

Mayor & Board of Aldermen – Beer Board Meeting

Meeting Minutes

- May 16, 2024

Present: Mayor Michael Brown
Vice-Mayor Adrian Wiggins
Aldermen: Frank Cates, Debbie Hummel, Jeff Fisher and Ken Sutton

1. Call to Order – Chairman Wiggins

2. Establish Quorum

All present

3. Presentation/Discussion – Application for Beer Permit - On-Premises

Name of Applicant: Miguel A. Sanchez, JR

Name & location of business: JR's Mexican Steakhouse, 8380 US Hwy 64, Oakland, TN 38060

A motion to approve the On-Premises application for JR's Mexican Steakhouse was made by Alderman Hummel contingent upon Attorney Minor verifying the legal age in which such permits can be issued to a person. Alderman Sutton seconded the motion. All were in favor, none opposed. The motion passed.

4. Adjournment

Motion made to adjourn by Alderman Cates.

Date May 16, 2024



Michael H. Brown, Mayor



K. Yvonne Bullard, City Recorder

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Mayor & Board of Aldermen – Regular Meeting

Meeting Minutes

May 16, 2024

Present: Mayor Michael Brown
Vice Mayor Wiggins, Aldermen Cates, Hummel, Fisher & Sutton

Prayer and Pledge of Allegiance to the American Flag

- 1. Call to order by Mayor Brown**
- 2. Prayer & Pledge of Allegiance to the American Flag**
- 3. Establish Quorum**
All present
- 4. Approval of Agenda**

Town Manager Ellis requested the following item to be removed from the agenda, as Attorney Minor will later address the issue in this meeting: *Ordinance 24-05 Adoption Various Standard Codes Relating to Inspection Activities & Enforcement of Building Provisions.*

Town Manager Ellis stated the following items, all related to Stevens' Property, were requested to be removed from the agenda, by the property owner, placing them on the June 20, 2024 agenda: *Ordinance 24-07 Proposed Rezone to R-1 Fayette Co. Map 080, Parcel 031.01 164 Acre Property, Ordinance 24-08 Proposed Rezone to R-1 Fayette Co. Map 080, Parcel 003.00 40 Acre Property, Resolution 24-43 Calling for Public Hearing on June 20, 2024 for Annexation and Plan of Services for Fayette Co. Map 080, Parcel 031.01 164 Acre Property, and Resolution 24-44 Calling for Public Hearing on June 20, 2024 for Annexation and Plan of Services for Fayette Co. Map 080, Parcel 003.00 40 Acre Property.*

Attorney Minor requested an item added allowing him to provide an update on the town's Municipal Code/MTAS Codification process.

Vice Mayor Wiggins made a motion to approve the agenda as amended. Alderman Cates seconded the motion. All were in favor, none opposed. The motion passed.

5. Reading and Correction/Approval of Minutes of Regular Board

April 18, 2024 – Regular Board Meeting Minutes

Vice Mayor Wiggins made a motion to approve the April 18, 2024 Regular Meeting Minutes. Alderman Cates seconded the motion. All were in favor, none opposed. The motion passed.

6. Resolution 24-42 Censure of Mayor Brown

Vice Mayor Wiggins presided over this portion of the meeting.

Alderman Hummel made a motion to hear Resolution 24-42.

Alderman Fisher requested that Resolution 24-42 be read aloud. Attorney Minor fulfilled the request.

Vice Mayor Wiggins offered Mayor Brown the opportunity to speak. Mayor Brown openly admitted to the mistakes and made a public apology. He stated that he voluntarily paid the Town of Oakland \$100 (one-hundred dollars) as restitution.

Discussion of the Board was permitted:

Alderman Fisher, recognized by Vice Mayor Wiggins, referenced the (January 2024) censure brought against him for violating rules, to this case, pointing out a law was violated, and he supported the censure.

Alderman Hummel strongly recommended the approval of Resolution 24-42, up to requesting the mayor's resignation.

