

**MINUTES OF A REGULAR MEETING OF THE BOARD OF COMMISSIONERS
CITY OF OAK HILL, TENNESSEE**

May 21, 2009

The Commissioners of the City of Oak Hill, Tennessee met at the Oak Hill City Hall. Those present were Commissioner Ray Throckmorton and Vice-Mayor Austin McMullen. Also present were City Attorney Bob Notestine, City Manager Kevin Helms, Assistant City Manager M. C. Sparks, Chief Building Official Bill Burdette, Safety Coordinator Tommy Jacobs, and Administrative Assistant Patrick Steiner. Mr. McMullen acted as chair, and Ms. Sparks served as secretary.

I., II. and III. Meeting Called to Order – Mr. McMullen opened the meeting at 5:06 p.m., with the Pledge of Allegiance, and introductions.

IV. Approval of Minutes – The Minutes of the April 16, 2009 meeting were reviewed. Upon a Motion duly made by Mr. Throckmorton and Seconded by Mr. McMullen, the minutes were approved as presented.

V. Comments from Citizens – Mr. Jimmy Bradshaw raised objection that the “comments from citizens” is first on the agenda. Mr. McMullen once again stated most cities have the agenda like this, as it gives the citizens an opportunity to speak on items to come up later in the meeting before action is taken. Mr. Bradshaw then asked what was being done about the ethics complaint filed with the city. Mr. Throckmorton said it has been received; 1- a copy has gone to Bob Burns, who is the City’s legal counsel at Howell & Fisher concerning the lawsuit filed by Dr. Bill Kraus; this has been done to make sure in answering the ethics that no conflict happens with that litigation; 2 – Mr. Throckmorton has sought council with Winston Evans, but Mr. Evans father died yesterday so he will be a few days responding; 3 – Mr. Notestine will research who has credentials as personal counsel, and will also get names from Bob Burns and Winston Evans for the next meeting regarding independent counsel. This will be on the agenda for the June meeting, and discussion will include the process, which may include talking to the Tennessee Ethics Commission, TML and MTAS.

VI. Old Business -

A. **Sound Wall Update** – Mr. Helms gave an article to the Commissioners, and reported on findings therein on possible requirements for foliation to help reduce sound. It appears that so much vegetation would be required to reduce sound that it would not be practical for Oak Hill, as there would not be enough land to accommodate the foliage. Another option still under consideration might be sound absorption walls, made from recycled tires or similar. This type if alternative would be about half the cost of concrete walls and berms. Mr. Throckmorton suggested that Greer Tidwell would be a good contact.

B. **Adoption of Resolution to Participate in TMLRMP Insurance Program (Res. 09-6)** – Tabled at last month’s meeting, this is an update to the resolution which was adopted by Oak Hill sometime in the past. Mr. Helms explained Tennessee Municipal League’s insurance program. The need to pass this update resolution is brought on by an update to the TML Board’s by-laws and ethics policy. As a voting member we must formally adopt it.

Upon a Motion duly made by Mr. Throckmorton, and Seconded by Mr. McMullen, the following was passed Unanimously:

“Moved that Resolution 09-6, authorizing the City of Oak Hill to participate in the TMLRMP insurance program, be adopted as presented.”

C. Update on Expansion of Office Space – Mr. Helms reported on the availability of the third suite in the office row (suite 103); Oak Hill currently rents suite 101 and owns suite 102. There is no set proposal yet. When inquiry was made, Mr. Helms indicated there are two primary purposes for needing more space, for filing and storage purposes, and for enlarging the meeting space.

VII. New Business -

Consideration of Funding for Tennessee Land Trust at Glen Leven – The Land Trust has approached the City regarding the plans for the Glen Leven mansion. The Land Trust intends to hire an engineer, to check the house to see its status, and then see what renovations might be involved. They have asked the City to assist them in hiring the engineer, the total being about \$55,000. Mr. Notestine said they have been talking Mid Tennessee State University regarding some items involved in this project. Mr. Throckmorton said we might continue looking with the Land Trust at different areas and groups that might help with funding or advice regarding funding.

Explanation was given regarding the Land Trust and the mansion. Mr. Notestine and Mr. Helms also added comments regarding the history and possible public usage of the antebellum space.

The Board said more information is needed, including seeing the proposal; the City should request more specifics from the Land Trust, indicating the City would be a willing participant as we learn more about what public usage are possible.

VIII. Reports –

A. City Engineer – no report

B. City Manager – Working on Request for Qualifications for the position of City Engineer, which should hopefully go out at the end of the month. There would then be a 30 day period for candidates to get responses in to the City.

Mr. Helms will have the first draft of the 2009/2010 budget for the June meeting.

The City will be acquiring accounting software to help with maintenance of the city books.

C. City Attorney – Mr. Notestine reported on:

1. Update on Metro Policing Contract – The contract between Metro police and the City of Oak Hill has been signed by Mr. Notestine and Mr. Helms, and sent to Metro Nashville for signatures.

2. Update on Van Becelaere Litigation – The appeal was heard yesterday and is under advisement. Mr. Notestine is also keeping updated on the bankruptcy of the VanBeco group.

D. Safety Director – Mr. Jacobs reported, including saying two burglary suspects that have apparently committed crimes in Oak Hill have been apprehended; forty to forty-five Metro officers were trained, with help by Mr. Jacobs, who are interested in working in Oak Hill on the patrols.

Mr. Shelton voiced opposed to expansion of the offices, feels like this area in use is not properly outfitted and could be used better. Mr. Burdette offered that at this time there is a limit on how many people can attend meetings according to the fire codes.

Ms. Mary Wherry said the time of the Board of Commissioners meeting being at 5:00 pm causes some people to have trouble getting here from work

IX. Adjournment – Upon Motion duly made and Seconded, the meeting was adjourned at 6:04 pm.

City Recorder

Mayor