

**TOWN OF DANDRIDGE, TENNESSEE
BOARD OF MAYOR AND ALDERMEN
Regular Meeting
10 September 2019**

I. PUBLIC HEARING

- **Resolution No.19/20-03** to Annex Certain Territory Upon Written Consent of the Owners and to Incorporate the Same Within the Boundaries of the Town of Dandridge, Tennessee (Hwy.139, Map 76, Parcel 41.02).

Sigrid Yancey, Treasure Lane – thinks annexing this property will be a very costly thing for the City.

Sharon Raberge, 2049 Ranch Road - Agrees with Ms. Yancey, thought the plot of land was going to be developed for homes.

Ray Becvar, Windsor Drive - Not for the annexation at all. Will cause too much congestion.

Judith Overby, 488 Hwy.139 - Agrees with Mr. Becvar. Already a lot of congestion and will create a problem.

Vice-Mayor KESTERSON – asked if a traffic study had been considered. (Mayor Gantte responded as being in attendance at the Planning Commission meeting by stating to the best of his knowledge no traffic study was considered.)

- **Ordinance No.19/20-03** Amending the Zoning Ordinance of the Town of Dandridge, Tennessee, Increasing Maximum Building Height Allowable in the R-2, R-3, B-2, B-3, and B-4 Districts

No comments

- **Ordinance No.19/20-04** Adopting and Enacting a Codification and Revision of the Ordinances of the Town of Dandridge, Tennessee.

Alderman DEPEW – concerned with three items within the codification. Under the impression at the 8/13/19 meeting that the items removed hiring of police chief and water superintendent under the town administrator was something to be dealt with at a later time. Have since received a list of items/changes within the codification. Have a problem with moving the above-mentioned item out of the code. If the municipal code needs to match the charter, then request an ordinance/resolution be written and presented that gives BMA the authority to do what its been doing. Wonders what changed this along the way.

Town Administrator Matt Rudder explained that the town went through the general assembly in 1998 to have them pass a private act to amend the charter. At this point the authority to hire all town employees/officers went under the town administrator with the exception of the city recorder, town administrator, judge, and town attorney. A private act was passed 2-3 years ago via the general assembly at which time the town recorder then came under the town administrator. The charter is the constitution for the town as powers granted by the state, which supersedes the municipal code. The charter provides that the town administrator appoints all town employees/officers. MTAS management consultant & MTAS legal consultant advised that if the BMA felt it would be in the best interest of the town for the BMA to have the authority to appoint/remove the police chief and water superintendent in the future, another private act would need to be passed at the general assembly level to transfer that power from the town administrator to BMA. The municipal code update is written to reflect the towns charter. State Senator/Representative will need to be contacted to introduce a private act change for the upcoming general assembly session if the BMA so desires such a change. Then an ordinance would be written/passed to match the charter. The state has given the town administrator with current authority.

Town Attorney Jeff Greene explained that the towns charter is enacted by state legislature and the municipal code is enacted by BMA. The town charter is the controlling document.

Depew – asked that all items be passed within code except the above mentioned.

Rudder – explained the urgent need for the municipal code update (books are extremely outdated). And reiterated that even if the above is not included as a change in the updated code, the charter would still supersede the code. Recommend that the municipal code be updated and then go to legislature for a change if so desired.

Depew – would rather stay in conflict with the recommendations as discussed above until which time a charter change could be made. This has nothing to do with any current administration, you never know what the future holds. The very nature of the police chief position resting with one, rather than seven elected officials, is concerning. The water superintendent position is an enterprise fund, and not sure if it was tested would hold up at some point down the road.

Mayor Gantte – expressed concern that all department heads should be treated equally and all should be under either the leadership of BMA or the Town Administrator. Another concern is if the BMA oversees hiring/firing of all department heads, then what authority would the town administrator have in discipline? That position would then be for guidance only, no direction, as hiring/firing ability is taken away.

Vice-Mayor Kesterson – has had some of the same concerns. Respect and would solicit legal opinion on what should be done at this time.

Town Attorney Jeff Greene – the charter and municipal code should match, then at the next meeting a vote can be presented to put before state legislature for a private act change. Valid concerns have been voiced, but there are proper steps to take for legal change.

