Monday, March 20, 2023.

15. Other Items of Business (Item removed from Consent Agenda)

Authorizing a one-year Extension with Mid-South Turf Professions for Park

Mr. Johnson referred to the detailed information provided to the Board, indicating a 1-year contract in the amount of \$9,215 (nine thousand two hundred fifteen dollars) or a 2-year contract at \$8,754.25 (eight thousand seven hundred fifty-four dollars and twenty-five cents).

A drafted Resolution was presented to the Board – the assigned number 23-34.

Alderman Hummel made a motion to approve Resolution 23-34. Alderman Cates seconded the motion. All in favor, none opposed. Resolution 23-34 passed.

16. Credit Applications

None

17. Approval of Invoices – Presented & reviewed by board.


Vice Mayor Wiggins made a motion to approve the presented invoices. Alderman Fisher seconded the motion. None opposed. The motion passed.

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

Date: March 16, 2023



H. Michael Brown, Mayor



K. Yvonne Bullard, City Recorder

Mayor & Board of Aldermen

Special Call Meeting 6pm

Meeting Minutes

April 6, 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. **Establish Quorum** – All present
3. **Business:**

A motion was made by Alderman Fisher to adjourn to Executive Session.

The Board returned, with no action taken.

4. **Adjournment**

A motion was made by Alderman Cates to adjourn the meeting.

Date: April 6, 2023



H. Michael Brown, Mayor



K. Yvonne Bullard, City Recorder

Mayor & Board of Aldermen – Regular Meeting

Meeting Minutes

April 20, 2023

Present: Mayor H. Michael Brown
Vice Mayor Adrian Wiggins
Aldermen Frank Cates, Debbie Hummel, Jeff Fisher & Alderman Sutton

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**

Aldermen -All Present, absent was Town Manager Johnson.

4. **Approval of Agenda**

Mayor Brown requested that: (1) all “Consent Items” be heard and voted on individually, (2) add to the agenda Resolutions 23-49 Post Office, 23-50 Bank Signatures and 23-51 Amendment of Credit Card Policy.

Vice Mayor Wiggins made a motion to accept the agenda as amended. Alderman Fisher seconded the motion. All in favor, none opposed. The motion passed.

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

(A) March 16, 2023 Regular Meeting Minutes

Vice Mayor Wiggins made a motion to approve the March 16, 2023 Regular Minutes. Alderman Sutton seconded the motion. All in favor, none opposed. The motion passed.

(B) March 28, 2023 Special Call Meeting Minutes

Alderman Cates made a motion to approve the March 28, 2023 Special Call Minutes. Vice Mayor Wiggins seconded the motion. All approved, none opposed. The motion passed.

6. **Citizen’s Comments**

Oscar Ethridge – Black Ankle Dr – Asked if there were any ordinances in place that prohibit vehicles parking on public streets for a prolonged time period.

Mayor Brown called on Asst. Police Chief Gains to respond. Gains stated that if it was in working condition and properly tagged, it is legal; however, it would be checked out.

Wade Brown – 120 Country Wood – Expressed concern of the trash service and requested that debris is considered in the next trash contract.

Mayor Brown directed Mr. Brown to contact Public Works Director Ellis to have debris picked up “starting in the morning”.

7. Communications from the Mayor

Mayor Brown announced he had appointed Christina Hall and Hayes Loughlin to an additional 4-yr term as members of the Planning Commission. He also reported he is looking to fill a vacant position on the Parks and Recreation Board.

Mayor Brown introduced Chase Weston as the new Parks and Recreation Director.

8. Communication from the Aldermen

Alderman Sutton- Recommended that an early spring mosquito spraying be scheduled if the budget allows.

Alderman Hummel – Reiterated the need to address the mosquito issue as quickly as possible and get the contract rebid. She also commented favorably on the proposed Veteran’s Back Country Trail.

Alderman Fisher – Reported that TDEC inspectors were out to inspect the town’s parks. Their inspection found unsafe playground equipment and unsatisfactory ground covering, and the restrooms locked. Once the restrooms were opened, broken waterpipes were discovered.

Mayor Brown added, he and Mr. Johnson received documentation citing corrections to be made.

