

**TOWN OF DANDRIDGE, TENNESSEE
BOARD OF MAYOR AND ALDERMEN
Regular Meeting
11 August 2015**

I. 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 11th day of August 2015.
- B. Mayor GEORGE GANTTE was present and presiding. Mayor GANTTE called the meeting to order immediately following the Beer Board Meeting.

II. ROLL CALL

- A. A roll call of the BMA was conducted by Town Recorder Cathy Dixon, with the following members responding:

- Mayor GEORGE GANTTE
- Vice-Mayor MIKE NELSON
- Alderman MIKE CHAMBERS
- Alderman PAM FARRAR
- Alderman DAVID JONES
- Alderman TODD KESTERSON
- Alderman KEN THORNHILL

- 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.

III. READING OF THE MINUTES

It came on a motion by Vice-Mayor NELSON, seconded by Alderman JONES, to approve the Regular Session minutes of the July 14, 2015 meeting as written.

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

It came on a motion by Alderman JONES, seconded by Alderman THORNHILL, to approve the Special Called Session minutes of the August 4, 2015 meeting as written.

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

IV. PUBLIC PRESENTATIONS

None presented.

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

None presented.

VI. BUSINESS PRESENTED BY THE MAYOR

None presented.

VII. FINANCIAL REPORT BY THE TOWN RECORDER

| | | | | |
|----------------------|------------------------------|----------------|---------------------------|--------------|
| <u>Bank Balance:</u> | <u>BMA Acct:</u> | \$1,383,653.15 | <u>Drug Fund Balance:</u> | \$ 29,455.10 |
| | <u>Money Market Balance:</u> | \$ 70,094.05 | <u>DVFD Balance:</u> | \$205,405.99 |

VIII. PRESENTATION OF ORDINANCES AND RESOLUTIONS

- 1st Reading of **Ordinance No.15/16-03** Amending the “Zoning Map of the Town of Dandridge” a Component of the “Zoning Ordinance of the Town of Dandridge” from a B-2 General Commercial District to an A-1 Agriculture District (Gay Street, Map 68J, Group C, Parcel 1.01) (Brandy M. Harman Jones)

It came on a motion by Alderman FARRAR, seconded by Alderman JONES, to approve Ordinance No.15/16-03 on first reading.

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

| | | | |
|-------------------|-----|--------------------|-----|
| Mayor GANTTE | AYE | Alderman JONES | AYE |
| Vice-Mayor NELSON | AYE | Alderman KESTERSON | AYE |
| Alderman CHAMBERS | AYE | Alderman THORNHILL | AYE |
| Alderman FARRAR | AYE | | |

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

- 1st Reading of **Ordinance No.15/16-04** to Amend Section 11-302(2)(C) Anti-Noise Regulations-Exceptions

It came on a motion by Alderman JONES, seconded by Alderman CHAMBERS, to approve Ordinance No.15/16-04 on first reading.

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

| | | | |
|-------------------|-----|--------------------|-----|
| Mayor GANTTE | AYE | Alderman JONES | AYE |
| Vice-Mayor NELSON | AYE | Alderman KESTERSON | AYE |
| Alderman CHAMBERS | AYE | Alderman THORNHILL | AYE |
| Alderman FARRAR | AYE | | |

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

- 1st Reading of **Ordinance No.15/16-05** to Restrict Hours of Outdoor Music Performances and Amplified Sound

Ed Franklin, Dandridge Landing – there is variable in his experiences from the Points music. Times it is intolerable, times it is wonderful. Hope there will be a happy medium that will satisfy all.

Lea Barnes, Martha’s Village – hopes to come to some kind of compromise on the volume level of the music.

Richard ?, Martha’s Village – not so much the hours as is the volume of the music.

Curtis Barnes, Martha’s Village – asked if venues will be restricted to a certain number of times for performances per week. Also concerned that the ordinance does not state a volume restraint.

Richard Talley, Point Owner – presented a petition of over 500 signatures of individuals supporting music in Dandridge. Will do best to control volume, but music sound will travel on water, and has no control over that. There is just a small minority complaining of the music. Ask the time be amended til 11:00 p.m. on Friday and Saturday.

Ms. Simerly – concerned with posts made on Facebook.

Mark Jackson, Dandridge Landing – gave an example of volume from outside in his vehicle. Have had experience in requesting that the volume be turned down and it has via speaking with either Richard Talley or David Hayes. Mis-communication/conflict results in calling the Point restaurant versus the dock. Requested better communication to the lower dock. Changing the ordinance gives boundary, but respect and communication amongst the BMA, the Point, the adjoining neighbors will go a whole lot further than an ordinance.