- **Ordinance No.19/20-05** Amending the Zoning Map of Dandridge, Tennessee by Rezoning Certain Property From A-1 (Jefferson County) Agricultural/Forestry to B-4 (Town of Dandridge) Residential and Commercial Resort District

Sigrid Yancey, Treasure Lane – fully thinks this will be a big mistake by pulling Cocke County elements into Jefferson County. Would like to see where the funding will come from to do what Mr. Miller is planning on doing. Shouldn't he have a bond to make sure that he is going to do what he plans? **Mayor Gantte** explained that Mr. Miller will have to present plans/specifications to the Planning Commission at which time certain things that will be public will have to be bonded. **Ms. Yancey**, the sewer will be a costly thing and will there be a time period before revenue will be made? **Mayor Gantte**, revenue can be collected 4 months once a business license has been issued.

Sharon Raberge, 2049 Ranch Road – agrees with Ms. Yancey. Doesn't understand why this is even a conversation. This is a lovely little town and why would we want to put a distillery in a residential area? **Mayor Gantte** explained that Mr. Miller requested annexation and that Mr. Miller could also do what he wants to do with the distillery in the current Jefferson county A-1 zone. **Raberge**, does TVA allow the runoff that a distillery will create if not provided sewage? **Mayor Gantte**, his current distillery is operated on a septic system with two other businesses (3 businesses on a two-bedroom septic, with no failures/surface leakage). **Darrell Miller**, use will be from bathrooms and sinks, everything else is taken to farmers for feed and not discharged. Water use is also re-circulated within the system for cooling. Welcome anyone to come and look at the current system in Hartford.

Yancey – If a septic would work just fine, then why be so insistance on getting hooked with sewer? **D.Miller** – will need sewer if lodging is part of the project. May also plan for a wedding venue.

Raberge – the area is residential with homes all around and will cause an influx of more traffic.

Ray Becvar, Windsor Drive – this has all popped up out of nowhere and now that its coming to fruition, citizens are now asked for opinions. My wife and I retired here 5 years ago, out of all the places in the country we could have picked, we picked Dandridge because it was nice and quiet and now this happens.

Judith Overby, 488 Hwy.139 – the increase of traffic in the past 5 years has grown and will not be comfortable to residents if it continues to grow.

Vice-Mayor Kesterson – has similar concerns about if its good or bad, but have come to the point to whether the town annexes or not, it will happen anyway. In the past 40 years I've seen the County/Town turn from Mayberry to a lot more and it is somewhat a big change and not always something you want, but with progress and development, that's what puts food on our tables, pays the bills, gives us jobs. Unfortunately, that's what happens when you've got something nice and people want to move here; they buy property, build houses, subdivide, develop. We've still got a good thing and I don't see it slowing down.

Yancey – in reply to Vice-Mayor Kesterson, this is not a good thing, the development, the subdivisions, the neighborhoods, the retirees that move in is one thing, but becoming Cocke County or Pigeon Forge, I don't think so. The customers we get at our businesses are old people that stop and want to see the quaint little town and love to go to the shops, stores, restaurants, and businesses, but they're not looking for a distillery.

Vice-Mayor Kesterson – I'm not saying that the distillery is the greatest thing to happen, I'm saying it's coming whether we want it or not. The town would probably do a better job of managing and overseeing the development than the county as the town has stricter guidelines.

II. CALL TO ORDER

- A. The Dandridge Board of Mayor and Aldermen (BMA) met in a regular session at the Dandridge Police Department/Public Works Building in Dandridge, Tennessee on Tuesday, the 10th day of September 2019.
- B. Mayor GEORGE GANTTE was present and presiding. Mayor GANTTE called the meeting to order immediately following the Beer Board Meeting.

III. ROLL CALL

- A. A roll call of the BMA was conducted with the following members responding:

- Mayor GEORGE GANTTE
- Alderman MIKE CHAMBERS
- Alderman JEFF DEPEW
- Alderman JESSICA ELDER
- Vice-Mayor TODD KESTERSON
- Alderman MARIANNE REESE

ABSENT: Alderman MIKE NELSON

- B. A quorum being present, the following business was conducted and entered on the record:

The Pledge and Invocation was led by DWMF Superintendent Mike Norton.

IV. READING OF THE MINUTES

It came on a motion by Alderman ELDER, seconded by Alderman REESE, to approve the Regular Session minutes of the August 13, 2019 meeting as written.

On a voice vote, the motion passed unanimously, and was so ordered.

V. PUBLIC PRESENTATIONS

None presented.

VI. PRESENTATION OF PETITIONS, MEMORIALS, REMONSTRANCES, AND COMMUNICATIONS

None presented.

VII. BUSINESS PRESENTED BY THE MAYOR

None presented.

