

**Norris City Council
Regular Meeting**

**February 13, 2023
7:00 p.m.**

Minutes

The regular meeting of the City Council of Norris Tennessee convened February 13, 2023 at 7:00 pm.

The following council members were present: Bill Grieve, Will Grinder, Mayor Chris Mitchell, Chuck Nicholson and Loretta Painter.

Also present were Charles Adam Ledford, City Manager and Sandy Johnson, City Recorder, and representatives of the press from Clinton Courier and the Norris Bulletin.

Meeting was called to order by Mayor Mitchell.

APPROVAL OF AGENDA

Mayor Mitchell made adjustments to the agenda by moving the following items under New Business to beginning of Old Business:

- a) 2021/22 Audit Presentation
- b) Rezoning of Parcel Ordinance 638 P-1 to C-2
- c) Rezoning of Parcel Ordinance 639 P-1 to I-1
- d) Self-Storage Ordinance Amendments

HEAR FROM THE PUBLIC - No comments

MINUTES

Approval of the January 9, 2023 Public Hearing Ordinance 631 – An ordinance of the City of Norris, Tennessee, To Amend Title 14 of the Norris City Code by Amending Chapter 4 Thereof to Address Signs and Other Advertising Structures Within the City of Norris.

Councilmember Grieve made a motion to approve the minutes, and Councilmember Grinder seconded. The motion passed unanimously by voice vote with Councilmembers Grieve, Grinder, Nicholson, Painter and Mayor Mitchell voting “Aye.”

Approval of the January 9, 2023 Regular City Council Meeting - Councilmember Painter made a motion to amend the minutes by adding her response to Ms. Wilson, Norris Water Commissioner and table to the March 13, 2023 meeting, and Councilmember Grinder seconded. The motion passed unanimously by voice vote with Councilmembers Grieve, Grinder, Nicholson, Painter and Mayor Mitchell voting “Aye.” Councilmember Nicholson engaged in a discussion on how much detail should be in the minutes. Mayor Mitchell asked Mr. Ledford to reach out to MTAS for standard policy to follow and report back to them at the next meeting.

Approval of the January 31, 2023 Special City Council Meeting - Agreement for Hiring an Assistant City Manager - Councilmember Nicholson made a motion to approve the minutes, and Councilmember Grieve seconded. The motion passed by voice vote with Councilmembers Grieve, Nicholson, Painter and Mayor Mitchell voting “Aye.” Councilmember Grinder was absent.

NEW BUSINESS - ITEMS MOVED UP

FIRST READING OF ORDINANCES

Ordinance 638 – An ordinance of the City of Norris, Tennessee, Amending the Zoning Map by Rezoning Parcel 043 022.20 from P-1: Professional and Civic District to C-2: General Commercial Districts - Mayor Mitchell reported that he was one of the two votes against this Ordinance when presented at the Planning Commission, Loy Johnson was the second member. Mayor Mitchell stated this property in question was located between Meadowview Assisted Living and Exit 122 Equipment. Councilmember Painter reported that she also is on Planning and she voted for these two items. She stated her feedback

has mainly been regarding the revenue generated off the property now and in the future from this proposed business. Councilmember Nicholson stated he's heard some very similar questions as Councilmember Painter. Councilmember Grinder stated he is supportive of commercial property being there for the sales tax and revenue for the City. Councilmember Grieve stated he is supportive as well. Mr. Craig Leuthold, Clayton HC, Inc., stated the property has been on the market for some time and is here to support the potential buyers of the property. He stated this was the first perspective buyers they've had for this property. Mr. Leuthold also stated he owns property in LaFollette, where Mr. Broyles owns property there and they have been good neighbors. He stated Mr. & Mrs. Broyles want to be a part of the community and be good neighbors. Mr. Leuthold stated he was there to support their efforts. Mayor Mitchell asked if the vote on the back parcel is no, would you still be interested? Mr. Leuthold stated he would market it as it is and if another buyer comes along and they would need a P-1 the we would come back at that time. Councilmember Grinder asked if it doesn't go your way, does that mean the deal is off? Mr. Leuthold responded, I believe so according to what I have been told, but that's a question for them (the potential buyer). Mr. James Broyles, Big Creek Marine and proposed buyer of the property, spoke regarding the noise and stated the noise would be very minimal and it will be less noise than you get from the business next door or from the road. Ms. Jessica Broyles, also proposed owner, reiterated the noise is very minimal because there isn't a lot of traffic in and out of the business. The proposed storage building in the back wouldn't bring a lot of traffic, just 20-30 minutes of someone entering their unit and there wouldn't be any loud music or talking, just minimal conversations. Ms. Broyles stated the positions of the building and location or what we would like to do is have them all forward facing inwardly with the door facing exteriorly so that creates its own type of buffering. The sales building will be a structure of a metal building but will be landscaped very nicely. After a lengthy discussion, Councilmember Grinder made a motion to approve the first reading of Ordinance 638, and Councilmember Grieve seconded. The motion passed unanimously by voice vote with Councilmembers Grieve, Grinder, Nicholson, Painter and Mayor Mitchell voting "Aye."

