

BOARD OF MAYOR AND ALDERMEN

REGULAR MEETING

JUNE 13, 2022

The Board of Mayor and Aldermen (BMA) met in Regular Session on Monday, June 13, 2022, at 7:00 p.m., at Town Hall, 123 Boone Street, Jonesborough, TN.

Mayor Chuck Vest called the meeting to order. Alderman Dickson led the group in an opening Prayer, and Fire Lt. Chason Freeman led the pledge to the Flag.

Upon call of the roll those present were: Mayor Chuck Vest, Alderman Virginia Causey, Alderman Terry Countermine, and Alderman Adam Dickson. Alderman Kelly Wolfe was absent. Also present were: Town Administrator Glenn Rosenoff, Town Recorder Pat Ryder, Operations Manager Craig Ford, and Town Attorney Jim Wheeler.

The next item was the Consent Agenda. Mayor Vest asked if there were any items that the Aldermen wished to have pulled from the Consent Agenda. There were none. Alderman Countermine made the motion, seconded by Alderman Causey, and duly passed to approve the following items on the Consent Agenda:

1. Approve the minutes for the March 14, 2022, BMA meeting.
2. Approve the following bills for payment:

	<u>GENERAL</u>	<u>WATER</u>	<u>SANITATION</u>
102180-102209	51,340.00		
102210-102306	116,918.60		
101675 – Void	(37.00)		
102305-102306 – Void	(3,656.77)		
102289	(10,324.57)		
102307 – Void used to open acct	0.00		
102308-102313	10,786.59		
102314-102315	2,048.87		
102316-102347	133,626.71		
102348	30,000.00		
102349-102350	544.00		
102351	8,524.51		
102352-102399	170,712.37		
102400	2,134.65		
101728-101729 – Void	(469.70)		
101454 – Void	(139.00)		
102200 – Void	(200.00)		

	<u>GENERAL</u>	<u>WATER</u>	<u>SANITATION</u>
102297 – Void	(300.00)		
102383 – Void	(25.00)		
102401-102405	18,820.48		
102406-102469	55,218.28		
102470-102471	<u>50,102.62</u>		
	\$635,635.64		
64023-64031		3,980.00	
64032-64072		329,753.58	
64073-64074 – Void		0.00	
64075-64076		1,511.51	
64077-64078		2,166.93	
64079-64091		19,122.41	
64092		16,774.87	
64093-64121		174,646.73	
64122		1,499.95	
64123-64135		58,479.30	
64136-64137		<u>44,056.73</u>	
		\$651,992.01	
9613-9614			950.00
9615-9624			2,421.01
9566 – Void			(7,418.41)
9625-9626			1,103.50
9627-9630			22,795.78
9631			539.74
9632-9636			2,708.08
9632 – Void			(2,134.65)
9637-9639			1,210.39
9640-9641			<u>6,373.47</u>
			\$28,548.91

3. Approve the following Operations Manager Report:

Work continues on Shell Road. We are finished with the drainage work. The next step will be to install binder in the areas the road has been widened in order for a private contractor to install the curbing. Once this is complete, we can re-pave the roadway and the project will finally be complete.

We spent one full week the month of May hauling topsoil from the school site to the garage area for storage to be used at a later date for projects. We were able to haul 500 loads of topsoil.

We finished the work on the T-ball field at Persimmon Ridge Park. The ballfield looks great, and I would love to be able to have all the fields completed before next baseball season.

Work continues to progress on Lincoln Park. The initial "rough-in" wiring has been completed and the "rough-in" plumbing will be completed the second week of June.

We opened Wetlands on Memorial Day and so far, we are having a good season. We made a lot of cosmetic changes to the park prior to opening day and the park looks really good.

We are still attempting to resolve the sidewalk contract with the contractor. He submitted an updated proposal that just will not work with our schedule. We have tried to schedule meetings with him to resolve the issues. We have a meeting scheduled with him for June 13, 2022.

We met with GRW engineers in May to get a project update. They still say we are on schedule and where we need to be at this particular time.

I met with Matt Townsend this past month in order to focus our efforts more on beautification. I am preparing a project calendar for them as I do for the Street Department. Rachel Conger has been very helpful in assisting toward getting us back to where we need to be in our landscaped areas. The McKinney Center was the first stop, and it looks really great. If you have an opportunity, you should go by and look at it.

Below is a list of landscaped areas we have in Town. I realize most of these areas are not in the best shape. I am working with Recreation to get these areas back in shape, but I do not have a ton of confidence that we can keep them that way with our current staff.

I have also met with Rachel Conger in order to solicit her assistance in working with me and the Recreation staff to complete the enormous task ahead.

I am listing these by priority of urgency or need. Please review the list and make any changes you wish with respect to priority.

