

**Minutes from the Commission Meeting held on
January 8, 1991**

The regular meeting of the Englewood Board of Commissioners convened at 7:30 p.m. on January 08, 1991.

The meeting was called to order by Mayor Cass and upon roll call, all commissioners were present: Brown, Long, Cass, Peeler, and Casteel.

After a call for review of the minutes of the previous meetings, a motion was made by Brown and seconded by Peeler to accept the minutes as presented. All ayes.

There was no response to a request by the Mayor for any old business.

The following points were then presented by the Mayor:

(1) Stated that the lease with the county for the community center had expired in 1988 and that it was now on a month-to-month basis. He stated that the lease needed to be extended and the Board needed to look into it. He then asked what the Board's feelings were as the roof needs repair also. Peeler stated that he felt that an estimate was needed on the roof before any decision could be made concerning the lease extension. The Board was in agreement that they would look into the cost of repair.

(2) Concerning the balance left on FM HA loan for the sewer treatment plant project, Mayor Cass informed the commission that he had talked to FM HA officials and that the monies left could only be expended for extending sewer. FM HA said that if the money was not going to be used for that purpose, it should be returned to FM HA. The Board was in agreement that it would be looked at by next meeting to see if a need exists for the use of the money.

(3) Relayed a request by the fire department that the city pay for 50% of the cost of a recorder to record incoming dispatch calls at a cost of approx \$35.00. A motion was made by Peeler and seconded by Long to pay 50% of the cost of the recorder. All voted aye.

(4) Concerning information received by the Mayor on road grant funds for stop signs, etc., for cities under 5,000 population, the Board was in agreement that it would be worthwhile to look into. Johnny Lipps then told that based on information received at a 911 meeting, road names would be used instead of the expected road numbers. He stated that he would keep in touch with the Board of any developments with 911.

Concerning the closing of Sunset Avenue by CSX RR, assistant road master Mark Street of Knoxville was introduced and the following comments were made:

Mayor Cass- Public meeting was held on December 11, 1990, about the feelings of the public concerning the closing of Sunset Avenue. Railroad officials were present.

City Attorney Cunningham- The meeting was to address the formal request by the RR that the Town of Englewood seek permanent closure of Sunset Avenue due to the excessive times that it would be blocked due to use of the new siding that had been installed. Stated that the Board got citizen feelings at the public hearing and it was that

they did not want the street closed. A decision was made to contact the RR and seek a solution to the problem. Cunningham then stated that based on the comments made, he feels that the RR would have to provide access to both Hwy 411 and Hwy 39. It appears that the RR solutions thrown out seem to be permanent closure of Sunset Ave. The city commission will not agree to this.

RR Official- The RR believed that the city had agreed to closure of Sunset Ave. They stated that the problem with the siding would be that Sunset remaining open would mean that it would be blocked most of the time, and that with an investment of \$1 million the project could not be abandoned. The RR stated that they would like to horse trade with some RR property that the city was now using, and that as a reality, the crossing would be blocked a great deal of the time. Asked by residents about an overpass or underpass, the RR official stated that it was not feasible due to the expense.

Mayor Cass- Stated that the Board would like to work up a solution and wanted the citizens to know that their desire to keep the crossing open would be their basis for negotiation.

City Attorney Cunningham- Asked if there was any possibility of extending the track southward to prevent the blocking of Sunset Avenue. RR official stated that a Y track had been there at one time and it was the most economical area to put in a high speed switch on an existing switch. He also stated that on the south end, it would have been complete construction of new road bed and bridge and with this siding, the main crossing on 39 can be cleared. A citizen then asked why a cost of \$400,000 for an underpass was completely out of range. Lendall Armstrong then stated that there could be access to the track.

Cass- Must be an alternative to limiting the citizens access to the track.

Attorney Cunningham- Should look at another place for an underpass other than crossing. The property owners demand and should get a safe crossing. It could be cheaper for both city and RR to get the underpass at an alternative place for the safety and convenience of property owners.

CSX RR- There is always a difference of opinion as to number of crossings needed in a town and that Sunset was a convenience but not always necessary. Residents then asked if the side track was a convenience or necessary for the RR. RR officials then stated that the CSX was willing to discuss any option through an engineering or feasible study. The officials were then told that the Board was asking for unlimited access and they supported the wishes of the people. CSX officials then stated that they were in a quandary as they relied on statements of Ben Bennett believing that he was a member of the city board, and that the city was willing to close Sunset Avenue.

Mayor Cass- Then stated that the RR had been made aware of the publics feelings at the meeting on December 11, 1990. The point is that an alternative access is needed and public access to the highways cannot be denied.

CSX RR- Consider the widening of existing underpass? Informed that it was too far north to benefit residents.

Commissioner Peeler- It is apparent that a decision cannot be made one way or the other at this time. He stated that he felt that based on the wishes of the property owners, the Board would like to see the crossing reopened until an understanding could be reached.

CSX- Stated that they had their say.

Randall Moss, County Highway Commissioner- Felt that the bid problem is the

blocking of crossings and that location mentioned by Armstrong was the only possibility for an underpass but the cost would run probably \$1 1/2 million. The CSX attorney then stated that he would like to sit down with the city attorney and discuss this matter. CSX council agreed to get back with the city attorney by the end of the week as to the possible date of the reopening of the street.

City Attorney Cunningham- Whatever resolution is arrived at, the Commission is aware that this is not the only issue at stake and that all issues were to be looked at and it was the intent of the Board to work with the railroad for a solution to the problem.

Mayor Cass- The Board will represent the wishes of the people. Upon a request by the Mayor for any further business, there was none. A motion was then made by Casteel and seconded by Brown to adjourn the meeting. All ayes.

Robert L. Cass
Mayor

C.A. Goodin _____
Recorder