VIII. FINANCIAL REPORT BY THE TOWN RECORDER

<u>Bank Balance:</u>	<u>BMA Acct:</u>	\$1,697,390.56	<u>Drug Fund Balance:</u>	\$ 53,764.95
			<u>DVFD Balance:</u>	\$299,315.56

IX. CONSENT AGENDA

- Approval to Surplus Field of Dreams Property
 - 2004 John Deere 3225C Gang Reel Mower (P.I.N. #TC3225C010290)
 - (10) Aerobic Steps w/(40) Risers

- Health-O-Meter Weight Scale
- Mill Creek 84” 3 Point Hitch Mount Aerifier
- Approve Scots-Irish Festival Street Closure Request (Friday, September 27 at 5:00 p.m. – Saturday, September 28 at 10:00 p.m.)
- Approve Road Block Request – Dandridge Lions Club (Friday, October 4, 2019, 8:00 a.m. – 5:00 p.m.)

It came on a motion by Alderman DEPEW, seconded by Alderman CHAMBERS, to approve all items within the consent agenda.

On a voice vote, the motion passed unanimously, and was so ordered.

X. PRESENTATION OF ORDINANCES AND RESOLUTIONS

- **Resolution No.19/20-03** to Annex Certain Territory Upon Written Consent of the Owners and to Incorporate the Same Within the Boundaries of the Town of Dandridge, Tennessee (Hwy.139, Map 76, Parcel 41.02)

It came on a motion by Alderman CHAMBERS, seconded by Alderman REESE, to approve Resolution No.19/20-03.

A roll call was asked for and the BMA responded as follows:

Alderman CHAMBERS	AYE		
Alderman DEPEW	AYE	Alderman REESE	AYE
Alderman ELDER	AYE	Mayor GANTTE	AYE
Vice-Mayor KESTERSON	AYE		

On a roll call vote, the motion passed unanimously, and was so ordered.

- **Resolution No.19/20-04** Authorizing the Town of Dandridge to Participate in the James L. Richardson “Driver Safety” Matching Grant Program

It came on a motion by Vice-Mayor KESTERSON, seconded by Alderman CHAMBERS, to approve Resolution No.19/20-04.

On a voice vote, the motion passed unanimously, and was so ordered.

- Final Reading of **Ordinance No.19/20-03** Amending the Zoning Ordinance of the Town of Dandridge, TN Increasing Maximum Building Height Allowable in the R-2, R-3, B-2, B-3, and B-4 Districts

It came on a motion by Alderman CHAMBERS, seconded by Alderman REESE, to approve Ordinance No.19/20-03 on final reading.

A roll call was asked for and the BMA responded as follows:

Alderman CHAMBERS	AYE		
Alderman DEPEW	AYE	Alderman REESE	AYE
Alderman ELDER	AYE	Mayor GANTTE	AYE
Vice-Mayor KESTERSON	AYE		

On a roll call vote, the motion passed unanimously, and was so ordered.

- Final Reading of **Ordinance No.19/20-04** Adopting and Enacting a Codification and Revision of the Ordinances of the Town of Dandridge, TN

It came on a motion by Alderman ELDER, seconded by Alderman CHAMBERS, to approve Ordinance No.19/20-04 on final reading.

A roll call was asked for and the BMA responded as follows:

Alderman CHAMBERS	AYE		
Alderman DEPEW	AYE	Alderman REESE	AYE
Alderman ELDER	AYE	Mayor GANTTE	AYE
Vice-Mayor KESTERSON	AYE		

On a roll call vote, the motion passed unanimously, and was so ordered.

- Final Reading of **Ordinance No.19/20-05** Amending the Zoning Map of Dandridge, Tennessee by Rezoning Certain Property From A-1 (Jefferson County) Agricultural/Forestry to B-4 (Town of Dandridge) Residential and Commercial Resort District

It came on a motion by Alderman REESE, seconded by Alderman CHAMBERS, to approve Ordinance No.19/20-05 on final reading.

A roll call was asked for and the BMA responded as follows:

Alderman CHAMBERS	AYE		
Alderman DEPEW	AYE	Alderman REESE	AYE
Alderman ELDER	AYE	Mayor GANTTE	AYE
Vice-Mayor KESTERSON	AYE		

On a roll call vote, the motion passed unanimously, and was so ordered.

XI. OLD BUSINESS

None presented.