Ordinance 639 - An Ordinance of the City of Norris, Tennessee, Amending the Zoning Map by Rezoning Parcel 043 022.05 from P-1: Professional and Civic District to I-1: Light Industrial District
Councilmember Grinder made a motion to approve the first reading of Ordinance 639, and Councilmember Grieve seconded. The motion passed by voice vote with Councilmembers Grieve, Grinder and Nicholson voting "Aye. Councilmember Painter and Mayor Mitchell voted "No"

Ordinance 640 - An Ordinance of the City of Norris, Tennessee, Amending Title 14, Planning and Zoning Chapter 2, and Chapter 3 to Incorporate Self-Storage
Councilmember Nicholson made a motion to approve the first reading of Ordinance 640, and Councilmember Painter seconded. The motion passed unanimously by voice vote with Councilmembers Grieve, Grinder, Nicholson, Painter and Mayor Mitchell voting "Aye."

Councilmember Painter made a motion to schedule Public Hearings on Ordinances 638, 639 and 640 on Monday, March 13, 2022 at 6:30 p.m., and Councilmember Grinder seconded. The motion passed unanimously by voice vote with Councilmembers Grieve, Grinder, Nicholson, Painter and Mayor Mitchell voting "Aye."

2021/2022 Audit Presentation

Presentation was given by Mr. Travis Lowe, Pugh CPA, reported five (5) findings that were noted in the City's audit for PY2021-2022, which include the following: Expenditures Exceed Appropriations; Water Quality Control Act; Bank Reconcilements; Internal Control Over Financial Reporting; and Accrual of Employee Leave. Councilmember Grieve made a motion to accept the Audit report, and Councilmember Nicholson seconded. The motion passed unanimously by voice vote with Councilmembers Grieve, Grinder, Nicholson, Painter and Mayor Mitchell voting "Aye."

OLD BUSINESS

Safe Routes to School; SIA Sawmill Road Project; Hwy 61/441 Lighting Project - Mr. Ledford stated he has meetings scheduled over the next two weeks and will get a status update and communicate with Council at the next meeting.

Leave Issue – Mayor Mitchell reported he had a meeting with Mr. Wilkerson, Mr. Ledford and Ms. Hill and he stated we owe a liability and we need to follow policy and continue to work on updating policy. Mr.

Ledford stated that NWC drafted an agreement to present to Council and should expect to have at the next meeting. He stated that Phase III is to resolve the leave issue.

Employee 401K Matching Fund – Mr. Ledford reported in September 2020 the City established a matching retirement program, however in October 2022 the City passed a resolution and began matching 3% against the retirement program. During the interim period, two employees join the program assuming the city was matching up to 3% of their retirement. Councilmember Painter made a motion to pay the amounts to the two employees what is due to them, and Councilmember Grieve seconded. The motion passed by voice vote with Councilmembers Grieve, Grinder, Nicholson, Painter and Mayor Mitchell voting “Aye.”

Facilities Condition – Mr. Ledford reported he continues to work on these issues. Mayor Mitchell would like to see inspections on all but not at the same time. Councilmember Nicholson agrees. Councilmember Grinder stated he would like to have discussions regarding what needs to be done during the budget process.

Capital Outlay Note – Mayor Mitchell stated he would like to have a clear understanding of Councils preference.

Discussion on Water and Sewer Workshop and Update on New City Employee Policies - Mayor Mitchell appreciates the discussion on needs and would like to have another workshop to narrow down discussions and get clarity on what we mean by code and organizational chart. Mayor Mitchell made a motion to schedule a workshop to discuss this item on Wednesday, March 1, 2022 at 5:30 p.m., and Councilmember Painter seconded. The motion passed by voice vote with Councilmembers Grieve, Grinder, Nicholson, Painter and Mayor Mitchell voting “Aye.”