1. Wetlands (1 Day)
2. McKinney Center (2 Days)
3. Mill Spring Park (1 Day)
4. Medians (2 Weeks)
5. Stage Road Park (1 Week)
6. Boone Street (Week and a half)
7. Boone Street/Jackson Boulevard Triangle (1 Day)
8. Arboretum
9. Golden Oak Park

- 10. Depot Street Park
- 11. Walking Trail from First Avenue to Barkley Creek
- 12. Barkley Creek Park
- 13. Persimmon Ridge Walking Trail (Dead Trees)
- 14. Persimmon Ridge Park (Gillespie Building)
- 15. Senior Center
- 16. Lincoln Park
- 17. Walking Trail/The Meadows
- 18. Barkley Creek Park

- 4. Approve the following Supervisor Reports: Parks and Recreation, Police Department, Fire Department, Building Inspector, Director of Tourism and Main Street, Utility Manager, Water Distribution, Meter Department, Environmental Services/Wastewater, Water Treatment Plant, Marketing and Promotions Coordinator, Website and Marketing Specialist, Visitors Center and Facilities Rental Manager, Animal Control, Street Department, McKinney Center, MBM Program Director, and Solid Waste and Recycling.
- 5. Accept the resignation of Mitchell Hyatt as a Water Plant Operator I, with the effective date of May 21, 2022.
- 6. Accept the resignation of Stacy Davis, Wastewater Maintenance Technician, with the effective date of July 1, 2022.
- 7. Accept the resignation of McKinley Silvers, Water Distribution Equipment Operator I, with the effective date of June 7, 2022.
- 8. Approve the final list of employee appointments for the 2022 Wetlands Water Park season with the compensation recommendation for each, as presented.

<u>Employee</u>	<u>Position</u>	<u>Grade & Step</u>	<u>Hourly Rate</u>
Anthony Stover	Seasonal Manger	6-1	11.00
Shelby Barrett	Lifeguard	4-2	9.25
Cassidy Church	Lifeguard	4-1	9.00
Ethan White	Lifeguard	4-1	9.00
Austin Sanchez	Lifeguard	4-1	9.00
Grace Russell	Lifeguard	4-1	9.00
Hayden Wesley	Slide Attendant	3-2	8.25
Mason Grindstaff	Slide Attendant	3-1	8.00
Abigail Bristol	Slide Attendant	3-1	8.00
Kylee Dunn	Slide Attendant	3-1	8.00
Kayla Cocoba	Slide Attendant	3-1	8.00
Ava Castillo	Slide Attendant	3-1	8.00
Kamryn Martin	Slide Attendant	3-1	8.00
Bailey Dugger	Slide Attendant	3-1	8.00

Ethan Fitzgerald	Slide Attendant	3-1	8.00
Chloe DeLoach	Slide Attendant	3-1	8.00
<u>Employee</u>	<u>Position</u>	<u>Grade & Step</u>	<u>Hourly Rate</u>
Sabrina Jamerson	Slide Attendant	3-1	8.00
Adriawna Kuykendall	Slide Attendant	3-1	8.00
Haylie Shephard	Slide Attendant	3-1	8.00
Brock Rosenbaum	Slide Attendant	3-1	8.00
Paris Fagans	Slide Attendant	3-1	8.00
Jais Soto	Slide Attendant	3-1	8.00
Kaitlin Southerland	Slide Attendant	3-1	8.00
Kristyn Johnson	Slide Attendant	3-1	8.00
Hannah DeLoach	Slide Attendant	3-1	8.00
Elizabeth Rasnick	Slide Attendant	3-1	8.00
Oliva Lane	Slide Attendant	3-1	8.00
Dylan Fur	Slide Attendant	3-1	8.00
Eli Smith	Slide Attendant	3-1	8.00
Caitlyn Sochalski	Slide Attendant	3-1	8.00
Desirae Holland	Café Staff	2-2	8.25
Sarah Smith	Café Staff	2-2	8.25
Celina Calvin	Café Staff	2-1	8.00
Maggie Ray	Café Staff	2-1	8.00
Jada Greenlee	Café Staff	2-1	8.00
Madison Shelton	Café Staff	2-1	8.00
Reagan Shockley	Café Staff	2-1	8.00
Drake Blackburn	Café Staff	2-1	8.00
Jessica Gregg	Café Staff	2-1	8.00
Abigail Damrau	Café Staff	2-1	8.00
Jaevon Emile	Café Staff	2-1	8.00
Hannah Norrus	Café Staff	2-1	8.00
Myckenzie Kramer	Café Staff	2-1	8.00
Isaiah Tisor	Café Staff	2-1	8.00
Memphis Scott	Café Staff	2-1	8.00
Candice Moore	Café Staff	2-1	8.00
Tarah Helms	Café Staff	2-1	8.00
Kortney Shaffer	Café Staff	2-1	8.00
Kendall Hodge	Café Staff	2-1	8.00
Felicia Bradley	Café Staff	2-1	8.00
Logan Smith	Café Staff	2-1	8.00
Cameron Bailey	Café Staff	2-1	8.00
Madison Hall	Café Staff	2-1	8.00
Cara Wilson	Café Staff	2-1	8.00
Jacian Emile	Café Staff	2-1	8.00
Ariel Tarlton	Café Staff	2-1	8.00
Tabitha Quesenberry	Café Staff	2-1	8.00
Cheyann Bridgeman	Café Staff	2-1	8.00

Jackson Tomlin	Café Staff	2-1	8.00
Melinda Squires	Café Staff	2-1	8.00
Justin Burgos	Café Staff	2-1	8.00
<u>Employee</u>	<u>Position</u>	<u>Grade & Step</u>	<u>Hourly Rate</u>
Karly Honeycutt	Café Staff	2-1	8.00
Camden Arnold	Café Staff	2-1	8.00
Caitlin Ray	Café Staff	2-1	8.00
John Laws	Maintenance	2-1	8.00
Nic Spurlock	Maintenance	2-1	8.00
Tanner Sams	Maintenance	2-1	8.00