Alderman Cates reiterated a law had been broken and stated he had reported it to the TN Comptroller's Office as it was his duty.

Alderman Sutton confirmed Alderman Cates position, which is the responsibility of everyone who knew of the incident to report it to the comptroller's office. He proceeded in saying that he sees the censure as a means of punishment & discipline, but if the comptroller investigates, finding that charges against the mayor are in order, those will be filed with the Attorney General's office. In summary, Alderman Sutton was not in favor of the censure due to the possibility of the mayor being punished twice.

Vice Mayor Wiggins stated the highest form of discipline this Board has is to censure a member. Expressing his opinion, the incident occurred as a mistake of "familiarity. These are two people (Mayor and Executive Secretary) that interact several times a week sending correspondence. She did not create the memo; she only typed it. It should have been recognized, that didn't get recognized". The mayor upon learning of the violation (the memo was sent out on town letterhead), acted quickly in accepting responsibility and extended his apology to board members and staff. He further stated, the mayor's action in paying restitution to the town and bringing this up in a public forum is sufficient, therefore, he will not support the approval of Resolution 24-42.

Alderman Hummel made a motion to approve Resolution 24-42. Alderman Fisher seconded the motion. Two (2) in favor, three (3) opposed. Roll-call results: Alderman Hummel and Fisher voted in favor. Opposing votes were Alderman Cates, Sutton and Vice Mayor Wiggins. Resolution 24-42 failed.

The chair was turned over to Mayor Brown, moving forward with the meeting.

Note**Alderman Hummel was excused for a family emergency.

7. Citizen's Comments

Todd Hahn – 210 Whispering Meadows – Addressed the Board complementing Town of Oakland staff, specifically the “blue collar” workers, indicating a tax increase should be considered to retain the current employees.

Rita Farber-100 Whispering Meadows – Stated the Oakland Police have been called to her home related to thefts and has never provided to her a police report to turn into to her insurance company. Mayor Brown directed Town Manager Ellis to follow up with the department heads.

Roy Neuhauser-Expressed concern of the Boards inconsistency in enforcing rules referring to censure. He suggested the Mayor resign, allowing the Vice Mayor to be sworn in immediately.

8. Communications from the Mayor

None.

9. Communication from the Aldermen

Vice Mayor Wiggins offered well wishes to Hal Rounds and Ron Gant.

Alderman Cates expressed thanks to Director Mullins related to work in various Oakland neighborhoods.

Department Head Reports

Water Department Director Armstrong reported that logos are being installed on the town's water tanks starting this week.

Alderman Sutton requested clarification on the monthly reporting provided by the Water and Wastewater departments. The reports indicate there is more wastewater being treated than drinking water. Wastewater Department Director Coker offered the difference being Infiltration & Inflow (I&I) and due to the limited space of solids residual, which can be expected until the new plant is online. He provided a brief update related to the work on the expansion, stating rebar has been delivered on sight, signifying concrete work should begin by the end of the month.

Parks Director Weston inquired if he had the authority to set the sports fees or if it was to go through Mayor and Board. Alderman Wiggins implying the director had that authority referred to Attorney Minor, who agreed. Alderman Sutton cautioned the fees are meant to cover cost only. Alderman Sutton made a point to the board members related to non-resident participants, paying the same amount as a participant who lives and pays taxes in Oakland, stating the board should have a discussion on the topic. The board agreed an

Alderman Fisher made a motion to approve Ordinance 24-01, the 1st Reading of FY25 Annual Budget. Vice Mayor Adrian Wiggins seconded the motion. All in favor, none opposed. The 1st Reading of Ordinance 24-01 passed.

A work session was scheduled for Wednesday, May 29, at 6pm, with expectations of the 2nd Reading taking place at the June 20, 2024 Regular Board Meeting.

