The Englewood Board of Commissioners met in a **Public Hearing meeting on Monday,** **June 11, 2018 at 5:30 PM.** The meeting was held in the Community Center Room inside the Municipal Building.

**Call to Order by Mayor**

Mayor James Cox called the meeting to order.

**Roll Call**Roll Call was given by Finance Director/Recorder Sondra Denton. Present were commissioners James Cox, Buford Hackler and Jason Hitt. *Jimmy Jack was not present.*

**Invocation - Pledge of Allegiance**Invocation was given by Jason Hitt followed by the Pledge of Allegiance.

**Communication from the Mayor**There were no communications from the Mayor.

**Commissioner Reports**There were no commissioner reports.

**Approval of May 2018 Minutes

Motion** was made by Cox, **seconded** by Hackler to approve the May 2018 Minutes. All Ayes.

**Finance Director Report**Denton read the May 2018 finance report. Denton stated, per directive from Mayor Cox, the checking accounts were being transitioned to Peoples Bank and the saving accounts had been moved to Athens Federal.

**Town Manager Report**Town Manager Brittany Freeman presented the May 2018 manager report. Following the report, Freeman submitted her letter of resignation stating she had been offered a position in which she could not refuse. She gave recommendations regarding an interim manager. Freeman said she had asked Finance Director Sondra Denton if she would be willing to accept the interim position basis, but Denton said she would not be able to give the finances the time needed, if she took on the duties of the town manager. Freeman then said the current utility clerk Sherri Denton had said she would be willing to fill the interim position, with the stipulation, that she would receive the current manager’s salary and once the board had appointed a manager, she would be able to revert back to the utility clerk position, at the rate of pay (including any annual salary increases which she would have had if she had remained in that position). Further stipulating if she were appointed, she would hire an interim utility clerk who would be hired with the full understanding the position would be interim only. Hitt then told Freeman he appreciated everything she had done for the town.
Hitt then made a **motion, seconded** by Hackler to hire Sherri Denton as interim town manager with the stipulations which had been presented as being approved. All Ayes.

**Police Department Report**Police Chief Paris was at training and had presented his report to the board in their packets.

**Library Report**Virginia Keyes presented the May 2018 library report. Freeman then told the board that Jason Hitt had resigned from the Library Board.

**Fire Department Report**Fire Chief Billy Roach presented the May 2018 fire department report.

**Final Reading of Ordinance No. 06-09-18-107; an ordinance adopting the annual budget and tax rate for the 2018-2019 fiscal year

Motion** was made by Hitt, **seconded** by Cox to pass on final reading Ordinance No. 06-09-18-104. All Ayes. *A copy of the ordinance will be attached to the minutes.*

**Final Reading of Ordinance No. 06-09-18-108; an ordinance amending the 2017-2018 fiscal year budget

Motion** was made by Cox, **seconded** by Hackler to pass on final reading Ordinance No. 06-109-18-108. All Ayes. *A copy of the ordinance will be attached to the minutes.*

**Final Reading of Ordinance No. 06-09-109; an ordinance amending the 2017-2018 fiscal year budget to record the USDA Grant in the amount of $30,000. *This grant does not* *require matching funds*

Motion** was made by Hitt, **seconded** by Hackler to pass on final reading Ordinance No. 06-09-18-108. All Ayes. *A copy of the ordinance will be attached to the minutes.*

**Final Reading of Ordinance No. 06-09-18-110; an ordinance amending Title 16, Streets and Sidewalks; to insert: No portable or fixed basketball goal shall be placed, erected or maintained on or alongside the right-of-way of any public street within the municipal limits of the Town of Englewood so as to allow a person or persons to play within the street.** The placement of any basketball goal within a public right of way or the presence of persons within a public street playing basketball on such a goal shall be a violation of this section. (2) Any violation of this section shall be punishable by a fine of fifty dollars ($50.00).

Hackler said he had called MTAS regarding making changes to the resolution before the final reading and MTAS had instructed him that restrictions could not be made regarding different sections of the town. Hackler them made a **motion**, **seconded** by Hitt to pass on final reading Ordinance No. 06-09-18-110. All Ayes.  *A copy of the ordinance will be attached to the minutes.* **Permission to apply for a Park Bathroom Grant**Freeman then informed the board that grant funding may be available for the bathroom repairs/renovation at the park. However, it would require matching funds of 45%. The board then agreed to wait until the new town manager had been hired to let that person determine whether or not to apply for the grant.

**McMinn County E911 Contract Renewal**Freeman then told the board that the McMinn County Emergency Dispatch contract was up for renewal. However, because they are requesting a 42% increase, she and Finance Director Denton would be attending a meeting on June 13th with the other city entities, the county mayor and the E911 director to discuss the increase requested. **Motion** was then made by Hitt, **seconded** by Hackler to wait until after the meeting to approve a contract. All Ayes.