Vice Mayor Wiggins – Recognized the promotion of Officer Charles Taylor to Sergeant in the Oakland Police Department.

9. Department Head Reports

Fire Chief Walls announced the Oakland Fire Department is accepting donated items (not money) for the Town of Covington, who suffered significant tornado damage during last month’s storm. Details are available on the Oakland Fire Department Facebook page.

Director Coker provided an update to the Board related to the Wastewater upgrade. He announced the plans were received by the state, generally there is a 30 turnaround. Once the plans are approved the engineers will calculate the final cost estimate, and at that time the bidding can begin.

Alderman Hummel referring to the Wastewater monthly report, inquired of the “Nocardia” issue reported, asking if notifying customers, instructing them not to dispose of grease in their drains. Director Coker stated grease will always get in drains regardless of how it is disposed of and accumulates in the sewer pipes. With 3 extremely wet months in a row, pipes aren’t always running full. The more water ran through the pipes, the more it pushes the grease to the plant. The plant has a 30-day retention time before its treated and goes to the river. The only way to rid the “bad bugs” was to waste them out and in doing so, some of the “good bugs” were lost. It took approximately a week to rebuild the “good bug”

population, but it has been smooth sailing ever since. He answered the question in stating, circulars could be sent out, but he feels citizens are aware and responsible.

Alderman Sutton asked if the oil from roads impact the infiltration. Director Coker stated it could, but grease is not the only thing that causes "bad bug".

Vice Mayor Wiggins agreed with Alderman Hummel that providing notification to citizens may help.

Director Coker stated he would get a notification prepared and to the citizens.

Alderman Fisher addressed Finance Director Laura Hodges in explaining the Park Project Fund. She stated it was tied to Oakland's new park construction. He then referred to the Park Development fund, where developers pay a fee based on the number of homes in their contract. Laura explained he was speaking of two different fees. The Park Development Fees collected from developers are recorded and deposited in the General Fund. The half cent sales tax is recorded and deposited in the Park Project Fund. He questioned when that was initiated, how much is in the account and how much has been used (for the parks). Mayor Brown tasked Director Hodges to present to the Board the requested information at May's meeting.

Alderman Cates stated he understood the half cent sales tax goes to the Park Fund (Park Project Fund) and \$200,000 (two-hundred thousand dollars) per year from the General Fund goes into it starting FY23 Budget.

Director Ellis added that the fees were based on how each subdivision contract was written and added the fees charged could have been different based on the contract. Some contracts had them and some didn't.

Vice Mayor Wiggins inquired of the developers Park Fee as an operational revenue for Parks and Rec, which, Laura agreed. He asked about the referendum half cent sales tax, is that whole amount or a quarter of it go to funding and continuing operation of the park? Alderman Sutton stated "the exact motion that was made, when it was decided to do a referendum was, if this passed, we would reduce the property taxes 10%, costing the town \$200,000 in property taxes, which \$200,000 would be returned to the General Fund and the rest would go to Park and Recreations. Not the new park or the old park, that was never specified." Vice Mayor Wiggins clarified that \$200,000 per year will go the General Fund and the rest will go to fund Parks and Recreation, stating this was a very important clarification. Alderman Sutton agreed. Alderman Sutton also brought to the attention of the current Board Members, the \$200,000 was allocated to cover the raises given to the Police and Fire Departments in the FY23 Budget.

Attorney Minor offered further clarification in stating, the developers fees are dedicated and specifically earmarked funds that must be used for that purpose. Whereas, the half-cent sales tax can be used for any purpose, those are General Fund, the town's Board decided to use it the way Alderman Sutton described it. Dedicated fees are for specific usage.

Director Hodges updated the Board, stating the auditors have begun working on the FY22 Audit.

10. Town Manager Report

In Mr. Johnson's absence, Director Ellis was asked to report in his stead.

(A). Mr. Ellis reported the final software conversion will begin tomorrow. The Water, Wastewater and Sewer data is being converted which will affect the processing of cash billing payments tomorrow (Friday). However, customers will be able to pay by check, drop-box and on-line. As a side note, checks and drop-box payment are expected to be processed Monday morning.