PUBLIC HEARING: *None approached to speak*

B. Ordinance 24-02 Amending Fiscal Year 2024 Budget- Solid Waste Fund

Vice Mayor Wiggins made a motion to hear Ordinance 24-02. Alderman Fisher seconded the motion to hear.

Town Manager Ellis cited the reason for the amendment as, the new 2024 sanitation contract with increased cost to the town and to the citizens, caused an increase to both the expense line and in the revenue, which was not reflected in the current 2024 Budget.

Vice Mayor Wiggins made a motion to approve the 1st Reading of Ordinance 24-02, Amending FY24 Solid Waste Budget. Alderman Sutton seconded the motion. All in favor, none opposed. The 1st Reading of Ordinance 24-02 passed.

PUBLIC HEARING: *None approached to speak*

C. Ordinance 24-03 Amending Oakland Municipal Code Title 15, Chapter 6 – Parking Vehicles on Residential Streets and Residential Lots

Vice Mayor Wiggins made a motion to hear Ordinance 24-03. Alderman Fisher seconded the motion to hear.

Town Manager Ellis stated the current ordinance in place, indicates the Police Department as the only authorized issuer of citations in this type of violation. Staff wishes to add the Building Inspector as authorized to issue citations also.

The board requested Attorney Minor to revise the ordinance to read... The Building Inspector “or authorized designee” is authorized to issue an ordinance summons.

Alderman Sutton made a motion to approve the 1st Reading of Ordinance 24-03 as amended. Vice Mayor Wiggins seconded the motion. All in favor, none opposed. The 1st Reading of Ordinance 24-03 passed.

PUBLIC HEARING: *None approached to speak*

D. Ordinance 24-04 Amending Oakland Municipal Code Title 15, Chapter 6 – Storage and Parking of Tractor Trailers on Commercial and Residential Lots

Alderman Fisher made a motion to hear Ordinance 24-04. Vice Mayor Wiggins seconded the motion to hear.

Alderman Sutton made a motion to approve the 1st Reading of Ordinance 24-04 contingent of amending, the language to ...The Building Inspector "or authorized designee" is authorized to issue an ordinance summons. Vice Mayor Wiggins seconded the motion. All in favor, none opposed. The 1st Reading of Ordinance 24-04 passed.

PUBLIC HEARING: OPENED _____ CLOSED _____

E. Ordinance 24-05 Amending Oakland Municipal Code Title 12, Chapter 1 – Building, Utility, ETC, Codes Relative to the International Energy Conservation Code 2018 Edition

Ordinance 24-05 - item was removed from the agenda.

PUBLIC HEARING: *None approached to speak*

F. Ordinance 24-06 Amending Fiscal Year 2024 Budget- Sewer Fund

Alderman Fisher made a motion to hear Ordinance 24.06. Vice Mayor Wiggins seconded the motion to hear.

Town Manager Ellis stated this amendment is necessary to record revenue from ARPA, State Grant, and Capital Note Proceeds as well as expenses as they relate to the Wastewater Treatment Plant Construction.

Vice Mayor Wiggins made a motion to approve the 1st Reading of Ordinance 24-06, amending FY24 Sewer Waste Budget. Alderman Sutton seconded the motion. All in favor, none opposed. The 1st Reading of Ordinance 24-06 passed.

G. Ordinance 24-07 Proposed Rezone to R-1 Fayette County Map 080-, Parcel 031.01 164 Acre Property – Stevens' Property

Ordinance 24-07 - item was removed from the agenda per applicant request.

H. Ordinance 24-08 Proposed Rezone to R-1 Fayette County Map 080-, Parcel 003.00 40 Acre Property – Stevens' Property

Ordinance 24-08 - item was removed from the agenda per applicant request.

13. Consideration of Resolutions:

A. Resolution 24-37 Uncollected Utility Bills – Write off to Bad Debt

Vice Mayor Wiggins made a motion to hear.

Alderman Fisher requested information on a credit check for water customer applicants.

Vice Mayor Wiggins asked for consideration of increasing the non-refundable connection fee.

