

Graysville Board of Mayor and Commissioners
Graysville Municipal Building
March 14, 2013 7:00 p.m.

Call to order by Mayor Ted Doss

Prayer led by Commissioner Charles E Kaylor

Pledge led by Vice Mayor Reel

Roll Call:

Mayor Ted Doss	Present
Vice Mayor Denesa Reel	Present
Commissioner Andy Beene	Present
Commissioner Charles Kaylor	Present
Commissioner Michael May	Present

John Fine

Mayor Doss informed everyone the state had decided not to redistrict Rhea County, therefor Mr. Fine wasn't present. There is nothing the city needs to do at this time.

David Wilson

Mr. Wilson a two year resident of Graysville asks the city to sponsor health classes that he will present to all citizens free of charge. He plans to focus on Stress Release, Nutrition and Smoking Addiction.

Mayor Doss "It is something that we will take under consideration."

Communications from Mayor and Commissioners

None at this time.

Approval of February 14, 2013 Commission Minutes

A motion to accept the February 14, 2013 minutes was made by Commissioner Kaylor; 2nd by Vice Mayor Reel. Motion carried 5-0.

Consent Agenda

A motion to accept the Consent Agenda was made by Commissioner Kaylor; 2nd by Commissioner Beene. Motion carried 5-0.

Commissioner May "What all is in the consent agenda for tonight?"

Mayor Doss "Reports from Kristopher's Kingdom, Police Department, Water Department, Fire Department and Library."

Commissioner May "I didn't have one in my packet."

Old Business

Zip Code Issue Update

No new information

Year Round Fire Works Sale

Commissioner Kaylor "I can't agree with the under age of ten to be purchasing fireworks, I would like to see it raised to at least 15 or 16.

A motion to change wording; Under Ordinance 2012-4 Section 211 It shall be unlawful to offer any sale of fireworks to children under the age of 16 years of age or to any intoxicated or irresponsible person was made by Commissioner Kaylor; 2nd by Mayor Doss. Motion carried 5-0.

2013 LSTA Technology Grant Program

Mayor Doss "We have received the computers and they are in process of being installed."

Police Chief Erik Redden "They are waiting on the state to come install the software they need to run their system."

Brush Collection

Mayor Doss "Review and sign the contract with L & T Tree Service."

Commissioner Kaylor "Is these the only ones we have talked to."

Mayor Doss "Yes we had a couple to come down and pick up application for it but only one was submitted, and it's time to start picking brush again. Its \$120.00 an hour, they will keep logs to turn into city and the city employee will be keeping a close eye on it."

Commssioner Kaylor "Is the money in the budget for it?"

Mayor Doss "Yes."

A motion to enter into contract with L & T Tree Service was made by Commissioner Kaylor; 2nd by Commissioner May. Motion carried 4-1. Vice Mayor Reel voting No.

Old Library Building and Land

Mayor Doss "We are still waiting on the surveyor's and they are scheduled to come Wednesday."

Speed Limit

Mayor Doss "I have driven the roads and feel like 15 mph is to slow for the side streets. The main roads I would like to keep at 30 mph but side roads I would like to see 20 mph.

Commissioner Beene "I have passed out braking and stopping distance fact sheets. The side streets with 15mph it takes 44 feet to stop increasing to 20 mph it would then take 63 feet to stop. There's a lot of kids and young people out walking and riding bikes I would hate to change any speed limits as some roads should be slower."

A motion to change all 15 mph streets up to 20 mph and leave all streets with 30 mph the same affective on July 1, 2013 was made by Mayor Doss; 2nd by Commissioner May. Motion carried 3-2. Commissioner Beene and Kaylor voting no.

Any properly presented old business

Vice Mayor Reel "I would like to vote on letting Mr. Yother put his trailer on the property, he has filled all the proper paperwork and the boy needs to move bad so I make the motion to go ahead and let him put trailer there."

Mayor Doss "As we were told several months ago this board doesn't have the authority to do it, it has to go to planning commission. Mr. Hall has filled out paperwork to take to planning commission this month."

Vice Mayor Reel "We did go to the planning commission the last time they met and Andy was there, they said they are not the people we go before. So we are not sure what to do next."

Commissioner Beene "What was the motion again?"

Vice Mayor Reel "It was for him to be able to put trailer on the property."