**Revision of the Personnel Policy in regards to public office and town employees

Motion** was made by Hitt, **seconded** by Hackler with all in favor (All Ayes) to amend the personnel policy with the following:

"The town encourages all employees to participate in the political process by registering and voting in each election. However, it is necessary to implement some policies to avoid conflict of interest between political activity and public employment in a town position. Town employees, whether on or off duty, whether in or out of uniform, and whether on or off town property, shall not, at any time or any place, become a candidate for an elected town office.

In all other elections for public office, town employees may enjoy the rights of any other citizen of the state of Tennessee to be a candidate for any local political office, the right to participate in political activities by supporting or opposing political parties, political candidates, and petitions to governmental entities. Political activity while on duty, in uniform or while acting as an agent of the town, and/or while using town property is prohibited. The town will not compensate employees for time when the employee is not performing work for the town. Any time off from work used by the employee for participation in political activities will be limited to earned days off, vacation days, or by other unpaid leave arrangements worked out between the employee and the town.

Nothing in this section is intended to prohibit any town employee from privately expressing his/her political views or from casting his/her vote in all elections."

**Any other *legal business* to come before the Board.

Motion** was made by Hitt, **seconded** by Hackler to scrap 3 old police vehicles which were 1994 models. All Ayes. *A copy of the list will be attached to the minutes.*

**Adjournment.

Motion** was made by Hitt, **seconded** by Hackler to adjourn the meeting. All Ayes.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
 Mayor

Attested:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Recorder

Attachments:



**Town Manager Report-June 2018**

Flow meters have been ordered using the money from the Search Grant. The engineers will get with us on the training once they come in.

We currently operate all of our licenses through the town now and no longer use Etowah’s licenses. Gregory Gordon is our water plant operator, Tim Queen is the Collection & Distribution operator, and Curtis Runkles has the Wastewater Operator license.

We have filled the maintenance position that was open. We are hoping to be back to a complete staff when two other employees return from medical leave.

The pool is open and running 7 days a week so I encourage everyone that can to come out and utilize it. Parties and passes can be booked by calling City Hall.

The bush hog has some problems that need to be addressed. The mayor got a quote on a used tractor and I have received one quote for a standard bush hog but am waiting on a quote for a tractor with the long arm boom on it.

I checked on a quote from the county to help us out in the mean-time but the cost is $65/hr. So I’m not sure that’s feasible. We may need to have it done once until we can get either our tractor fixed or get a new/used one.

The swimming pool had its inspection and it received a 94/100 which is pretty good. Diane is doing an excellent job running things over there.

We put the water plant roof out for bid based on the specs provided by the engineers and only received one quote. The bid was not sealed so it is void, but the quote was for $49k. I told the engineers they need to either re-work the bid specs so the project is affordable or we won’t be using them for the project at all. I am waiting to hear back from them.

**ORDINANCE No. \_06-09-18-107\_\_\_\_\_\_**

**AN ORDINANCE OF THE**

**TOWN OF ENGLEWOOD, TENNESSEE**

**ADOPTING THE ANNUAL BUDGET AND TAX RATE**

**FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2019**

WHEREAS, Tennessee Code Annotated § 9-1-116 requires that all funds of the State of Tennessee and all its political subdivisions shall first be appropriated before being expended and that only funds that are available shall be appropriated; and

WHEREAS, the Municipal Budget Law of 1982 requires that the governing body of each municipality adopt and operate under an annual budget ordinance presenting a financial plan with at least the information required by that state statute, that no municipality may expend any moneys regardless of the source except in accordance with a budget ordinance and that the governing body shall not make any appropriation in excess of estimated available funds; and

WHEREAS, the Board of Mayor and Commission has published the annual operating budget and budgetary comparisons of the proposed budget with the prior year (actual) and the current year (estimated) in a newspaper of general circulation not less than ten (10) days prior to the meeting where the Board will consider final passage of the budget.