(B). Mr. Ellis and Director Coker presented a drone overview of the Sports Complex Project as an update to the Board and citizens.

(C). Attorney Minor regarding the questions of the apartment rehab project proposed last month involving BTT Development IV and Housing Associates, LP. Attorney Minor stated the property located at 55 Eisinger Cove has not changed hands, to the company proposing rehab. Attorney Minor reached out to the company's attorney Cindy Barnett who specializes in THDA financing for these types of projects. Attorney Minor provided to each Board Member a copy of the questions/Board concerns and her response. Attorney Minor recommended the Board to move forward, noting it will probably be months before closing will take place and this gentleman takes possession. It will take time for the THDA funding for the bundled package of properties.

Alderman Cates asked if there would be a contract between the residents and the company, if not how can the town and residents be certain they will carry out what's being said today. Attorney Minor responded, the answers provided today, were from their attorney and too, with this being Federal money they can be penalized and/or removed from the approved list if the procedures are not followed.

Vice Mayor Wiggins expressed his thought of where the funding is coming from, they have more oversight than the town can provide. Alderman Sutton concurred. The Board determined to move forward as the contingency placed on last month's Resolution 23-28 was satisfied.

11. Consent Agenda

All consent agenda items were moved to regular agenda.

12. Old Business:

(A) Resolution 23-02 Awarding a Bid for Fire Station #1 Building Addition and Improvements; Fire Fee Fund

A motion was made Vice Mayor Wiggins to hear Resolution 23-02.

Alderman Hummel made a motion to approve Resolution 23-02. Vice Mayor Wiggins seconded the motion. All in favor, none opposed. The motion passed.

(B) Resolution 23-31-Renaming Bowers Road North of Hwy 64 to Mewborn Farm Drive

A motion was made Alderman Cates to hear Resolution 23-31.

Vice Mayor Wiggins expressed that his research and thorough review concluded that a real estate attorney was not used in writing the contract and the family believed the language used in the contract, "over-all park site", was inclusive of the road. Regardless, the contract as written has been fulfilled, this is now a special

request from the family, for Board consideration. He stated the safety concerns that were raised, in the name change, were not a concern to those he spoke with; 911, Fire Department and Police Department. He spoke to the more than 300-year history of the Mewborn family.

Alderman Hummel commented the points made, by the Vice Mayor Wiggins, were valid and she agreed with the historical aspect, as she is a history major and chose to move to Fayette County because of its rich history. However, her decision is based on the facts; Statute of Frauds, agreements are to be in writing and not a handshake. She stated Carolyn Mason, of the 911 Office, came before the Board to address issues of the proposed name change, her position was made known at that time. Alderman Hummel referenced that Fire and Police are directed by dispatch in answering calls; they respond accordingly.

Mayor Brown brought to the Boards attention and for the record, that this was brought before the Planning Commission, they did vote in favor of the name change, it was not a unanimous vote, as Alderman Hummel voted no.

Vice Mayor Wiggins made a motion to approve Resolution 23-31. Alderman Cates seconded the motion. A roll call vote was requested. In favor of approving Resolution 23-31 were Sutton, Cates and Wiggins. Those opposing Resolution 23-31 were Hummel and Fisher. Resolution 23-31 passed in a 3 to 2 vote.

(C) Consideration of Resolution 23-32 Adopting a Rental Use Agreement and Establishing Fees for Private Use of Oakland Activity Center

Alderman Cates made a motion to hear Resolution 23-32.

Alderman Hummel made a motion to approve Resolution 23-32 as address with the attachments. Alderman Sutton seconded the motion. Vice Mayor Wiggins requested clarification if the vote was on policy only or fees also. Mayor Brown responded it was policy only, fees are later. All in favor, none opposed. Resolution 23-32 passed.

13. New Business: Consideration of Ordinances on First Reading

(A) Ordinance 23-05 Amending City Code, Title 7, Chapter 5, Fire Fee; Establishing a Public Hearing Date May 18, 2023

Alderman Fisher made a motion to hear Ordinance 23-05.