9. Approve Spencer Walsh as a Seasonal Manager at Wetlands Water Park at Grade 6 Step 7 (\$14.00 per hour) in the Water Park Compensation Plan and make the salary adjustment retroactive to his appointment date of March 14, 2022, for the 2022 Season.
10. Approve the appointment of David Shelton to the position of Water Plant Operator I, Non-Certified, at Grade 7 Step 1 (\$28,564), subject to successful completion of all pre-employment requirements; and with the understanding that Mr. Shelton will have two years to obtain his state certification.
11. Accept the letter of retirement of Larry Garst as an Equipment Operator I in the Wastewater Department, with the effective date of May 27, 2022, and appoint him to the position of Recycle Collection Worker I (part-time 28 hours per week) at Grade 3 Step 4 (\$12.35 per hour) in the Solid Waste Department.
12. Accept the resignation of Spencer Justice, full-time Firefighter, with the effective date of May 25, 2022, with regrets and appoint him to the position of part-time Firefighter at Grade 9 Step 2 (\$15.59 per hour), and that he be eligible for step raises in the future based on his continued part-time status.
13. Approve the transfer of Rick Duvall as Collections Maintenance Supervisor in the Wastewater Department, to Facility Maintenance Supervisor at Grade 12 Step 7 (\$43,530), and that he be considered for a step increase for the FY22-23 budget appropriation.
14. Acknowledgement of the Debt Obligation Report CT-0253 related to the additional funds to construct the Jonesborough K-8 School in the amount of \$10,000,000.
15. Declare as surplus due to it being non-serviceable, and destruction, of the Fire Department's Scott 4.5 (4500 PSI) SCBA with bottle.

The next item on the agenda was the approval of the Financial Report. Mayor Vest said the sales tax collections are up 11% year-to-date, with March 2022 being the second largest month the Town has had in sales tax collections, being only \$63.00 less than December 2021. Mayor Vest asked Town Recorder Pat Ryder for comments. Pat Ryder said they are working very hard in regard to the system issues and hope to have them resolved in the very near future. Mayor Vest asked the Aldermen if they had any comments. There being none, Alderman Dickson made the motion to approve the Financial Report as presented, seconded by Alderman Counterline and duly passed.

Communications from the Mayor was the next item on the agenda. Mayor Vest said the following Committee appointments are being recommended as follows:

McKinney Center Advisory Committee

Michelle Treece – re-appoint to a 3-year term expiring April, 2025

Nancy Kavanaugh – appoint to a 3-year term expiring April, 2025

Pauline Douglas – appoint to a 3-year term expiring April, 2025

Senior Center Advisory Board

Mike Willis – appoint to a 3-year term expiring May, 2025

Carlos Turriate – appoint to a 3-year term expiring May, 2025

Mayor Vest asked the Aldermen if they had any comments or questions about the recommended committee appointments. There being none, Alderman Causey made the motion to approve the McKinney Center Advisory Committee and Senior Center Advisory Board appointments as recommended. Alderman Dickson seconded the motion, and it was duly passed.

Mayor Vest said he attended the 25th annual Pinnacle Awards, which is a very important for marketing and advertising campaign throughout Northeast Tennessee. Mayor Vest said Town staff nominated Anne Mason with the Heritage Alliance for Partner of the Year and Anne won the award. He said the McKinney Center had three awards and Cameo Waters and the Jonesborough Marketing Team was awarded the Top Marketing Campaign of the Year.

Mayor Vest expressed his appreciation to Ruth Verhegge, Carla Bowers and Dona Lewis for their efforts with the Paws-In-Blue fundraising event. Mayor Vest said it was a good turnout, with all the kinds of exhibits and the K-9 competition and it was a great fundraising event for the Paw-In-Blue.

Mayor Vest said Music-On-The-Square, and Brews & Tunes are both going well this season. Mayor Vest said the turnouts has been great, as well as sponsorships and donations.

Mayor Vest said a resident that resides in Vines Farm area had approached him and expressed his appreciation for what the Town's public safety officers do. Mayor Vest said there have been issues with one particular home in the Vines Farm Subdivision

and Public Safety have taken care of and eliminated that problem. Mayor Vest said he is really proud of the Town's staff.

Mayor Vest said they are making amazing progress on the new school site, and he is very pleased with the work that BurWil is doing out there.