Alderman Sutton recommended the deposit be applied to the outstanding balance, after the uncollected amount is deemed uncollectable.

The Mayor deemed this item to be moved to a work session for further consideration.

B. Resolution 24-39 Call For Election

Vice Mayor Wiggins made a motion to hear.

Alderman Sutton made a motion to approve Resolution 24-39. Vice Mayor Wiggins seconded the motion. All in favor, none opposed. Resolution 24-39 passed.

C. Resolution 24-40 Authorizing Vehicle Purchase – Fire Department

Vice Mayor Wiggins made a motion to hear.

Alderman Fisher made a motion to approve Resolution 24-40. Vice Mayor Wiggins seconded the motion. All in favor, none opposed. Resolution 24-40 passed.

D. Resolution 24-41 Authorizing Public Auction of Town Surplus Items

Vice Mayor Wiggins made a motion to hear.

Alderman Fisher made a motion to approve Resolution 24-41. Vice Mayor Wiggins seconded the motion. All in favor, none opposed. Resolution 24-41 passed.

E. Resolution 24-43 Calling for Public Hearing on June 20, 2024, for Annexation and Plan of Services for Fayette County Map 080, Parcel 031.01 – 164 Acres– Stevens' Property

Resolution 24-43- item was removed from the agenda per applicant request.

F. Resolution 24-44 Calling for Public Hearing on June 20, 2024, for Annexation and Plan of Services for Fayette County Map 080, Parcel 003.00 – 40 Acres– Stevens' Property

Resolution 24-44- item was removed from the agenda per applicant request.

14. Other Items of Business

Baby Jacks Restaurant Leak Adjustment

Town Manager Ellis presented the board with three options. The options were discussed by the board, and determined Option 3 as suitable in this instance: adjusting the sewer portion only \$6,178.50 (six thousand, one hundred and seventy-eight dollars and fifty cents) and dismissing \$1,307.14 in fees (\$1,247.17 accrued penalty + \$60 cut-off fees), reducing the adjusted bill amount to, and payable to Town of Oakland, \$6,900.82.

Vice Mayor Wiggins made a motion to accept Option 3. Alderman Sutton seconded the motion. All in favor, none opposed. The motion passed.

15. Approval of Invoices

None – MTAS Invoice approved earlier in meeting.

16. Meeting Adjourned

Alderman Cates made a motion to adjourn the meeting.

Date: May 16, 2024



H. Michael Brown, Mayor



K. Yvonne Bullard, City Recorder

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Mayor & Board of Aldermen –Special Call Meeting, 3 P.M.

Meeting Minutes

- June 6, 2024

Present: Mayor Michael Brown
Vice Mayor Wiggins
Aldermen Frank Cates, Debbie Hummel & Ken Sutton

1. Call to Order

Mayor Brown called to order.

2. Prayer and Pledge of Allegiance

3. Establish Quorum

Alderman Jeff Fisher was absent.

4. Business: Personnel Matter

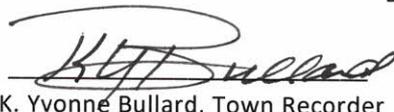
A motion was made by Alderman Sutton to act on the advice of Town Manager Harvey Ellis. Alderman Cates seconded the motion. All in favor, none opposed. The motion carried.

5. Adjournment

Motion made to adjourn by Vice Mayor Sutton and seconded by Alderman Cates.



H. Michael Brown, Mayor



K. Yvonne Bullard, Town Recorder

Date June 6, 2024

*** Note an Executive Session was originally advertised, but the Board agreed that detailed discussion on the matter was unnecessary.*

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Mayor & Board of Aldermen – Regular Meeting

Meeting Minutes

June 20, 2024

Present: Mayor Michael Brown
Vice Mayor Wiggins, Aldermen Cates, Fisher, Hummel & Sutton

Prayer and Pledge of Allegiance to the American Flag

1. **Call to order by Mayor Brown**
2. **Prayer & Pledge of Allegiance to the American Flag**
3. **Establish Quorum**
All present
4. **Approval of Agenda**

Town Manager Ellis requested to add under *Other Items of Business*, “Discussion of Small Business”.