Alderman Fisher made a motion to approve the 1st Reading of Ordinance 23-05, increasing the amount to thirty cents (\$0.30). Alderman Sutton seconded the motion. All in favor, none opposed. The 1st Reading of Ordinance 23-05 passed.

(B) Ordinance 23-06 Amending City Code, Title 5, Chapter 5, Park Development Fee; Establishing Public Hearing Date May 18, 2023

Alderman Cates made a motion to hear Ordinance 23-06.

Vice Mayor Wiggins advised this went back to Alderman Fisher's earlier concerns in having the Subdivision

Park Develop Fees (fees paid by the Developer) set apart from the General Park Fees.

Vice Mayor Wiggins made a motion to approve the 1st Reading of Ordinance 23-06 increasing the amount from Two hundred dollars (\$250) to Three hundred (\$300). Alderman Fisher seconded the motion. All in favor, none opposed. The 1st Reading of Ordinance 23-06 passed.

(C) Ordinance 23-07 Amending City Code, Title 11, Chapter 4 (h) Noise Regulations; Establishing a Public Hearing Date May 18, 2023

Alderman Sutton made a motion to hear Ordinance 23-07.

Alderman Sutton restated the times of allowable Construction Activity (Section 1. 1b) Monday through Friday, 7:00 am to 6:00pm and Saturday 8:00am to 4:00pm. Director Wallace added, any work that requires a permit will not be allowed on Sunday.

Alderman Sutton made a motion to approve the 1st Reading of Ordinance 23-07 as state, based on staff recommendation. Vice Mayor Wiggins seconded the motion. All in favor, none opposed. The 1st Reading of Ordinance 23-07 passed.

(D) Ordinance 23-08 Amending the City Code, Title 12, Chapter 1, Section 112 (4), International Residential Code; Establishing a Public Hearing Date of May 18, 2023

Vice Mayor Wiggins made a motion to hear Ordinance 23-08.

Alderman Fisher made a motion to approve the 1st Reading of Ordinance 23-08. Alderman Hummel seconded the motion. All in favor, none opposed. The 1st Reading of Ordinance 23-08 passed.

(E) Ordinance 23-09 Amending the Adopted Fiscal Year 2022-2023 Budget; Providing an Effective Date

Vice Mayor Wiggins made a motion to hear Ordinance 23-09.

Vice Mayor Wiggins made a motion to approve the 1st Reading of Ordinance 23-09. Alderman Sutton seconded the motion. All in favor, none opposed. The 1st Reading of Ordinance 23-09 passed.

14. Consideration of Resolutions

(A) Resolution 23-36 Authorizing an Engineering Agreement with King Engineering for Inspection of Phase 1 Roadway Improvements FY 2023

Alderman Fisher made a motion to hear Resolution 23-36.

Alderman Sutton noted the bid packet that was presented to the Board for tonight's meeting, is different from what was presented in the FY23 Budget. He expressed the Board members need to see the bid list, to properly answer their constituents in when their roads will be fixed.

Mayor Brown stated that going forward, Roadway Bids will be prepared by Director Ellis and assured the Board they will be notified in advance of what is to be bid on as well as the cost estimate.

Alderman Hummel noted the design fee percentage (6.76%) referencing Table II.

Alderman Sutton made a motion to approve Resolution 23-36 excluding any roadways/streets that was not included in the original bid packet that was presented in the fall. Vice Mayor Wiggins stated there was significant drain damage on Chickasaw Ridge and that may be why it was included in this bid packet. Alderman Sutton withdrew his motion based on the information discussed.

Vice Mayor Wiggins made a motion to approve Resolution 23-36. Alderman Sutton seconded the motion. All in favor, none opposed. Resolution 23-36 passed.

(B) Resolution 23-37 Authorizing a Professional Services Agreement with A2H Engineering for Design Services for STBG Grant; Traffic Signal Improvements through TDOT

Vice Mayor Wiggins made a motion to hear Resolution 23-37.

Alderman Sutton made a motion to approve Resolution 23-37. Vice Mayor Wiggins seconded the motion. All in favor, none opposed. Resolution 23-37 passed.

(C) Resolution 23-38 Adopting A Proposed Capital Improvements Program Guide for Fire Fee Fund

Vice Mayor Wiggins made a motion to hear Resolution 23-38.

