

Public Hearing April 11th, 2016 at 5:45 PM to discuss the following:

- 2nd Reading of Ordinance 03-14-16-91
- 1st Reading of Ordinance 04-11-16-92
- 1st Reading of Ordinance 04-11-16-93

No comments were made at the Public Hearing.

Regular Meeting

Call to Order by Mayor

Roll Call by City Recorder

Alison Womack gave roll call with Commissioners Jerry Shirk and Alan Phillips, Mayor Tony Hawn, and Town Manager present. Also present were Police Chief Gary Miller, Court Clerk Angie Napier, and Librarian Erica Lauder milk. Fire Chief Billy Roach was present at the beginning of the meeting, but had a fire call he had to go to. Not present were Commissioners Wes Atwell and Richard Raper.

Invocation

Commissioner Shirk gave invocation.

Communication from the Mayor

- Mayor Hawn discussed that the town received a letter on March 23rd from a manager of Water Based Systems through TDEC concerning the lifting of the self-imposed sewer moratorium. The state has requested that the town's engineer define the quantity of inflowing infiltration that Englewood has removed from the sewer system and develop a procedure for documenting when we allocate the available sewer capacity for new demand.
- Zach Ellis has been appointed Code Enforcement Officer. He is working one day a week with code violations in Englewood.

Commissioner Reports

- Commissioner Phillips discussed the abundance of complaints the town has received concerning the change of Spring Clean-Up Week to exclude curbside pickup, and include dumpsters at City Hall. He said when he voted, he was under the impression that the dumpsters were simply in addition to the curbside pickup. He said that he did, in fact, want curbside pickup.
- Commissioner Shirk agreed with Commissioner Phillips and added that he, too, wanted curbside pickup.
- Citizen Jeannie Nichols, Helen Land, Virginia Key, Barbara Phillips, and Jack Simpson also expressed their desire to have curbside pickup.
- Other topics of discussion during this time were Keep McMinn Beautiful, a year round dumpster for the town, rundown properties in Englewood, pamphlets passed out concerning Spring Cleanup Week, and other towns paying their elected officials.
- Commissioner Phillips made a motion to have curbside pickup, Commissioner Shirk seconded it, All Ayes.

- This will be in addition to the dumpsters that will be located at City Hall.

Approval of March Minutes

Commissioner Phillips made a motion to approve March's minutes, Commissioner Shirk seconded, All Ayes.

Old Business

Item A: 2nd Reading of Ordinance 03-14-16-91 to Amend Budget for Library Transfer

Commissioner Phillips made a motion to approve, Commissioner Shirk Seconded. All Ayes.

Item B: Garbage Contract

There is no garbage contract to date. Commissioner Phillips made a motion to table it. Commissioner Shirk seconded it. All Ayes.

Item C: Library Board Appointments

Katie Buckner, Susie Lee, and Trina Phillips are still active, with their terms expiring in October 2016. Commissioner Phillips made a motion to appoint Lynn Ingram and Wanda Worley to a one year term that expires October 2017, to appoint Virginia Key and Brittany Davidson to a two year term that expires October 2018.

New Business

Item A. March Financial Report

City Recorder Womack presented the Financial Report.

Item B. Police Department Report

Police Chief Miller presented the Police Department Report.

Item C. Fire Department Report

Fire Chief Billy Roach had given the commissioners his Fire Department Report before he got a fire call, and Mayor Hawn read the Fire Department Report.

Item D. Audit Presentation by Richard Hill

Richard Hill from auditing firm Mitchell Emert and Hill presented the results from the 2014-2015 audit. It was a clean, unmodified opinion – the best report an auditor can issue.

- Total Assets for General Fund & Drug Fund was \$928,143 as of 06/30/2015.
- Fund Balance for General Fund & Drug Fund was \$650,242 as of 06/30/2015.
- Revenue for General Fund & Drug Fund was \$965,000. Property taxes, intergovernmental revenue, and fines & forfeitures were the largest sources of revenue.
- General Fund had more revenue than expenditures, \$196,000 and \$2,500 for drug fund.
- Ending fund balance in General Fund was \$608,000, and Drug Fund was \$41,000. He reported that this was good.

- Water and Sewer had a loss of \$1,874 and the gas fund had a loss of \$835. Mr. Hill said, “The concern there is that state law requires that you set rates equal to pay current expense capital outlay and debt service so that means that you have to show net income. The bad news is those two funds did not show net income for the year.”
- Mr. Hill said that the good thing is that the loss this year is much less than in previous years. Last year, water & sewer lost \$82,000. The year before that \$87,000. The year before that \$109,000. The year before that \$118,000.
- Mr. Hill discussed how when the state looks at this, they simply see if there was loss or not, and if there is loss, the town will be referred to the Financial Management Board who is in charge of making sure that utilities follow state laws.
- There were no material weaknesses or any significant deficiencies or noncompliance issues for the Internal Controls, Policies & Procedure and compliance with laws and regulations.
- There were two fairly small items involving a bookkeeping issue with accounts receivable and then he had discussed fuel purchases in a separate letter, saying “They weren’t significant enough to go in the bound audit report.”
- Mr. Hill discussed the state requesting information for next year’s audit, and he discussed a proposal of \$24,600 which is a 3% increase of the fee from the prior year.
 - Commissioner Shirk made a motion to approve the audit contract. Commissioner Phillips seconded. All Ayes.
- Commissioner Phillips discussed how our depreciation in the water is \$179,000 and our positive cash flow in water is \$189,000, so we’re \$10,000 in the good right now with 3 months to go.

Item E. 1st Reading of Ordinance 04-11-16-92 to Amend Commercial Water Rates

Town Manager Cline said that this was a reduction, not an increase. Commissioner Phillips made a motion to approve. Commissioner Shirk seconded it. All Ayes.