Vice Mayor Wiggins made a motion to approve the agenda as amended. Alderman Sutton seconded the motion. All were in favor, none opposed. The motion passed.

5. **Reading and Correction/Approval of Minutes of Regular Board**

May 16, 2024 – Beer Board Meeting Minutes

Vice Mayor Wiggins made a motion to approve the May 16, 2024 Beer Board Meeting Minutes. Alderman Hummel seconded the motion. All were in favor, none opposed. The motion passed.

May 16, 2024 – Regular Board Meeting Minutes

Vice Mayor Wiggins requested revisions (Page 2, 3rd paragraph; and, in addition, reflect the name of the official seconding the motion to hear, on ordinances). Vice Mayor Wiggins made a motion to table May 16, 2024 Regular Meeting Minutes for revisions. Alderman Sutton seconded the motion. All were in favor, none opposed. The motion passed.

NOTE** Revised minutes will be presented at the May 29, 2024 Special Call Meeting.

June 6, 2024 – Special Call Board Meeting Minutes

Vice Mayor Wiggins made a motion to approve the June 6, 2024 Special Call Meeting Minutes. Alderman Cates seconded the motion, with Alderman Fisher abstaining from vote, due to his absence of Jun 6th meeting. Four were in favor, one abstained. The motion passed.

6. Special Item:

None.

7. Citizen's Comments

John McFarland – 7660 Hwy 64 – Asked the Board to consider a 90-day moratorium on banners and signs for Oakland's Small Business, due to downturn of the economy.

Oakland Fire Lt. Josh Rakowsky – 830 Clay Pond – Lt. Rakowsky presented each official an envelope announcing his resignation.

Sandra Iungerich- 10 Blackhill Cv.- Request the Board's consideration of eliminating fluoride in the town's drinking water, stating it is unnecessary risk and cost to citizens.

8. Communications from the Mayor

Mayor Brown reminded everyone of the town's annual Fourth of July fireworks display on June 29th. Everyone was encouraged to attend.

9. Communication from the Aldermen

Alderman Cates expressed thanks to the Fayette County Ambulance Service in their prompt response to an emergency call placed involving one of his family members.

Alderman Sutton added to Mr. Cates comments, that the town should consider offering CPR classes to its citizens, through Oakland's Fire Department; suggesting CPR classes are generally focused on adult CPR training and not necessarily on babies and small children.

Vice Mayor Wiggins acknowledged the first day of summer, Independence Day and vacation travels. He wished everyone well, and a safe and enjoyable summer.

10. Department Head Reports

Vice Mayor Wiggins congratulated the Oakland Water Department on its TDEC Inspection score of 97 out of 100.

Vice Mayor Wiggins asked Fire Chief Walls to explain the difference between Mutual Aide and Automatic Aide. Chief Walls stated Automatic Aide relates Fire Response and Mutual Aide as Medical Response.

Vice Mayor Wiggins inquired of Public Works Director Mullins report, stating 37 garbage cans were delivered; and, asked if it is his department's responsibility to deliver them? Mr. Mullins explained that Team Waste delivers the cans to the impound lot, and Public Works delivers them each Tuesday, to new residents and to citizens requesting additional can(s). Vice Mayor Wiggins tasked Town Manager Ellis with logging the time and expense associated in Oakland staff performing the duties of the contractor.

11. Town Manager Report

Town Manager Ellis presented a time-lapse video of the construction taking place related to the Water Treatment Plant project.

Alderman Hummel requested that still-shots of this presentation to be posted on Oakland's Face-Book page if possible.

12. Old Business: Ordinances Second & Final Reading

A. Ordinance 24-02 Amending Fiscal Year 2024 Budget- Solid Waste Fund

Vice Mayor Wiggins made a motion to hear Ordinance 24-02. Alderman Fisher seconded the motion to hear.

