

## REGULAR MEETING: MARCH 13, 2012

the northern ROW of Miller Ave. (Milo Lemert) and an extension of an 8" waterline 330' along the southern ROW of Miller Ave. (Milo Lemert), then crossing Miller Ave. with a 6" waterline (making use of existing casing) for 160'.

City staff has estimated the cost of materials to be \$11,500 to be paid by the church. The City would be responsible for the engineering, permitting, and installation of the utility extensions. The project is not expected to be done until next fiscal year so the costs, if approved, can be included in the new budget.

A motion was made by Councilman Boyd Wyatt, seconded by Councilman Danny Wyatt, that approval be given for the extension of utilities to the Kingdom Hall location with the church responsible for the cost of the materials. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Councilman Boyd Wyatt, Sr., Councilman Earl Dean, Councilman George Marlow, Mayor J. H. Graham, III, Mayor Pro-Tem Danny R. Wyatt.

### ITEM #6 – MATTERS RELATIVE TO NORTHWEST CONNECTOR

It was reported that all acquisitions must be complete or filed in court by the end of this month to make the June bid letting. If this deadline is missed, there is great uncertainty as to whether or not the estimated \$7.5M project will be re-budgeted for construction by TDOT in the FY2012-13 budget. In order to pay the remaining engineering costs and the costs for property acquisition, a budget amendment in the amount of \$350,000 was requested.

Councilman Boyd Wyatt asked for an accounting of the money spent on the property. Mayor Graham discussed the changes in the project due to the re-routing to accommodate some property owners that objected to the original route. To-date, \$752,571 has been spent for engineering and \$181,380 for acquisitions. The amount spent for acquisition is for the first tract that had a house and a trailer on it and for the one tract that has been filed for condemnation.

Council held a discussion on whether or not to proceed with the acquisition process due to the additional costs and the unknown construction funding. City Attorney Kenneth Chadwell reported that there is a standing resolution that properties be obtained and that, if this motion fails, it would not automatically stop the condemnation process, which is already under way. Because the State is in charge of the condemnation, he would have to contact the Attorney General's office.

A motion was made by Mayor J. H. Graham, III, seconded by Councilman Earl Dean, that an ordinance amending the FY2011-12 budget in the amount of \$350,000 be passed on first reading. **Vote:** Motion failed (**summary:** Yes = 1, No = 2, Abstain = 2). **Yes:** Councilman Earl Dean. **No:** Councilman Boyd Wyatt, Sr., Mayor Pro-Tem Danny R. Wyatt. **Abstain:** Councilman George Marlow, Mayor J. H. Graham, III.

Councilman Marlow stated his conflict as he is a property owner involved in the acquisition. Mayor Graham stated he had a potential conflict as his cousin is one of the property owners involved in the acquisition.

### ITEM #7 – MATTERS RELATIVE TO BIG SOUTH FORK VISITOR'S CENTER

Councilman Boyd Wyatt discussed the history of the project. The building was originally 4,000 sf and has since been reduced to 2,000 sf by the County to keep it within budget and he is uncertain as to whether the latest bid includes the parking and lighting. He further pointed out that the County receives all the hotel/motel tax and is not planning on contributing any money toward the operation of the center.

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Mayor Graham discussed the matter with Mayor Carey and Nathan Brock. The bids have not yet been accepted, but the costs are now up to \$600,000. The amount of paving was cut back from the original project and includes approximately 16 parking spaces. It also includes lighting and a sign.

In checking with State authorities, it was found that the County's grant contains a 20 year obligation to operate the facility. Mayor Graham voiced his concern about traffic in addition to the school traffic, if the project takes off. It is his opinion that additional improvements will be necessary on Genesis Road and Cook Road to handle the traffic. City officials have been told that the County does not intend to put any additional money in the project except what has already paid, which was the purchase of the land.

City Attorney Chadwell was previously asked to review the grants, deeds, and other legal information of the County on this project. However, no documents were ever received. Councilman Boyd Wyatt stated his desire for the County Commission to vote on whether or not they will contribute to the operation costs. Councilman George Marlow commented that he believes the City should stick with what was previously offered, which was to contribute the \$120,000 local match and operate the center once it was completed. He believes the visitor's center will be a good deal to city. Mike Turner reported that he was in a meeting with both mayors and Billy Loggins where it was discussed that the project had been shrunk in size.

City Manager Bruce Wyatt reported that a recent newspaper article indicated that Cookeville is operating their center with one full-time employee and volunteers. He will make contact to get more information on their operations.

A motion was made by Councilman Boyd Wyatt, seconded by Mayor Pro-Tem Danny Wyatt, that the City Manager be directed to contact the County Mayor to see if he can get an item on the County agenda for a request from the City that, if and when the visitor's center is built and an agreement is reached with the county, that the County would support the City on a 50/50 basis in the operation of the Visitor's Center, based on an estimated cost of \$100,000/year. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Councilman Boyd Wyatt, Sr., Councilman Earl Dean, Councilman George Marlow, Mayor J. H. Graham, III, Mayor Pro-Tem Danny R. Wyatt.

### ITEM #8 – MATTERS RELATIVE TO LONG-TERM FINANCING

The City Manager presented the options for financing several projects discussed in the Audit Committee. He requested direction on variable rate or fixed rate financing. It is expected to take 60-90 days to issue the debt.

A motion was made by Councilman Boyd Wyatt, seconded by Councilman Danny Wyatt, that approval be given to proceed with obtaining financing at a fixed rate of 2.75% (plus or minus 10 basis points) for 25 years and that the individual items to be financed be brought back to the Council for later action, to include refunding, taxable, and non-taxable bonds. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Councilman Boyd Wyatt, Sr., Councilman Earl Dean, Councilman George Marlow, Mayor J. H. Graham, III, Mayor Pro-Tem Danny R. Wyatt.

### ITEM #9 – CITY ATTORNEY'S REPORT

City Attorney Kenneth Chadwell reported that no new lawsuits had been filed in the previous month.

Visitor's Center – He confirmed with the Council that the agreement that he has been instructed to prepare would place the City under operational control of the facility.