Mayor Vest said he gets emails periodically and he tries to respond back as much as he can. Mayor Vest said he probably gets more communications from a handful of residents that have issues with neighbors. He said we have one problem house in one of our neighborhoods, not too far from downtown, with a gentleman named Mr. Beals, that we have had in court. Mayor Vest said it is one of those things where people don't maintain their yard and you can't just go in there and tell them to clean it up and they clean up; a lot of times they just don't do it, or they are not capable of doing it, or for some reason they just can't clean it up. He said sometimes we end up having to go through the courts to get the yards cleaned up, sometimes we get them cleaned up and then come back and we have to go through the whole process again. Mayor Vest said the Town has one of those particular locations, and asked Town Attorney Jim Wheeler to give an update to the Board on that situation. Attorney Wheeler said since the Board authorized him to take this to Chancery Court, they got the permanent injunction for the violations that the Chancellor found from the first time we were in Court; and they are now some of those that are now repeat violations, so we are scheduled to go back into court next on a motion for contempt of court, for the Judge to take up issue that they are reoccurring issues that were not taken care of. He said as common with this type of situation, there are usually new violations so we will have to file a second proceeding for those new violations because they are different code sections. Attorney Wheeler said they will be asking for permanent injunctions for violating those sections and for those to be ordered to be taken care of. Attorney Wheeler said after the first court hearing, the resident did take care of most of those initial violations. Attorney Wheeler said the Judge did not agree with us about vehicles and did not order for them to be removed from the property. He said we are going back for a second injunction to ask the Judge to find that several of the vehicles are in violation of code. He said they had a little bit of trouble finding neighbors to go to court with them, and he can understand that in this circumstance, but that makes it hard when we tell the Judge that neighbors are filing a complaint and he says he gets along great with his neighbors; and no neighbors have been willing so far to come to court, but we are dealing with that and are just moving on; and at this point we do not intend to force anybody to come to court. Mr. Wheeler said he knows Board members have each received complaints in the last month regarding this situation and whatever we do, we will likely not satisfy the neighbors because that is not what we are designed to do. Mr. Wheeler said if Mr. Beals gets in compliance with an order, then we are done with that. He said then we have to take another the next time he is not in compliance. He said the Town has invested a significant amount of money in doing this in Chancery Court versus doing through the Police Department and Municipal Court. Mr. Wheeler said they hope that we will see some results, but we will not see the kind of results that most people would want to see, but that is the nature of the beast. Mr. Wheeler said that is why there is a private cause of action we need to file a separate lawsuit from this one. He said we see that in the bitcoin mine operation in

the County, the County filed a zoning violation, but the residents out there filed a private nuisance action and that got as much as anything the County did. He said someone may have to step up and do something similar to that and go further. He said the bottom line is with somebody like this if they don't choose to change and stop continuing to violate, this will be an on-going problem for years to come, and there is nothing we can do about that because there are private property laws that protect everyone in this room also protects the property owner that is in violation in this case; and we can only do what we are allowed to do under the law and the Town's municipal code.

Mayor Vest asked Attorney Wheeler to explain why it was better for the Town to go through Chancery Court versus Municipal Court. Attorney Wheeler said Municipal Court is limited to \$50 fine, it can be \$50 per day until someone comes into compliance. Mr. Wheeler said the was not getting the results, because the property owner in violation was paying the fines and then violating again. Mr. Wheeler said the property owner would just assume to pay the fine as to pay somebody to mow the yard, and this is not the first time he has done this. He said in the past when we have a repeat offender of the Municipal Code sometimes, we will go in and get the private injunctions such as this. He said in the last 20 years there has probably been 4 or 5 examples of this. Mr. Wheeler said this is one where we decided that if we don't take the next step then we are going to spend a lot of time in municipal court with all the personnel, with clerks, police officers and the judge and not getting any results.

Alderman Countermine asked what can Chancery Court do that Municipal Court can't? Mr. Wheeler said once the Chancellor orders something done, if you don't do it then he can put you in jail until its done and put the fine at a much higher rate and much more clearer regarding to fine on a daily basis until you come into compliance. Attorney Wheeler said the question that was asked of him today was, can we just get an injunction that he will not violate any municipal code. Mr. Wheeler said he does not believe that the Court will ever do that. Mr. Wheeler said you have seen our Municipal Code book with over 700 pages, and you wouldn't expect someone to know every single section of that code and the idea that someone would go to jail if they didn't know every section of that criminal code would be pretty harsh. Mr. Wheeler said in the section that the property owner has been in violation repeatedly held over and over by the courts that is the section that so far that the judge has said yes and ordered him not to violate them in the future. Mr. Wheeler said if there are some new violations of some building code then we would ask the Chancellor to rule on that. Mr. Wheeler said in going through Chancery Court it is a much slower process because once an injunction is filed it could possibly take at least a month and a half before it will be on the docket, but it is a more permanent process and maneuvering all this takes time.

Mayor Vest said he noticed the other day that one of the Meter Readers got out and physically read his water meter and he wanted to let Glenn Rosenoff and Pat Ryder and staff know what a great job on getting fully staffed in the Meter Reader department. Mayor Vest said there is approximately 13,000 customers and meters that have to be read and that is one of the reasons the Town will be switching to an automated meter reading system in future. Mayor Vest asked Town Recorder Pat Ryder for his

comments. Pat Ryder said he appreciates the customers patience with process, and we are back on track and reading meters, and staff stands ready to work with any of the customers on any of the issues we have had before. Mr. Ryder said he thinks we are very much on the back end of it and are looking to move forward.

Mayor Vest asked John Saylor to come forward to accept the Employee of the Month Award. Mayor Vest read the following nomination letter:

John Saylor joined the senior center staff in 2021, as our Program Coordinator. John brings a wealth of knowledge and great ideas with him. John has a background in IT, and he has been able to utilize our sound equipment to its full potential and is providing the growth in audio visual capabilities that the senior center has desperately needed. We look forward to offering our senior center plays again and dance performance groups and his expertise will definitely be utilized. I continue to be impressed with John's calm nature, no matter what is asked of him he jumps in and calmly manages whatever is thrown his way. Recently, I asked for staff volunteers to complete some outdoor maintenance and John jumped right in and assisted with mulching some of the flower beds over several different days. His willingness to tackle any project or job is what makes him the perfect Employee of the Month. I am very impressed with his great team attitude. He gets along so well with everyone and is very patient with our senior center members. John drives many of the senior center trips and I have received many compliments on his driving and how friendly he is with members. He also teaches a weekly computer help class, that well attended. John, like all of our staff, feel a calling to working with seniors. I would like to recommend John Saylor for Employee of the Month.