Alderman Fisher made a motion to approve the 2nd Reading of Ordinance 24-02. Alderman Hummel seconded the motion. All in favor, none opposed. The motion passed.

B. Ordinance 24-03 Amending Oakland Municipal Code Title 15, Chapter 6 – Parking Vehicles on Residential Streets and Residential Lots

Vice Mayor Wiggins made a motion to hear Ordinance 24-03. Alderman Fisher seconded the motion to hear.

Alderman Fisher made a motion to approve the 2nd Reading of Ordinance 24-03. Alderman Hummel seconded the motion. All in favor, none opposed. The motion passed.

C. Ordinance 24-04 Amending Oakland Municipal Code Title 15, Chapter 6 – Storage and Parking of Tractor Trailers on Commercial and Residential Lots

Alderman Fisher made a motion to hear Ordinance 24-04. Alderman Hummel (Rounds) seconded the motion to hear.

Vice Mayor Wiggins made a motion to approve the 2nd Reading of Ordinance 24-04. Alderman Sutton seconded the motion. All in favor, none opposed. The motion passed.

D. Ordinance 24-06 Amending Fiscal Year 2024 Budget- Sewer Fund

Vice Mayor Wiggins made a motion to hear Ordinance 24.06. Alderman Cates seconded the motion to hear.

Vice Mayor Wiggins made a motion to approve the 2nd Reading of Ordinance 24-06. Alderman Sutton seconded the motion. All in favor, none opposed. The motion passed.

13. New Business: Ordinances First Reading – Public Hearing

None

14. Consideration of Resolutions: Old Business

A. Resolution 24-37 Uncollected Utility Bills – Write off to Bad Debt

Vice Mayor Wiggins made a motion to hear.

Alderman Fisher made a motion to approve Resolution 24-37. Alderman Hummel seconded the motion. The motion passed 3 in favor, 2 opposing. A roll call vote was requested, voting in favor were Fisher, Hummel and Wiggins. Opposing votes were Sutton and Cates. Resolution 24-37 passed.

15. Consideration of Resolutions: New Business

A. Resolution 24-43 Amend Municipal Code Title 12, Chapter 1 Building Permit Fee Schedule

Vice Mayor Wiggins made a motion to hear.

Town Manager Ellis cited two necessary changes of the resolution as written. #1 – Title 13 in heading to be changed to “Title 12”; and referencing - Section 1 - insert “Residential” before commercial. During discussion, Alderman Sutton requested clarification of the current Commercial Building Permit, Mr. Ellis responded, 15 cents per square foot is correct.

Alderman Sutton made a motion to approve Resolution 24-43 as amended. Alderman Hummel (Rounds) seconded the motion. All in favor, none opposed. Resolution 24-43 passed.

B. Resolution 24-44 Water and Sewer Rate Study

Vice Mayor Wiggins made a motion to hear.

Vice Mayor Wiggins made a motion to approve Resolution 24-44 as amended. Alderman Cates seconded the motion. All in favor, none opposed. Resolution 24-44 passed.

C. Resolution 24-45 Riverwood Gardens Development Agreement Phase 7

Vice Mayor Wiggins made a motion to hear.

Alderman Sutton addressed construction entrance to development and Mewborn Road improvement. Mayor Brown determined the roads would be addressed later.

Vice Mayor Wiggins made a motion to approve Resolution 24-45. Alderman Sutton seconded the motion. All in favor, none opposed. Resolution 24-45 passed.

D. Resolution 24-46 Riverwood Gardens Inspection Agreement Phase 7

Vice Mayor Wiggins made a motion to hear.

Alderman Sutton made a motion to approve Resolution 24-46. Vice Mayor Wiggins seconded the motion. All in favor, none opposed. Resolution 24-46 passed.

E. Resolution 24-47 Riverwood Gardens Development Agreement Phase 8

Alderman Fisher made a motion to hear.

