

CITY OF KNOXVILLE
Regular Council Meeting
Knoxville Police Station, 215 N. Hebard St., Knoxville

Monday, June 19, 2017, 7:00 PM

MINUTES

Call to Order: Mayor Maurer called the meeting to order at 7:00 PM. All rose to recite the **Pledge of Allegiance**.

Roll Call: Present: Aldermen Hillier, McGovern, Benjamin, Heller, Mahar, Myers, Naslund and Eiker; Mayor Maurer, Treasurer Bivens, Attorney McCoy, Chief of Police Poyner, Building Administrator Rigg and City Clerk Gruner.

Public Comments: There were none.

Approval of Minutes: Alderman **Mahar** said that the Water/Sewer Committee Report said that work on the “South Tower would begin . . .”. It should read “North Tower”. Alderman **Eiker moved** to approve the Minutes of the June 05, 2017 City Council Meeting with Alderman Mahar’s correction; Alderman **Hillier seconded** the motion which **passed** by voice vote with no dissent.

GENERAL REPORTS

Attorney Report: Attorney McCoy reported that he prepared a “shell” for the ZBA Variance Ordinance Process so that City Officials can prepare Variance Ordinances without the need of or fees for Attorneys.

Engineer Report: Mayor Maurer reporting for Engineer Cooper:

- Hidden Hills Winery is still looking for a water contractor.
- There is a problem with a certain water valve at the Water Department that is leaking and needs to be replaced. The parts are on order and should arrive soon.
- The Oil and Chip work that the County was to have begun has been delayed and will start before the end of July.

Treasurer’s Report: Treasurer Bivens distributed the Treasurer’s Report before the beginning of the Meeting.

City Clerk Report: None.

Payment of City’s Bills: Alderman **Myers moved** to approve payment of the City Bills; Alderman **Hillier seconded** the motion which **passed** by voice vote with no dissent.

OLD BUSINESS

1. **Sign Ordinance 2017-06, both versions:** There were two versions of the Sign Ordinance presented to the Council. One was the original proposal for Version Three and contained all the restrictive elements that had been suggested. The other is the same version with asterisks marking the five items that the Planning Commission wanted to have removed. Members of the Council discussed the options. The question was raised about what the Council was expected to do. City Clerk Gruner said that they could select one version or the other, any combination of the two, or a completely new version. The Council also discussed what things could be grandfathered in and what the restrictions would be, because there are several businesses that would not be in compliance immediately after the Ordinance is passed. Attorney McCoy explained that things grandfathered would no longer be grandfathered if they were to be removed and replaced. Another question was about businesses who want an exception coming to the City Council for a variance. The response was that variances could always go through the normal process and could, potentially, be approved by the Council. Alderman **Myers moved** to approve the version of the Ordinance with all of the restrictive elements to try to maintain the atmosphere of the Historic District; Alderman **Myers seconded** the motion which **passed** with seven (7) Yes votes and one (1) No vote.

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2. **Bryan Conley - Variance for Covered Porch/Seating Area at Garage – Reviewed by ZBA:** The proposed Variance had been approved by the Zoning Board of Appeals. Brian Conley explained what he has requested and that he did not know that he needed a building permit until he was told by the Building Administrator after he began working on the seating area. An Alderman asked if fines had been imposed when other projects were started without a building permit. The response was that they had been fined. Mr. Conley agreed that he would pay the fine and the fee for the Building Permit. Alderman **Naslund moved** that the Variance be approved; Alderman **Hillier seconded** the motion which **passed** with eight (8) Yes votes and No (0) dissent. The subject of the fine was also addressed. Alderman **Myers moved** to approve the imposition of the \$50.00 fine for non-Compliance plus the normal fee for the Building Permit; Alderman **Eiker seconded** the motion which **passed** with eight (8) Yes votes and No (0) dissent.

NEW BUSINESS

1. **Annual Prevailing Wage Ordinance:** The Prevailing Wage Ordinance and all the ancillary materials were included in the City Council (on-line) package. Alderman **Hillier moved** to approve the Prevailing Wage Ordinance; Alderman **Mahar seconded** the motion which **passed** with eight (8) Yes votes and No (0) dissent.
2. **FY 2018 Appropriations:** Report of Expenses over Appropriations, the City 12 Month Report and an Appropriations Worksheet are included in the City Council Package. Mayor Maurer reminded the Council that they had previously voted not to raise the Tax Levy so there would not be monies available to add to our expenses. He suggested that each Council Member look at ways to move money from areas of low usage to items that may require increased funding. The Mayor asked that the Council Members be prepared to prepare the Appropriations at the next Regular City Council Meeting on July 3, 2017.
3. **Revisions to Building Regulations:**
- **Attached versus Floating Structures Ordinance – rewording:**
 - **Citations for Building Administrator Use:**
 - **Modify Building Fees of Residential Deck/Porch/ramps from linear ft. to flat \$25:**
- The Proposed Ordinance was distributed at the Meeting. All three of these items were taken as parts of that single Ordinance. The discussion focused mainly on the definition of Attached and Floating. There were some Members who thought it was over-regulation some thought that things that needed to be addressed had not been and some who thought it was sufficient as it stood. Alderman Heller moved to approve the Ordinance, 2017-10; Alderman Mahar seconded the motion which failed with three (3) Yes votes and five (5) No votes. Subsequent to the vote, Mayor Maurer asked if the other elements of the Ordinance would be acceptable. For example, the current Ordinance states that a permit for a Residential Deck/Porch/Ramp would be \$25 per linear foot. That should have read \$25 without the “per linear foot” requirement. Would it be acceptable to eliminate Section 2 from the Ordinance as presented and approve the rest of it? Alderman **Hillier moved** to approve all of Ordinance 2017-10 Except for Section 2; Alderman **Benjamin seconded** the motion which **passed** with eight (8) Yes votes and No (0) dissent.
4. **Vaughn Request for Sales (Ice Cream/Water) at 4th of July Celebration:** Council Members discussed the question of for-profit and not-for-profit vending for the 4th of July celebration. Mayor Maurer suggested that he would speak to Mr. Vaughn about the possibility of a fee or donation for next year. Alderman **Myers moved** to approve the request to sell ice cream and/or water at the 4th of July Celebration in the park; Alderman **Eiker seconded** the motion which **passed** by voice vote with no dissent.
5. **Water Department Internet access from Centurylink:** The Council will review this item to determine if there are other options available.
6. **Knox County Scenic Drive Funding Request:** Tom Collopy, Representing the Knox County Stops of the Scenic Drive described the situation with the Scenic Drive. In answer to questions he said that all of the Money from the City of Knoxville and others and that collected from various fees is used for advertising. He said that his experience is that local people know about the event so he advertises further out to attract visitors to the area for the event. Alderman **Benjamin moved** to approve funding Scenic Drive in the amount of \$2,500; Alderman **McGovern seconded** the motion which **passed** with eight (8) Yes votes and No (0) dissent.

