

BOARD OF MAYOR AND ALDERMEN

REGULAR MEETING

JUNE 13, 2016

The Board of Mayor and Aldermen (BMA) met in Regular Session on Monday, June 13, 2016, at 7:00 p.m., at Town Hall, 123 Boone Street, Jonesborough, TN.

Mayor Wolfe called the meeting to order and led the group in an opening Prayer. Police Chief Matt Hawkins led the pledge to the Flag.

Upon call of the roll those present were: Mayor Kelly Wolfe, Alderman Terry Countermine, Alderman Adam Dickson, Alderman Chuck Vest and Alderman David Sell. Also present were: Town Administrator Bob Browning, Town Recorder Abbey Miller, Operations Manager Craig Ford, and Town Attorney Jim Wheeler.

The next item was the Consent Agenda. Mayor Wolfe said two agenda items, Consent Agenda Item 13 and New Business Item 7-A, address the same issue, the training facility that the Police Department has moved to the firing range. He said the recommendation from the Town Administrator is as follows: "Taking "moving" cost out of the auction sales is on the Consent Agenda. I would leave it there (omitting New Business Item 7-A), and take the cost of moving the training facility out of the auction revenue. There currently is \$14,952 in the Litigation Fund that will be carried over into the next fiscal year. There will be a line item in the Police Department budget just for typical Litigation expenses like flashlights, etc. That line item in the budget has been put together that will be no more than \$10,000 which will be generated in Litigation tax next fiscal year. The line items in the Police budget for small equipment of \$5,000 and Ammunition of \$7,000 recommend to come out of Litigation Fund reserve. I will then take that amount (\$12,000) from the General Fund and add it to the paving line item in next year's budget. We accomplish the same goal: the Litigation money is used for more typical Police expenses, and you don't have to change the agenda all around or vote separately to use Litigation Funds. "Mayor Wolfe said he would like to keep the Consent Agenda item and remove Item 7-A. Mayor Wolfe then commended Jonathon Lucas for his department employees Luke Cole and Heath Rutherford obtaining their Water Treatment Operation Certifications. Mayor Wolfe commended Cobern Rasnick for Wastewater employee Bradley DePriest obtaining his Wastewater Certification. Mayor Wolfe announced that at the McKinney Center the Town is co-sponsoring some teacher in-service on Wednesday, July 27, 2016. Mayor Wolfe said that on the Consent Agenda the Board is accepting the resignation of Alicia Phelps, Director of Tourism and added that the Board has really enjoyed getting to know Ms. Phelps and working with her; she has been a tremendous asset and the Town will miss her. He said that Ms. Phelps has resigned to take the position of Director of Northeast Tennessee Tourism Association. Mayor Wolfe asked if there were any items that the Aldermen wished to have pulled from the Consent Agenda. There were none. Alderman Sell made the motion, seconded by Alderman Countermine, and duly passed to approve the following items on the Consent Agenda:

1. Approve the BMA minutes for April 11th and May 9th, 2016.
2. Approve the following May bills for payment:

<u>VENDOR</u>	<u>AMOUNT</u>
A-Z Office Resources	2022.50
Advance Auto Parts	24.52
AFLAC	3166.01
Aggregates USA, LLC	12400.40
Allen Dearstone	57.60
Alsco	61.94

American General Life	236.68
American Red Cross	245.00
<u>VENDOR</u>	<u>AMOUNT</u>
American Tire Distribution	3039.24
Andy Oxy Company, Inc.	742.37
Angie Sheek	7.00
APWA	199.00
Archer Brothers Garage	90.00
Archer Electric Service	3390.00
Aubrey Weaver	9.60
Auto Zone #2087	168.79
B & H Photo-Video	707.60
Barbara L Bogart	144.00
Barnes Exterminating Co.	140.00
Barry Heating & Air	1500.00
Beach Camera.Com	1236.00
Beverly Hoovens	68.00
Billy Bender	9.56
Bio-Chem Industries, Inc.	1363.98
Blue Cross-Blue Shield	77537.26
Bobby Penland	411.20
Boones Creek Outdoor	118.75
Branham Corporation	74.10
Brenntag Midsouth Inc.	6215.04
Brett Sean McCluskey	100.00
Broyles Florist	60.00
Builders First Source	1618.45
Business Health	6436.00
Celia Miles	11.16
Central Paper & Supply	1660.33
Centralized Child Support	964.38
Chappell's Pest Control	90.00
Charles E Allen, Jr.	916.50
Chemical Feed System	81.00
Chicago Distribution Ct	81.76
Christopher D. Alley	225.00
Cindy Lees	9.60
Cintas Corporation #202	795.68
Cintas First Aid & Safe	22.39
Citizens Security	4321.32
Clarke Power Services, Inc.	3288.17
CMI Equipment Sales	2308.50
Coca-Cola Bottling Co.	3776.05
Collette Daughtrey	100.00
Community Development Partners	7500.00
Consolidated Pipe & Supply	325.75
Dearborn National	561.75
Dennis Wayne Brooks	875.00
Diamond Ticketing System	1531.68
Diane Thompson	44.00
Diesel Sales & Service	625.00
Donald Davis	1361.38
Duffield Aquatics, Inc.	900.00
East TN Chemicals	35.00
East TN Rent-Alls	860.57
Ecosafe Landfill	13907.46
Eleas Sign Inc.	1160.25
Employee Security	250.00
Environmental Products	87.31
Equinox Environmental	1495.88

Erwin Utilities/Electric	50.55
Erwin Utilities/Wtr Test	25.00
Esc Lab Science	2816.00
<u>VENDOR</u>	<u>AMOUNT</u>
Esc Lab Science	839.50
Ferguson Enterprises #5	8987.13
First Tennessee Bank	4793.77
First Tennessee Bank	3792.73
Fleenor Security System	1086.23
Food City	347.28
Foster Signs	727.00
Four Oaks Health Care	575.00
Free Service Tire Co.	1350.68
Fuelman	632.11
G & C Supply Company, Inc.	3806.98
Gary Varner	11.96
Gaylord Archival	2014.78
General Shale Msc 30523	1740.36
Glenn Allen Shelnett	800.00
Grainger	310.26
Greeneville Oil Company	222.50
GRW Engineers, Inc.	2898.60
Gus Palas Sales	402.00
Harbor Freight Tools	149.81
Harold Cochran	500.00
HD Supply Waterworks	3535.39
Heather L Knudtsen	352.50
Henry Schein, Inc.	12.25
High Road Digital	8587.50
Home Depot Credit Service	1273.93
Home Pro of the Tri-Cities	2270.00
Hy-Country Hydraulik	109.27
Idexx Distribution, Inc.	819.12
Ingles #4205	259.00
International Storytelling	483.63
J&S Fence	360.00
J.J. Keller	175.23
Jefferson Sales South	3271.00
Jeri Jones	19.20
Johnson City Ford	400.45
Johnson City Power Board	44284.83
Jonesborough General	301.80
Jonesborough HRA	9140.00
Jonesborough Postmaster	2764.23
Jonesborough Self-Storage	650.00
Jonesborough Senior Center	527.88
Jonesborough/Washington	3949.15
Judy O'Hara	8.00
Kanas State Bank	8962.25
Kimball Midwest	435.46
Kingsport Publishing Co.	399.88
Knock Out Chemicals, Inc.	611.60
L & S Electronics	5.95
Larry Bryan	78.29
Liberty National	1947.68
Lions Club Turtle Derby	50.00
Lowe's	11067.85
Lydia Fisher Sweatt	90.00
Mahoney's Sportman's	18.24
Mail Works, Inc.	261.97

Mary Brown	8.76
Matheson Tri-Gas Inc.	138.64
Matthew Byrd	9.60
Meade Tractor	1240.00
<u>VENDOR</u>	<u>AMOUNT</u>

Meade Tractor	412.93
Mes-Carolinas	68.52
Mes-Carolinas	1693.00
MHC Kenworth-Kingsport	196.53
Michael D'Avella	100.00
Microbac A/R	459.40
Modern Equipment	62.00
Modern Supply Co.	32.91
Moore Medical Corporation	613.25
Mountain States	70.00
Nancy Beverly	200.00
Napa Auto Parts	3226.85
Nationwide Retirement	1797.96
Network Fleet, Inc.	1524.66
News and Neighbor	426.00
Nicki Burke	162.50
Office Depot Credit Plan	218.10
Olde Towne Hardware	1678.09
Olde Towne Small Engine	1151.01
Osborne Electric Inc.	105.00
Pardue Photographics	540.00
Permatile	200.00
Peterbuilt of Bristol	1607.96
Phillip Turner	19.78
Phyllis Anne Fabozzi	200.00
Polydyne Inc.	2070.00
Power Equipment Company	838.62
PPG Architectural	180.00
Preferred Printing	238.99
Print Distribution Services	1416.13
Progression Electric	541.00
Quality Trophy & Engraving	12.50
Qwik Pack and Ship	322.79
Rain For Rent	1936.70
Reeves Alignment & Auto	49.95
Refuse Parts Depot	5.67
Reinhart Food Service	7781.35
Reliance Standard (Vol)	388.63
Ricoh USA, Inc.	5630.37
Ricoh USA, Inc	306.33
Robin B. Beals	1750.00
Robin Goodman	46.36
Ryder Transportation	71.54
Saratoga	1456.82
Schubert Club	2024.15
Scott's Towing	110.00
Shounda Stevenson	150.00
Shred-It	25.30
Siteone Landscape Supply	2811.90
Snapp's Lawncare	740.00
Southern Water Service	7744.00
Specialized Operations	2373.78
Spectra Environmental G	49.99
Sprint	25.51
Stafford Custom Graphic	331.00

