

City of Townsend
Commission Meeting Minutes

For

February 19, 2013

Attendance: Attending the meeting was Mayor Michael Talley, Vice Mayor Becky Headrick, Commissioner Jackie Suttles, Commissioner Ron Palewski, Commissioner David Wietlisbach, City Recorder Shelia Moss, Police Chief Ron Suttles, Fire Chief Don Stallions, Officer Tony Rayburn, Paul Sprayberry, Mr. Shannon Skidmore, Pat and Mary K Jenkins, Rick Russell, and Lisa Ivins.

Called Beer Board Meeting

Tab Burkhalter & Paul Sprayberry, American Choice Products DBA Townsend General Store: Vice Mayor Headrick explained the application is for a business name change on an existing beer permit and explained that ownership has not changed. There was some discussion about this application. Mayor Talley made a motion to waive the application fee and grant the off premise permit business name change. Commissioner Palewski seconded and the motion passed with 5 yea votes.

Earl Brown, DDB Inc: Vice Mayor Headrick explained that this application was for the former Rite Quick location previously owned by Mr. Todd Napier. There was some discussion regarding this application. Commissioner Palewski made a motion to approve and off premise permit to Mr. Earl Brown for DDB Inc. Mayor Talley seconded and the motion passed with 5 yea votes.

Regular Commission Meeting

Pledge: Mayor Talley opened the meeting with the Pledge of Allegiance at 7:05 pm.

Minutes: A motion to approve the January 15, 2013 minutes was made by Vice Mayor Headrick. Commissioner Suttles seconded and the January 15, 2013 minutes passed with 3 yea votes. Commissioners Palewski and Wietlisbach abstained.

Finance Report: Recorder Moss gave the finance reports for the month of January 2013. Mayor Talley had questions about the Privilege Tax and Parade line items. Commissioner Wietlisbach made a motion to approve the January 2013 finance reports. Commissioner Suttles seconded and the motion passed with 5 yea votes.

***Sevier County In Lieu of Property Tax Contract:** There was some discussion about this contract which has to be approved annually by the City Commission. Commissioner Wietlisbach made a motion to approve the Sevier County In Lieu of Property Tax contract. Commissioner Palewski seconded and the motion passed with 5 yea votes.

***Budget Workshops:** There was some discussion regarding potential Fiscal Year 2014 budget workshops. The Commission unanimously agreed to hold their first workshop on Wednesday, February 27, 2013.

Police Report: Chief Suttles reported that it has been quiet and that they have had a few emergency calls. He spoke about the fiscal year 2013 budgeted amount for a cruiser purchase. He requested that the Commission use three thousand dollars of the new radio purchase line item be moved to the cruiser purchase and the other fourteen thousand be

moved to the general fund street repair line item. There was some discussion however, no action was taken.

***Child Safety Day:** Officer Rayburn handed out some documents to the City Commissioners. He reported that JKS will be bringing a race car simulator. He also reported that there will be a water safety obstacle course. Officer Rayburn stated that the event date will be Saturday, May 18, 2013 and it will be held in the vacant lot adjacent to US Bank and Town Square Drive. He mentioned that Pigeon Forge has followed our model and had an event three months ago. Officer Rayburn informed Commissioner Palewski that he is working on having Lifestar present. He also reported that the FBI and the National Park has committed to come this year. Mayor Talley stated that he wants to see bylaws and suggested addressing bullying. There was further discussion. Recorder Moss requested that copies of all documents and letters be emailed to her to put on file for audit purposes.

Maintenance: Chief Suttles reported that if the City wanted to go with LED replacement bulbs for the traffic signal at the intersection of Wears Valley Road and State Highway 73, it would cost between sixty five and seventy dollars per bulb. Chief Suttles reported that Auto Physicians was still working on the dump truck and that two poplar trees had to be taken down on the City's property. Vice Mayor Headrick asked about the Kinzel Spring mudslide. Chief Suttles reported they are waiting for the State to take care of the edge and then rest of it will be addressed.

Fire: Chief Stallions reported that everything has been going well and that they have started their new training. He reported that the training will be once per month and will include training in fires such as wildland and structure, and Motor Vehicle Accidents (MVA). He mentioned that a retired National Park Chief Deputy comes in to help with training. Chief Stallions reported that the federal government has required the fire department to go to narrow band radios. He reported that the radios are not the same as the Police radios.

Recreation: Commissioner Suttles mentioned that the parade committee was coming along. She reported that the parade date this year has been moved to the second Sunday (12/8/13) due to the Thanksgiving holiday. She mentioned that she has not scheduled a meeting yet as she is still gathering interested people.

Old Business

Second Reading and Public Hearing: Ordinance 264-13-1C, An Ordinance of the City of Townsend, Tennessee Adopting the Rules of the Road Contained in Tennessee Code Annotated: Mayor Talley read the caption of Ordinance 264-13-1C aloud and explained the ordinance. He then opened the public hearing at 7:45pm. Mr. Pat Jenkins asked if this increases fines or fees. Mayor Talley answered the question by saying no and explained the reason for this ordinance which relates to the Townsend Municipal Court hearing cases for State Moving Violations. There being no further public comment, Mayor Talley closed the public hearing at 7:47pm. Commissioner Wietlisbach made a motion to approve Ordinance 264-13-1C. Commissioner Headrick seconded and the motion passed with 5 yeas votes.