**NOW THEREFORE BE IT ORDAINED BY the Board of Mayor and commission of THE TOWN OF ENGLEWOOD, TENNESSEE AS FOLLOWS:**

Section 1: That the governing body projects anticipated revenues from all sources and appropriates planned expenditures for each department, board, office or other agency of the municipality, herein presented together with the actual annual receipts and expenditures of the last preceding fiscal year and the estimated annual expenditures for the current fiscal year, and from those revenues and unexpended and unencumbered funds as follows for fiscal year 2019, and including the projected ending balances for the budget year, the actual ending balances for the most recent ended fiscal year and the estimated ending balances for the current fiscal years:













SECTION 2: At the end of the current fiscal year (June 30, 2019), the governing body estimates fund balances as follows:

|  |  |
| --- | --- |
| General Fund | $731,706 |
| Solid Waste Fund | $48,160 |
| Water and Sewer Fund | $4,334,332 |
| Natural Gas Fund | $167,570 |
| Drug Fund | $48,445 |

SECTION 3: That the governing body herein certifies that the condition of its sinking funds, if applicable, are compliant pursuant to its bond covenants, and recognizes that the municipality has outstanding bonded and other indebtedness as follows:



SECTION 4: During the coming fiscal year (2019) the governing body has pending and planned capital projects with proposed funding as follows: *There are no projects planned at this time.*





SECTION 5: No appropriation listed above may be exceeded without an amendment of the budget ordinance as required by the Municipal Budget Law of 1982 (TCA § 6-56-208). In addition, no appropriation may be made in excess of available funds except to provide for an actual emergency threatening the health, property or lives of the inhabitants of the municipality and declared by a two-thirds (2/3) vote of at least a quorum of the governing body in accord with Tennessee Code Annotated § 6-56-205.

SECTION 6: Money may be transferred from one appropriation to another in the same fund in an amount of up to $ 1,000 by the Mayor, subject to such limitations and procedures as set by the Board of Mayor and Commission pursuant to Tennessee Code Annotated § 6-56-209. Any resulting transfers shall be reported to the governing body at its next regular meeting and entered into the minutes.

SECTION 7: A detailed financial plan will be attached to this budget and become part of this budget ordinance. In addition, the published operating budget and budgetary comparisons shown by fund with beginning and ending fund balances and the number of full time equivalent employees required by Tennessee Code Annotated § 6-56-206 will be attached.

SECTION 8: There is hereby levied a property tax of $ \_\_\_1.3177\_\_ per $100 of assessed value on all real and personal property.

SECTION 9: This annual operating and capital budget ordinance and supporting documents shall be submitted to the Comptroller of the Treasury or Comptroller’s Designee for approval if the City has debt issued pursuant to Title 9, Chapter 21 of the Tennessee Code Annotated within fifteen (15) days of its adoption. This budget shall not become the official budget for the fiscal year until such budget is approved by the Comptroller of the Treasury or Comptroller’s Designee in accordance with Title 9, Chapter 21 of the Tennessee Code Annotated (the “Statutes”.) If the Comptroller of the Treasury or Comptroller’s Designee determines that the budget does not comply with the Statutes, the Governing Body shall adjust its estimates or make additional tax levies sufficient to comply with the Statutes or as directed by the Comptroller of the Treasury or Comptroller’s Designee. If the City does not have such debt outstanding, it will file this annual operating and capital budget ordinance and supporting documents with the Comptroller of the Treasury or Comptroller’s Designee.

SECTION 10: All unencumbered balances of appropriations remaining at the end of the fiscal year shall lapse and revert to the respective fund balances.

SECTION 11: All ordinances or parts of ordinances in conflict with any provision of this ordinance are hereby repealed.

SECTION 12: This ordinance shall take effect July 1, 2018, the public welfare requiring it.

Passed 1st Reading May 14, 2018

Passed 2nd Reading June 11, 2018

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Mayor

Attested:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Recorder

Ordinance No. 06-09-18-108

**AN ORDINANCE OF THE TOWN OF ENGLEWOOD, TN, AMENDING THE ANNUAL BUDGET FOR THE TOWN OF ENGLEWOOD, TENNESSEE, FOR FISCAL YEAR 2017-2018**

**WHEREAS,** *Tennessee Code Annotated* Title 9 Chapter 1 Section 116 requires funds first be appropriated before being expended and that no appropriations may exceed available funds;

**WHEREAS,** *Tennessee Code Annotated* Title 6 Chapter 56 Section 208 allows amendment of the budget ordinance in the same manner as any other ordinance may be amended;

**WHEREAS,** funds for various expenditures will exceed what has been previously appropriated by the governing body;

**NOW, THEREFORE BE IT ORDINANCED BY THE MAYOR AND BOARD OF COMMISSIONERS OF ENGLEWOOD, TENNESSEE, THAT:**

|  |
| --- |
| **Increase** |
| General Fund: |   |   |   |   |   |   |
|   | 42100-110 |   | Police Dept. Salaries |   |  $ 42,262.00  |
|   | 42100-141 |   | Police Dept. OASI |   |   |  $ 3,233.00  |
| Solid Waste: |   |   |   |   |   |   |
|   | 43200-290 |   | Other Contractual Services |   |   |  $ 25,000.00  |
| Natural Gas: |   |   |   |   |   |   |
|   | 52411-351 |   | Purchased Gas |   |  $ 55,000 |
|   |   |   |   |   |   |   |
| **Decrease** |
| General Fund: |   |   |   |   |   |   |
|   | 27100 |   | Fund Balance |   |  $ 45,495.00  |
| Solid Waste: |   |   |   |   |   |   |
|   | 27100 |   | Fund Balance |   |   |  $ 25,000.00  |
| Natural Gas: |   |   |   |   |   |   |
|   | 28000 |   | Retained Earnings |   |  $ 55,000  |

This ordinance shall take effect immediately upon final passage, the public welfare requiring it.

