

Mayor & Board of Aldermen

Special Call Meeting 6:00pm

Meeting Minutes

October 5, 2023

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

Prayer and Pledge of Allegiance to the American Flag

1. Call to order by Mayor Brown

2. Establish Quorum – All present

3. Approval of Agenda

Mayor Brown requested the removal of Item C – Resolution 23-98.

Vice Mayor Wiggins made a motion to approve the agenda as presented. Alderman Sutton inquired, if the town required a resolution to the charge a fee, should the town require a resolution to wave a fee. Attorney Minor agreed.

Vice Mayor Wiggins withdrew his motion.

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

4. Consideration of Business Items:

Reassignment of Resolution Numbers

The Mayor and Board were presented with a memo requesting their approval to correct four (4) duplicated resolution numbers that were previously passed, September 21, 2023. The corrected resolutions are Resolution #23-93, Resolution #23-94, Resolution #23-95 and Resolution #23-96.

Vice Mayor Wiggins made a motion to approve the correction of resolution numbers as requested. Alderman Fisher seconded the motion. All in favor, none opposed.

Resolution 23-97 –AGREEMENT WITH FOUR FRONT DESIGN (aka FLEMING ARCHITECTS)

Alderman Sutton made a motion to approve Resolution 23-97. Vice Mayor Wiggins seconded the motion. All in favor, none opposed. Resolution 23-97 passed.

Resolution 23-98 –WAIVER OF “OAKLAND IN OCTOBER” FEES -OAKLAND CHAMBER OF COMMERCE

Alderman Sutton made a motion to approve Resolution 23-98. Alderman Cates seconded the motion. All in favor, none opposed. Resolution 23-98 passed.

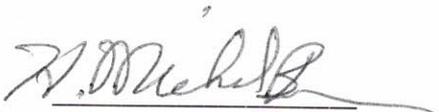
Ordinance 23-20 –AMENDING EFFECTIVE DATE OF ORDINANCE 23-10; WATER AND SEWER RATES MINIMUM CHARGE CALCULATIONS

Vice Mayor Wiggins made a motion to pass Ordinance 23-20. Alderman Sutton seconded the motion. All were in favor, none opposed. Ordinance 23-20 passed.

5. Adjournment

A motion was made by Vice Mayor Wiggins to adjourn the meeting.

Date: October 5, 2023


H. Michael Brown, Mayor


K. Yvonne Bullard, City Recorder

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Mayor & Board of Aldermen – Regular Meeting

Meeting Minutes

September 21, 2023

Present: Mayor H. Michael Brown
Vice Mayor Adrian Wiggins
Aldermen Frank Cates, Jeff Fisher & Alderman 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**

Alderman Hummel was absent.

4. Approval of Agenda

Alderman Fisher requested the following 5 items to be added: (1) IT Migration (2) Employee Evaluations (3) Credit Card Misuse (4) Trash Contract and (5) Vehicle Fuel.

Alderman Sutton requested to add, waiver of event fees (Chamber of Commerce/Oakland in October).

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

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

(A) July 20, 2023 – Regular Board Meeting Minutes

Vice Mayor Wiggins made a motion to approve the July 20, 2023 Regular Meeting Minutes. Alderman Fisher seconded the motion. All in favor, none opposed. The motion passed.

(B) August 17, 2023 – Regular Board Meeting Minutes

Vice Mayor Wiggins referred to (C) Resolution 23-88 fifth sentence, a typo to be corrected.

Vice Mayor Wiggins made a motion to approve the August 17, 2023 Regular Meeting Minutes contingent of correction being made. Alderman Cates seconded the motion. All in favor, none opposed. The motion passed.

(C) September 7, 2023 – Special Call Meeting Minutes

Alderman Cates made a motion to approve the September 7, 2023 Special Call Meeting Minutes. Vice Mayor Wiggins seconded the motion. All in favor, none opposed. The motion passed.

6. Citizen's Comments

John Finn – 100 Acadia Dr. – Asked the Board who was responsible for bringing businesses to the Town of Oakland, suggesting to limit the number of certain types of businesses (vape & tobacco stores and tattoo businesses). Town Manager Ellis addressed the question stating the town does not have marketing staff. Director Courton added that the State of Tennessee is favorable towards all business, therefore the town is limited in being able to restrict any business wanting to become a part of the municipality.

Ryan Thurman – 90 Greer LN – Presented to the Board, he is a longtime resident of Oakland and business owner with a work trailer parked on a parking pad at the side of his home. He stated the trailer has been parked next to his house for years and he just received a warning that the parked trailer was not in compliance with city ordinance. Director Wallace agreed the trailer was on a parking pad located at the side of his home, but the code requires the trailer to be behind a fence.