XII. NEW BUSINESS

- Phase IV Water Line Replacements Bid Proposal/Approval (Cherokee Drive, Academy Circle, Church Street, Patterson Street, Nichols Road)

4 Bids Received:

	<i>Total</i>	<i>Additive Alternates</i>	<i>Grand Total</i>
<i>Junior Hommel Excavating</i>	<i>\$205,630.</i>	<i>\$6,275.</i>	<i>\$211,905.</i>
<i>K. Carrender Construction Co.</i>	<i>\$401,070.</i>	<i>\$13,230.</i>	<i>\$414,300.</i>
<i>Merkel Bros Construction</i>	<i>\$395,699.50</i>	<i>\$9,730.</i>	<i>\$405,429.50</i>
<i>Mike Smith Pump Service</i>	<i>\$473,515.</i>	<i>\$15,060.</i>	<i>\$488,575.</i>

It came on a motion by Alderman ELDER, seconded by Alderman REESE, to approve the low bid from Junior Hommel Excavating at a total price of \$205,630 and also approving the additive alternate unit price for same and opposite sides meter connections and #57 stone backfill (\$6,275) in order to have a turnkey job (total cost \$211,905).

A roll call was asked for and the BMA responded as follows:

Alderman CHAMBERS	AYE		
Alderman DEPEW	AYE	Alderman REESE	AYE
Alderman ELDER	AYE	Mayor GANTTE	AYE
Vice-Mayor KESTERSON	AYE		

On a roll call vote, the motion passed unanimously, and was so ordered.

- Road Block Request – Dandridge Broncos Cheerleaders (Saturday, September 14, 2019, 8:00 a.m. – 2:00 p.m.)

It came on a motion by Alderman DEPEW, seconded by Alderman REESE, to approve the roadblock request.

On a voice vote, the motion passed unanimously, and was so ordered.

- Merriment on Main Street Funding Request

Propose to increase traffic in downtown area to coincide with small business Saturday on November 30th to kick off the Christmas shopping season. Request up to \$1,000 financial help with expenses, billed to the Town of Dandridge. (Christmas tree, Santa Claus, carriage rides, advertising). The Jefferson County Post and Jeff Co Tourism department will be splitting the cost to have Sparkles the Christmas Unicorn and book.

It came on a motion by Alderman REESE, seconded by Alderman CHAMBERS, to provide up to \$1,000 for Merriment on Main Street with billing to be submitted to the Town of Dandridge.

A roll call was asked for and the BMA responded as follows:

Alderman CHAMBERS	AYE		
Alderman DEPEW	AYE	Alderman REESE	AYE
Alderman ELDER	AYE	Mayor GANTTE	AYE
Vice-Mayor KESTERSON	AYE		

On a roll call vote, the motion passed unanimously, and was so ordered.

- Sale of DVFD Fire Engine 777

GovDeals.com bid closed on 9/5/19 with a high bid of \$5,000 (reserve of \$13,000). Need guidance from BMA how to proceed.

- Option 1: sell for \$5,000 to high bidder on GovDeals.com*
- Option 2: rebid on GovDeals.com with a lower reserve*
- Option 3: sell to a local department for \$3,000 (Long Creek VFD, Cocke County)*
- Option 4: look in to Pro Team Auction services (cannot state a reserve amount)*

Mayor Gantte suggest to sell the truck to Long Creek VFD for \$5,000 with \$3,000 due upon delivery and \$2,000 due in the next 2 years (\$1,000/year) per promissory note issued (0% interest).

It came on a motion by Alderman DEPEW, seconded by Alderman ELDER, to offer to Long Creek VFD via the above suggestion by Mayor Gantte.

A roll call was asked for and the BMA responded as follows:

Alderman CHAMBERS	AYE		
Alderman DEPEW	AYE	Alderman REESE	AYE
Alderman ELDER	AYE	Mayor GANTTE	AYE
Vice-Mayor KESTERSON	AYE		

On a roll call vote, the motion passed unanimously, and was so ordered.

XIII. MISCELLANEOUS

Alderman Depew: would like to go ahead and start working towards getting an ordinance set up and getting the change made in Nashville so that the previously discussed item can be moved back out regarding a charter change. What will that process be? **Town Attorney Greene:** BMA would need to vote to put before legislature where BMA has control of hiring/firing of certain positions. A private act will need a sponsor to present before legislature. **Town Administrator Matt Rudder:** BMA would need to pass a resolution with 2/3 vote of approval for a charter change. A resolution can be drawn up to request our representatives make that change. This can be placed on the October agenda.

XIV. ADJOURNMENT

It came on a motion by Alderman REESE, seconded by Alderman CHAMBERS, that the meeting of September 10, 2019 be adjourned.

On a voice vote, the motion passed unanimously, and was so ordered.

George Gante, Mayor
MINUTES-BMA-091019

ATTEST:

Cathy Dixon Town Recorder