Standard Forms	128.80
Summers-Taylor, Inc.	5206.50
Supplyworks	2051.28
TBI-Fiscal Services	58.00
Terminix Processing Center	242.00
<u>VENDOR</u>	<u>AMOUNT</u>

The Detail Shop	170.00
The Overmountain Press	39.92
Therodyne Engineering	15653.60
Thomson Reuters – West	159.58
TML Risk Management Pool	1424.43
TN Dept of Revenue	57.00
TN Dept of Revenue	808.50
TN Dept of Safety	760.00
TN Dept. of Transportation	235.71
TN Local Dev. Authority	3183.61
TN-VA Energy Solutions	224.30
Tonya S. Van Hook	352.00
Transit-Mix Concrete	515.50
Transunion Risk &	50.00
Treasurer – State of TN	150.00
Treasurer – State of TN	250.00
Tri-City Rubber & Gasket	119.48
Triad Freightlinger	161.56
Triplett Farms	618.75
Truckpro LLC	391.01
United Parcel Service	236.00
United Way	562.00
USA Blue Book	1913.33
USA Blue Book	1297.46
Valley Equipment	103.71
Verizon Wireless	109.06
Vulcan Materials	557.67
Wal-Mart Store/GEMB	1445.72
Washington Co. Economic Dev.	7000.00
Washington Co. Highway Dept	5457.54
Washington Farmers Co-op	954.10
Waste Management	4694.01
Wayne Winkler	400.00
Weems Florist	80.00
Wells Fargo Equipment	3451.00
West Hills Ford Tractor	4.97
WETS/89.5 FM/HD	420.00
Wheeler & Seeley	8366.00
White's Auto Parts	434.21
Williams Electric	4491.15
Workman Publishing Co.	29.92
ZEP Manufacturing Co.	103.50
88.3 WCQR	1600.00
	<u>\$452,702.26</u>

<u>VENDOR</u>	<u>GENERAL</u>	<u>WATER</u>	<u>SANITATION</u>
82084-82094 AP	32,667.71		
82095-82268 AP	275,377.86		
82269 – Matt Rice	500.00		
82270-82288 AP	29,709.34		
82289-82290 AP	1,580.32		
82291-82313 AP	98,248.30		

82314-82324 AP	7,372.37
82325-82355 AP	17,057.39
82356-82631 AP	69,068.90
	\$531,582.19
54556-Trasurer, St of TN	
54557-54658 AP	224,073.11
54659-54670 AP	18,672.23
54674-54674 AP	698,261.70
54675-54676 AP	223,673.81
54677-54686 AP	6,6410.72
54687-54688 AP	1,281.04
	\$1,172,572.62

Sanitation

7153-7181 AP	22,997.77
7182-7184 AP	427.33
7185-Kingsport Publishing	66.50
7186-7187 AP	3,160.50
	\$26,652.10

3. Approve the following Town Administrator Report:

Wastewater Improvements

We had no violations in April and May and no problems with I&I and our influent pump station. With ground water levels dropping, we had no problems with the couple of times we had very heavy rains. We did knock out a lot of I&I during the winter months even though we had overflows, because that is the time period we can find the problems. We will fix a couple of the areas this summer that we know about that are bigger projects, but it will likely be late in 2016 before we can do much more I&I work.

We are still working with GRW on some electrical issues with the influent pump station, and although progress is slow there is no indication we are getting any resistance from the contractor, Smith Contracting, and GRW in making the improvements that are needed. Cobern Rasnick is doing a good job of keeping people focused.

Crockett H.S. Sewer – We received approval from TDEC to do force account work with the Wastewater Construction Crew from a point on this side of the Hexpol pump station in which we will gravity flow the line that carries the flow from Crockett HS towards the WWTP. We will eliminate two small pump stations with this gravity flow line, and we will install a pump station on the Rosenbaum property that we bought that will take care of any future flows generated on the Rosenbaum property. We also intend to bring a gravity line under 5-Points that will also flow into the pump station that will allow us to eliminate the existing pump station on the southeast corner of 5-Points. Conceptual plans are approved, and we have authority to do force account work within our city limits that will eliminate three (3) pump stations. We have to pump into the WWTP because we cannot gravity flow under the creek and railroad tracks. You may remember, this is a County CDBG project, and the County is providing the match except for our labor with the gravity line. We will also have to incur the expense of the Rosenbaum pump station which will be at least \$32,000.

Wastewater Complex – The Wastewater Crew is working on the grading as they have time. We have moved the vehicle impound lot; and some conex boxes to the Recycling Center.

Ashley Meadows Sewer – Jim Wheeler and I met with Brian King and his attorney Jim Culp, and have an agreement in principle, however, we are waiting

on his attorney to provide a written document. King's attorney's mother passed away, and that may be some of the delay.

Water

The Water Plant is doing fine. Jon Lucas has been working on a way to eliminate use of chlorine gas at the Plant, and I have provided you with information on that proposal in a separate memo. We cannot do anything with installing the bleach disinfectant system until the MIOX operation is back to normal. Because we have to dismantle the chlorine gas system in order to install the back-up bleach system, the MIOX system has to be in good working condition. We will go a short period without a back-up during the changeover.

We are still waiting on some pricing for the third pump at the Rock House Road pump station. We have been feeding algaecide and carbon to reduce any algae build-up in the water coming from the intake. As the temperature rises, we will see if we are really having a positive impact on reducing our by-product levels. So far so good.

Zoning – The three zones are still operating well. The only leaks we are having are small service line leaks. We are having some line breaks in the N. 81/ Stage Coach Road area up toward Sulphur Springs. This area is not zoned, but we are working on it in our water loss project.

Water Loss – We know what we want to do, have established a priority for lines to be replaced. We are trying to move forward with design of the replacement areas like E. Main Street and W. Main Street where we are replacing the old cast iron line but do not have right-of-way issues. We are trying to get those designed quickly, and get TDEC and ECD to allow us to proceed with the first phase of the project instead of having design and have right-of-ways in place on the entire project. We want to bid materials and get started.

Transportation

Intersection of Jackson Blvd & SR-354 – No change, TDOT is trying to lock in funding for right-of-way acquisition.

W. Jackson Medians – We have TDOT approval to proceed with construction of the left turn into Family Dollar. I am waiting for a materials cost estimate from Wally Sparks to send to Mark Ferguson because he has to pay material costs for the original turn lane plan approved by TDOT. We are still a ways off in being freed up to construct the turn lane because we have to complete the E. Main project first.

Woodrow Ave/2nd Ave – No status change – waiting for staff to get to it.

North Cherokee Street / Smith Lane – No change in status.

Persimmon Ridge Road and W. Main Street – TDOT is in design and hopes to bid the project in Spring, 2017.

E. Main Street – All change-over of utilities is complete, and we are complete on the southside of E. Main Street. The sidewalk is in place from the cemetery to the Childress residence, and the wall is in place. The crew is working on the Sobol wall, and the poles are down so we can proceed. The Street crew had to pull off last week to complete work on the Library parking lot drainage that we wanted to fix before the County repaves the lot we think later this month.

W. Main Street Traffic Calming – We want to start this project after the left turn lane project on W. Jackson Blvd, if we cannot start on the McKinney Center parking lot construction.

Spring Street Speed Table – The speed table approved to be constructed on Spring Street between S. Lincoln and Stage Rd has been installed.

Grants

T-21 Walkway Grant – The asphalt walkway is in place between First Ave and Barkley Creek Park, and all the bridge work and ramping is complete. The contractor is now working on street crossings at 1st Ave, 2nd Ave, and 3rd Ave. First Ave and 3rd Ave are supposed to be completed this week. King General Contractors may start on the inlaid brick in the alley between Main Street Café and the Hankins building next week. We will work with the contractor to minimize traffic flow issues with the brick work to be done behind the Courthouse.

We have had some negative feedback from some people at the Methodist Church over the placement of the walkway. It is in the right-of-way agreed upon, but we will be working with them on an overall parking lot plan. Our lease agreement states we will pave the back lots along the walkway.

LPRF Application – My understanding is the Governor wants TDEC's recommendations sent to him by mid-June, which is next week.

TDOT Senior Center Bus Grant – We have not heard one way or another on this application.

CDBG Façade Grant: Jackson Theatre – ECD has not released an application packet. We want to try one more time on this grant. It would really help us with this project.

Jackson Theatre

We are about 90% complete on the conceptual site plan, and Ken Ross Architects is working with the structural engineer to come up with a viable plan for support for the improvements that include use of the entire third floor which probably is the largest room downtown. Once we get a little further in the design, I will provide the BMA with a detailed update on the progress. We have made a number of changes based on fire code requirements, and there are interconnectivity issues with other buildings that make the design more complex.

Senior Center

We have gone from a little less than 900 members to over 2,200 members since we opened December 7th. People love the Center, and we have a great staff that makes it even better. We still have some more plants to put in the ground if we can get them this time of year.

Chuckey Depot

The Carter County Work Camp Crew has been working hard on the Depot under Craig Ford's direction and we are making a lot of progress. It is going to be another great building. I have revised the Operating Agreement and Advisory Committee Ordinance the BMA approved in an initial draft in May. Apparently the Heritage Alliance needs a little more discussion on the partnership, and I have told the Alliance and Watauga Valley Railroad Association that they need to approve the Agreement before it comes back to the BMA for final action. I assume that will happen in July.

Budget

I have spent most of my time in May working on budget.

Committee Meetings

I have continued preparing agenda presentations for the BMA meetings, the Planning Commission, Tree & Townscape Board, Traffic Advisory Committee, JRT Board of Directors, Jonesborough Community Chest, and minutes for most.