Budget Development Schedule – Councilmember Painter made a motion to schedule a meeting on April 13, 2022 at 5:30 p.m. to discuss the key drivers, and Councilmember Grinder seconded. The motion passed by voice vote with Councilmembers Grieve, Grinder, Nicholson, Painter and Mayor Mitchell voting “Aye.”

Setting Public Hearing for Ordinance 637 – 2022/23 Budget Amendment – Councilmember Grieve made a motion to schedule a public hearing on March 13, 2023 at 6:30 p.m., and Councilmember Grinder seconded. The motion passed by voice vote with Councilmembers Grieve, Grinder, Nicholson, Painter and Mayor Mitchell voting “Aye.”

NEW BUSINESS – BACK TO ORIGINAL AGENDA

Nominations for Boards and Committees – Councilmember Grinder made a motion to nominate Charles Murphy to the Community Development Board, and Councilmember Painter seconded. The motion passed unanimously by voice vote with Councilmembers Grieve, Grinder, Nicholson, Painter and Mayor Mitchell voting “Aye.”

Mayor Mitchell made a motion to nominate Lisa Shirey to the Anderson County Advisory Board, and Councilmember Grieve seconded. The motion passed unanimously by voice vote with Councilmembers Grieve, Grinder, Nicholson, Painter and Mayor Mitchell voting “Aye.”

ARPA Funds Discussion – Mr. Ledford reported in September 2022 the County awarded the City \$257,244.00 of their ARPA money designated for system improvements to the water and wastewater utilities. The City has not yet received these funds, but when he was asked the question last night he assumed this was what Ms. Hill was referring to. Mr. Ledford will confirm this was the ARPA money she wished to be clarified.

NWC Annual Report – Councilmember Painter stated the letter from Dr. Richard Dyer, Chair of NWC, was never reviewed or voted on by the Water Commission and doesn't consider it to be their Annual Report. She also asked for clarification as to where the customer addresses came from. Ms. Painter's concerns were that Norris Water/Sewer customer data was released for a personal letter versus released for an official approved document from the who commission. Mr. Ledford will review the correct process for release of such information in the future.

Discussion of how Sunshine Law Applies to City Council – Mr. Ledford explained how there was a significant dialog between Council and audience with scenarios given to help clarify what can and cannot be done in different situations.

DEPARTMENT AND COMMISSIONS REPORTS

City Manager’s Report –

Police Department – Nothing additional to report.

Fire Department - Chief Rick Roach reported a fire incident at Journey Pure where he found infractions to fire safety standards that have apparently been inappropriately allowed by State Fire Officials. He wants Council to be aware of the situation while he works to get some clarification from the State and remediation of the safety violations.

Norris Water Commission (NWC) – No one present to report.

Public Works

Nothing additional to report.

Bills Payable – 2021-22 Year End Transfers – Councilmember Nicholson made a motion to approve two transfers: \$15,800.00 from General Fund went to the Fire Department and monies erroneously credited to the Trail Bench Fund were transferred to the Tree Commission, and Councilmember Painter seconded. The motion passed by voice vote with Councilmembers Grieve, Grinder, Nicholson, Painter and Mayor Mitchell voting “Aye.”

MINUTES AND REPORTS (BOARDS AND COMMISSIONS)

Recreation Commission – Brianne Kibler reported their Annual Report is ready to be given and Mayor Mitchell asked for it to be added to the March 13, 2022 City Council Meeting Agenda.

Watershed Board – Councilmember Grieve reported that the full Board toured the watershed to mark trees to be cut that threaten the City’s water pump house and the protective structure over it.

Tree Commission – Councilmember Nicholson announced the Arbor Day program at the Norris Elementary School will be March 3, 2022 at 1:00 p.m.

Animal Shelter Commission – No one present to report.

Community Development – Councilmember Grinder reported that the 2023 Concerts on the Commons are fully planned and the upgrade of the new resident welcome packets almost complete.

Little Theatre – Councilmember Painter reported that work being done on a play to support the City’s 75th Anniversary Celebration in 2024.

Adjournment

Councilmember Grieve made a motion to adjourn at 10:04 p.m. Councilmember Grinder seconded. The motion passed unanimously by voice vote with Councilmembers Grieve, Grinder, Nicholson, Painter and Mayor Mitchell voting “Aye.”

Sandy Johnson, City Recorder

APPROVED BY CITY COUNCIL

March 13, 2023

Chris Mitchell, Mayor