Alderman Sutton made a motion to approve Resolution 23-38. Vice Mayor Wiggins seconded the motion. All in favor, none opposed. Resolution 23-38 passed.

(D) Resolution 23-39 Authorizing Purchase By Written Quote of a Temporary Carport

Alderman Fisher made a motion to hear Resolution 23-39.

Alderman Hummel made a motion to approve Resolution 23-39. Alderman Fisher seconded the motion. All in favor, none opposed. Resolution 23-39 passed.

(E) Resolution 23-40 Accepting Bowers Road from Hwy 64 North 1840 feet

Attorney Minor requested Resolution 23-40 to be deferred until next work session.

Alderman Sutton made a motion to defer Resolution 23-40 until May 8th work session. Vice Mayor Wiggins seconded the motion. All in favor, none opposed. Resolution 23-40 was deferred.

(F) Resolution 23-41 Establishing Rental Fees and Deposits for Town Of Oakland Activity Center

Vice Mayor Wiggins made a motion to hear Resolution 23-41.

Alderman Fisher made a motion to defer Resolution 23-41 until May 8th work session. Vice Mayor Wiggins seconded the motion. All in favor, none opposed. Resolution 23-41 was deferred.

(G) Resolution 23-42 Authorize Bid Award for FY 2023 Street Improvements

Alderman Sutton made a motion to hear Resolution 23-42.

Alderman Sutton made a motion to approve Resolution 23-42, accepting the low bid. Alderman Fisher

seconded the motion. All in favor, none opposed. Resolution 23-42 passed.

(H) Resolution 23-43 Request Proposals for Banking Services

Vice Mayor Wiggins made a motion to hear Resolution 23-43.

Vice Mayor Wiggins made a motion to approve Resolution 23-43. Alderman Sutton seconded the motion. All in favor, none opposed. Resolution 23-43 passed.

(I) Resolution 23-44 Endorsing Surplus Military Helicopter for Static Display in Cypress Creek Veteran's Park

Alderman Fisher made a motion to hear Resolution 23-44.

A motion to table Resolution 23-44 was made by Alderman Cates until next work session. Vice Mayor Wiggins seconded the motion. All in favor, none opposed. Resolution 23-44 tabled.

(J) Resolution 23-45 Endorsing a "Back County" Trail at Cypress Creek Veteran's Park

Alderman Sutton made a motion to hear Resolution 23-45.

A motion to table Resolution 23-45 was made by Vice Mayor Wiggins until next work session. Alderman Fisher seconded the motion. All in favor, none opposed. Resolution 23-45 tabled.

(K) Resolution 23-46 Authorizing Deductive Change Order #2 with Wagner General Contractors

Vice Mayor Wiggins made a motion to hear Resolution 23-46.

Alderman Sutton requested detailed information related to the original length of the road, the length that is being decreased and the price per foot compared to the completed part to ensure the credited amount is properly calculated. Sam Henry stated he would forward the requested information to the Board.

A motion to table Resolution 23-46 was made by Alderman Sutton. Mayor Brown instructed the item to be tabled until May 8, 2023. Vice Mayor Wiggins seconded the motion. All in favor, none opposed. Resolution 23-46 tabled.

(L) Resolution 23-47 Authorizing Change Order #3 with Wagner General Contractors (Increase)

Vice Mayor Wiggins made a motion to hear Resolution 23-47.

Director Ellis elaborated on his earlier conversation with Sam Henry stating, the work was necessary to install the infrastructure in that area. Sam Henry stated clarification to the Board, this was not a contract increase, explaining "this is specifically why the contingency included and this money will be taken from the contingency, but is not an increase to the contract".

Vice Mayor Wiggins inquired of a \$5k difference. Mr. Henry stated it was due to the demobilization and if approved, remobilization of equipment to the site.

A motion to approve Resolution 23-47 was made by Alderman Sutton. Alderman Cates seconded the motion. Four in favor, one abstained. Those voting in favor were Sutton, Cates, Hummel and Wiggins. Alderman Fisher abstained from voting. Resolution 23-47 passed by a 4 to 1.