Submitted by: Mary Regen, Senior Center Director

Mayor Vest asked John Saylor if he had any comments. John Saylor said thank you for the award.

Citizens Comments was the next item on the Agenda. Mayor Vest asked if there were any citizens present that would like to comment at this time. Susan Lachmann - 515 Locust Street, John Engelman – 512 Locust Street, Chad and Cheryl Bennett - 218 Angle Street, Andrew Wilt – 207 Angle Street, Daniel Mercer – 208 Angle Street, all addressed the Board with their concerns about a neighboring property owner, Darrell Beals, noting the following complaints: repeat offender, environmental concerns in regard to water and sewer issues, foul language, piles of dirt, does not obtain Town permits and his two houses are unsafe to live in, erratic behavior, safety concerns for themselves and their families, he is a menace to the neighborhood, and gives the appearance of being above the law.

Mayor Vest said he appreciates the residents addressing the Board with their concerns, because nobody wants that, and we are all neighbors in Jonesborough even though we all don't live on the same streets.

Ruth Verhegge, 601 West Main Street, Flag Committee, announced that the Flag Day celebration will be held on Tuesday, June 14th at 12:00 noon, at the flag pole in front of Town Hall building, and they will be having some activities throughout the month that will help highlight the flag. Ruth Verhegge said their goal is that this will be an annual event.

Ann Mason, Executive Director of the Heritage Alliance, 223 Forest View Drive, addressed the BMA with her sincere appreciation of the award and the Visitor Center staff is amazing to work, very talented and it is honor to work with them. Anne Mason said the Taste of Tennessee event will be this coming up weekend and they hope that it will become an annual event. Ms. Mason said the play that she wrote, *Nancy*, which has won two awards from various museum associations, which is a huge honor, will be held on June 25th at the Telford Ruritan Club at 2:00 pm and 6:30 pm.

Alderman Communications was the next item on the agenda. Mayor Vest asked the Aldermen if they had comments. Alderman Causey said on May 23rd she received a call that they had a burglary at her property on Old Boones Creek, with four vehicles and a trailer and tools being taken. Alderman Causey said she just wanted to commend the Police Department because they did a tremendous and outstanding job in retrieving the vehicles. Alderman Causey said the Town has a great Public Safety Department. Mayor Vest thanked Alderman Causey for her comments.

Alderman Dickson said he wanted to walk along Alderman Causey. Alderman Dickson said Board members have seen a few emails coming to them about situations going on and he appreciates the fact that we are responding. He said he appreciates Town staff for that. He said sometimes you can easily get caught in a trap of ignoring and that willful ignorance can cause some hard repercussions. Alderman Dickson said when the Board get their reports and is told about what is going on and we are seeing action by Town staff, and he appreciates that.

Alderman Countermine thanked the neighbors (Angle Street and Locust Street) for coming and encourages them to keep coming until it is fixed and to keep the Board aware because that is the best way to get things done. Alderman Countermine said it is not always pleasant to hear those things, but it is their job as leaders to try to get it fixed.

Mayor Vest addressed East Main Street sidewalks project, going from Clay Avenue up to the Senior Center and staff is working with the contractor to get a date set to begin the project along with a couple of little agreements that have to be worked out. Mayor Vest said we are fairly close to getting that project started.

Town Attorney Comments was the next item on the agenda. Mayor Vest asked Town Attorney Jim Wheeler for his comments. Jim Wheeler said the Board will need to go into Executive Session and reminded Board members that they could not invite anybody else to attend the Session. Jim Wheeler said the Board needs to discuss litigation matters and asked that the Board recess rather than adjourn. He said after the Executive Session the Board may want to add an item to the agenda.

Attorney Wheeler said he would like to go back to the Beals matter concerning a comment that he may have appeared to take light in regard to Beals. Mr. Wheeler said in a zoning violation like that there is no way to ever say "gets fixed" because it can happen again. Mr. Wheeler said this is for the long-haul, and we will do what we have to do. Mr. Wheeler said he would also like to say that things like intimidation and some of the criminal activity that has been described here tonight that Board of Mayor and Aldermen cannot do anything about. He said the Police Department only can to the extent if there is enough evidence for them to take it to the District Attorney or the Court to have a charge filed and they can do that on a criminal level. Attorney Wheeler said the Board of Mayor and Aldermen has no impact on that and they can't. Mr. Wheeler said has to be looked at separately, one is to work on the criminal end and the other on the private end. Mr. Wheeler said there has been a lot of follow up on this case. He said the Police Officers have been out there time and time again and have cited and cited and cited. He said they are also somewhat limited on what they can do, depending on the Judge and what the Judge will do. Mr. Wheeler said we cannot influence that. He said he feels pretty comfortable on where we are with our Chancellor right now and the way he handled the first proceeding. Mr. Wheeler said if you read our petition for the court proceeding next week, we are asking the Judge to take what he feels is appropriate action on the violations in regard of his order, it's not the Town's order – it is the Chancellor's order that has been violated.