Bobby Slusher – music is cut at 10:00, the Point is the only place around to bring family.

Proposed ordinance reads as follows:

- (a) Any musical performance either live or presented in recorded form by a disc jockey or master of ceremonies or any amplified sound at any civic, educational or commercial venue within the corporate limits of the Town of Dandridge shall be and is hereby restricted in their hours of performance to commence no earlier than 9:00 a.m. and cease no later than 10:00 p.m. on Friday and Saturday and no earlier than 9:00 a.m. and cease no later than 9:00 p.m. Sunday through Thursday.
- (b) There shall be hereby created an exception to the above stated performance times for religious, patriotic, charitable, political, governmental, civic, community or school functions, which hold a permit issued for such event by a vote of the Mayor and Board of Alderman of the Town of Dandridge.
- (c) Any violation of this ordinance shall be a municipal offense punishable by a fine no greater than \$50.00 for each violation cited by the Dandridge Police Department.

A lengthy discussion was held between BMA. The Chief of Police gave his opinion on enforcement as such an ordinance would require officers to have a measuring wheel to measure distance and then a device to measure decibel level. It was also reiterated that the proposed ordinance would be effective town wide, not just aimed at the Point Resort.

The ordinance will be amended as follows:

- (a) Any musical performance either live or presented in recorded form by a disc jockey or master of ceremonies or any amplified sound at any ~~civic, educational or commercial~~ or business venue within the corporate limits of the Town of Dandridge shall be and is hereby restricted in their hours of performance to commence no earlier than 9:00 a.m. and cease no later than ~~10:00~~ 11:00 p.m. on Friday and Saturday and no earlier than 9:00 a.m. and cease no later than 9:00 p.m. Sunday through Thursday, provided no sound shall exceed 85 decibels at 50' (fifty feet) from the sight of amplified sound for any business or commercial venue. Any amplified sound for any civic, educational or school activity, including sporting events, shall not be restricted as to time.
- ~~(b) There shall be hereby created an exception to the above stated performance times for religious, patriotic, charitable, political, governmental, civic, community or school functions, which hold a permit issued for such event by a vote of the Mayor and Board of Alderman of the Town of Dandridge.~~
- (c) Any violation of this ordinance shall be a municipal offense punishable by a fine no greater than \$50.00 for each violation cited by the Dandridge Police Department.

It came on a motion by Alderman FARRAR, seconded by Alderman THORNHILL, to approve Ordinance No.15/16-05 on first reading, as amended.

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

| | | | |
|-------------------|-----|--------------------|-----|
| Mayor GANTTE | AYE | Alderman JONES | NO |
| Vice-Mayor NELSON | AYE | Alderman KESTERSON | AYE |
| Alderman CHAMBERS | AYE | Alderman THORNHILL | AYE |
| Alderman FARRAR | AYE | | |

On a roll call vote, the motion passed 6-1 with Alderman JONES voting NO, and was so ordered.

- Resolution No.15/16-05 Requesting Amendment to the Charter for the Town of Dandridge

It came on a motion by Alderman KESTERSON, seconded by Alderman THORNHILL, to approve Resolution No.15/16-05.

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

IX. OLD BUSINESS

None presented.

X. NEW BUSINESS

- Approval of TDOT Closing of Circle Drive during Bridge Reconstruction

It came on a motion by Alderman FARRAR, seconded by Alderman CHAMBERS, to approve the closure of Circle Drive during bridge construction.

Town Administrator Melissa Peagler reported that TDOT will give the town 14 days' notice of closure. The closure could last 4-6 weeks. The town has requested that detours/signage be placed and handicap parking/access to the library be given.

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

| | | | |
|-------------------|-----|--------------------|-----|
| Mayor GANTTE | AYE | Alderman JONES | AYE |
| Vice-Mayor NELSON | AYE | Alderman KESTERSON | AYE |
| Alderman CHAMBERS | AYE | Alderman THORNHILL | AYE |
| Alderman FARRAR | AYE | | |

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

Vice-Mayor NELSON requests that BMA take a 5 minute break. 8:15 p.m. Vice-Mayor MIKE NELSON leaves the meeting

- Bid Approval – DWMF 2015 Water Tank Inspection

| | |
|---|----------------|
| <i>Southeastern Tank Inc</i> | <i>\$3,500</i> |
| <i>Midco Diving & Marine</i> | <i>\$5,250</i> |
| <i>Southern Corrosion Inc</i> | <i>\$5,761</i> |
| <i>Pittsburg Tank & Tower Maintenance Co. Inc</i> | <i>\$6,050</i> |
| <i>Brown Painting Co. Inc</i> | <i>\$7,000</i> |

It came on a motion by Alderman CHAMBERS, seconded by Alderman KESTERSON, to accept the bid from Southeastern Tank in the amount of \$3,500.