N. Johnson (in audible) – Requested attention to the park playground, reporting the steps on the slide are unsafe.

7. Communications from the Mayor

Mayor Brown requested that Scott Daniels of J.R. Wauford Company provide a project update on the Wastewater Treatment Plant. Mr. Daniels stated the bids were opened last Friday, there were two (2), Chris Hill Construction Co, whose bid came in at \$28,900,685 and J. Cumby Construction Inc, presenting the lowest bid \$28,700,000. He expressed to the Board the bids are high and are driven by the current economy, Blue Oval is absorbing the labor here, there is a lot of work in utility world at this time, funding from Washinton DC has spurred a number of projects, positioning the contractors where they can be more selective in which jobs they want to bid. He stated everything mentioned has caused the cost escalation of the project; the last cost estimate presented to the board was thought to be a "solid number" at \$21M.

8. Communication from the Aldermen

Vice Mayor Wiggins voiced his displeasure of the sound was not working on the streaming device. Alderman Sutton agreed.

Alderman Cates expressed kudos to the Oakland Police Department in a job well done related to the AT&T Store robbery earlier in the week. Chief Earl reported a robbery had taken place and within 15 minutes the perpetrator was apprehended without incident, acknowledging assistance of Fayette County and Shelby County officers.

9. Department Head Reports

Water Department - Director Armstrong reported to the Board an emergency leak repair on a main loop at the west end of Hickory Withe that required a contractor to be called. The repair is expected to be completed on Monday.

Alderman Sutton inquired of the extension equipment that would provide safety to the employees, asking the status of the purchase. Town Manager Ellis stated it is anticipated to be brought to the board in coming months.

Alderman Fisher asked Parks and Rec Director Weston of the 103 participants, what sports are being offered and how many are signed up? Director Weston replied that flagged football had 67 and soccer 36.

10. Town Manager Report

None

11. Consent Agenda

None

12. Old Business

Alderman Cates concerned of the (Adaptive Pest Control) door-to-door sales asked Director Wallace if a permit was issued to the before a background check was performed. Director Wallace said the permit was issued and the fees were collected. Information for the background checks and the fees were sent to city hall to be processed. Alderman Cates asked, why the permit was issued before the background check was completed? Wallace explained there was a list of information to comply with prior to a background check being ran and badges issued.

Alderman Sutton asked to be recognized. Director Wallace was asked, "Do we issue a permit before a background check is completed?" Mr. Wallace replied, "according to the list, yes we do." Alderman Sutton stated, a permit should not be issued until a satisfactory background check is received. Mayor Brown echoed Alderman Sutton's statement that a permit should only be issued once the background check is made and the photo identification badge is given to them. In the discussion it was determined Adaptive Pest Control vendors were performing door-to-door sales, without badges (signifying satisfactory background) and with no permit on them.

The Board request Attorney Minor to pull the Ordinance for follow up.

Police Chief Earl interjected the information for the background check was incomplete, copies of the social security numbers were not included. Once they were received, the background checks were done. He read from Ordinance 18-07 the times permitted for sales to be conducted. Mr. Wallace said that was a different ordinance from what he had, noting the Municipal Code was not current.

Vice Mayor Wiggins conveyed the easy fix, is not to issue the permit until the police return the background checks to you (Codes Dept).

The "Do Not Knock List" was questioned – Mr. Ellis reported the list was kept electronically on a clerk's computer, which the data was lost in a computer crash. The Board requested him to follow up.

13. Old Business: Ordinances Second and Final Reading

ORDINANCE #23-17 - AN ORDINANCE TO AMEND THE TEXT OF THE MUNICIPAL ZONING ORDINANCE OF THE TOWN OF OAKLAND REGARDING MINI-WAREHOUSE LAND USE AS A PERMITTED USE IN THE B-2 HIGHWAY ORIENTED BUSINESS DISTRICT

A motion was made by Vice Mayor Wiggins to hear the 2nd Reading of Ordinance 23-17.

Alderman Fisher made a motion to approve 2nd Reading Ordinance 23-17. Alderman Cates seconded the motion. All in favor, none opposed. The motion passed.

14. New Business: Ordinances First Reading

Consideration of Ordinance 23-18 Raising the Bid amount from \$10,000 to \$25,000

A motion was made by Vice Mayor Wiggins to hear the 1st Reading of Ordinance 23-18.

Alderman Sutton made a motion to approve 1st Reading Ordinance 23-18. Vice Mayor Wiggins seconded the motion. All in favor, none opposed. The motion passed.

15. Consideration of Resolutions

(A) Resolution 23-88 Accepting bid for Wastewater Treatment Plant

Vice Mayor Wiggins made a motion to hear Resolution 23-88.

Vice Mayor Wiggins made a motion to award the contract to J. Cumby Construction Co. in the amount of \$28,700,000 (twenty-eight million, seven hundred dollars) approving Resolution 23-88. Alderman Sutton seconded the motion. All in favor, none opposed. Resolution 23-88 passed.

