

MINUTES: CITY OF DECHERD BOARD OF MAYOR AND ALDERMEN
DECHERD, TENNESSEE
September 9, 2019

The City of Decherd Board of Mayor and Aldermen met in regular session, September 9, 2019 at 7:00 P.M. in the City Hall Council Room.

MEMBERS PRESENT: MAYOR MICHAEL GILLESPIE
VICE MAYOR RICHARD GULLEY
ALDERMAN PAM ARNOLD
ALDERMAN TAMMY HOLT
ALDERMAN JIMMY WAYNE SANDERS
CITY ADMINISTRATOR REX CLARK

OTHERS PRESENT: Al Tipps (WCDT), Ross Peterson, Gerald Ewell, Michelle Peterson, Diane Hensley, Danita Slatten, Dennis Doney, Susan Smith, Jimmy Highers, Debbie St John, Mike St John, Lauryn Fraley, Phyllis Fraley, Gary Lamb, Darrell Corn, Patrick Slatten, James Baker, Rickey Arnold, Mary Nell Hell, Michele Earle, Jamie Ocheltree, Eric Bradford, Gary Cunningham, Casey Anderson, Ann Anderson

Mayor Michael Gillespie called the meeting to order with a moment of silence and the Pledge of Allegiance was recited.

The Minutes of the Regular Board Meeting of the Decherd Board of Mayor & Aldermen dated August 12, 2019 was reviewed. Motion made by Alderman Tammy Holt and Second by Alderman Pam Arnold to approve Minutes as printed.

Financial Report for the Month of July 2019 was reviewed by the Board. Motion to accept was made by Vice Mayor Richard Gulley second by Alderman Jimmy Wayne Sanders.

Motion Passed Unanimously 4 – 0

Financial Report for the Month of August 2019 was reviewed by the Board. Motion to accept was made by Alderman Jimmy Wayne Sanders second by Alderman Pam Arnold

Motion Passed Unanimously 4 – 0

The Police, Fire, and Water Departments reports were reviewed for the month of June 2019.

Motion by Vice Mayor Richard Gulley to accept Departmental Reports as presented and seconded by Jimmy Wayne Sanders.

Motion Passed Unanimously 4 – 0

1. Adopted Resolution R4 -19 the Initial Resolution authorizing the issuance of Water and Sewer Revenue and Tax bonds by The City of Decherd, Tennessee. In a par amount not to exceed \$2,602,000 to finance Water and Sewer System improvements and extensions and related cost.

Water/Waste Water Superintendent Eric Bradford stated that Resolution R4 – 19 was an authorization of an Initial bond resolution to cover anticipated cost overrun on the construction of the new waste water treatment facility

Motion to adopt Resolution R4 – 19 made by Alderman Jimmy Wayne Sanders second by Alderman Richard Gulley

Roll Call: VICE MAYOR RICHARD GULLEY - AYE
ALDERMAN PAM ARNOLD - AYE
ALDERMAN TAMMY HOLT - AYE
ALDERMAN JIMMY WAYNE SANDERS - AYE

MOTION PASSED 4 - 0

2. Adopted Resolution R5 – 19 A Resolution Authorizing the issuance, sale, and payment of \$2,602,000 of bonds by The City of Decherd, Tennessee. Authorizing the issuance of bond anticipation notes prior to the issuance of the bonds and authorizing the pledge of revenues of the Water and Sewer System and levy taxes to pay the bonds and notes.

Water/Waste Water Superintendent Eric Bradford stated that Resolution R5 -19 is a resolution to authorize the issue of bonds in the amount of and not to exceed \$2,602,000.

3. Adopted Ordinance # 419 on third reading. An Ordinance TO ANNEX CERTAIN TERRITORY AND TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF DECHERD, FRANKLIN COUNTY, TENNESSEE AS PER WRITTEN REQUEST FROM THE OWNER (JAMES BAKER) OF THE PROPERTIES INVOLVED.