Commissioner Beene "I second that, I think we need to let him put trailer there. The reason I'm supporting this is he needs to move it, whatever regulations have to be met, let it go thru proper process but let him go ahead and move it there until everything is done."

Mayor Doss "We need legal advice on this Mrs. Barron."

City Attorney Carol Ann Barron "Refresh my memory on this is it the area that's been zoned."

Mayor Doss "It has been zoned."

City Attorney Barron "The area he wants what is it zoned?"

Mayor Doss "It has been zoned for double wide or permanent residents."

City Attorney Barron "Is he wanting to put double wide there?"

Vice Mayor Reel "He is buying the land and wanting to put single wide there."

City Attorney Barron "Do you have a zoning area for single wide's in Graysville?"

Mayor Doss "Yes."

City Attorney Barron "It would be up to this board if they granted a zoning variance."

Mayor Doss "Our state planner said it has to go to planning commission."

City Attorney Barron "Has it gone to the planning commission?"

Mayor Doss "It goes this month on the 26th."

Vice Mayor Reel "We went to them last month and they didn't know what the proper steps were."

Mayor Doss "The planning board didn't have a meeting last month."

Commissioner Beene "All this is new to everyone that's why I support this also. That we go ahead and let him put trailer there."

City Attorney Barron "Is the young man here to state why it's important to receive the variance?"

Mayor Doss "He doesn't own the property it should be the property owner."

City Attorney Barron "Yes it would have to be the property owner and what the property owner should appeal to this board is why he should be treated differently than anyone else who moves into the area. This board needs to decide if you going to apply you're zoning ordinance or if you're going to consider variances, and if so what would be the conditions you would consider them in. Has the property owner appeared?"

Vice Mayor Reel "Yes he has."

City Attorney Barron "Do you recall the reasons why a single wide should be in a double wide area?"

Vice Mayor Reel "Well it's surrounded by a trailer park, a single wide trailer park across the street and left hand side, the only house close to them is my sisters. Myself I don't see what the problem would be, as it is a area surrounded by trailers.

City Attorney Barron "If I were this board I would send a letter to surrounding neighbors in the area and let them know there have been a request for variance and have a hearing as you want to know what the community thinks about altering the variance in the area as well as the property owner. That would give this board some ideal on how they feel about accepting a variance or if they feel it would reduce the value of their property. If no one comes to hearing at least the property owner should be here."

Vice Mayor Reel "Terry are you the property owner now or is it still Josh?"

Terry Hall "I am."

Vice Mayor Reel "Ok he is here."

City Attorney Barron "Does he have the neighbors name to give them a notice."

Vice Mayor Reel "Yeah, do you have the names Terry?"

Mr. Hall "I don't have all their names, but the ones we have talked to they don't have a problem with it."

Vice Mayor Reel "Yeah because I have spoken with several of them. It's adjoined with Mr. King's trailer park and my sister Donna whom she doesn't have a problem with it, across the street is another trailer park so I don't see why they would have a problem with it."

City Attorney Barron "It's this board's decision whether any further information is necessary."

Mayor Doss "I that's why we have you here to guide us and make sure we do the right thing."

City Attorney Barron "I didn't get clarity whether or not they have been in front of planning commission, has then been properly presented to the planning commission and that is where your initial hearing needs to be."

Mayor Doss "With zoning being passed last year it's new to all of us, its trial and error. Our planner has found out that it needs to go thru the planning commission."

City Attorney Barron "Is it this board's direction to have a hearing before the planning commission to get their recommendation?"

Mayor Doss "That's thru the state recommendation."

Vice Mayor Reel "No they say he fills out the paperwork and it goes before a zoning committee but not Graysville zoning committee."

Mayor Doss "He is on the schedule for the 26 for planning commission."

City Attorney Barron "When is your March planning commission meeting?"

Mayor Doss "March 26, 2013."

City Attorney Barron "And for clarity will they have a hearing on this matter?"

Mayor Doss "Yes."

City Attorney Barron "And will it be on March 26 or would you want more time."

Mayor Doss "No it's going to be on the 26th."

City Attorney Barron "And will you give the joining or surrounding property owners notice?"

Mayor Doss "If that's what we need to."

City Attorney Barron "Well they are asking for variance so I would think the planning commission would want some input from the surrounding neighbors."