Mr. Wheeler said the second lawsuit that he is talking about is the Town saying Mr. Beals is violating our Ordinances and ask the Judge to order it be corrected and restrict him from doing it the future; and if Mr. Beals does it in the future then we go back to the Judge what sanctions he feels appropriate for violation of his order. Mr. Wheeler said they are trying to tighten things down, and he thinks that the more we tighten that down, in his experience, that likely some of your other problems will only get worse for a little while, and he cannot help that. Mr. Wheeler said he can't do anything about that. Mr. Wheeler said they were looking at the trespass issue, and then Mr. Beals shows them video of a neighbor trespassing on his property, and what do you want us to do go arrest Mr. Beals and arrest the neighbor. Mr. Wheeler said if you want us to arrest him for trespassing then don't go up and walk on Mr. Beals' property. Mr. Wheeler said they are trying and will continue to try and are committed to this issue for the long-haul. Mr. Wheeler said he would like to suggest that they have a monthly meeting with the neighbors, outside of this Board meeting, with just Glenn Rosenoff and himself so that we can sit and talk about find out about what is continuing to go on. He said he had heard a few things tonight that he has not heard before. Mr. Wheeler said the Town's Building Department has been on top of what Mr. Beals has done of what they have inspected, and it has failed inspection and that and that is part of what the second lawsuit is that we will be dealing with. Mr. Wheeler said they are consequences to Mr. Beals' failing inspection; and the Police Department and the Building cannot move someone out of their home because it has to go through the court process. He said that were on this situation and trying to do everything that we can, and it will be a continuing problem as long as Mr. Beals lives there. Mr. Wheeler said the general favor of what he is hearing is that the neighbors want to see Mr. Beals gone, but we cannot make him go, and there is no provision in the law for us to do so. Mr. Wheeler said he will

welcome any suggestions and be glad to discuss it with the neighbor property owners and get a better feel of what you would like to see, but it may not be a legal way for the Town to take up, and he will be glad to refer you to somebody that can help you.

Alderman Countermine said he thinks it would be good if any the neighbors to go to the Chancery Court hearing at 10:00 am, on Tuesday, June 21st. Attorney Wheeler said he would really like to get the neighbors contact information before the court hearing next week. Attorney Wheeler said he gets upset when Mr. Beals sits there in court and tells the Judge that he gets along with his neighbors. Mr. Wheeler said he has talked to a few people who did not want to come to court because of intimidation and he understands their reasons, but if there is anybody who is willing to go to court, he is perfectly willing to put them on his list to testify before we go to court. Mayor Vest advised in that situation there not to antagonize the person too much and back away for a little bit and just see how the process plays out.

The next item on the agenda was approval of a Special Event Application request for the David Crockett High School Pioneer Pride 5-K Run/Walks. Mayor Vest said this is always a good local event and race, and they seem to have everything in order now. Mayor Vest asked the Aldermen if they had any comments or questions. Alderman Causey said she would like to commend our staff on these special event applications with everything being in order and it is a great job. Alderman Countermine made the motion to approve the Special Event Permit for the Pioneer Pride 5K Glow Run scheduled for August 6, 2022 from 8:00 PM to 10:30 PM with the blocking off of Main Street from Fox Street to Second Street, to permit for food and music, subject to the Town Attorney's review and approval of the Proof of Insurance and Hold Harmless Agreement. Alderman Dickson seconded the motion, and it was duly passed.

Mayor Vest said there was one addition to the agenda in regard to the purchase of a Ford F-150 XL truck for the Meter Department which has a \$10,000 reduction in cost if purchased before June 30, 2022. Mayor Vest called for a motion to add the purchase of the Ford F-150 truck to the agenda. Alderman Causey asked if the money was in the budget. Operations Manager Craig Ford replied yes. Alderman Causey made the motion to add the purchase of the truck to the agenda, seconded by Alderman Countermine and duly passed. Mayor Vest asked Craig Ford for his comments. Craig Ford apologized to the Board for not getting this on the agenda. Mr. Ford said we received notification last Thursday from Steven Blackstock, salesman in government sales of Lonnie Cobb Ford, who has the current state-wide contract, that they had one vehicle out of the entire state contract that was not sold. Mr. Ford said in the FY21-22 budget we have purchased several vehicles that will not be here by the end of this fiscal year, and we are going to have to basically forward that money into the FY22-23 budget year when the vehicles will come in. Mr. Ford said in the FY22-23 budget year we are going to be recommending some vehicles purchases in that budget process. Mr. Ford said that Steven Blackstock said that they actually have that vehicle on their lot right now and that beginning July 1st that there would be a \$10,000 per unit in these F-150 vehicles. Craig Ford said it is kind of one of those things that it is almost imperative that we if we are to approve any vehicles in the FY22-23 budget that we take some of the

money that was budgeted for this year and with those vehicles not come in and recognize a \$10,000 savings in less than 2 weeks when the cost of those vehicles is going up. He said Lonnie Cobb Ford has agreed to hold the Ford 150 truck for us until tomorrow morning when we have to let them know by email if the Town wants to purchase the F-150. Glenn Rosenoff asked Craig Ford if he knows if Parks and Recreation has received their vehicle. Craig Ford replied yes. Mr. Ford said there were two vehicles that were ordered that came in last week. Mayor Vest asked the Aldermen if they had any comments or questions. Alderman Countermine made the motion to approve the purchase of a Ford F-150 Truck for the Meter Department from Lonnie Cobb Ford, seconded by Alderman Dickson and duly passed.