4. Approve the following Operations Manager Report:

I am happy to report that the hot water problem in the Senior Center kitchen has been resolved. I worked with the Water Department, an electrician and plumber to install a second water heater that just supplies the kitchen. I was able to get the water heater donated, so the cost was minimal.

Since the Senior Center cooks meals, the Health Department requires a hot water temperature of 120 degrees for cleaning utensils, pots, plates, etc. We simply could not get the water temperature above 100 degrees with the water heater supplying the building. As the new heater supplies only the kitchen, it delivers the water temperature that is required, plus as it only serves the kitchen, there is no scald concerns in the showers or restrooms.

I am pleased with the progress we are making at the Train Depot. The brick work is completely finished. The deck framing is completely finished. The overhangs have been painted and the windows have been repaired, painted and re-installed. We are currently working on the installation of the ceiling materials in the warehouse. We should be completed with this in about another week. The flooring material for the warehouse is on site. The "rough-in" plumbing is complete and the duct work for the heat pump has been installed. Most of the wall material throughout the rest of the building has been installed.

The library parking lot project is substantially complete. All we lack there is backfilling the curbs and we are ready for the county to pave. The water line on Sabine was replaced with six inch ductile iron. The fire hydrant was also moved. In addition, we "stubbed – out" the water and sewer for a development on a vacant piece of property so we will not have to tear the street up when it develops.

Five drain tiles were added and one was extended in order to alleviate the constant flow of water coming from the Jackson Boulevard development. In addition, curbing was installed along Sabine and throughout the parking lot. A new handicap entrance was also added in front of the library. There was also some sidewalk repairs completed.

Work on the Main Street project has not progressed as quickly as I would like. I did have to pull the Street Department off this project to prepare the Library parking lot for the curbing. I will have the Street Department back on Main Street the week of the 13th and I will be pushing to get this project completed. It has already made a tremendous difference in this area having the power poles removed from the street.

I have also worked closely with Clinton Reeser, of Tysinger, Hampton, and Partners, on the walkway project. I have had numerous meetings and conversations with him regarding problems or issues that have occurred throughout the walkway project. So far, we have been able to take care of any issues that have arisen.

The garage project is complete. It has made an enormous difference to the surrounding properties. The majority of the surplus property has been sold, so

we should be able to begin work on the lower parking lot for the Senior Center about any time.

The retention pond at New Halifax subdivision was also repaired this month. I am hopeful we have solved the drainage problem, but cannot be sure until we have a period of heavy rain. At that point, we will be able to check it.

I am currently working on a review of several positions within the Town regarding pay classification and position descriptions. I will have a memorandum regarding this study to forward to you next week.

I have also had numerous meetings throughout the month with Todd Wood on various projects.

5. Approve the following Committee Reports: Historic Zoning Commission, Keep Jonesborough Beautiful Board, Jonesborough Board of Zoning Appeals, and Jonesborough Planning Commission.
6. Approve the following Supervisor Reports: Visitor Center Manager, Director of Tourism and Marketing, Water Distribution, Building Inspector, Street Department, Animal Control, Solid Waste and Recycle, Fire Department, Senior Center Director, McKinney Center Director, Environmental Services Director, JRT Artistic Director, Police Department, Water Plant, Water Park, and Park and Recreation.
7. Approve current Firefighters Jesse Rice and Adam Johnson to each serve a three (3) month interim as Fire Sergeant, receiving Fire Sergeant compensation during their three (3) month period at Grade 11 Step 1, (\$34,720), with Chief Phil Fritts coming back to the BMA with a recommendation for the regular Sergeant appointment after the six (6) month interim period, with the understanding that one of the firefighter's will remain in his current position after the six (6) month interim period.

Approve the hiring of Reserve Firefighter Jacob Anderson as a full-time firefighter at Grade 9 Step 1 (\$31,492), subject to all pre-employment conditions including Worksteps.

Approve moving the Fire Lieutenant's position to Grade 13, in addition to promoting Chason Freeman to the Fire Lieutenant position and remaining in Grade 13 Step 1 (\$38,279) through the 2016-17 fiscal year.

8. Approve the resignations of Dylan Culberson - Water Worker I, Phillip Archer - Part-time Dispatcher, and Alicia Phelps, Director of Tourism, with regrets.
9. Approve the following list of additional seasonal employees at the Wetlands Water Park for the 2016 season including their positions and rates of pay:

<u>Employee</u>	<u>Position</u>	<u>Rate of Pay</u>	<u>Grade</u>
Victoria Briest	Café	\$7.25 per hour	2
Cody Hill	Slide Attendant	\$7.25 per hour	3
Candance Johnson	Slide Attendant	\$7.25 per hour	3
Erica Stout	Slide Attendant	\$7.25 per hour	3
McKenna Cross	Café	\$7.25 per hour	2
Dakota Jarrett	Lifeguard	\$7.25 per hour	4
Marena Long	Lifeguard	\$7.25 per hour	4
Danielle Latham	Lifeguard	\$7.25 per hour	4
Miles Mallicote	Lifeguard	\$7.25 per hour	4
Madajah Manning	Café	\$7.25 per hour	2
Caroline Walsh	Slide Attendant	\$7.25 per hour	3
Jerry Blevins	Maintenance	\$7.25 per hour	2
Holden Gaylor	Café	\$7.25 per hour	2
Kasey Gordon	Café	\$7.25 per hour	2
Brooklyn Bennett	Café	\$7.25 per hour	2

Eric Day	Slide Attendant	\$7.25 per hour	3
Dylan Culbertson	Slide Attendant	\$7.25 per hour	3

10. Approve moving Bradley DePriest to Grade 4 Step 1 (\$24,675) in the Compensation Plan as a Certified Wastewater Operator I (current position title), and retain eligibility for any increase in compensation provided all employees by the BMA for the 2016-17 fiscal year.
11. Approve the promotion of Luke Cole and Heath Rutherford from Grade 7 Step 1 to Grade 8, Step 1 (\$29,992) due to obtaining their Water Operator I Certification, with eligibility to move up a step as other employees if approved by the BMA for the 2016-17 fiscal year.
12. Approve re-issuing to Toast Wine and Spirits at 1537 E. Jackson Blvd. a Certificate of Compliance based on the positive results of the background checks on owners.
13. Approve retro-actively the purchase of a new pick-up truck in the Water Distribution Department to be used by Director Mike McCracken for a cost of \$24,960.
14. Approve the use of the McKinney Center at Booker T. Washington School by the Washington County School System for in-service training on Wednesday, July 27, 2016, at no charge.
15. Approve the Outdoor Use Permit application submitted by Simple Elegance Tennessee/Photography for a sandwich board sign on the Town sidewalk in front of their business at 117 ½ W. Main Street, subject to the Town Attorney's review and acceptance of the Hold-Harmless Agreement and proof of Insurance, and the Building Inspector's final approval of the sign size and quality.
16. Approve the Special Event Permit Application by First Priority Blue Ridge, Inc. to hold a Prayer Over Students Rally at Courthouse Square, with appropriate county permission granted, closing Main Street in front of the courthouse from 12 noon until 1:00 p.m., August 6, 2016, or the necessary time schedule, and with barricading required for public safety to be determined by the Police Department, subject to the review and acceptance of the Hold Harmless Agreement and proof of insurance by the Town Attorney.
17. Approve the cost of transporting the Police Training facility out of excess surplus auction sale revenue.

The next item on the agenda was the approval of the Financial Report. Ms. Miller said all was going well and she and her staff are working on department budgets and year-end procedures. Motion was made by Alderman Countermine, seconded by Alderman Vest, and duly passed to approve the Financial Report as submitted.

The next item on the agenda was Communications From the Mayor. Mayor Wolfe thanked the Town family for all its support during the passing of his Grandmother. He said he was his Grandmother's primary caregiver, and she was all he had left on his mother's side.

Mayor Wolfe said Jeff Thomas has met the Solid Waste Association of North America's (SWANA) eligibility requirements and passed a comprehensive examination. Therefore SWANA hereby designates Jeff Thomas as a Certified Manager of Recycling Systems as of April 7, 2016, until April 7, 2019. Mayor Wolfe congratulated Mr. Thomas on this accomplishment.

Mayor Wolfe read a thank-you note from Marion Light on behalf of himself and the Veterans Affairs Committee extending their appreciation to the following staff members in assuring the success of the Veterans Memorial Musical Tribute: Amber Crumley, Robin Goodman, Sarah Tittle, Alicia Phelps, Raymond Yoakley, Ken Harris,

and Davis Gillenwater for their efforts in acquiring food donations and sponsorships for the reception, advertising and auditorium setup; Chief Matt Hawkins, Jamie Aistrop and Chad Reece for security and parking assistance; Chief Phil Fritts, Adam Johnson, and Josh Hepzell for fire watch; and Operations Manager Craig Ford for his phenomenal opening remarks. Mr. Light related that there were 555 people in attendance.

Mayor Wolfe said that Shane Atkins and his wife had a baby girl, Raven Thea, on May 19th. On the prayer list were Phil Fritts' mother-in-law who is in the hospital, Kim Hamilton had surgery, and Scott Rosenbaum's wife had surgery. On the bereavement list were Mayor Wolfe's grandmother, Charles Lyons' grandson, and Jeff White's sister-in-law.

Mayor Wolfe asked Skye McFarland to come forward for the presentation of the Employee of the Month award. He read the following:

I would like to nominate Visitors Center Hostess Skye McFarland for the May Employee of the Month. Skye has been with the center for over two years and in that time has proven to be an exemplary employee for the Town of Jonesborough and the Jonesborough Visitors Center.