Second Reading and Public Hearing: Ordinance 265-13-1C, An Ordinance to Authorize Local Enforcement of the Financial Responsibility Law of 1977: Mayor Talley read the caption of Ordinance 265-13-1C aloud and then explained the ordinance. He then opened the public hearing at 7:48pm. There being no public comment, the public hearing was closed at 7:49pm. Commissioner Palewski made a motion to approve Ordinance 265-13-1C. Commissioner Wietlisbach seconded and the motion passed with 5 yeas votes.

Second Reading and Public Hearing: Ordinance 266-13-1P, An Ordinance to Amend the Site Plan Requirements to Include Time Periods for Corrections and an Expiration Period: Mayor Talley read the caption of Ordinance 266-13-1P aloud and then explained the ordinance. He then

opened the public hearing at 7:50pm. Mr. Jenkins stated that some meetings are more than thirty days out, that there is no definition to expired building permit, believes that the wording is arbitrary, mentioned that the expiration date of a building permit should be noted on the permit and, wanted to know how "work started" would be determined. Mayor Talley informed everyone that the ordinance was drafted by our Planner and reviewed and approved by the City Attorney. Mayor Talley also explained that this ordinance was designed to prevent open ended approvals and building permits. There was some further discussion. The public hearing was closed at 8:02pm. Vice Mayor Headrick made a motion to approve Ordinance 266-13-1P. Mayor Talley seconded and the motion passed with 5 yeas votes.

Second Reading and Public Hearing: Ordinance 267-13-1P, An Ordinance Amending the Zoning Ordinance of the City of Townsend, Tennessee, Article III, Definitions by Expanding the Definition of Clinics and Adding Methadone and Pain Clinics as a New Definition and Specifying Such Uses as Conditional Uses in the B-1, General Business District: Mayor Talley read the caption of Ordinance 267-13-1P aloud and then explained the ordinance. He then opened the public hearing at 8:05pm. Mr. Jenkins referenced section 43b and stated that he thought all pain clinics had to be licensed and that he thinks that the word methadone should be replaced with a more generic term. Mr. Skidmore mentioned the Ordinance relating to adult book stores that was passed when he was on the Commission and stated that they included the river. There was some further discussion. The public hearing was closed at 8:20pm. Commissioner Wietlisbach made a motion to pass Ordinance 267-13-1P. Mayor Talley seconded and the motion passed with 5 yeas votes.

New Business

Tammi Ford, Chamber of Commerce: Mayor Talley spoke about the packets that he had handed out at a previous meeting. There was some discussion. This item was deferred to the next month.

Shannon Skidmore, Baseball Team: Mr. Skidmore mentioned that there will be three teams this year. He reported that there will be a 5-6 year old team, 7-8 year old team, and a 9-10 year old team. He reported the cost per child had gone up to \$95. He mentioned that included in the cost was a shirt, hat, referee's, and 16 games. Mr. Skidmore estimated having about 30 children. Recorder Moss stated that would equal \$2,850. Mr. Skidmore stated that the league they play in is allowing Townsend to have their own team instead of having to go through a draft. There was some discussion. Mr. Skidmore mentioned that he feels like the parents should be responsible for some of the expenses and is requesting a \$1,000 donation from the City to help offset the costs. Mayor Talley informed Mr. Skidmore that \$1,000 was already in the budget for this fiscal year.

*Mr. Jenkins informed the Commission that the BZA had denied Mr. Jake Peppers request for an accessory building in his front yard about six weeks ago and now he has an accessory building in his front yard. Mr. Jenkins mentioned that he would like to know how this happened and feels like the BZA was circumvented. Mr Jenkins then mentioned the set backs for a structure is 15 feet and set backs for a lot is 5 feet. Mayor Talley explained that he has been informed that the work is not complete and that the structure will be connected to the home. Mr. Jenkins then asked if "connected at some point" was going to be acceptable. There was some further discussion. No action was taken.

*Mr. Rick Russell told the Commission they could adjourn the meeting if they wanted and then he would go over the Community Development Block Grant. Recorder Moss instructed the Commission that if they adjourned they could only ask Mr. Russell questions and could not deliberate toward any decisions. The meeting was not adjourned and Mr. Russell handed out packets to each Commissioner. He reported that the maximum amount of the grant is \$500,000 with a 30% match. He mentioned that the application will be for \$950,000 of which \$450,000 will be funded by Tuckaleechee Utility District. Recorder Moss mentioned that the City would need a complete application for the City Commission and the City Attorney to review prior to submittal. Mr. Russell mentioned that the application deadline was midnight on Friday, February 22, 2013 and that they would probably be

working on the application right up until the deadline. Mr. Russell also stated that the only thing the Commission needed to see was the finance documents that the Mayor would have to sign off on and that the full grant was really just his stories. Recorder Moss stated that this is a large grant that the City could be held liable for and that a full application would need to be reviewed by the City and City Attorney before submittal. There was some further discussion No action was taken.

*Commissioner Suttles spoke about ingress and egress for tubing. Mayor Talley mentioned that if there is improvements like cutting a walking path then the path will need to meet State safety guidelines. He also mentioned that this is a grey area. There was some discussion. Mayor Talley mentioned that Tube permits have been addressed and that Mr. Andy Morton will be issuing Tube Permits.

There being no further business, the meeting was adjourned at 9:18 pm.

Shelia Moss

Approve: _____

date

Title: _____