

## City of Townsend

### Beer Board and Commission Meeting Minutes

For

June 17, 2014

**Attendance:** Attending the meeting was Mayor Michael Talley, Vice Mayor Becky Headrick, Commissioner Jackie Suttles, Commissioner Ron Palewski, Commissioner Kenny Myers, Recorder Danny Williamson, Former Recorder Shelia Moss, Police Chief Ron Suttles, Fire Chief Don Stallions, Charles Tippitt, Iva Butler, Alicia McClary, and Sherry Myers.

**Pledge:** Mayor Talley opened the meeting with the Pledge of Allegiance at 7:00 pm.

**Minutes:** Commissioner Myers made a motion to approve the May 20, 2014 minutes pending one correction in the police report (deletion of the word mentioned). Vice Mayor Headrick seconded and the motion passed with 5 yea votes.

\*\*Mayor Talley stated that he would like to move the Fire Department report up on the agenda per the Fire Chief's request.

**Fire:** Chief Stallions reported that everything was going well and that the department was responding to a normal amount of calls. He mentioned that there were not as many river calls due to the river being low. He also mentioned that as traffic picks up so will their call volume. Chief Stallions reported that they were beginning to prepare for the event on the Fourth of July. There was some discussion about the event and the US Bank donation. Commissioner Palewski asked if a rain date had been set. Chief Stallions responded by saying no. Commissioner Myers asked what day the Fourth of July fell on this year. Multiple people (citizens and other Commissioners) stated it was on a Friday. There was some discussion about previous Fourth of July events. Chief Stallions stated that the Townsend Area Volunteer Fire Department really appreciates the City of Townsend's support.

**Finance Report:** Recorder Moss mentioned that she would like to discuss the terms of her contracted employment. She stated that she would like to change the approved rate of pay from twenty five dollars an hour to fifteen dollars an hour. There was a lot of discussion about former Recorder Moss's request. Mayor Talley made a motion to accept former Recorder Moss's proposed fifteen dollar per hour pay rate amendment to the original contract. Commissioner Palewski seconded and the motion passed with 5 yea votes.

Recorder Moss then gave the finance reports for the month of May 2014. Commissioner Palewski made a motion to approve the May 2014 finance reports. Commissioner Myers seconded and the motion passed with 5 yea votes.

There was some discussion about the new Municipal Office Schedule. Mayor Talley made a motion that the new City Recorder's schedule would be thirty two hours per week, with an office schedule of Monday through Thursday from 8:00AM to 4:30PM with a half hour lunch break from 12 to 12:30PM. Vice Mayor Headrick seconded and the motion passed with 5 yea votes.

**Police Report:** Chief Suttles reported that traffic has picked up but the weekend was quiet. He mentioned that there was a crowd Thursday for Court. There was also some discussion about Bear sightings.

**Maintenance:** Chief Suttles reported that the cylinder on the backhoe was being rebuilt. He reported that several people including Mr. Don Headrick had helped to get the cylinder off the equipment. Chief Suttles stated that the part was taken to Hepperly's for repair. He reported that the Maintenance Department had been cleaning up from the Fire Hall to Apply Valley including the medians.

**Recreation:** No Report

## Old Business

**Ordinance 273-14-1C, Regulations for Impound and Sale Proceed Disbursement:** Mayor Talley stated that he would like to postpone this ordinance until July. Commissioner Suttles stated that she would like to do what the Commission has been doing. Mayor Talley and Vice Mayor Headrick stated they would like to follow State Law. Mayor Talley then made a motion to disperse the proceeds from the sale of seized vehicles in accordance with State Law. Commissioner Headrick seconded and the motion failed with 2 yea votes. Commissioners Myers, Palewski, and Suttles all voted nay. Commissioner Myers then made a motion to disperse the proceeds from the sale of seized vehicles as has been done in the past which was to deposit funds in the Drug Fund. Vice Mayor Headrick asked "even though that's going against state law, do you still want to make that motion?" and Commissioner Myers said, "yes". Commissioner Palewski seconded and the motion passed with 3 yea votes. Mayor Talley and Vice Mayor Headrick voted nay.

**Mountain Avenue Water Tank Access:** Mayor Talley mentioned that he had talked to Mr. Lynn Valentine He reported that Mr. Valentine does not have a map yet and that Ms. Lisa Ivins will be coming to the July meeting with maps. Police Chief Suttles stated that he believes that the access road should be for water department use only. Mayor Talley mentioned that language will have to be added to the agreement/contract restricting use of the access road to the Tuckaleechee Water Department only.

**Public Hearing and Second Reading- Ordinance 281-14-1C, FY2015 Budget:** Mayor Talley read the heading of Ordinance 281-14-1C aloud and then opened the public hearing at 7:41 PM. There being no public comment Mayor Talley closed the public hearing at 7:42 pm. There was some discussion about the fiscal year 2015 proposed budget. Mayor Talley made a motion to approve Ordinance 281-14-1C. Commissioner Myers seconded and the motion passed with 5 yea votes.

\*\*There was some discussion about the **Old Highway 73 road project**. Vice Mayor Headrick mentioned that she had talked with Mr. Bill Dunlap about this project and reported some of the preliminary estimates pertaining to some costs. Mayor Talley mentioned that the City needed to get started. Commissioner Myers stated that he thinks the Commission should wait until the next meeting to vote on anything since both the City and the County are still working on proposed fiscal year 2015 budgets.

## New Business

- 1) Mayor Talley made a motion to approve East Tennessee Development District (ETDD) Planning Contract. Commissioner Myers seconded and the motion passed with 5 yea votes.
- 2) Commissioner Myers made a motion to allow Vice Mayor Headrick to receive appointment to the Planning Commission by Mayor Talley. Commissioner Palewski seconded and the motion passed with 4 yea votes. Vice Mayor Headrick abstained.

\*\*Mayor Talley updated the City Commission on the Damico trespassing case. He reported that the Tennessee Court of Appeals found Mr. Damico guilty and reinstated the fines. Mayor Talley mentioned that the verdict clears up the question of whether or not the Townsend Police Officers can issue trespassing citations. Mayor Talley spoke about previous cases pertaining to the river in Townsend where Judge Young ruled that the Little River in Townsend was not navigable and Judge Dugan ruled that it was navigable in the legal sense. Mayor Talley stated that the Tennessee Court of Appeals would not be ruling on navigability. He mentioned That the Tennessee Attorney General had issued an opinion where navigability would have to be determined in a trial by jury. Commissioner Myers stated that navigability determinations affect property owners adjacent to the river. He also mentioned that he believes that tubing is a nuisance. Mayor Talley mentioned that there are liability, life safety, and nuisance concerns pertaining to tubing. He mentioned that he believes the City Commission should contact the State Legislature about passing a privilege tax. Commissioner Myers mentioned that either Arkansas or Missouri had a similar issue and that the EPA (Environmental Protection Agency) got involved because it got out of hand. Mayor Talley mentioned that he thinks everyone agrees and that this issue is bigger than the little City of Townsend. There was further discussion however, no action was taken.

\*\*There was some discussion about the new Tremont Lodge formerly known as the Lodge at Valley View, special permits required to have commercial vehicles in the National Park, Friends of the Library, and the City's bank account signers. No action was taken.

There being no further business, Commissioner Myers made a motion to adjourn at 8:12PM. Commissioner Suttles seconded and the motion passed with 5 yea votes.

\_\_\_\_\_  
City Recorder

Approved: \_\_\_\_\_ date

Title: \_\_\_\_\_