Mayor Doss "Ok."

New Business

Library Board

Miss Cindy Garcia presented the board resignation letters from library members Johnnie Levi and Betty Johnson. The library board would like to add Lisa May, Rita Lewter and Darlene Hickman as new library board members.

A motion to appoint Lisa May, Rita Lewter and Darlene Hickman to library board was made by Commissioner Beene; 2nd by Commissioner Kaylor. Motion carried 5-0.

Scheduled Elected Officials Academy Class regarding Fire Department

Mayor Doss "Chief Burns if you will come forward and give me an update on the classes you were in the middle of?"

Fire Chief Adam Burns "Yes, the first responder class has ended, we are waiting on our class number from the state which the instructor has to get it before the three guys who passed are able to apply for their license. I have to pay a \$24.00 reinstatement fee and my license will be up to date."

Mayor Doss "So the five who took the class, did they all pass?"

Chief Burns "No only three passed but Barry is going to work with the other two to bring them up to date."

Commissioner May "Who passed the test?"

Chief Burns "Myself, Daniel Friscia and Michael Friscia."

Mayor Doss "Any other questions? Dennis Wolf with MTAS is willing to offer a class to our board that goes over everything from a to z about the fire department. He has the following dates open; March 16, April 20 and 27th, any discussion whether you can attend?"

Commissioner Kaylor "I most likely will be working but will try to make it."

A motion to hold the class on April 27th here at city hall was made by Commissioner Kaylor; 2nd by Vice Mayor Reel. Motion carried 5-0

Review and approval of quote for mulch and roof for Kristopher's Kingdom

A motion to purchase mulch for park for \$1314.00 was made by Commissioner Kaylor; 2nd by Commissioner Beene. Motion carried 5-0

Resolution 2013-2 Opposing redistricting of the 12th Judicial District Skip at this time

Almost Home Pet Foundation donation request

Mayor Doss "The Almost Home Pet Foundation is focusing more on spay and neuter as to finding pets homes. Graysville residents are using them monthly. For instance if you can't pay the full amount they have you pay the rabies \$12 and they use the donated money for the rest of amount. Tulmont has said they would match any amount they got donated from government agencies whether it is cities or counties. Therefor they are requesting \$500.00 from Graysville and they will only spend it on people who have a 37338 zip code.

A motion to make a \$500.00 donation to Almost Home Pet Foundation was made by Commissioner Kaylor; 2nd by Commissioner Beene. Motion carried 5-0

Approvel of Speed Tech Lights invoice for Ford Explorer lighting

Police Chief Redden "The lights for the explorer went over the amount Michelle can approve by about 200.00, so I'm bringing to you for approval."

A motion to pay the invoice for Speed Tech Lights of \$1209.30 was made by Commissioner Kaylor; 2nd by Commissioner Beene. Motion carried 5-0.

Ordinance 2013-1 Allowing Year Round Fire Works Sales in established business

A motion to accept Ordinance 2013-1 was made by Commissioner Kaylor; 2nd by Commissioner Beene. Motion carried 5-0

Any properly presented new business

None at this time

Citizen Input

Citizen Frieda Gadd "There are trees in the creek just above the bridge on Dayton Avenue, who do I see to get that moved cause it's going to back up the water when we have a flood?"

Mayor Doss "That would be county executive George Thacker and we will have Amanda make a note to call his office in the morning."

Commissioner Beene "You're the second one to bring that up Frieda, so ask if they can check the whole creek."

Mrs. Gadd "Exactly where do I stand on putting a trailer where the old house was? Can I put in a single wide as I can't afford a double wide?"

Mayor Doss "You will have to get with Michelle and look at the zoning on it."

Citizen Connie Williams "I would like to thank everyone for letting me speak again, just have a couple of questions to ask. Has a decision been made on my husband's position?"

Mayor Doss "Again that's the fire department not the boards to place members on the fire department."

Mrs. Williams "I understand that but Michelle was the one who took his position."

Mayor Doss "No mam my understanding is they took his rank down and he resigned."

Mrs. Williams "They stripped him then he resigned"

Mayor Doss "That's what I said."

Mrs. Williams "If they stripped him for not completing his live burn, you offered for him to go take it, he said yes he would so where does that stand?"

Mayor Doss "Again this board does not place members on the fire department, the fire department is the one who puts them on, so coming this board to ask to put someone on the department we can't do that."