Item F. 1st Reading of Ordinance 04-11-16-93 to move \$300 from Fund Balance to Operating Supplies for Library

Commissioner Phillips made a motion to approve. Commissioner Shirk seconded it. All Ayes.

Item G. Swimming Pool Rates & Opening Date

- Commissioner Phillips asked how quickly we would be able to get it open. Town Manager Cline said that we could get it open in two weeks. After discussing when school gets out, May 28th was discussed for the opening date. Town Manager Cline suggested that the rates remain the same as last year.
- Citizen Helen Land expressed her delight in Englewood keeping up the city pool.
- Commissioner Shirk made a motion to approve rates remaining the same and May 28th being the opening date, Commissioner Phillips seconded. All Ayes.

Item H. Any Other Business to Legally Come Before the Board

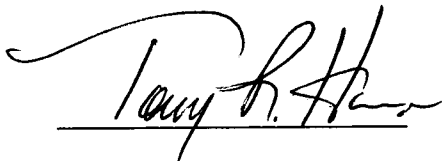
- Mayor Hawn requested the motion to approve the purchase of a 2016 Dodge Charger police car since it takes about 4 months to get one. Commissioner Shirk made a motion to approve. Commissioner Phillips seconded it. All Ayes.

- Citizen Jack Simpson brought up his displeasure in a letter from the Town Manager requesting the change of a name in correct water account names. He also was unhappy about not receiving his nephew's water deposit back as quickly as he would have liked it. Mr. Simpson urged the Town Manager to explain why it took 2 months to get his nephew's deposit back.
- Town Manager Cline requested that Mr. Simpson come by city hall to discuss the issue at hand.
- Mr. Simpson vehemently denied this request.
- Town Manager Cline explained how he apologized for the letter, saying that he did not write the letter or review it extensively, but signed it. Cline said that legally, Jack Simpson could not have his nephew's deposit, and how our software company automatically takes one month before deposits are processed. The utility clerk at the time left and some things went unfinished. He discussed how a utility clerk from the past was brought back in to fill in the gap between the time that we hired a new utility clerk, and as soon as she discovered the deposit check had not been completed, the check was issued.
- Court Clerk Angie Napier talked about the way Englewood's software is set up, the monthly deposit checks are available once a month and they have to go through a billing cycle before they can be returned.
- Simpson requested that we have the software changed, Cline explained it's something the software company handles.
- Simpson brought up that no citizens are ever at the town meetings, Citizen Linda Davis said that she was usually the only citizen there. Simpson moved on to say the Englewood police are "destroying this town" by excessive ticket writing.
- Simpson suggested that some businesses in town are losing money due to traffic stops, saying that Englewood is "legally robbing people." Simpson said that the officers don't have to stop everyone in town.
- Cline questioned if there was anyone who got a speeding ticket wasn't speeding. Simpson said he didn't know. Commissioner Phillips said that the average speed is 18 miles over, Simpson contested that he believes the police chief simply says 18 miles over every time he presents his report. Phillips contested that the reason it is usually around that number is because it's the average.
- Simpson spoke directly to Commissioner Shirk and said Shirk said in his campaign that he would do something about traffic citations. Shirk contested that since then he has gotten to know the police force and knows they don't cite somebody unless they're breaking the law.
- Police Chief Miller said that without probable cause, nobody is being stopped. He said what they're trying to do is slow traffic down so that it's safe for people to drive in the City of Englewood.
- Simpson suggested that according to "www.speedtrap.com" that Englewood is at the top of the list.
- Citizen Buck Cook asked about the "backing up" out of the post office and getting rear ended.
- Citizen James Cox asked if the commissioners have a rule for themselves and a different rule for the citizens. When Shirk asked him to clarify, Cox said, "Tinted windows."
- Shirk said the reason the police force has tinted windows is to protect the officers during traffic stops.
- Cox said he has video of the police chief running stop signs. Shirk asked if possibly he was on call. Cox said, "Figured that's what you'd come up with."

- Cook brought up the reversing from post office again. Officer Pickle said that you can't back up into oncoming traffic.
- Simpson asked, "When the ticket is issued and the money is sent to Englewood, does the money go into the general fund or where does that go?"
- Mayor Hawn said that the majority of the money goes to the state, and Phillips added that the rest goes into the general fund. Simpson asked if you could do whatever you wanted with the money in the general fund, and Phillips said that you can use it for things that the general fund is set aside for.
- Simpson brought up the excessive citation writing again.
- Commissioner Phillips said, "I think the police department today is 100% better than it was four years ago."
- Cox asked why the officers aren't busting "the people who have drugs around here."
- Phillips said that the officers do make drug arrests all the time.
- Simpson suggested that the officers are just doing what they're told to from the town manager, and then asked if that is who operates the police department.
- Phillips said that a smart town manager hires a smart police chief to operate the police department, and that's what our town manager and police chief have done.
- Simpson said that Englewood writes more tickets than Athens, and Phillips disagreed.
- Citizen Barbara Philips said that many people go very fast in Englewood.
- Helen Land talked about the passing of her son and how Gary Miller did a great job to help her.
- Simpson said, "I'm not saying Gary Miller is a bad guy or any of them are bad guys. I'm just saying we need to tone it down. We're way overboard with ticket writing."
- Miller said that the Governor's Highway Safety Office look at the number of deaths and traffic accidents and the statistics of them. The main two causes of deaths and serious accidents are speeding and texting. The State of TN to look out for speeding and/or texting while driving.

Item I: Adjournment

Commissioner Phillips made a motion to adjourn. Commissioner Shirk seconded it. All Ayes.



Mayor Tony Hawn



City Recorder Alison Womack