The first item under New Business was approval of a Resolution Adopting a Continuing Budget for Fiscal Year beginning July 1, 2022. Mayor Vest asked Town Administrator Glenn Rosenoff for his comments. Glenn Rosenoff said this is a requirement, by the State Comptroller's Office, of the Town not passing our FY2022-2023 budget; and this allows us to function under the current operating budget until the new budget is adopted for FY22-23. Mayor Vest asked the Aldermen if they had any comments. There being none, Alderman Causey made the motion to approve the Resolution allowing the Town to continue operating into the 2022-2023 fiscal year under the 2021-2022 budget appropriation until the FY22-23 fund budgets are approved and the property tax rate adopted. Alderman Dickson seconded the motion, and it was duly passed.

INSERT RESOLUTION

The next item on the agenda was approval of the FY-22-23 TDOT State Highway Maintenance Contract with the maximum reimbursement amount of \$44,546.46. Mayor Vest asked the Aldermen if they had comments. There being none, Alderman Countermine made the motion, seconded by Alderman Causey, to approve the FY22-23 TDOT State Highway Maintenance Contract as presented. The motion was duly passed.

INSERT CONTRACT

The next item on the agenda was a Special Event Application request for the Salvation Army Kettle Krush 5K Run, scheduled for Saturday, November 5, 2022 beginning at 1:00 pm through 4:00 pm. Mayor Vest asked the Alderman if they had any comments or questions. There being none, Alderman Dickson made the motion, seconded by Alderman Countermine to approve the Salvation Army Kettle Krush 5K Run Special Event Application as presented. Mayor Vest asked if there was any further discussion. Operations Manager Craig Ford said we typically get complaints about road closures in these 5K events. Mr. Ford said we have looked at what other municipalities do, and the Police Department has looked at alternate routes that will allow less street closures. Mr. Ford asked that if the Board approves the run and allow us to bring some alternate routes that the Board could approve, which will allow staff to present the approved routes to someone who wants to hold a run/walk and will reduce the number

intersections that has to be closed. Town Administrator Glenn Rosenoff said Police Chief Matt Rice has done an excellent job in regard to mapping for 5-K and 1 mile runs and what works best for the Town's public safety. Mr. Rosenoff said staff will bring these proposed routes back to the BMA in July for approval and recommended that the Kettle Krush 5K Run be approved subject to Public Safety working with the event sponsor working on a route. Mayor Vest asked Alderman Dickson and Alderman Countermine if they wanted to add Mr. Rosenoff's recommendation to their motion and second. Alderman Dickson said he was not too comfortable with what was presented. Craig Ford said it is two-fold, one is especially the larger races there is an inordinate amount of anger expressed to the Police Officers over the road closures; and the second thing is that obviously we need to learn to share the road, but roads are made for driving and not running especially not large groups of people. He said any time you mix large groups of people with traffic there is an increase injury. He said they are working on pre-approved routes that reduce the number of road closures that are safer and take a lot less Town personnel to work the intersections on some of these races that we currently have. Alderman Dickson and Alderman Countermine agreed to the amendment of the motion. Town Attorney said he had one more amendment, which is to strike subject to the Town Attorney's review and approval of the hold-harmless agreement and insurance because he has reviewed it and they are in order. With there being no further discussion, Mayor Vest called for the vote and the motion was duly passed.

The next item on the agenda was a Special Event Application request and Special Event/Special Occasion Outdoor Use Permit for the TN Hills Distillery Family Block Party on Saturday, July 16, 2022 from 2:00 pm to 9:00 pm. Mayor Vest asked the Aldermen if they had any comments or discussion. Alderman Countermine asked if the two recommendations needed to be voted on separately. Town Attorney Jim Wheeler said yes, and in the first recommendation the wording subject to the Town Attorney's review and approval of the Proof of Insurance and Hold-Harmless can be stricken from the motion because he has reviewed them, and they are in order. Alderman Causey made the motion to approve recommendation one approving the Special Event Permit Application for the closure of the Parson's Table Park Lot for the TN Hills Distillery Family Block Party to be held on Saturday, July 16, 2022, from 2:00 pm to 9:00 pm. Alderman Countermine seconded the motion, and it was duly passed. Alderman Causey made the motion to approve recommendation two approving the Special Event/Special Occasion Outdoor Use Permit Application submitted as part of the Special Event Application request within the Parson's Table Parking Lot and that the alcohol use within the parking lot being requested with signage stating "No Alcohol Beyond This Point" within the parking lot and in particular at all entries and exits, and subject to the approval of the Tennessee Alcohol Beverage Commission. Alderman Countermine seconded the motion, and it was duly passed.

The next item on the agenda was a Special Event Application request for the Washington County Tennessee Heritage Fair to be held Friday, September 2, 2022 through Saturday, September 3, 2022 in various locations within Jonesborough's downtown area, and with the event setup scheduled for Thursday, September 1st. Town

Attorney Jim Wheeler asked that this Special Event Request be deferred to the July BMA meeting due to the Hold-Harmless Agreement not being signed and the Proof of Insurance.