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

| | | | |
|-------------------|-----|--------------------|-----|
| Mayor GANTTE | AYE | Alderman JONES | AYE |
| Alderman CHAMBERS | AYE | Alderman KESTERSON | AYE |
| Alderman FARRAR | AYE | Alderman THORNHILL | AYE |

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

- Contract Approval – for Housing Rehabilitation Related Services between the Town of Dandridge and Brown Pearman Russell, LLC dba BPR LLC (2014 Home Rehabilitation Program)

It came on a motion by Alderman JONES, seconded by Alderman CHAMBERS, to approve and authorize the Mayor to sign the contract.

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

- Change Order for KUB Waterline Extension

This item was withdrawn from the agenda.

- Purchase of Used Dump Trucks & Travel to Inspect Truck

2004 International 7300 35000 Gvw Dump Truck \$56,000
2004 International 7300 35000 Gvw Dump Truck \$54,000

Bobby Gerhart's Truck World (Lebanon, PA)

It came on a motion by Alderman JONES, seconded by Alderman FARRAR, to approve travel to Pennsylvania via flight to look/inspect trucks.

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

It came on a motion by Alderman JONES, seconded by Alderman KESTERSON, with the provision that the finance director satisfies the state audit requirements on comparable used vehicles to justify such an expenditure, and authorizing the Town Administrator to expend the sum no greater than \$110,000 for said trucks providing audit information is in hand.

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

| | | | |
|-------------------|-----|--------------------|-----|
| Mayor GANTTE | AYE | Alderman JONES | AYE |
| Alderman CHAMBERS | AYE | Alderman KESTERSON | AYE |
| Alderman FARRAR | AYE | Alderman THORNHILL | AYE |

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

- Sponsorship Request – DCT/Main Street Holiday Concert (KSO), \$1,000

It came on a motion by Alderman JONES, seconded by Alderman CHAMBERS, to approve \$1,000 as contribution to KSO concert for DCT.

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

| | | | |
|-------------------|-----|--------------------|-----|
| Mayor GANTTE | AYE | Alderman JONES | AYE |
| Alderman CHAMBERS | AYE | Alderman KESTERSON | AYE |
| Alderman FARRAR | AYE | Alderman THORNHILL | AYE |

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

- Special Event Request – Douglas Dash

October 24, 2015, 10:00 a.m., 1 mile dash, starting at Maury Middle School, ending at the Dike, supporting the Boys and Girls Club of Dumplin Valley.

It came on a motion by Alderman KESTERSON, seconded by Alderman CHAMBERS, to approve the Douglas Dash for October 24th.

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

- Retain/Replacement of the Appointed Personnel –
 - Town Judge – Rebecca Slone (On consensus, all approved)
 - Town Attorney – Jim Gass (On consensus, all approved)
 - Chief of Police – Carson Williams (On consensus, all approved)
 - Fire Chief – Andy Riley (On consensus, all approved)
 - DWMF Superintendent – Mike Norton (On consensus, all approved)
- DCT/Main Street - Reorganization Proposal

Committee to be set to include:

| | |
|---------------------------|------------------------|
| <i>Finance Director</i> | <i>Matt Rudder</i> |
| <i>Town Administrator</i> | <i>Melissa Peagler</i> |
| <i>BMA</i> | <i>Pam Farrar</i> |
| <i>2 DCT</i> | |

It came on a motion by Alderman JONES, seconded by Alderman CHAMBERS, that the Town Administrator will appoint a Main Street Re-organizational Board.

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

- Approval of Jefferson County GIS Consortium (JCGISCB) LiDAR Participation

Proposed cost share for Dandridge is \$4,899.38. Not due til next budget year. To be split 50/50 with Town and DWMF.

It came on a motion by Alderman CHAMBERS, seconded by Alderman FARRAR, to approve the participation.

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

| | | | |
|-------------------|-----|--------------------|-----|
| Mayor GANTTE | AYE | Alderman JONES | AYE |
| Alderman CHAMBERS | AYE | Alderman KESTERSON | AYE |
| Alderman FARRAR | AYE | Alderman THORNHILL | AYE |

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

- Music on the Town Budget

No action, update only. Report back at the September meeting.