(B) Resolution 23-89 Authorizing RFPs for 2023 Water Plant Upgrade (SCADA)

Vice Mayor Wiggins made a motion to hear Resolution 23-89

A motion was made by Alderman Sutton to approve Resolution 23-89. Alderman Fisher seconded the motion. All in favor, none opposed. Resolution 23-89 passed.

(C) Resolution 23-90 Accepting bids for Storm Drain Repair

Alderman Fisher made a motion to hear Resolution 23-90

A motion was made by Alderman Sutton to approve Resolution 23-90. Alderman Cates seconded the motion. All in favor, none opposed. Resolution 23-90 passed

(D) Resolution 23-91 Amend contract TDEC-ARPA Community Development Partners

Vice Mayor Wiggins made a motion to hear Resolution 23-91.

Alderman Cates made a motion to approve Resolution 23-91. Vice Mayor Wiggins seconded the motion. All in favor, none opposed. Resolution 23-91 passed.

(E) IT (Information Technology) Migration

Alderman Fisher requested status update. Town Manager Ellis stated the contract was signed by VC3; various installations will be brought on-line in layers which will entail amendments which are built in the original contract. The most recent amendment received is addressing the IT migration from GO-Daddy email and to deal with computer replacements, monitoring of hardware and software.

(F) Employee Evaluations

Alderman Fisher asked when and if employee evaluations had been performed. Mr. Ellis reported that in the past they were usually done around February of each year, turning to staff asking if those had been done since he was not on staff at that time. The response was yes, they were turned in. Alderman Fisher suggested evals to be done later in the year to base paying a Christmas Bonus to employees. Mayor Brown requested this to be a discussion item placed on the October 5, 2023 workshop.

(G) Credit Card Misuse

Alderman Fisher explained that all department heads who are issued credit cards are required to fill out an affidavit acknowledging their responsibility and stating they understand the policies associated in the issuance of a town credit card to them. With issues of mishandling and questionable spending, he requested Town Manager Ellis to investigate and instill again the expectations of employees holding those cards.

Mayor Brown tasked Mr. Ellis to address this in his next staff meeting.

Alderman Sutton asked why this issue had not been made known to him. Alderman Fisher stated he reviewed the credit card statements that were included in the packets and had questions. Per Mayor Brown, Alderman Fisher spoke with Harvey about the questions he had.

Alderman Sutton stated Mr. Fisher was out of line in bringing his questions to Mr. Ellis, stating that this should have been a discussion of the board to determine and direct Mr. Ellis to investigate.

Due to the nature of this discussion, Alderman Sutton made a motion to move to an executive session. The motion was seconded. The motion was seconded by Alderman Cates.

The regular meeting reconvened. Alderman Sutton made a motion to accept the advice of Attorney Minor, directing Mr. Ellis to make a full investigation ensuring the charges are appropriate. Vice Mayor Wiggins seconded the motion. All in favor, none opposed. The motion passed.

(H) Trash Contract

Item was not heard, died for lack of motion to hear.

(I) Vehicle Fuel

Item was not heard, died for lack of motion to hear.

(J) Chamber Fees Wave – Oakland in October Event

Alderman Sutton stated policy of the town, is that vendors must come before the Board for approval of events within the town and to authorize waivers of fees associated with event. It was recommended that Mr. Ellis contact the Chamber, advise them this will be an agenda item on October 5, 2023, Special Call Meeting.

16. Consideration of Business Items

N/A

17. Other Items of Business

(A). For informational purposes, Mr. Ellis presented to the Board a report on the Debt Obligation of the \$18m Loan Agreement related to the Water and Sewer System improvements including the rehab of wastewater treatment plant. In addition, a spreadsheet indicating the current available funding, the bid amount passed with Resolution 23-88, resulting in the additional funding required; and a staff recommendation proposing a rate increase to offset the additional funding needed. Mr. Ellis specifically pointed out the proposed amount did not include any increase in Operations and Maintenance, which is to be expected.

Mayor Brown asked this item to be placed on the October 5th workshop.

(B). Mr. Ellis reintroduced the possibility of scanning plans and documents associated with Building Codes and Planning & Development Departments. The Board was presented with quotes, staff recommended that Image Freeway, Norcross, GA is allowed to perform the service, there are approximately 1,500 sheets at the cost of \$1.00 per page. There was no objection in moving forward.

18. Credit Applications

None.

19. Approval of Invoices

A motion was made by Vice Mayor Wiggins to approve the invoices as presented. Alderman Fisher seconded the motion. All in favor, none opposed. The motion passed.

20. Meeting Adjourned – A motion was made by Alderman Cates to adjourn the meeting.

Date: September 21, 2023



H. Michael Brown, Mayor



K. Yvonne Bullard, City Recorder