Mayor Michael Gillespie read Ordinance # 419.

Public Hearing was held no comments.

Motion to adopt Ordinance # 419 by Alderman Pam Arnold and second by Alderman Tammy Holt.

Roll Call: VICE MAYOR RICHARD GULLEY - AYE
ALDERMAN PAM ARNOLD - AYE
ALDERMAN TAMMY HOLT - AYE
ALDERMAN JIMMY WAYNE SANDERS - AYE

MOTION PASSED 4 - 0

4. Third reading and public hearing Ordinance #421 an ORDINANCE TO AMEND THE CITY OF DECHERD, TENNESSEE MUNICIPAL CODE SECTION 14-204(2), THE ZONING MAP OF THE CITY OF DECHERD, TENNESSEE TO CHANGE THE ZONING FOR TWO PARCELS OF LAND BELONGING TO ROGER ROSE IN THE CITY OF DECHERD, TENNESSEE, HEREIN DESCRIBED FROM R-1 (Single Family Residential District) and C-3 (Restrictive business/highway service district) to C-2 (Highway Service District) .

Mayor Michael Gillespie read Ordinance # 421.

Public Hearing: 7:24 p. m. – 7:42 p. m.

Mary Nell Hess opened the public hearing by stating her objections to passage of Ordinance # 421.

Darrell Corn stated he was concerned that the property was going to be rezoned strictly for a convenience store.

Danita Slatton ask if there is something that states you have to get permission from connecting property owners to make changes.

Codes Director Dennis Doney stated the City of Decherd has nothing in our regulations. At one point property was two properties which were combined some years ago to one and zoning wasn't changed.

Alderman Tammy Holt stated we need to see what Court House has on file.

Casey Anderson stated he had a couple concerns. His understanding was the problem did not arise until Mr. Keller ask for his property to be rezoned to C2. He stated C2 was for Highway Service Traffic and we are not on main highway. My biggest concern was health risks. Mr. Anderson proceeded to explain how a gas station could effect an residential area.

Codes Director Dennis Doney verified Mr. Anderson statement and gave an explanation how the question came about. The property is nonconforming under C3 Zoning due to not meeting C3 zoning criteria which is glass, mirror, woodworking and autobody shops.

Codes Director Dennis Doney stated he met with the Rose Family and informed them that their business was in nonconformity use of property. In order to be conforming they need to be rezoned to C2. They agreed to rezoning as long as the entire property was included.

Codes Director Dennis Doney produced a zoning map showing the area of interest.

Vice Mayor Richard Gulley ask is property behind their shop, not the church or house next to it.

Codes Director Dennis Doney stated it was behind shop.

Further discussion pursued on the possibility of grandfathering property to make property compliant.

Mr. Anderson stated that there was no highway traffic so C2 zoning would not apply to area.

Alderman Jimmy Wayne Sanders stated that Highway 50 is a major highway that runs through town.

Codes Director Dennis Doney stated that he found the mistake while researching the Keller property and was trying to correct the problem.

Gary Cunningham stated a concern about health issues stemming from fumes from the property becoming a convenience store.

Mayor Michael Gillespie tabled Ordinance # 421 until we get more citizen input and information in order to make a better decision.

Vice Mayor Richard Gulley would be interested in some kind of variance. The property has always been commercial.

Alderman Tammy Holt the best solution would be a variance or to grandfather it in.

5. First reading Ordinance # 422, amending Ordinance # 393 referring to casual sales established as yard sales and garage sales

City Administrator Rex Clark explained reasoning that the ordinance was coming back to the board was due to the codification process of the Municipal Code. The ordinance was repealed due to not being codified. Ordinance # 406 needs to be readopted as Ordinance # 422

Alderman Tammy Holt made motion to adopt Ordinance # 422.

Motion dies due to lack of second.