Alderman Sutton made a motion to approve Resolution 24-47. Vice Mayor Wiggins seconded the motion. All in favor, none opposed. Resolution 24-47 passed.

F. Resolution 24-48 Riverwood Gardens Inspection Agreement Phase 8

Vice Mayor Wiggins made a motion to hear.

Vice Mayor Wiggins made a motion to approve Resolution 24-48. Alderman Fisher seconded the motion. All in favor, none opposed. Resolution 24-48 passed.

G. Resolution 24-49 Bulldog Construction – Contract Extension Request

Vice Mayor Wiggins made a motion to hear.

Alderman Cates made a motion to accept a three-year contract, approving Resolution 24-49. Alderman Fisher seconded the motion. All in favor, none opposed. Resolution 24-49 passed.

16. Other Items of Business

A. Discussion of Small Business

Town Manager Ellis opened the floor for discussion in waiving fees allowing small businesses to promote their business with banners and sign advertisements.

Alderman Sutton made a motion contingent upon legal review and input, to suspend Temporary Sign Permit Fees for existing businesses until January 1, 2025, allowing them to put up a temporary sign, not to exceed 32 sq. feet in size, for business advertisement. Vice Mayor Wiggins seconded the motion. All in favor, none opposed. The motion passed.

B. Establish Time and Date of Work-Session

Town Manager Ellis offered the discussion of an Industrial Development Board as a topic.

The Board discussed and determined not to have a work session in the month of July.

15. Approval of Invoices

None

16. Meeting Adjourned

Alderman Cates made a motion to adjourn the meeting.

Date: June 20, 2024



H. Michael Brown, Mayor



K. Yvonne Bullard, City Recorder

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Mayor & Board of Aldermen –Special Call Meeting, 10:00 A.M.

Meeting Minutes

- June 29, 2024

Present: Mayor Michael Brown
Vice Mayor Wiggins
Aldermen Frank Cates, Jeff Fisher, Debbie Hummel & Ken Sutton

1. Call to Order

Mayor Brown called the meeting to order.

2. Prayer and Pledge of Allegiance

3. Establish Quorum

All Present.

4. Approval of Agenda

Vice Mayor Wiggins made a motion to approve the agenda as presented. Alderman Sutton seconded the motion. Three (3) were in favor and two (2) opposed. Those voting in opposition were Alderman Fisher and Alderman Hummel. The motion passed.

5. Approval of May 16, 2024 Regular Minutes

May 16, 2024 Regular meeting minutes were tabled during Jun 20, 2024 meeting for corrections requested by Vice Mayor Wiggins.

A motion was made by Vice Mayor Wiggins to approve the corrected May 16, 2024 meeting minutes. Alderman Cates seconded the motion. All voted in favor, none opposed. The motion to approve the May 16, 2024 minutes passed.

Note: Alderman Hummel asked that the record reflect, she abstained from the initial vote, due to a family emergency causing her to leave the May 16, 2024 meeting.

6. Old Business: Ordinance Second and Final Reading -Public Hearing

A. Ordinance 24-01 Adopting Annual Budget and Establishing Tax Rate for FY25.

A public hearing was opened by Mayor Brown.

John Finn, 100 Acadia Circle, inquired of FY25 salaries compared to FY23 and FY24, an approximate \$1m increase. Mayor Brown stated the budget included a 5% raise to employees; Alderman Sutton

commented there are departments that have a salary structure in place, which pay scales are based on training, education and certifications, contributing to the increase more than 5%. Town Recorder Yvonne Bullard mentioned Directors positions had been established within that time period and are reflected in the increase.

The public hearing was closed.

Vice Mayor Wiggins made a motion to hear Ordinance 24-01. Alderman Sutton seconded the motion. None opposed.

Town Manager Ellis directed attention to the General Fund, where funding of the construction drawings for the new town hall and police facility (\$896,000) is allocated, as directed by the Board. Mr. Ellis added, the property tax remains unchanged at .6342.