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7. **Air Conditioning and Furnace Estimate for City Hall:** The situation is approaching dire as the Air Conditioning unit can fail at any time. Needed maintenance for the furnace is increasing (along with the cost of it) each year. The Air Conditioning unit is about to break down completely. Both parts of the system need to be replaced ASAP. Mayor Maurer distributed copies of a proposal from Ring Sheet Metal to replace the entire system for \$5,500.00. Attorney McCoy pointed out that the amount of money involved is not enough to require competitive bids, however several of the Council Members indicated that they wanted to see competitive bids. Alderman **McGovern moved** that the Furnace and Air Conditioning units at City Hall be replaced but given the urgency to replace the units that the Mayor be authorized to decide what needs to be done before the next Council Meeting to avoid the associated delay; Alderman **Hillier seconded** the motion which **passed** with eight (8) Yes votes and No (0) dissent.
8. **Demolition at 207 East North Street:** Two alternative methods of acquiring title to the property were presented by Attorney McCoy. One method is to accept a Quit Claim Deed from the current property owners. It is the fastest method but leaves the City responsible for paying the past due property taxes. The alternative is to proceed with a Petition for Demolition with the Knox County Circuit Court. This method involves more time (about three months) but saves the cost of the taxes. City workers under Supervisor of Public Works Myers would be doing the demolition work and they are backed up with other work currently. Since there is no urgency to get the work done, except that it will remain an eyesore, Alderman Myers moved to go through the Circuit Court system and Petition for Demolition; Alderman Eiker seconded the motion which passed by voice vote with no dissent.
9. **Rock River Energy Services Supplier Alternatives:** Rock River Energy Services presented the City with three alternative suppliers and each had their prices based on a contract for either one, two or three years. The lowest prices were from Dynegy Energy and its best rate is for the three year contract. Council Members questioned why none of the bids included delivery of the energy. That is because all delivery of electric energy in the region is done through Ameren. Another questioned whether there was any advantage to contracting with a company that didn't offer the lowest cost. Since all delivery and line maintenance is through Ameren, there is no benefit from taking from one provider over another. Alderman **McGovern moved** to contract with Dynegy Energy for three (3) years; Alderman **Eiker seconded** the motion which **passed** with eight (8) Yes votes and No (0) dissent.

COMMITTEE REPORTS:

As Needed

Mayor's Report:

1. **Dog and Cat Licenses:** Mayor Maurer responded to a question from the previous City Council Meeting. Yes, dogs and cats, both, have to be licensed. The suggestion was then made that the sign in front of City Hall should be changed to indicate that it is both dogs **and** cats.
2. **Kreigh Lane Garbage Pick-up Offer:** So far there have been six households that have indicated that they would like to have Knoxville sanitation Department pick up their trash. Six seems to be enough to make the pickup worthwhile and the Supervisor of Public Works Myers indicated that there is an area that will allow the garbage trucks to turn around, Aldermen indicated that the pickup should start at the beginning of July.
3. **State Farm offers some Grants for Improvements;** Mayor Maurer has asked Ange Lee to resubmit the Grant Request again this year.
4. **Backups for the City Hall network are escalating in cost.** Mayor Maurer is looking into expanding the network at City Hall for an estimated \$1,500 and providing for our backup at a significant monthly savings to the City.
5. **Courthouse Windows:** Mayor Maurer indicated that the installer is asking for about one half of the payment for the installation of the windows in the Old Courthouse because of the large size of the job. There was some discussion of the windows because each of the installed windows appear to be incomplete with gaps at the bottoms. Council Members directed Building Administrator Rigg to inspect the windows and find out what is happening to address the gaps, before any payment is made.
6. **Thursday, July 6, 2017 Business Group Meeting in the Old Courthouse:** A group of business people will be gathering in the Old Courthouse to discuss organizing into an effective advocate for local businesses. The meeting is scheduled for Thursday, June 22, 2017 at 6:00 PM.
7. **Next City Council Meeting on July 3, 2017 at 7:00 PM.**

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Future Agenda Items:

- **Revise Building Regulations:**
- **Water Department Internet:**

Adjourn: At 9:00 PM, Alderman **Myers moved** to Adjourn the Meeting; Alderman **Eiker seconded** the motion which **passed** by voice vote with no dissent.

Respectfully Submitted by:

Charlie Gruner, City Clerk