There's no one singular thing that Skye has done that makes her stick out as a possible nominee, but it is obvious in everyday interactions with her, as well as her communications with our guests, that she is beyond deserving of the title. From the start Skye impressed several town citizens with her knowledge of the town events and calendars. There's a lot of information that the hostesses are required to know, and she does a great job of keeping up with our ever changing schedules and events. She picked up our online ticketing system with ease and has been extremely helpful with our change in Point of Sale systems within the gift shop. Skye also has several small jobs that she has initiated and follows through on such as reader responses for Jonesborough's inquiries from the Tennessee Vacation Guide, the Jonesborough Visitors Center and Old Town Emporium Facebook and Instagram pages, assisting with deposits, merchandising our Gift Shop and assisting with and organizing visitor surveys. And at least weekly she will come to our office and ask myself or Amber if we need help or anything that needs to be done around the center. She works hard to keep our center fresh, organized and clean, all while being a smiling face to visitors and guests of Tennessee's Oldest Town.

Skye's employment with the Visitors Center has been a true demonstration of dedication and pride to her work and her position, and in my opinion making her worthy of employee of the month.

Submitted by: Alicia Phelps, Director of Tourism and Marketing

Mayor Wolfe thanked Skye for her dedication and resourcefulness.

Mayor Wolfe said he went to the Not Your Ordinary Dinner event in the graveyard on Saturday evening; they served a great meal and there was a wonderful play presented that was written by Anne Mason. He said this was a wonderful, unique event and there were over one hundred people in attendance. He said that Deborah Montanti and Anne Mason did an outstanding job.

Alderman comments was next on the agenda. Alderman Sell said the caboose that the Watauga Valley is moving to Town is almost done, and it is fantastic. Alderman Sell said that Mike Tilley encouraged everyone to come and see this.

Alderman Sell said last week he, Craig Ford, Gary Lykins and Todd Love met to discuss the lease program that he mentioned in the last meeting. He said there is a lot of positive things that could come from this for the Town as well as the taxpayers. He said he talked with Gary Lykins about it again today because fleet management is probably the largest expense in the Town. He related that the company that Mr. Love is dealing with can offer new equipment at a faster turn-over rate and cut down on maintenance cost. He said he was shocked to find out that the Town has over two

hundred (200) pieces of equipment. He said this company offers a wide variety of equipment that can be leased, including fire trucks. He said Mr. Lykins has a fleet replacement graph at the garage that reflects all the equipment that the Town owns, the life of the equipment and when the equipment should be replaced. Alderman Sell said he thinks this lease program could result in savings for taxpayers while providing the Town with better equipment. He said the name of the company is Worldwide Leasing; they actually have a facility in Somerset, KY that specializes in fire truck leases. Mayor Wolfe asked if we have the garage facility to maintain that amount of equipment. Gary Lykins said we are nowhere close to where we need to be at this time.

Attorney Comments was the next item on the agenda. Attorney Wheeler said he needs to meet in Executive Session following this meeting regarding the Rainey litigation.

Citizen Comments was the next item on the agenda. Ruth Verhegge, 601 W. Main Street, addressed the Board and stated the Flag Committee had hosted the second Patriotic Art Competition at the Visitor Center; this year they had five older kids and thirteen younger children. She added that the art is on display at the Visitor Center. Mayor Wolfe thanked Ms. Verhegge for the dedication of the Flag Committee.

Mr. Dale Shaffer, 107 Forest Lane, addressed the Board and said he addressed the Board a year and a half ago about his neighbor being a hoarder. He said that Major Hilton brought inmates to clean it up, but three months later the house and yard started getting bad again and now it is worse than ever before. He said his wife's family is coming from California and Virginia for the 4th of July and asked if anything could be done to clean this up again before then. Mayor Wolfe asked Chief Hawkins to step outside with Mr. Shaffer to coordinate enforcement on this matter.

Carol Lyle, 303 E Main Street, addressed the Board to request that the weeds along the walkway at Persimmon Ridge Park be cut. She said she walked the new path between Second Avenue and Third Avenue and at first she loved it, but now with the hotter weather you get a lot of heat off the asphalt and fence.

The first item of business was the revisions to the Water Line Extension Policy, Mayor Wolfe said he was going to recuse himself on this item because his company is subject to this policy from time to time. He asked Mr. Browning if the new policy is more or less restrictive than the current one. Mr. Browning said the major change is it is more accommodating to those laying water lines within the city limits of Jonesborough. He said if someone is expanding the water line outside the city limits there will be less Town participation. He said when someone is expanding water lines along a county road there is a formula that would allow a potential return on their money. Mr. Browning said he tried to simplify the policy. He said he met with Mike McCracken and Ben Grizzle and included their suggestions. Mr. Browning said there is also criteria in the policy that would allow the Town to get right of way in the county. If the Town is extending the water line on a county road and the line goes half-way along the property receiving service, then we could require the right of way to go along the whole piece of property obtaining the right-of-way will allow us to more easily extend the line without roadblocks. Mayor Wolfe said this policy said any water line extension in the County needs to come to the BMA for approval and asked if a water line extension in the city needs to come to the BMA. Mr. Browning said the Policy written so it is only a county request. Mayor Wolfe said the Town is tightening up the Water Line Policy and putting more cost on the developer. Mr. Browning said the Water Distribution Department would create a no growth zone that would need to come back to the BMA for areas that the Town cannot provide adequate service if extended. Motion was made by Alderman Vest, seconded by Alderman Countermine, and duly passed to approve the revisions to the Water Line Extension Policy as follows:

**JONESBOROUGH WATER DEPARTMENT
WATER LINE EXTENSION POLICY
(Revised June 2016)**

1. Parties interested in extending water service associated with the Jonesborough Water System must initially contact the Jonesborough Water Distribution Superintendent to discuss the details of the possible line extension. Waterline extensions within the Jonesborough Water System will only be undertaken under the terms of the Jonesborough Water Line Extension Policy.
2. The Jonesborough Water Department will designate any no growth areas within Jonesborough's Water System in which no water line extensions shall be considered without certain major system improvements.

These no-growth areas are those few areas within Jonesborough's Water System in which adequate water service cannot be provided with an extension, or the extension of lines will generate inadequate service in the existing no growth zone.

3. After a discussion with the Jonesborough Water Distribution Superintendent or his designee, if the project is pursued, the party interested in the extension must provide the information necessary for the Water Distribution staff to detail a projected cost estimate for all materials necessary to undertake the extension project. This list of materials will include:

- a. All pipe, fittings, valves, etc.

Note: All water lines constructed under this policy shall be a minimum of 6" line unless specifically approved by the Jonesborough Water Superintendent or the Jonesborough Board of Mayor and Aldermen.

- b. Stone for backfill, driveway repair, etc.
- c. Asphalt and/or concrete for driveway repair, fitting connection support, etc., if necessary.
- d. Driveway bores. The Water Distribution Department may establish a flat rate for any driveway bore.
- e. Steel casing, trace wire, etc., if necessary.
- f. There may be certain work tasks involved in the water line construction like blasting/rock removal, specialty creek crossings and earth tunneling through rock that the Jonesborough Water Distribution Crew may not be able to perform. Those work tasks will have to be contracted and shall be the financial responsibility of the customer/developer.
- g. The cost of engineering required for TDEC approval.

4. Construction materials must meet all specifications of the Jonesborough Water Department. Approved water pipe materials are as follows:

- a. All line extensions for new residential, commercial or industrial developments will be ductile iron (D.I.), Class 350 for 6" to 10" pipe and Class 350 for 12" and larger pipe.
- b. For all other extensions of waterlines with six-inch diameter pipe or greater, ductile iron, Class 350 for 6" to 10" pipe and Class 350 for 12" and larger pipe will be used.
- c. Line extensions smaller than 6" pipe, may be PVC pipe depending on the local pressures and only upon approval of the Water Distribution Superintendent.

d. The Jonesborough Water Distribution Superintendent may approve modifications of the above specifications if it is deemed to be in the best interest of the Jonesborough Water Department.

5. Under normal circumstances, extensions to the Jonesborough Water System that are not undertaken through a competitive bid process directed by Jonesborough, shall be constructed by the Jonesborough Water Department which shall provide labor and equipment. Any other extension request in which the requesting party is intending to provide labor, equipment and materials must be submitted as a written petition to the Jonesborough Water Distribution Superintendent that includes the brand of materials used, expertise of labor provided, as well as a plan for a full-time construction inspector to oversee the quality of construction. The inspector must have certification in disinfection requirements, and experience in water line construction, and the Jonesborough Water Distribution Superintendent must approve the inspector prior to any construction activity.

If a water line extension is approved to be constructed by someone other than the Jonesborough Water Distribution Crew, the Water Distribution Superintendent shall determine the extent of the inspection process overseeing construction in addition to approving the inspector.

6. Water line extension construction shall be undertaken only under specifications and oversight of the Jonesborough Water Department.
7. Water line extension requests outside of the city limits of Jonesborough must be approved by the Jonesborough Board of Mayor and Aldermen. For the line extension request to be considered at the regular monthly meeting of the Jonesborough Board of Mayor and Aldermen, the customer must submit, at least 15 days in advance of the Town Board meeting, a payment to the Jonesborough Water Department equal to 10% of the estimated water line extension cost. This payment covers the processing of the request and the State of Tennessee, Department of Environment and Conservation permitting fee. This fee will only be refunded if the line extension request is rejected by the Board of Mayor and Aldermen or the State of Tennessee refuses to grant the extension.
8. The Town of Jonesborough reserves the right to reject any line extension request.
9. Plans for the requested line extension must be prepared and sealed by an engineer registered to perform engineering in the State of Tennessee. Requestors of extensions for new residential, commercial or industrial development will be required to submit 6 copies of prepared plans to the Town of Jonesborough for review and submission to the State. These plans should be submitted at the time the 10% processing and permitting fee is paid. All other extension plans may be performed by the Jonesborough's Consulting Engineer, however, the cost of engineering associated with any line extension request will be the responsibility of the customer/developer.
10. Following approval of the line extension by the Board of Mayor and Aldermen, the customer is required to pay the remaining 90% of the materials cost estimate before the line extension will be included in Jonesborough Water Department's construction schedule. Scheduling of the approved line extension construction will be based on the following factors:
 - a. Eminent threat -- the customer is currently using a water source that has been determined to be contaminated.
 - b. Date on which the full cost of the line extension was paid for by the customer.