The next item on the agenda was approval of a Resolution for the General Obligation Capital Outlay Note, Series 2022 for the Utility Capital Projects. Mayor Vest said the improvements included is the Northern Loop, Phase 1, of the North Cherokee water improvement estimated to cost \$1.5 million, electronic water meters estimated to cost \$3.7 million, sewer lift station "A" improvements estimated to cost \$200,000, and installation of two water pump stations to increase water pressure to the Ivy Trace Subdivision and Birds Eye View in Mill Creek Subdivision, estimated to cost \$300,000. Mayor Vest asked Glenn Rosenoff if this would be cost-shared by the developer and the town and developer. Glenn Rosenoff said no, and staff has reviewed these two areas and the time has passed to require the developer to do so. Mr. Rosenoff said in the future when a developer comes in and there is a pressure issue, whether it is by development or annexation, then the responsibility is placed on the developer to solve that issue with a pump station and once they have satisfied the utilities of installing the pump station properly, then at that point the Town would assume the responsibility of maintenance. Mayor Vest asked the Aldermen if they had any comments or questions. There being none, Alderman Countermine made the motion to approve the Resolution for the General Obligation Capital Outlay Note, Series 2022 for the Utility Capital Projects, with a not to exceed 4,750,000, as presented, Alderman Dickson seconded the motion, and it was duly passed.

INSERT RESOLUTION

The next item on the agenda was approval of a Certificate of Compliance for Retail Food Store Wine sales for Weigel's Store #99 located at 152 Headtown Road, based on meeting zoning requirements, and the background check being undertaken with no issues, and authorization for the Mayor to sign the Certificate. Mayor Vest asked if the Aldermen if they had any comments. There being none, Alderman Causey made the motion the to approve the Certificate of Compliance for Retail Food Store Wine sales for Weigel's Store #99 and authorize the Mayor to sign the Certificate. Alderman Countermine seconded the motion, and it was duly passed.

The next item on the agenda was first reading of an Ordinance for the Fiscal Year 2021-2022 Budget Amendments for the General, Drug and Solid Waste Funds. Mayor Vest asked the Aldermen if they had any comments. There being none, Alderman Causey made the motion to approve the FY2021-22 Budget Amendments for the General, Drug and Solid Waste Funds on first reading, seconded by Alderman Dickson and duly passed.

INSERT ORDINANCE

The next item on the agenda was approval of the fence bid for the Jonesborough Dog Park from McCall Commercial Fencing, Inc. in the amount of \$46,438 for materials

only and with a 15-year warranty on the materials. Mayor Vest said this was the only bid received and asked the Aldermen if they had questions or comments. Alderman Causey asked if the bid is only for materials, and she prefers that staff not install the fencing, and asked that staff go back to the company for the installation. Mayor Vest asked if there were any more comments. There being none, Alderman Countermine made the motion, seconded by Alderman Dickson, to approve the bid for the Jonesborough Dog Park fencing in the amount of \$46,438. The motion was duly passed.

The next item on the agenda was approval of the fence bid for the Lincoln Park Pickleball Court from McCall Commercial Fencing, Inc. in the amount of \$11,040 for materials only and with a 15-year warranty on the materials. Mayor Vest said this was the only bid received and asked the Aldermen if they had questions or comments. Alderman Causey asked if this was in the budget. Glenn Rosenoff said yes. Mayor Vest asked if there were any more comments. There being none, Alderman Causey made the motion, seconded by Alderman Countermine, to approve the bid for the Lincoln Park Pickleball Court from McCall Commercial Fencing, Inc. in the amount of \$11,040. The motion was duly passed.

The next item on the agenda was approval of an agreement with the Upper East Tennessee Human Development Agenda for participation in the Low Income Household Water Assistance Program. The program provides financial assistance to households who are disconnected or pending disconnection of water and wastewater services, who are past due and at risk of receiving a disconnect notice, and who are seeking help with their current bill due to a hardship. Every client would receive at least a one-time payment of \$250 that would be applied to their water bill only. If there is a remaining credit after applied, that amount would be applied to their account as a credit. For clients who owe more than \$250, we may be able to assist with what they owe. UETHDA is excited to be able to launch this program to provide relief to families who need it. The program is temporary and will end in September 2023. Mayor Vest asked the Aldermen if they had questions or comments. Alderman Dickson said these last few items that the Board has discussed, the Northern Loop, as we call it, the different utility project upgrades, the parks, the fencing for the dog park and he hopes we all see that Jonesborough is invested in quality of life for the citizens; and that we want to make these investments and making strategic investments for the greater good of the community and just to see how we are doing is really refreshing to him and helping somebody that may be down on their luck in paying their water bill and we really care about our citizens and we are trying to improve the quality of life for our citizens. Alderman Dickson said that was really exciting to see. Mayor Vest asked the Aldermen if they had any further comments. There being none, Alderman Dickson made the motion, seconded by Alderman Countermine and duly passed, to approve the Agreement between the Town of Jonesborough and UETHDA for participation in the Low Income Household Water Assistance Program (LIHWAP), subject to the Town Attorney's review.

INSERT CONTRACT

Mayor Vest recessed the meeting in order for the Board to meet in Executive Session with Town Attorney Jim Wheeler.

The Board adjourned the Executive Session and rejoined the BMA meeting. With there being no further business, Mayor Vest adjourned the Board of Mayor and Aldermen meeting.

PAT RYDER, RECORDER

CHUCK VEST, MAYOR