A motion to approve Ordinance 24-01 FY25 Budget and Establishing Tax Rate was made by Vice Mayor Wiggins. Alderman Sutton seconded the motion. Four (4) were in favor and one (1) opposed. The opposing vote was cast by Alderman Fisher. The motion to approve the 2nd Reading of Ordinance 24-01 passed in a four to one vote.

7. **New Business: Ordinance First Reading**

A. Ordinance 24-07 DE Annexation of Certain Parcel Along Hwy 64 North

Vice Mayor Wiggins made a motion to hear Ordinance 24-07. Alderman Sutton seconded the motion. None opposed.

Town Manager Ellis explained Ordinance 27-04 was being presented for consideration due to the potential cost of providing sewer to the northside of Hwy 64.

Alderman Hummel expressed concern, especially for the individuals living in the proposed area, in the notice given to the public related to such an important topic. She proposed the ordinance to be tabled until citizens are educated on the effects this vote will have, and proper notice is provided allowing everyone to attend the 1st reading, as well as the 2nd reading.

When asked, Attorney Minor assured the Board that “the minimum requirements were met for the 1st reading” of Ordinance 24-07.

Alderman Fisher stated he had not received the information until “yesterday” afternoon, not allowing adequate time for the Board to review and ask questions.

Vice Mayor Wiggins established the effects of this ordinance as, involving 4 neighborhoods, no businesses and approximately \$200,000 in cost to bore under Hwy 64. He asked Mr. Ellis if it would be safe to assume that, if the service was provided to the area, it would cost the town in excess of \$1m. Mr. Ellis agreed further stating it would cost each homeowner \$10,000-\$12,000 to retrofit their existing system allowing it to tie into the new system.

Attorney Minor spoke to the items and issues that must be addressed prior to moving forward with the 2nd reading of Ordinance 24-07; a detailed survey and a corresponding map, formal letters sent to each property owner and certain surrounding property owners, and a publication in the Fayette Falcon at least 15 days prior to the public hearing at the 2nd reading. He reiterated there were “substantial notice requirements to be met before the 2nd reading”.

Alderman Sutton strongly suggested that a cost estimate to tie-in to the new sewer line should be obtained, because the residents in the proposed area will be required to connect to the sewer system if the town provides the service.

Mr. Ellis addressed the Board of the effect on the town’s property taxes, stating the amount expected to be lost is \$12,000 (twelve thousand dollars).

Alderman Hummel posed the question, is it possible for those in the proposed area, to opt to remain in the city without the town going to the expense of providing sewer services? Attorney Minor stated that a 20-year annexed area not being provided city services is extremely unusual. There’s no legal issue, other than the town has no legal obligation to provide the service.

Attorney Minor opined, it would be favorable for the town if:

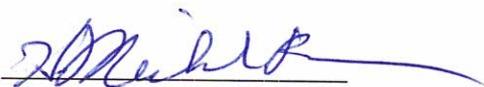
- A petition is filed,
- A referendum held,
- A referendum upholding the desire of those to remain in the town rather than being de-annexed.

This would provide an additional layer, in that, they are acknowledging the fact that the fundamental service of sewer is not going to be provided.

A motion was made by Alderman Sutton to approve the 1st reading of Ordinance 24-07, amending verbiage in Section 2 from Town of Rossville, to Town of Oakland. Alderman Cates seconded the motion. A roll-call vote resulted in three (3) voting YES and two (2) voting NO. Voting in favor were Alderman Sutton, Alderman Cates and Vice Mayor Wiggins. Opposing votes were Alderman Hummel and Alderman Fisher. The motion to approve the 1st Reading of Ordinance 24-07 passed in a three to two vote.

8. Adjournment

Motion made to adjourn by Alderman Cates.



H. Michael Brown, Mayor



K. Yvonne Bullard, Town Recorder

Date June 29, 2024