Mrs. Williams "That's not what I'm asking, last time I was here you said you guys would take it into consideration due to Michelle stripping him and Vice Mayor Reel ask him if he would be willing to go back and he told her yes he would, so I'm here to find out what you guys are going to do about it. It not right to strip someone for not having live burn but then give the position to someone one is not able to go take it period, no live burn, 64 or training what so ever, so where does it make that right? When this man has 360 hours and I find out that all he needed was a fire department to sponsor him to get his records transferred which would have made him firefighter 1 and 2 in the state of Tennessee."

Mayor Doss "To me we are right where we were last time."

Mrs. Williams "I mean Michelle is the one who took it away from him and I know she is not here tonight but I didn't know that, but they have offered him to go back so where does he stand? Is he going to have to go back in front of fire department to get back on?"

Mayor Doss "I'm telling you it's up to the fire department, the chief and the fireman."

Mrs. Williams "Ok that's all I needed to know. Thank you."

Citizen Wendy Rogers "Do you go by the Roberts rule of order?"

Mayor Doss "Yes."

Mrs. Rogers "Tell me about the voting, how's that supposed to go with Roberts rule of order? Is the mayor not supposed to vote when there is a tie?"

Mayor Doss "No."

Mrs. Rogers "No, that's not the Roberts rule of order. Is that not what the charter says?"

Mayor Doss "There are several ways of doing it and Carol Ann if you will."

City Attorney Barron "The Graysville charter permits the mayor to have equal vote with the other commissioners. Roberts rule of order is a default provision, but the Graysville charter gives the mayor equal voting power has it always has."

Mrs. Rogers "The private charter that no one really knows nothing about."

City Attorney Barron "Its online you can Google it and MTAS has the Graysville charter online so its public information anybody can access it."

Mayor Doss "We got on our website."

Mrs. Rogers "You know I have set back here and listened, I have been to two meetings here and yuns have showed no concern to the citizens. Like this lady right here her husband is wanting to be a firefighter, wanting to come put your house out and you have showed him no concern at all, but I

guarantee you if your house was burning you would welcome him and any of the rest of you would too. Another thing about the animals \$500.00 for only 37338 I'm 37321 but I pay taxes just like anyone with a zip code 37338, I don't have any animals but if I did I couldn't get mine took care of even though I pay taxes right the same as anybody else. You're so concerned about animals but you don't care nothing about the people, I see no compassion what so ever and you know what yuns aint answered nothing, I don't know what you're here for, you have had to reply to her, go to Michelle, you send somebody ever which way but to yall, we voted you people up here, so what good are you?"

Vice Mayor Reel "Now Wendy I have to say I've tried."

Mrs. Rogers "Yes Nesa you and Michael yuns have tried, but boy we messed up I mean if we had gotten one more in there, changed one more Graysville could have been a thriving community, we want even let a man with his own single wide trailer, wants to come in here and be a firefighter, put his kids in school, wants to be a citizen of Graysville, they aint many people wants to be a citizen of Graysville, but you set up there and deny him, what kind of sense are you using; it aint common sense that's for sure. I would be ashamed to set up here and treat my fellow Graysville people that has been, I have been proud to say I'm from Graysville because it was a good loving caring community it no more they don't know body want to drive down thru here. My friends son got stopped, cops gave him a ticket and didn't even write down the right make, model or nothing of his car, wrong car wrong vehicle but gave him a \$144.00 ticket, well he has gone to Arnold Fitzgerald and Arnold Fitzgerald's gladly gonna come represent him free of charge because it's such a joke down here. Now that's what yuns are doing by letting this stuff go and go, making a laughing stock of us."

Mayor Doss "Appreciate your time."

Mrs. Rogers "See there your cold as you can be."

Mayor Doss "I'm just going by the Roberts rule just like you suggested."

Mrs. Rogers "You said you didn't follow Roberts rule."

Mayor Doss "Yes I did."

Mrs. Rogers "You did, well okie dokie thank you."

Mayor Doss "Thank you ma am."

A motion to adjourn was made by Commissioner Kaylor; 2nd by Commissioner Beene. Motion carried 5-0.

Submitted by: Amanda Sulcer

Mayor, Ted Doss

City Recorder, Michelle Horton

Date