

City of Orinda Meeting Minutes
Thursday August 10,2023
Council Chambers City Hall
7pm

Mayor Swearingen in the Chair

Meeting Called to Order at 7:04pm

Pledge of Allegiance

Roll Call

Present: Mayor Tabitha Swearingen, Vice Mayor Walter Lee, Commissioner Sherry Carver, Commissioner Ben Ellis, Commissioner Jennifer Johnson, City Manager Kevin Breeding, City Recorder Breonna Scoggins

Agenda

The Meeting Agenda was approved as presented.

Previous Minutes

Mayor Tabitha Swearingen presented the minutes from July 13, 2023. Motion made by Commissioner Jennifer Johnson to accept the minutes as written. The second was made by Commissioner Ben Ellis. The vote was called by City Recorder Breonna Scoggins and was approved with none opposed.

1. Public Hearing

None.

2. Financial Statements

The Council was provided packets with the financial statements. City Manager Kevin Breeding apologized for leaving the Community Center Financials out of the packet. He stated that he forgot to tell Breonna about having that document in the packet. He stated that on the regular statement it may look a little short but just keep in mind a lot of categories are not showing up because it is only one month and if we have not used a particular category, it will not show on the document. This looks like it's a little shorter, but as the months go on and as we use more categories, they will start to show up and fill out. He stated that last month one of the statements did not match the other. Turns out his hand made statement was wrong, and Commissioner Ellis was kind enough to walk him through it. They will still look at it again. He stated that the important news is that the printout that you have tonight and the one that he was pointing out this month are directly from QuickBooks. Those documents are correct; they must be. The one that he tries to create for you to help you with the budgeting process is less perfect because he must combine categories, and it is a little harder. He stated again that his document is not our official statement. He stated that since the last meeting the auditor from The State of Tennessee has been here recently gone through our books and stated that everything looked good. Per council request at the next meeting, the actual Quick Books ledger balance for all accounts will be provided instead of the documents from excel because it is confusing to understand. Mr. Breeding is hoping that with Breonna's background in QuickBooks, she will help him to create a better document. Commissioner Johnson asked if that included the account balances? Kevin said yes, we can give you that

for sure. He also stated if you are ever interested a copy of all the checks can be provided. The financial were reviewed at their discretion.

3. Old Business

- a. Mayor Tabitha Swearingen reminded the council that there had been residents concerned about signs in the city that blocked visibility of the roadway. She stated that per request, Kevin contacted the state. Mayor Tabitha Swearingen turned the floor over to Kevin. He stated that he contacted the state and the attorney. They stated that if something is obstructing the view the city can take it down at that moment. It does not require a court order or action of any kind. We can notify the owner that we have the sign and that they can come to get it if they want it back. No legal process is required. Signs are treated the same as if a tree limb is growing over a stop sign. Anything that is impeding the view of traffic does not require permission to address per Kevin Breeding. Kevin stated that the question becomes is the sign in question blocking traffic? He stated it would be up to the council to tell him to go and get it. Kevin stated that so far, they have had 2 complaints about the sandwich board signs at the restaurant at Elm Springs and Hwy. 52. Commissioner Johnson stated that the problem was he had them all in the road, and Kevin stated that he agrees. Commissioner Johnson stated that she thought that they had been moved. A patron from the floor stated that the signs were in the road right now; He just came through, and they were present. The suggestion was made by Commissioner Carver to give the restaurant owner a line that the signs cannot cross because to her, the cars are more detrimental than the signs. There were also concerns raised about where the restaurant owner was parking his vehicle. Kevin stated that anything impeding traffic would have to be moved. Kevin stated that he would give him the opportunity to comply, and if he doesn't then tow the vehicle. Mayor Swearingen stated that since this has happened in the past and is currently happening now maybe we need to have a conversation with him explaining what is allowed, and what the city can legally enforce. Commissioner Ellis asked what the state law distance is from the white line, and Kevin stated that he has asked that, and it is not a definitive number. If it blocks the view, it's illegal.