- c. Permitting through the State Department of Environment and Conservation, Tennessee Department of Transportation, Washington County Highway Department or any other organization from which a permit may be required.
 - d. Additional projects and priorities scheduled by the Jonesborough Board of Mayor and Aldermen or the Jonesborough Water Department.
 - e. Whether the extension is within Jonesborough's city limits.
11. From the date of Board approval, the customer has one year to pay in full for the material costs for the line extension and have construction initiated. If the extension is not paid for, in full, within this year the 10% processing and permitting fee is forfeited.
 12. If sufficient flow and pressure are determined to be available for the installation of fire hydrants on the requested extension, the individuals requesting the line may request a fire hydrant provided all material costs are paid for in advance by the customer/developer, and the hydrant can be installed during the construction phase.
 13. Water tap fees associated with water line extensions to new subdivisions within Jonesborough's city limits in which the developer/contractor has paid the material costs will be the current inside rate. Any material costs for extending the water line from an existing service line along Town right-of-way to the property line of the new development within Jonesborough's city limits will be allowed to be used for credit towards water tap fees within the new development based on the rate when water tap fees are paid. Discounted credit for tap fees from material costs outside the development or subdivision shall only be given up to the number of taps at the full tap fee rate for building lots within the new development. However, the developer must pay the current rate for the meter assembly, currently \$350, for each tap.
 14. For water line extensions outside of Jonesborough's city limits, no tap fee credit will be given for any material costs associated with the extension except for individual lots along an existing County road.
 15. For water line extensions along existing County roads serving individual lots along the County road, the cost of materials can be used to reduce tap fees, as follows:
 - a. The material costs for the extension along an existing County road are totaled, and this amount is applied to the current cost of taps at the outside rate. The tap fee, less the cost of tap materials – currently \$350, divided into the material costs determines the number of water taps available at a discounted rate to the property of the individual(s) extending the water line.
 - b. The discounted rate will be the current amount for materials associated just with the installation of a water tap assembly (currently \$350). These water tap material costs are calculated by the Jonesborough Water Department and these costs are updated periodically.

Example, if the material costs for a water line extension only on a county road are 9,200, the current tap material costs (now \$350) is subtracted from the current tap fee (now \$1,500), and that remaining total (\$1,150) is divided into the total material costs. With a \$9,000 investment in materials, the individual(s) extending the line will be eligible for eight (8) discount water taps (at \$350 each)
 - c. The discounted rate for water taps to the individual(s) paying for the material costs shall be good for one year from the time the extended line is

activated. After the one year period, if the discounted water taps are not paid for and installed, the discount will be forfeited.

- d. For a period of one year from the date the new water line along an existing County road has been activated, one-half of the water tap fee paid for a new water service installation along the extended water line will be credited to the account of the individual initially financing the extension, subject to there being eligible reduced taps remaining.
16. To be eligible for a discounted water tap, the water tap location along the County road must be clearly staked before the water line is constructed. Any meter requested to be re-located on the same property once installed on a new water along a County road will be moved upon payment of one-half the current regular tap fee.
 17. The individual(s) requesting a water line extension along an existing County road must identify all driveway connections existing or intended to be constructed along the side of the roadway in which the water line will be constructed. The Water Distribution Superintendent has the authority to determine the actual length the water line must be constructed along the property receiving water service, based on topography, drive way connections, appropriate flushing locations, proximity to the possible connection to another existing water line that eliminates a dead-end line, and other similar criteria.
 18. The Water Distribution Superintendent in most cases shall require the dedication of right-of-way on the entire property along the County road receiving service along the County road regardless of the length of the actual water line extension when it is determined that the existing right-of-way along the Country road is not sufficient to adequately construct not only the water line requested, but also some future extension of the water line after the initial construction agreement is completed. Before construction on the new line shall be initiated, the appropriate right-of-way document(s) determined to be necessary by the Jonesborough Town Attorney must be executed and recorded.

The next item on the agenda was the approval of the revisions to the Sewer Line Extension Policy. Mr. Browning said we are not encouraging our staff to do a sewer line extension. If the request is outside the city limits then the total responsibility would be to the person requesting sewer line extension. Mayor Wolfe said he would not be voting on this item. Motion was made by Alderman Vest, seconded by Alderman Dickson, and duly passed to approve the revisions to the Sewer Line Extension Policy as follows:

**TOWN OF JONESBOROUGH
SEWER LINE EXTENSION POLICY
(Revised June 2016)**

1. All material costs related to the sewer extension, including any portion of the sewer line outside of a development that is necessary to construct in order to provide service, shall be the responsibility of the developer unless determined otherwise by the Board of Mayor and Alderman. Materials used in lines that will become the responsibility of the Town can be purchased through the Town's purchasing procedures. If not purchased through the Town, materials must be approved by the Director of Environmental Services. Sewer line extension requests outside of the Jonesborough city limits must be approved by the Jonesborough Board of Mayor and Aldermen.
2. For sewer extension projects within the city limits of Jonesborough, the developer or party responsible for the extension shall get credit towards sewer tap fees from their investment in the materials cost associated with the sewer line construction outside of the development being served along an existing Town right-of-way. Credit within a development will be provided as outlined in Section 4. Credit due

from outside material costs will only be given towards sewer taps when material costs have been completely paid, and if materials are not purchased through the Town proof of purchase and costs must be provided immediately after purchase in order to get credit toward sewer taps. In no case shall credit towards sewer taps be greater than the number of building lots being served within the new development that is connected to the Town system.

3. The cost of labor, equipment and materials for sewer installation within a new development shall be the total responsibility of the owner or developer. The Director of Environmental Services heading Jonesborough's wastewater collection and treatment operation has the authority to establish requirements for inspection. Inspection requirements may vary depending on contractor experience, construction history of the developer/contractor in Jonesborough, the complexity of the extension project, and other factors determined to be pertinent by the Environmental Services Director.
4. Unless determined otherwise by the Board of Mayor and Aldermen, for new developments within Jonesborough's city limits with five (5) or more building lots in which each building lot is served by a sewer line constructed by the developer/contractor who is providing all labor, equipment and materials, the contractor/developer shall pay one-half of the current sewer tap fee associated with the type of development undertaken for each building lot within the development.
5. Drawings signed by a professional engineer licensed to operate in Tennessee shall be the responsibility of the developer. These drawings shall be submitted to Town staff for review, and in such quantity required to be submitted to the State of Tennessee for approval. The cost of submitting plans to the State will be the responsibility of the developer.
6. Sewer lines installed by a developer must be inspected. Unless worked out in advance with the Jonesborough Director of Environmental Services, the developer shall be responsible for providing full-time inspection by an inspector that is acceptable to the Town.
7. Sewer tap fees within the development shall be at the current rate in effect at the time the sewer tap fee is paid.
8. Within the Jonesborough city limits, the Jonesborough Department of Environmental Services may incur the cost of labor and equipment for the installation of a new approved sewer line from the Town's existing sewer line to the property line of the development. If the Town provides labor and equipment to construct a sewer collection line to the property line of the development, the developer/contractor must still pay the cost of materials, and no credit for these material costs shall be applied to sewer tap fees.
9. For a line extension request outside the city limits to be considered at the regular monthly meeting of the Jonesborough Board of Mayor and Aldermen, the customer must pay 10% of the estimated material costs prior to Board action. The Town of Jonesborough reserves the right to reject any sewer line extension requests. The 10% advanced payment will be returned if the extension request is denied by the Jonesborough Board of Mayor and Aldermen or the State of Tennessee. Otherwise, once approved the 10% advanced payment is forfeited if the project is not implemented.
10. Normally, the Town of Jonesborough will purchase all construction materials necessary for the installation of the sewer through the normal bid process. The developer shall deposit with the Town of Jonesborough an amount equal to 100% of the current estimated cost of materials and any associated non-labor and non-equipment costs before a work order is issued and any materials are purchased. After the materials are ordered, no refunds will be made. Any materials used in a sewer line not purchased through the Town but intended to end up the

responsibility of the Town must be approved in advance by the Director of Environmental Services.

11. The Town's timetable for Town installation of line extensions will be based on other projects and priorities of the Town.
12. It shall be the responsibility of the developer to obtain any necessary easements associated with a sewer line extension request. Any cost associated with obtaining easements shall be the responsibility of the developer/customer. Easement documents must be put in the name of the Town of Jonesborough and properly recorded before the sewer line extension is activated. The Director of Environmental Services has the responsibility to ensure the Town has the right-of-way necessary to take ownership of a sewer line, access it and properly maintain it. The Director of Environmental Services also has the authority to require the acquisition of easements in locations in which an easement is necessary for the Town to properly access and maintain a sewer line.