Passed 1st Reading May 14, 2018

Passed 2nd Reading June 11, 2018

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Mayor
Attested:

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

Ordinance No. 06-09-18-109

**AN ORDINANCE OF THE TOWN OF ENGLEWOOD, TN, AMENDING THE ANNUAL BUDGET FOR THE TOWN OF ENGLEWOOD, TENNESSEE, FOR FISCAL YEAR 2017-2018**

**WHEREAS,** *Tennessee Code Annotated* Title 9 Chapter 1 Section 116 requires funds first be appropriated before being expended and that no appropriations may exceed available funds;

**WHEREAS,** *Tennessee Code Annotated* Title 6 Chapter 56 Section 208 allows amendment of the budget ordinance in the same manner as any other ordinance may be amended;

**WHEREAS,** funds for various expenditures will exceed what has been previously appropriated by the governing body;

**WHERAS,** to record USDA Grant which was not a matching grant.

**NOW, THEREFORE BE IT ORDINANCED BY THE MAYOR AND BOARD OF COMMISSIONERS OF ENGLEWOOD, TENNESSEE, THAT:**

**Increase Revenues**

413-33400 Rural Development Grant $ 30,000

 **Increase Expenditures**

413-52114-259 Professional Services $ 30,000

This ordinance shall take effect immediately upon final passage, the public welfare requiring it.

Passed 1st Reading May 14, 2018

Passed 2nd Reading June 11, 2018

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 Mayor

Attested:

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

Ordinance No. 06-09-18-110
**AN ORDINANCE OF THE TOWN OF ENGLEWOOD, TN, AMEND TITLE 16 STREETS AND SIDEWALKS, ETC., FOR THE TOWN OF ENGLEWOOD, TENNESSEE, FOR FISCAL YEAR 2017-2018**

**WHEREAS,** The Mayor and Board of Commissioners deem it necessary to adopt and enforce reasonable laws to protect citizens and to minimize the disruption to the traveling public of the Town of Englewood from obstructions alongside and within in the town’s right of ways; and

**WHEREAS,** the Town of Englewood is authorized by the Englewood Town Charter, Article II Powers, (18) Acquire, purchase, provide for, construct, regulate and maintain and do all things relating to all marketplaces, public buildings, bridges, sewers and other structures, works and improvements;

**WHEREAS,** the Town of Englewood has police powers authorized by the Englewood Town Charter, Article II Powers, (22) Define, prohibit, abate, suppress, prevent and regulate all acts, practices, conduct, business, occupations, callings, trades, use of property and all other things whatsoever detrimental, or liable to be detrimental, to the health, morals, comfort, safety, convenience or welfare of the inhabitants of the municipality, and exercise general police powers;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF ENGLEWOOD, TENNESSEE, MAYOR AND BOARD OF COMMISSIONERS AS FOLLOWS:**

**Section 1.** We adopt the following as a new section in title 16, chapter 1 of the city’s municipal code:

16-113. Basketball goals alongside or within public rights-of-way.

1. No portable or fixed basketball goal shall be placed, erected or maintained on or alongside the right-of-way of any public street within the municipal limits of the Town of Englewood so as to allow a person or persons to play within the street.  The placement of any basketball goal within a public right of way or the presence of persons within a public street playing basketball on such a goal shall be a violation of this section.
2. Any violation of this section shall be punishable by a fine of fifty dollars ($50.00).

**Section 2.** This ordinance shall take effect immediately upon final passage, the public welfare requiring it.

Passed 1st Reading May 14, 2018

Passed 2nd Reading June 11, 2018

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Mayor

Attested:

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

Town of Englewood

P.O. Box 150

Englewood, TN. 37329

(423) 887-7224

June 4, 2018

Mayor and Commission,

The Police Chief has deemed vehicles listed below as scrap. Approval is needed to legally scrap the vehicles.

* 1994 Ford Vin# 2FAFP71V98X138504
* 1994 Ford Vin# 2FAFP71V08X138505
* 1994 Ford Vin# 2FAFP71W67X155526

Thank you,

Sondra Denton