6. Resolution R3 - 19 A resolution to approve by The Board of Mayor and Alderman elected official eligibility to participate in the City of Decherd Health Care Program.

Alderman Pam Arnold states she thinks City should pay 50% of premium if a Mayor or Alderman chose to participate

Attorney Gerald Ewell stated that a resolution would do it and the Board would determine amount.

Citizen stated that tax payers money being spent so possibly have a referendum so voters of Decherd have a say in how money is spent.

Discussion continued about the cost.

Alderman Pam Arnold made motion to Adopt Resolution R3 – 19 with the changing of elected official from paying 100% of premium to 50% of premium with the City Paying the other 50%.

Vice Mayor Richard Gulley stated that we going to try to prosecute the former Mayor over insurance being paid now to do that. It has strange smack.

Vice Mayor Richard Gulley ask City Administrator Rex Clark Did he understand if we vote to do it for City to Pay any part it don't take effect till official is re-elected. City Administrator Rex Clark stated Board would determine.

Mayor Michael Gillespie stated way it was written takes effect immediately.

Alderman Pam Arnold made motion to adopt Resolution R3 – 19 with change made to cost being at 50% of premium. Second by Alderman Jimmy Wayne Sanders.

Roll Call: MAYOR MICHAEL GILESPIE - NAY
VICE MAYOR RICHARD GULLEY - NAY
ALDERMAN PAM ARNOLD - AYE
ALDERMAN TAMMY HOLT - NAY
ALDERMAN JIMMY WAYNE SANDERS – AYE

MOTION FAILED 2 – 3

Motion made to adopt Resolution R3 – 19 as written by Alderman Tammy Holt. Second by Alderman Pam Arnold.

Roll Call: VICE MAYOR RICHARD GULLEY - AYE
ALDERMAN PAM ARNOLD - AYE
ALDERMAN TAMMY HOLT - AYE
ALDERMAN JIMMY WAYNE SANDERS - AYE

MOTION PASSED 4 - 0

7. Executive Order 1-2019 an order to name John Corak and Gina Sims Johnson to Decherd Municipal/ Regional Planning Commission for four year term effective immediately per Board approval. Replacing Don Cofer and Rachel Henn.

Mayor Michael Gillespie tabled Executive Order 1-2019 to review in more detail.

8. Discuss the renewing of Gerald Ewell as legal counsel.

Alderman Tammy Holt motioned to retain Gerald Ewell as City Attorney.

Motion dies for lack of second.

Alderman Jimmy Wayne stated needed to have an attorney inside the county and have City Administrator Rex Clark contact all attorneys to see if any interest.

Alderman Tammy Holt disagrees. Need to be outside the county.

Discussion proceeded.

Vice Mayor Richard Gulley made a recommendation that Mr. Ewell stay on until decision is made.

Mayor Michael Gillespie stated he'd do his best. Got a good Board who have best interest of Decherd at heart.

Alderman Pam Arnold stated we need immediate audit done for City.

City Administrator Rex Clark stated there is an audit in progress.

Alderman Tammy Holt stated how deep of audit, something more comprehensive giving situation with former Mayor. Make sure city money protected.

Looking for forensic audit.

Public Safety Director Ross Peterson suggested might back off and let Comptroller Office handle it. Suggested could call Comptroller Office.

Public Safety Director Ross Peterson ask the board to accept a \$50,000 grant from FEMA to purchase a second set of turn out gear for the fireman. The cost to the City would be \$2,400.

Motion to accept FEMA Grant made by Alderman Tammy Holt. Second by Vice Mayor Richard Gulley.

Motion Passed Unanimously 4 - 0

Mayor Michael Gillespie stated there being no additional business the meeting was adjourned 8:12 p.m. with Alderman Jimmy Wayne Sanders making motion to adjourn. Second by Alderman Tammy Holt.

Motion Passed Unanimously 4 - 0

Mayor Michael Gillespie

Attest: _____
Rex Clark City Administrator