The next item on the agenda was the amendment to the Jonesborough Refuse Ordinance. Motion was made by Alderman Countermine seconded by Alderman Vest, and duly passed to approve the Ordinance replacing Title 8, Chapter 2 (Refuse) in its entirety on first reading as follows:

ORDINANCE NO. _____

AN ORDINANCE REVISING TITLE 8, CHAPTER 2, THE
JONESBOROUGH REFUSE ORDINANCE IN ITS ENTIRETY

WHEREAS, the current Jonesborough Refuse Ordinance is out-of-date and has provisions no longer applicable, and

WHEREAS, it has been determined that the Refuse Ordinance needs to be revised and updated to reflect the Town of Jonesborough's current Solid Waste and Recycling Program, then

NOW THEREFORE BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Jonesborough, Tennessee that Title 8, Chapter 2 of the Jonesborough Municipal Code is hereby revised and replaced in its entirety as follows:

CHAPTER 2

REFUSE

SECTION

- 8-201. Premises to be kept clean.
- 8-202. Definitions.
- 8-203. Purpose.
- 8-204. Responsibility for Administration.
- 8-205. Collection of Garbage and Refuse.
- 8-206. Collection Vehicles/Equipment.
- 8-207. Disposal of Garbage and Refuse.
- 8-208. Accumulation of Refuse and Location of Containers.
- 8-209. Location of Containers
- 8-210. Disturbing of Containers.
- 8-211. Brush, lawn clippings, tree limbs, etc.
- 8-212. Leaves
- 8-213. Discarded Construction Waste/Building Material.
- 8-214. Hazardous Waste/Refuse.
- 8-215. Industrial Waste
- 8-216. Dead Animals and Fowls.

- 8-217 .Appliances and other Large Bulky items.
- 8-218 Bulk Mechanical/Commercial collection procedures; containers.
- 8-219 Bulk Container Collection Fees
- 8-220 Automated Tote Collection – location
- 8-221 Automated Tote Collection – Contents
- 8-222 Replacement Totes
- 8-223 Recycling – Definitions
- 8-224 Recycling – Service and Location
- 8-225 Recycling – Incentive Program
- 8-226 Overnight Truck Parking
- 8-227 Exclusive Right of Collection
- 8-228 Violations and Enforcement
- 8-229 Variances

8-201. Premises to be Kept Clean. All persons, firms and corporations within the city limits of the Town of Jonesborough are hereby required to keep their premises in a clean and sanitary condition, free from accumulations of refuse, offal, filth and trash, except when stored as provided in this chapter.

8-202. Definitions. For the purpose of this chapter, the following terms, phrases, words and their derivatives shall have the meanings given in this section:

- (1) *Ashes* - Any and All residue resulting from the combustion of coal, wood or other foreign matter, material or substances in domestic, industrial or commercial stoves, furnaces or boilers.
- (2) *Authorized Residential Containers* - For automated waste collection only- 30, 65 or 95 gallon universal rollout carts as provided or sold by the Town of Jonesborough.
- (3) *Bulk Container* - A front-end loading, enclosed, metal, dumpster type container having a capacity of not less than four (4) cubic yards nor greater than eight (8) cubic yards. Such containers shall have the capacity, size and be the type specifically authorized and approved by the Director of Solid Waste & Recycle.
- (4) *Construction Waste/Building Material* - Any material such as lumber, brick, block, carpet, stone, plaster, concrete, asphalt, roofing shingles, gutters, flooring, carpeting, or other substances accumulated as the results of repairs or additions to existing buildings or structures, or as the result of construction of new buildings or structures.
- (5) *Cuttings* - All tree limbs, trimmings, shrubbery, etc.
- (6) *Garbage* - Putrescible animal and vegetable waste, liquid or other waste resulting from the handling, processing, preparation, cooking and consumption of food, and all cans, bottles or other containers originally used for foodstuffs.
- (7) *Garden Refuse* - All accumulations of plants, stems, roots, vegetables and fruits remaining after harvest.
- (8) *Hazardous Refuse* - The term "hazardous waste/refuse shall mean any chemical compound , mixture, substance, refrigerant or article which may constitute a hazard to health or may cause damage to property by reason of being explosive, flammable, poisonous, corrosive, unstable, irritating, radioactive, infectious, or otherwise harmful. It shall include anything listed as harmful or restricted by the State or Federal Government.

- (9) *Industrial Waste* - The term "industrial waste" shall mean all such wastes peculiar to industrial, manufacturing or processing plants and shall include hazardous refuse.
- (10) *Infectious Wastes* - The term "infectious wastes" means wastes which contain pathogens with sufficient virulence and quantity so that exposure to the waste by a susceptible host could result in an infectious disease. For purposes of this policy, the following wastes shall be considered to be infectious wastes:
- a) Human blood and blood products. Waste human blood and blood products such as serum, plasma, and other blood components.
 - b) Pathological wastes. Pathological wastes, such as tissues, organs, body parts, and body fluids.
 - c) Contaminated sharps. All discarded sharps (e.g., hypodermic needles, syringes, Pasteur pipettes, broken glass, scalpel blades) used in patient care or which have come into contact with infectious agent during use in medical, research, or industrial laboratories.
 - d) Contaminated animal carcasses, body parts, and bedding. Contaminated carcasses, body parts (including fluids), and bedding of animals that were intentionally exposed to pathogens in research, in the production of biological, or in the in vivo testing of pharmaceuticals.
 - e) Facility-specified infectious wastes. Other wastes determined to be infectious by a written facility policy.
- (11) *Multi-Family Dwelling* - The term "multi-family dwelling shall mean a building or buildings containing six (6) or more dwelling units whose primary purpose is for leasing or renting dwelling space to the public.
- (12) *Refuse* - The term "Refuse" shall mean as hereinafter referred to in this chapter, shall include garbage, rubbish, leaves, brush, rocks, concrete, bricks and all other putrescible and non-putrescible, combustible and noncombustible materials originating from the preparation, cooking, and consumption of food, market refuse, waste from the handling and sale of produce, and other similar unwanted materials, but shall not include sewage, body wastes, recognizable industrial or medical by-products, from all residences and establishments, public and private.
- (13) *Residential Solid Waste* - The term "Residential Solid Waste" shall mean solid waste resulting from the maintenance and operation of dwelling units, excluding multiple housing facilities using dumpsters.
- (14) *Residential User* - The term "residential user" shall mean any user in a dwelling unit or whose property is zoned for residential purposes.
- (15) *Rubbish* - The term "rubbish" should include all non-putrescible waste materials except ashes from all public and private residences and establishments.
- (16) *Tote or Tote-Cart* - A container with wheels holding up to 96 gallons with a lid that has enough structural strength to be picked and unloaded mechanically.
- (17) *Yard Wastes* - The term "yard wastes" shall mean grass clippings, leaves, tree, and shrubbery trimmings.

8-203. Purpose. This chapter is determined and declared to be a sanitary measure for the protection and promotion of the health, safety and welfare of the citizens of the Town of Jonesborough.

8-204. Responsibility for Administration.

- (1) The Solid Waste & Recycle Director shall have the authority to make and modify guidelines and requirements as necessary concerning the days of collection, location of containers, and such other matters pertaining to the collection, transporting and disposal of solid waste refuse; provided that such guidelines and requirements are not in violation of the provisions of the provisions in this chapter.
- (2) The Solid Waste & Recycle Director shall be responsible for the oversight of the provisions in this this chapter.

8-205. Collection of Garbage and Refuse. All refuse accumulated within the corporate limits shall be collected, conveyed, disposed, and transported under the jurisdiction of the Solid Waste & Recycle Department. Except as designated in this chapter, garbage collections shall be made regularly in accordance with an announced schedule. Other solid waste collections will take place as needed.

- (1) Items prohibited from pickup shall include, but not limited to, rocks, dirt, bricks, concrete, and construction waste unless approved by the Director of Solid Waste & Recycle.
- (2) Bulky items shall be collected each week (to the extent possible), which requires the home owner to call and schedule the bulky items to be collected. The city shall not be responsible for the removal of central heat and air systems or other commercially installed appliances.
- (3) All refuse (including garbage and rubbish) as heretofore defined shall be collected sufficiently frequently to prevent the occurrence of nuisances and public health problems, except material identified in Section 8-205(7). The collection of refuse within the Town of Jonesborough shall be under the jurisdiction of the Solid Waste & Recycle Department.
- (4) All residents will be provided with one (1) 95 gallon collection tote to properly store one (1) week's accumulation of refuse (including garbage and rubbish). Additional totes can be purchased from the Town at the owners' expense, and additional totes are subject to current collection rates.
- (5) Businesses or multi-family dwellings using regulation trash totes for collection shall provide sufficient containers to properly store one (1) week's accumulation of refuse. Any business or multi-family dwelling requiring six (6) or more regulation trash totes for weekly service shall be required to acquire regulation bulk containers for service, unless specifically exempted by the Solid Waste and Recycle Director due to non-correctible space and collection restrictions.
- (6) Bulk containers for normal garbage and rubbish collection must be provided at the owners/business expense.
- (7) The Town of Jonesborough does not provide or collect "roll-off" containers for the short-term collection of construction waste/building material and rubbish associated with construction projects. Developers, contractors, etc. may select a provider of roll-off container service during construction projects, however, any placement of said roll-off container on Town right-of-way during a construction project must be approved in advance by the Solid Waste and Recycle Director with any assistance from Public Safety needed in determining vehicular and pedestrian safety in the location of

the container, any public nuisance to surrounding properties, and possible damage to or littering of the Town right-of-way.

- (8) The Solid Waste & Recycle Department shall not be obligated to provide service where adequate containers are not provided.

8-206. Collection Vehicles/Equipment. The collection of refuse shall be by means of vehicles with beds constructed of impervious materials which are easily cleanable and so constructed that leakage of liquids draining from the refuse onto the streets and alleyways will be minimal. Furthermore, all refuse collection vehicles shall utilize closed beds or such coverings when necessary that effectively prevent the scattering of refuse over the streets or alleys.