(M) Resolution 23-48 Awarding Copier Bid

Vice Mayor Wiggins made a motion to hear Resolution 23-48.

The Board was presented with the only bid response received; Visual Edge IT submitted a bid for a three-year contract that included eight (8) copiers (base cost \$904.06 p/m and no print limit, only pay for what you print (Black and White=\$0.0068 & Color=\$0.0425). It also included service, parts, labor and supplies (excluding paper and staples). The total base contract amount equals Thirty-two thousand five hundred forty-six dollars and sixteen cents (\$32,546.16).

Vice Mayor Wiggins made a motion to approve Resolution 23-48. Alderman Hummel seconded the motion. Four in favor, one opposed. Those voting in favor were Cates, Hummel, Fisher and Wiggins. Alderman Sutton opposed. Resolution 23-48 passed by a 4 to 1.

(N) Resolution 23-49 Authorizing Discussion with Congressman Kustoff and Federal Officials Regarding Postal Service Improvements for the Town of Oakland

Alderman Fisher made a motion to hear Resolution 23-49.

Alderman Cates made a motion approve Resolution 23-49. Alderman Fisher seconded the motion. All in favor, none opposed. Resolution 23-49 passed.

(O) Resolution 23-50 Authorizing Banking Transaction with Official Depositories of the Town (Signors)

Alderman Fisher made a motion to hear Resolution 23-50.

Alderman Sutton made a motion approve Resolution 23-50. Alderman Cates seconded the motion. All in favor, none opposed. Resolution 23-50 passed.

(P) Resolution 23-51 Amending Credit Card Policy

Vice Mayor Wiggins made a motion to hear Resolution 23-51.

Director Hodges stated a ten-thousand-dollar (10K) increase is being requested due to two additional departments which should have been issued credit cards and in speaking with Mr. Johnson he suggested increasing the overall limit to #30k.

Alderman Sutton made a motion approve Resolution 23-51 removing from this resolution, the names and listing the positions only, as recommended by Attorney Minor. Vice Mayor Wiggins seconded the motion. All in favor, none opposed. Resolution 23-51 passed.

15. Consideration of Business Items

(A) Acknowledge TDEC Letter Approving the Town of Oakland's ARP Non-Collaborative Grant Application, 2022-8715 for Wastewater Treatment Plant Rehabilitation and Expansion Project in the amount of \$1,002,693.71.

Director Ellis announced the grant had been approved. Information only. No action necessary

(B) Acknowledge Receipt of Letter from Team Waste on Non-Renewal of Residential Solid Waste Service Agreement

Director Ellis stated upon receiving this notice, he has compiled information with the intent of sharing it in a work session regarding assets the town would need and an estimated cost of the town providing the services.

Alderman Sutton commented, after discussions with others, there is no way the town can be ready to take it over when this contract expires January 2, 2024. He opined a contract will be necessary.

Mayor Brown added that he and Harvey are speaking with the Federal Government about programs they have available for electric vehicles. Any information received will be brought to the work session also.

(C) Acknowledge Receipt of Letter from TN Comptroller's Office on 2023 Appraisal Ratio

Information only. No action necessary.

(D) Acknowledge Town Hall/Police Building Process Preliminary Site Schematic Plan

Vice Mayor Wiggins asked the Board to consider moving the creek between now and the next work session.

Mayor Brown explained his understanding was, there will be three drawings presented at which time discussions will take place.

Alderman Hummel stated she had not seen a report on the findings from the Archeological Study and it may dictate if the stream can be moved or not.

16. Other Items of Business

Alderman Sutton stated he feels the Town of Oakland should begin considering a Natural Gas Department and would like it to have it added as a discussion item in the workshop agenda.

17. Credit Applications

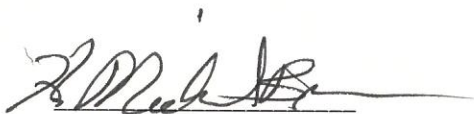
None.

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


Alderman Sutton made a motion to approve the presented invoices. Alderman Fisher seconded the motion. None opposed. The motion passed.

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

Date: April 20, 2023



H. Michael Brown, Mayor



K. Yvonne Bullard, City Recorder