Vice Mayor Lee stated that there is a limb at East Robertson and Elm springs obstructing the view you must pull out to see. Kevin stated that the property had been sold recently. He stated that if the tree is obstructing traffic, it will need to be cut down. He did not know if it was possible to leave the tree and just cut the limbs. Commissioner Ellis stated that the problem was when you cut that tree or limb you would have to cut another one. He stated that the previous owner put those in as a wind barrier.

- b. Mayor Swearingen asked Commissioner Carver if she had an update on October in Orlinda. Commissioner Carver announced the officers of the Parks and Recreation Board, and informed the assembly that a representative from the board was present today. Christie Hamilton, the secretary of the board addressed everyone with an update. Commissioner Carver stated that they had a good meeting last night and that a lot of things were discussed. Lots of things they hope to happen soon. Lots of things that will have to wait because of the budget. Christie stated that the board had met and that they talked about getting some new sand but prior to that they will be spraying fleas. Stated that the volleyball court was not being used but they feel that if they spruced it up it would be. She stated that they will spray the sand for weeds and bugs. They would also get a new net. They probably will get a truck load of sand and any extra will go into the sand box and the ball field. Christie stated that they would need some extra chemicals. She

stated that Matt Stark and Michael Wilcox would be doing the spraying. They were more concerned about the spraying and weeding, especially around the tennis court. Christie stated that they had talked about gravel. Kevin stated that they had put gravel back there in the spring, but they will walk and look at that area. She then stated a lot of it would have to wait because they do not have the budget right now. Christie stated that they were looking into fence ties to repair fencing and painting lines on the existing tennis court for pickle ball so that that it can be utilized as both. Christie stated that they had talked about October in Orlinda. She stated that they were discussing changing the layout of where the band and vendors are located. Also, they are searching for a trailer to use as a stage. Commissioner Carver addressed Tabetha Ellis (Parks and Recs Treasurer) to ask if she had a chance to talk to Tony about the sand. She stated that she had not. Tabetha stated that they had discussed a community cleanup day, and that needs to be done before anything else happens. They stated that they need to work together to get it cleaned up. Who would be maintaining it? Stated what good would it do to invest money and time if it is not going to be maintained. They want to get it cleaned up and keep it that way. Commissioner Carver stated that she was really impressed with the committees wanting October to be a good community event. They want it to prosper. They want it to be something that their children can look back on and remember the great times. Commissioner Carver stated that they hope to have all things ready for October in Orlinda. It was also stated that they had discussed having a softball tournament and how they would want those funds to go back in the Parks and Recs budget for improvements. Tabetha made a statement that they wanted to make it somewhere you're proud to be instead of not wanting to be here. She wants to see people come together as a community and stop the negativity. Commissioner Carver stated that she did speak with someone to help promote the event. Lacie Beu with Willow Oak has volunteered her services. She stated that normally Lacie charges for her services, but she would not be charging us for those services. She stated that Lacie would be the Emcee for the pageant and help with pageant, advertisement, and vendors. Commissioner Carver stated that Lacie was going to speak with the Fairest of the Fair winners to see if they would come and crown our girls. Mayor Swearingen stated that the crowing is always done by the October in Orlinda Pageant previous year Senior winners. Commissioner Ellis stated that since we are always searching around for a stage, he would like to see a covered pavilion stage built as a long-term goal. Commissioner Carver stated that was discussed at the Parks and Rec meeting and that Lacie has some experience with grants and that possibly we could get some money to build that for our community. Commissioner Carver stated that normally she would charge for these types of services but that she would not be because she is a friend of hers. She stated that she had subscriptions for things through Willow Oak that she could submit and that she would be doing that for us. Kevin stated that he would say Vice Mayor Lee had been pushing for years for a covered pavilion. Vice Mayor Lee stated that he had the perfect place to put it and it would make a natural amphitheater out of the wooded area and would be beautiful. Commissioner Carver stated that Kevin had mentioned one part of the area where the trees are located stands in water a lot of the time. She stated that is something we should think about for the future maybe by next year October in Orlinda. Commissioner Carver has also stated that Matt Stark has volunteered to let us use his area for parking. She also stated that they were going to talk to Providence Baptist Church about the kid zone and Orlinda Baptist Church about the bounce houses. Youth at churches and Beta students volunteering for service hours could be utilized for October in Orlinda. A suggestion was made to reach out to Beth Moore for East Robertson students to have service hours. Christie Hamilton suggested for vendors on their application to put pictures of their products. Commissioner Carver asked city representatives to investigate the cost of having the tennis court painted for pickle balls. Kevin said yes. The question was raised of