8-207. Disposal of Garbage and Refuse.

- (1) The disposal of refuse in any quantity by any person, householder, establishment, firm, or corporation in any place, public or private, other than at the site or sites in the proper manner designated by the Town and/or, if required, with properly approved permits from the Tennessee Department of Environment and Conservation/Division of Solid Waste is expressly prohibited.
- (2) The weight of contents placed in Town provided totes shall not exceed 75 pounds, and garbage placed in totes shall be drained of all free liquids.
- (3) All containers, household and mechanical, shall be cleaned as needed by the owner to prevent offensive smells and unsanitary conditions.

8-208. Accumulation of Refuse and Location of Containers.

- (1) Each owner, occupant, tenant, sub-tenant, lessee or others, using or occupying any building, house, structure, or grounds within the corporate limits of the Town of Jonesborough where refuse materials or substances as defined in this chapter accumulate, or are likely to accumulate, shall provide and keep covered an adequate number of suitable containers of a type approved by the Director of Solid Waste & Recycle for the storage of such refuse that are rodent and insect proof.
- (2) Any tote or bulk container used for collection that is not provided through the Town of Jonesborough must be approved by the Solid Waste and Recycle Director in advance of use and expected pick-up by the Town.
- (3) Tote-carts may be authorized for use by businesses and multi-family units in which a bulk container would normally be required but space limitations and access restrictions prevent more typical and normal collection. Alternative collection procedures may be authorized by the Solid Waste and Recycle Director in applications like the historic downtown area where the collection of any kind of container is extremely limited. Alternative collection procedures may include totes to be returned to their storage location within a very short time period after collection in order to keep them out of high pedestrian areas, or requiring garbage to be carried a reasonable distance to a central collection location for pick-up.

8-209. Location of Containers.

- (1) Where alleys are used by the town refuse collectors, containers shall be placed on or within three (3) feet of the alley line in such a position as not to intrude upon the traveled portion of the alley. Except in the downtown business district where alternative collection procedures may be in effect, containers shall be placed adjacent to and back of the curb or adjacent to and back of ditch or street right-of-way if there is no curb, at times scheduled by the town for the collection of refuse therefrom. For other town garbage customers, refuse containers shall be placed near the edge

of the customer's street no earlier than 5:00 p.m. the evening before the scheduled collection day. Citizens are also encouraged to remove their containers by 7:00 p.m. on collection day. However, all containers shall be removed by 12:00 p.m. (noon) the day after the scheduled pick-up.

- (2) Containers should be removed by the owner to within or to the rear of his or her premises and away from the street line or right-of-way before the end of the day on the day the containers are emptied, or containers may be left at the edge of the street provided that they are completely screened in a manner suitable to the Director of Solid Waste & Recycle. Screening of collection containers along the public right-of-way must also be approved by the historic zoning commission if the container(s) are within the historic district. Containers removed may be returned after 5:00 p.m. the evening before the next scheduled collection day.
- (3) Garbage and refuse shall not be stored in close proximity to other personal effects which are not desired to be collected on the scheduled day of collection, but shall be reasonably separated in order that the sanitation collectors can clearly distinguish between what is to be collected and what is not. Personal effects stored, piled, or placed within three (3) feet of a container or pile of trash set out for collection shall be prima facie presumed to be garbage or trash.
- (4) Buildings, apartments, or other premises where refuse accumulates that require more than six (6) or more regulation tote containers for weekly service shall be required to acquire regulation bulk containers for service, unless specifically exempted by the Solid Waste and Recycle Director and alternative collection is available.

8-210 Disturbing of Containers. No unauthorized person shall uncover, rifle, pilfer, dig into, turn over, or in any other manner disturb or use any refuse container belonging to another. This section shall not be construed to prohibit the use of public refuse containers for their intended purpose.

8-211. Brush, lawn clippings, tree limbs, etc.

- (1) Tree trimmings, hedge clippings, yard waste and similar materials will be collected by the town on a regular schedule under the following conditions:
 - a) Brush and limbs set out for collection that have a diameter of three (3) inches or less must not exceed six (6) feet in length.
 - b) Brush and limbs that have a diameter of more than three (3) inches must not exceed four (4) feet in length.
 - c) Brush shall be placed parallel to the street at the town's right-of-way with the larger ends placed in the same direction.
 - d) Brush or debris shall not be placed in or hanging over the street.
 - e) Brush, tree limbs, yard waste, etc. must be set out for collection completely separate from any other refuse including boards, posts, or other such processed wood construction material. Brush, tree limbs, yard waste, etc. must be free of wire, cable, fencing or any other similar material.
- (2) To the extent possible, the town will try and collect brush on a weekly schedule; however, the schedule is not guaranteed and will occur as time permits.

- (3) Tree trimmings, hedge clippings, and other yard-waste material generated as a result of work undertaken by a contractor must be collected, conveyed, and hauled away by the contractor or homeowner.
- 8-212. Leaves. Leaves may be placed in plastic bags. During leaf season, normally November – mid January, leaves may be raked to the edge of a Town street to be picked up by the Town's leaf vacuum. Leaves raked to the street must be neatly placed in a pile as close to the street as possible without being placed on the pavement.
- 8-213. Discarded Construction Waste/Building Material. The Town of Jonesborough will not be responsible for the removal of any construction waste/building material, as defined in § 8-202 (4). The removal and disposal of such materials shall be the responsibility of the contractor, developer, or property owner.
- 8-214. Hazardous Waste/Refuse. No hazardous waste/refuse shall be placed in any receptacle, container, or unit used for normal refuse collection by the town. The collection and disposal of such refuse shall be the responsibility of the owner, lessee, occupant, or producer under guidelines established by the Tennessee Department of Environment and Conservation.
- 8-215. Industrial Waste. The collection of and disposal of industrial waste shall be the responsibility of the owners, lessee, occupant or producer.
- 8-216. Dead Animal and Fowls. The Town of Jonesborough will collect/pick-up only small dead animals and fowls that have been placed in an appropriately sized plastic bag container and sealed before being deposited for collection. Only bags weighing fifty (50) pounds or less will be collected by the Town.
- 8-217. Appliances and other Large Bulky Items. Stoves, refrigerators, household furniture, box springs & mattresses, and other similar bulky refuse will be collected by the town, if these items placed in one location do not constitute a large truck load. If the items are deemed to be a large load, the home owner, tenant, occupant, or co-occupant is required to pay the current overnight collection truck fee. Said refuse, if not a large load, must be placed on or next to the right-of-way for collection, and the owner, tenant, occupant, or co-occupant must contact town hall or the Solid Waste Department prior to Friday in order to be placed on the schedule for these items to be collected.
- 8-218. Bulk Mechanical/Commercial collection procedures; containers.
- (1) Large bulk collection containers handled mechanically by a garbage truck must be located for easy accessibility by the collection vehicle in a position approved by the Director of Solid Waste & Recycle, and screened from view on at least three (3) sides with a gate on the fourth side in a manner that eliminates unsightliness and is acceptable to the Director of Solid Waste & Recycle.
 - (2) Screening of collection containers must also be approved by the Historic Zoning Commission if the container(s) is within the historic district.
 - (3) It is the responsibility of the owner to see that all refuse collected mechanically is placed in collection containers and not placed on top or around the container and the area shall be maintained in a clean, neat and sanitary condition.
 - (4) All bulk containers (dumpsters) shall be enclosed containers. Before any such container shall be serviced by the Town, it shall specifically be approved by the Director of Solid Waste & Recycle as to capacity, size, type and location. No container (dumpster) shall exceed eight (8) cubic yards capacity nor be smaller than four (4) cubic yards capacity.

8-219. Bulk Container Collection Fees. The Board of Mayor and Aldermen shall establish fees for the collection of dumpsters or bulk containers. Dumpster fees are normally established and revised during the Town's annual budget process.

8-220. Automated Tote Collection Location.

- (1) The Director of Solid Waste & Recycle may select the exact location of each tote to be collected. Totes must be located no greater than three (3') feet from the edge of street or gutter unless specified otherwise by the Director of Solid Waste & Recycle, and the container must be placed so the lid opening is towards the street or collection vehicle.
- (2) Totes must be three (3') feet from any and all stationary objects such as:
 - a) Mailboxes
 - b) Utility poles
 - c) Parked Vehicles
 - d) Fire Hydrant
- (3) Totes shall not be located directly under any overhead obstacles such as:
 - a) Utility lines
 - b) Over hanging tree limbs
- (4) It is the owner, lessee, occupant or co-occupant's responsibility to see that the totes are properly located.
- (5) Totes not properly located as directed by the Director of Solid Waste & Recycle, such as direction of tote opening, site placement, etc. shall not be collected.

8-221. Automated Tote Collection Contents.

- (1) Totes must not contain hot ashes, liquids, paints, tires, large animal carcasses or parts, household hazardous waste or automobile parts.
- (2) Any and all animal waste must be double bagged prior to placing it inside the tote.
- (3) Total weight of cart and contents shall not exceed seventy-five (75) pounds.

8-222. Replacement Totes.

- (1) Totes which are assigned to individual household(s) and businesses remain the property of the Town of Jonesborough. Totes removed from such location when assigned, will be considered stolen and (unless prior notification was discussed with the Director of Solid Waste & Recycle) appropriate action will take place through applicable courts of law.
- (2) Any tote that is lost, stolen or damaged by the user shall be replaced by the user at their own expense.
- (3) Additional totes may be purchased from the Solid Waste Department, and shall be owned by the purchaser. Additional totes purchased for collection are subject to the fee structure established by the Town.