XI. RECESS

XII. CALL TO ORDER

XIII. PRESENTATION OF ORDINANCES

- 2nd Reading of Ordinance No.15/16-03 Amending the “Zoning Map of the Town of Dandridge” a Component of the “Zoning Ordinance of the Town of Dandridge” from a B-2 General Commercial District to an A-1 Agriculture District (Gay Street, Map 68J, Group C, Parcel 1.01) (Brandy M. Harman Jones)

It came on a motion by Alderman THORNHILL, seconded by Alderman KESTERSON, to approve Ordinance No.15/16-03 on second reading.

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

| | | | |
|-------------------|-----|--------------------|-----|
| Mayor GANTTE | AYE | Alderman JONES | AYE |
| Alderman CHAMBERS | AYE | Alderman KESTERSON | AYE |
| Alderman FARRAR | AYE | Alderman THORNHILL | AYE |

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

- 2nd Reading of **Ordinance No.15/16-04** to Amend Section 11-302(2)(C) Anti-Noise Regulations-Exceptions

Proposed Ordinance reads as follows:

“The use of sound amplifier, loud speakers, or sound tracks only in connection with religious, patriotic, charitable, political or school functions and lawful business purposes provided that the same is conducted in accordance with the requirements contained in Ordinance No.15/16-05 of the Municipal Code for the Town of Dandridge.”

The ordinance will be amended as follows:

“The use of sound amplifier, loud speakers, or sound tracks only in connection with religious, civic, patriotic, charitable, political or school functions and lawful business purposes provided that the same is conducted in accordance with the requirements contained in Ordinance No.15/16-05 of the Municipal Code for the Town of Dandridge.”

It came on a motion by Alderman JONES, seconded by Alderman KESTERSON, to approve Ordinance No.15/16-04 on second reading, as amended.

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

| | | | |
|-------------------|-----|--------------------|-----|
| Mayor GANTTE | AYE | Alderman JONES | AYE |
| Alderman CHAMBERS | AYE | Alderman KESTERSON | AYE |
| Alderman FARRAR | AYE | Alderman THORNHILL | AYE |

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

- 2nd Reading of **Ordinance No.15/16-05** to Restrict Hours of Outdoor Music Performances and Amplified Sound

It came on a motion by Alderman CHAMBERS, seconded by Alderman THORNHILL, to approve Ordinance No.15/16-05 on second reading, as amended in the first reading.

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

| | | | |
|-------------------|-----|--------------------|-----|
| Mayor GANTTE | AYE | Alderman JONES | NO |
| Alderman CHAMBERS | AYE | Alderman KESTERSON | AYE |
| Alderman FARRAR | AYE | Alderman THORNHILL | AYE |

On a roll call vote, the motion passed 5-1, with Alderman JONES voting NO, and was so ordered.

XIV. MISCELLANEOUS

- Town Administrator Melissa Peagler
 - August 21, 2015, at 4:00 p.m., groundbreaking for Rusty Wallace Ford
 - Point Resort lease payments are current.
 - Point Resort music permit expires after this weekend. Mayor will need to approve an additional permit until the above ordinance goes into effect.

It came on a motion by Alderman JONES, seconded by Alderman CHAMBERS, to suspend the rules and add the following item to the agenda. – **Music Permit for the Point Resort**

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

| | | | |
|-------------------|-----|--------------------|-----|
| Mayor GANTTE | AYE | Alderman JONES | AYE |
| Alderman CHAMBERS | AYE | Alderman KESTERSON | AYE |
| Alderman FARRAR | AYE | Alderman THORNHILL | AYE |

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

It came on a motion by Alderman FARRAR, seconded by Alderman CHAMBERS, to approve the Mayor to sign a special permit for music until 11:00 p.m. for the Point Resort on Friday and Saturday evenings.

On a voice vote, the motion passed 5-1, with Alderman voting NO, and was so ordered.

BMA had previously approved the Point Resort for fireworks on Labor Day weekend, but the Point Resort has decided to change the event to a Movie on the Water event (includes a big movie screen on the bank and inner tube rentals).

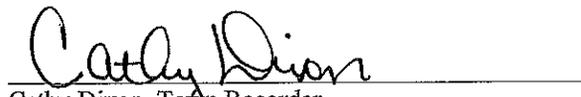
XV. ADJOURNMENT

It came on a motion by Alderman KESTERSON, seconded by Alderman CHAMBERS, that the meeting of August 11, 2015 be adjourned.

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


George Gantte, Mayor

ATTEST:


Cathy Dixon, Town Recorder
MINUTES-BMA-081115