when the tennis court was last resurfaced. He stated that it had been a while and the suggestion was made to have the court resurfaced and painted at one time. Maybe not in time for October in Orinda since sometimes the tennis court is sometimes used as a parking lot. Commissioner Carver stated that we did not have a budget this year for that project. Kevin stated that for sure we do not have it budgeted; it cost about \$18,000.00 last time it was done. He stated that it would be very nice to do this together. Stated that he serves on the board at the Senior Center, and they really want a pickle ball court. A citizen made the statement that if we invest in getting everything cleaned up then someone must maintain the property before the city spends money. Someone needs to be hired before to be here to maintain.

- c. Mayor Swearingen asked the council to vote to buy a new SUV for the fire department. Kevin stated that he is looking for someone on the council to tell him how to move forward with the purchase. He stated that in the past they have always been to Springfield, Clarksville or Whitehouse and found a surplus vehicle, and that is awesome. He stated that it's awesome because it already has sirens, light bars, and so on. He stated that no one does that anymore. The next most suggested idea is the .gov auction. Those cars by the time it gets sold at an auction by another city it is shot. It comes down to buying one online which scares him. Walking on a car lot and buying one which scares him. He just knows that the fire department needs a car. Vice Mayor Lee wants to know how this car will be used. Commissioner Carver stated that this is the SUV that will be used to go on calls. Not just fire calls but any calls that they do not have to have a firetruck. Commissioner Ellis asked if the council could be provided with a spec sheet. Commissioner Johnson stated that last year they made over 500 calls. Kevin stated that he did not have the spec and hoped Patrick could shed some light on what was needed. Commissioner Johnson stated that the vehicle would need to be 4-wheel drive because of environmental conditions. Vice Mayor Lee stated that with 4-wheel drive or all-wheel drive being a necessity, it would raise the cost of what we needed. He also stated that with the market today you will either get something that is twelve years old or something with a lot of miles at the current price Kevin was hoping to spend. He stated the price would start at around \$14,000.00. Commissioner Johnson stated that the car always goes from 0-60 mph, and it needs to be decent. Vice Mayor Lee stated that he has talked to Gupton Motors in Springfield where he was working. He stated that he has asked them to keep an eye out for a vehicle. He stated that as of right now they have a pickup with over 200,000 miles and that he doesn't think that it's 4-wheel drive. Commissioner Johnson stated that the problem with the pickup truck is if they have more than one person responding then they do not have room for another person responding. Vice Mayor Lee stated that it was a crew cab pickup. Commissioner Johnson stated that crew cab needs to be added to the spec sheet if we are looking at a truck. She also stated that they would need a safe way to store equipment as well. They stated that topper will need to be added to the spec sheet as well. Mayor Swearingen asked Kevin if council needed to vote on this or what action needed to be taken. Kevin stated that we have already voted and budgeted, but the budget is too low. It was \$10,000, and everyone is saying that is not possible; Kevin stated that he agrees. He stated that we can always do a budget amendment at the end of the year. Kevin stated that if you want to set an amount or tell Vice Mayor Lee to find a car for a price anyway, we can. Commissioner Johnson asked why don't we find one and then ask for approval for that amount? She stated it would be easier to do that than to find a vehicle for a set amount. Kevin stated that the problem with that is if he finds one tomorrow and he asks them to hold it for thirty days, and they sell it. Commissioner Johnson stated that if the budget is already approved do you have to have a council meeting? Kevin stated that if it is over 10,000 dollars yes. Mayor Swearingen stated that we need to set a maximum dollar amount for the purchase of a vehicle. Commissioner Johnson asked if that included the equipment (lights,