8-223. Recycling Definition. For the purpose of this chapter, the following terms, phrases, words and their derivatives associated with recycling shall have the meanings given in this section:

- (1) *Aluminum Cans* - The term “aluminum cans” shall mean a container for packaging made primarily of aluminum. It is commonly used for foods and beverages but also for products such as oil, chemicals, and other liquids.
- (2) *Comingled* - The term “comingled” shall mean to mixed recyclable materials of several types that are collected together.
- (3) *Compost* - The term “compost” shall mean the stabilized product of decomposition of organic materials such as food scraps, yard trimmings, or manure that is used as a soil amendment, artificial top soil, growing medium amendment, or similar use.
- (4) *Diversion* - The term “diversion” shall mean:
 - a. The act of reducing material from disposal.
 - b. The waste reduction practice that captures materials that are normally destined for disposal.
- (5) *Glass* - The term “glass” shall mean glass bottles and jars. (clear, brown, and green only).
- (6) *Material Recovery Facility* - The term “materials recovery facility” shall mean the operation at the Pliny Fisk Recycling Center in Jonesborough that processes recyclable materials collected from residential and commercial business sources by sorting, baling, crushing for the purpose or recycling them.
- (7) *Mixed Paper* - The term “mixed paper” shall mean recovered paper that is not sorted into specific categories including junk mail, magazines, box board, telephone books, wrapping paper, office paper, newspapers and other paperboard products.
- (8) *Old Corrugated Cardboard* - The term “old corrugated cardboard” (OCC) shall mean heavy-duty paper of various strengths, ranging from a simple arrangement of a single thick sheet of paper to complex configurations featuring multiple corrugated and corrugated layers.
- (9) *Plastic* - The term “plastic” is a material consisting of any of a wide range of synthetic or semi-synthetic organics that are malleable and can be molded into solid objects of diverse shapes. Plastics are typically organic polymers of high molecular mass, but they often contain other substances.
 - a. Plastic #1. The term “PET” or “PETE” shall mean post-consumer polyethylene terephthalate (PET or PETE) containers are sorted into different color fractions, and baled for onward sale. PET recyclers further sort the baled bottles and they are washed and flaked (or flaked and then washed). Non-PET fractions such as caps and labels are removed during this process.
 - b. Plastic #2. The term “HDPE” shall mean high-density polyethylene (HDPE) is a commonly recycled plastic. It is typically down cycled into plastic lumber, tables, roadside curbs, benches, truck cargo liners, trash receptacles, stationery (e.g. rulers) and other durable plastic products and is usually in demand.
- (10) *Recycling* - The term “recycling” shall mean a process to convert waste material into reusable material to prevent waste of potentially useful materials, reduce the consumption of fresh raw materials, reduce energy usage, reduce air pollution (from incineration) and water pollution (from land filling) by reducing the need for “conventional” waste.

- (11) *Recyclable Material* - The term “recyclable material” means material that has been recovered or diverted from the non-hazardous solid waste stream for purpose of reuse, recycling or reclamation and a substantial portion of which is consistently used in the manufacture of products, which may otherwise be produced using raw or virgin materials.
- (12) *Single-Stream Recycling* - The term “single-stream recycling” also known as “fully comingled” or “single-sort recycling” means a system in which all paper fibers and containers are mixed together in a collection truck/vehicle, instead of being sorted into separate commodities (i.e. paper, plastic, glass, metal/tin cans, aluminum cans, and cardboard) and handled separately throughout the collection process. In single stream recycling system, both the collection and processing systems are designed to handle this fully comingled mixture of recyclables.
- (13) *Tin/Metal Cans* - The term “tin/metal cans” shall mean containers consisting of two or more metals (i.e. tin-coated steel cans used in food packaging).

8-224. Recycling-Service and Location.

- (1) Jonesborough offers a curbside recycling, program, with pick-up normally once a week on the same day as tote collection is normally undertaken. If the date tote collection is changed due to a holiday, recycling collection will change as well.
- (2) The Town shall provide one recycling bin per residence, dwelling, unit a business. This bin remains the property of the Town. Additional recycling bins may be purchased from the Town and remain the property of the owner.
- (3) The curbside recycling service shall begin at 7:00 a.m.
- (4) Residents shall be responsible for placing their recycling containers at the curb for servicing by the time the collection vehicle is scheduled to collect.
- (5) Recycle containers not out for collection as scheduled will not be collected until the next regular recycle collection day.
- (6) All materials placed at the curb for recycling shall be placed in the proper recycling container(s), or otherwise in a manner so as to keep it from being carried, scattered, or deposited by the elements upon streets, sidewalks, or other property.
- (7) All recyclable container(s) shall not be placed on the curb prior to 7:00 P.M. the day prior to scheduled collection, and shall be removed from the curb on the same day they are serviced.
- (8) Recyclables placed in the recycling bins must meet guidelines established for Jonesborough’s recycling program, including but not limited to the following:
 - a) Metal and plastic food containers to be recycled must be rinsed so be free from food residue that will attract rodents and insects.
 - b) Material must be recyclables Jonesborough collects.
 - c) Food boxes and other cardboard type containers must be collapsed flat for collection.

d) Newspaper and paper material must be stacked flat.

e) Bottle lids must be removed.

8-225. Recycling Incentive Program. The "Incentive Program" is designed to recognize and reward residential customer(s) with a discount, currently \$2.00, on their monthly garbage collection fee if they participate in the volunteer recycling program, at least two collection days per month.

8-226. Overnight Truck Parking. Overnight truck parking, if available, can be taken to properties within the city limits of the Town of Jonesborough and left to be filled with refuse as defined in § 8-202 and on the following basis:

(1) The truck is available.

(2) The truck is requested for use within the corporate limits.

(3) The established overnight truck fee is paid prior to truck being parked.

(4) No brush, tree limbs, yard waste, tires, or hazardous wastes are placed in the overnight truck.

(5) The truck is parked where the owner request, but also in a location approved by Town staff.

8-227. Exclusive Right/Collection. It shall be unlawful for any person other than the Town to engage in the business of collecting, removing or disposing of refuse in the Town except when specifically authorized by the Town.

8-228. Violations and Enforcement. The Director of Solid Waste & Recycle will be responsible for noting all violations of this chapter and providing the Town Administrator/Operations Manager with such information as necessary to act against these violations.

Violations of this ordinance shall be punishable by a penalty of \$50 for each offense, or the maximum allowed by State Law, with each day in violation being a separate offense. Non-payment of fees will be cause for the Town to discontinue collection/disposal services.

8-229. Variiances. VariANCES from this chapter may be approved by the Board of Mayor and Alderman on an individual basis.

This ordinance shall become effective after its passage on second and final reading.

Motion was made by Alderman Countermine and seconded by Alderman Vest that the preceding ordinance be adopted on first reading. Those voting for the adoption thereof were: Alderman Countermine, Alderman Vest, Alderman Dickson, Alderman Sell

Those voting against: _____

PASSED ON FIRST READING June 13, 2016

KELLY WOLFE, MAYOR

ATTEST:

ABBEY MILLER, RECORDER

APPROVED AS TO FORM

JAMES R. WHEELER, TOWN ATTORNEY

Motion was made by _____ and seconded by _____
that the preceding ordinance be adopted on first reading. Those voting for the adoption
thereof were: _____

Those voting against: _____

PASSED ON SECOND READING _____

KELLY WOLFE, MAYOR

ATTEST:

ABBEY MILLER, RECORDER

APPROVED AS TO FORM

JAMES R. WHEELER, TOWN ATTORNEY

The next item on the agenda was the Certificates of Compliance for Roadrunner Stores #123 and #124 – Wine Sales. Mayor Wolfe said State laws apply to local government, and the Board’s job is well defined under State law; the BMA has to make sure that anyone that applies for a Certificate of Compliance for wine sales meets the criteria as established by the State, and then the ABC Board will grant the license. Bob Browning said both stores meet all zoning requirements and background checks. Mayor Wolfe asked Mr. Wheeler if the Board is within the law as established and that these two stores are eligible to receive Certificates of Compliance. Attorney Wheeler said both stores meet all the criteria and there is no basis to deny this request for Roadrunner Stores #123 and #124. Mayor Wolfe asked if other convenience stores are being issued permits. Attorney Wheeler said he had talked to other areas and convenience stores are being issued permits for wine sales. Mayor Wolfe said the Roadrunner is applying for sixty of their stores to be eligible to sell wine. Mr. Browning said the Roadrunner has stated in its application that their stores have 30% food sales

but it is ABC's responsibility, not the Town's, to make sure that is accurate. Alderman Dickson said it seems very deceptive that for a year we have discussed wine being sold at Food City and Ingles, not convenience stores. Mayor Wolfe said this has been debated for several years. Attorney Wheeler said the law does provide that if you do not act on an application within sixty (60) days, then the applicant can sue the municipality. He added that because of that, the request for Store #103 needs to be officially denied, even though the store is outside the city limits. Motion was made by Alderman Vest, seconded by Alderman Sell, and duly passed to approve a Certificate of Compliance related to Wine Sales in a grocery store for Roadrunner Market Store #123 at 101 E. Jackson Blvd in Jonesborough, based on meeting zoning requirements, and the background check being undertaken with no issues, as well as authorizing the Mayor to sign the Certificate and approve a Certificate of Compliance related to wine sales in a grocery store, for Roadrunner Market Store #124 at 141 Boone Street in Jonesborough, based on the location meeting the zoning requirements and the background checks being undertaken with no issues, as well as authorizing the Mayor to sign the Certificate; and to deny the application for Roadrunner Market Store #103 at 853 Old State Route 34 because the store is not in Jonesborough's city limits.

There being no further business the meeting was duly adjourned.

ABBHEY MILLER, RECORDER

KELLY WOLFE, MAYOR