Sirens). Kevin stated that maybe 5k of more. Mayor Swearingen asked if someone would make a motion to set a maximum amount for the purchase of a vehicle. Commissioner Johnson asked Vice Mayor Lee what he thought was a reasonable amount to get a vehicle with 100k on it? She stated like 25k? Vice Mayor Lee stated that if he finds one at his dealership, he can get us a much better price on it. It just depends on where it is found. He proposed this and stated that he is not in favor of spending 20k on a vehicle. He asked if the council would give him the authority to spend up to 20k. If he finds something in the meantime, and he doesn't have the authority to go past, then he can put a deposit on it and wait until the next meeting. Mayor Swearingen asked if there was a motion to spend up to 20k? The motion was made by Commissioner Johnson for Vice mayor Lee to spend up to 20k. Mayor Swearingen asked if there was a second. The mayor stated that the motion is dead if there is not a second. Commissioner Carver seconded the motion. The motion was passed with all in favor, and none opposed.

- d. Kevin informed the council and city that we were approved for a 500k grant. To sewer the downtown Orlinda area. He stated that area would be by the restaurant that has the signs down to church street to college turn right on college hit Moore Street come back on Moore and everything on Hwy49 coming forward. It would also go industrial drive. Kevin states that is the area that they applied to get the funds for. Kevin stated that this is a special section because it is ARPA money which is a fancy word for COVID money, but it was required to be used on a sewer system which was on sewer treatment plant which obviously Orlinda cannot do. Kevin stated that we have blueprints. Orlinda hired an engineer to draw a sewer plant about 23yrs ago and then the price was 18 million dollars. So, it is not likely that we are going to have a traditional sewer treatment plant. Kevin stated that our only real option would be to get the step systems. This is one and it would be for that area. He stated with all ideally, they did it to get some nice businesses downtown. Stated that we know the deal with the Mexican restaurant, Jackies and some other property that the city owns that cannot be developed because they have no septic. He stated that he knows that people are concerned because the step system requires a little over 4 acres. Kevin stated that the only place that they have identified for that is the field behind the fire hall. Doing this would require this to use of that land. Kevin stated that there are some other properties but to do this it requires the area to be adjacent to the area he previously mentioned. The Greens that live beside the restaurant have a little land that he can approach and ask them to sell. There are a couple other places around that he can try. Kevin stated that he knows that people have concerns about flooding if the soil is disturbed behind the fire hall and he understands. He wants to be told what to do. Kevin stated that we do not have to decide tonight, but he did want to present the information. Vice Mayor Lee stated that he would like to start looking for land. Commissioner Ellis Orlinda water system east of the church. Where the well is located. He wanted to know the effects of this system and the runoff into the well system. Mayor Swearingen stated that is another reason why this is not a good location. She stated that that if you have lived here long there is a well right that the farmers use to get water during the summer. Mayor Swearingen stated that every bit of water in Orlinda goes down to that drainage ditch and there are a lot of problems. She stated that the field holds water. Mayor Swearingen stated that she would say this without saying any names. Years ago, when someone tried to get it to perk to build and it would not perk because water stands back there like you would not believe. Commissioner Johnson asked haven't the Greens been approached before about selling? Field line and that was a no go. Kevin stated not the owners of that were the people that live on the other side of the Mexican restaurant. The question was raised about the system being underground and making sure that people knew that they would be responsible for the sewer bill. Mayor Swearingen stated that people do not have to tie into it and Kevin stated the same. Kevin stated that in most cities you are required but the city would not require that you

tie in. Commissioner Johnson asked about ongoing maintenance fees. Kevin stated that before construction begins, they would get the amount of people interested and then get the information about fees. Commissioner Johnson asked do you have to hire someone to maintain. Kevin stated know part of the sewer money would be in the escrow and the escrow would maintain it. Kevin stated that the maintenance would be done by the company that installed and overseen by TDEC. Mayor asked if the cost would be completely covered by the grant and what would the city be looking forward to paying? Kevin stated that he did not know that information. The idea was that if it does not, we have about 150k in the economic development fund which is the hotel motel tax money which is off limit except for economic development which this would be. If it's within 100k we could use those funds. Kevin stated that if we wanted to scale it back and keep it at 500k by shortening the length of service. Vice Mayor Lee asked if there is no requirement for us to match this? Kevin stated no, that was one of the beautiful things about this grant. Mayor stated that at this point we just need to let you research land a revisit next month, correct? Kevin said yes. Vice Mayor Lee asked if there was a time limit on this? Kevin stated that he did not know. Commissioner Ellis just asked that as well. Kevin stated that he believes it's 2026. Kevin stated that right now they haven't even gotten official paper on it so right now. Stated that they sent him something saying we got, and we would get paperwork in the mail. He stated that we should thank the county by the way. Bill Volge included us and Cross Plains. Stated that Cross Plains are doing the same thing.

4. Introduction of Breonna Scoggins and Patrick Darrow

- a. Kevin stated introducing Breonna Scoggins I will not go into a lot of detail but hopefully everyone sees the write up done on her.
- b. Fire Captain Patrick Darrow Kevin stated that he will be doing just as Dusty did. Fire business part of the time and maintenance business part of the time. Patrick comes from being a full-time fire fighter at Cross Plains. He was also a volunteer fire fighter in the city of Orinda. Kevin stated that he has been in the fire business for some time. The mowing of the park and ball field will be him. Kevin stated to let him point out that the poor guy has been on the job only 2 weeks and 2 days so please let's be patient with him. He has already mowed the ditch which hadn't been done in quite some time. It has also been a rainy season and he has also been training so he has no doubt he will keep the park up once he gets his feet on the ground. We were really hurting for some help, and we hired him, and we got him, and we really appreciate him.
- c. Final Presentation by Inspire Consulting, LLC. Kevin introduced them and they had a power point which showed what the options were. The options of 10 trees and 50 shrubs were proposed during the presentation. Some questioned being able to maintain the bush and trees. Some people also questioned the placement of the trees and interfering with the septic system. This was just to give the city some ideas.

Public Comments

During the last meeting the council approved the position of a part-time maintenance person. 145k was approved for salaries for the hiring the new individuals. Kevin stated that he did not think that we needed a maintenance person, that we just needed to give Patrick time. Commissioner Johnson stated that would not be fair to him because he is trying to learn and get a new job. She restated that it was approved at the last meeting. Kevin stated that Patrick had come up with a creative way. He is splitting one full time position into 3 part time positions and one of those positions is for a maintenance position. Commissioner Carver and Mayor Swearingen wanted to make sure that the position was posted. Commissioner Carver made a motion for a part time maintenance position and the mayor Swearingen

stated that there was a motion on the for a second Commissioner Johnson second. All approved with none opposed.

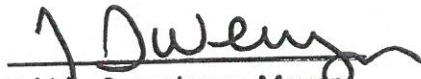
City Manager Report

- a. The bump on elm springs road has been repaired. To remove the bump completely the road will have to be resurfaced.
- b. Website suggestion made by Commissioner Ellis. Kevin stated that the website is up and running still undergoing changes, additions, and improvements. City Clerk Breonna Scoggins is responsible for designing and creating the site. Any suggestions would be appreciated. She wants to get a photo of the council member. Please get with her on coordinating a time for a photo shoot.
- c. City Hall Flooring - How to remove podium. The suggestion was made to jack it up and put it on skates. Someone from the audience stated that they had skates and that is what they used to move the church pews and that we could borrow them. The council agreed. It was stated that the podium can be moved from one side to the other while the floors are being completed.

Motions

- 1.) Minutes (Motion by Mayor Swearingen, Second by Commissioner Ben Ellis) All **Approved Non-Opposed**
- 2.) 20k Spending Limit for Fire Dept SUV (Motion by Mayor Swearingen, Second by Commissioner Carver) All **Approved Non-Opposed**
- 3.) Posting Maintenance Position (Motion by Commissioner Carver, Second Commissioner Johnsons) All **Approved Non-Opposed**


Breonna Scoggins, City Recorder


Tabitha Swearingen, Mayor