

Greenbrier Board of Mayor and Aldermen
Regular Minutes
September 10, 2007

Public Hearing on Ordinance No. 07-13 – Updating Ordinance 86-8, regulating the construction and maintenance of cross connection.. No one spoke for or against. *Public hearing closed.*

Public Hearing on Ordinance No. 07-14 – Amend Title Eight, Chapter Two, Section 8-204 of the Municipal code. No one spoke for or against. *Public hearing closed. 7:01 pm.*

Citizen Comments on other issues.

Phillip Bollinger, 1212 Mayes, Greenbrier, TN 37073

Mr. Bollinger wants the issue of closing of the railroad crossings tabled for 60 days in order to have the crossings temporarily closed. He thinks the Board should study the effects the closings have on the City before the closings become permanent. He wants the Board to make sure that this is the right thing to do because it is very important.

Phyllis Brown, 1211 Webster St, Greenbrier, TN 37073

Ms. Brown wants the Board to consider blacktopping Browning Lane. She stated that Browning Lane was the only road that is a City street that is not blacktopped. Mayor Wilson will appoint a committee and do a study.

David Sisco, 2058 Old Greenbrier Pike, Greenbrier, TN 37073

Mr. Sisco stated that he is an employee with CSX. He does not work on the tracks that run through Greenbrier, but he has talked with his coworkers that are familiar with this rail line. He stated that this issue is public awareness of safety and not of the crossings themselves. He stated that Greenbrier needed these crossings.

Denise Johnson, 1009 Justice St, Greenbrier, TN 37073

Ms. Johnson wants the ordinance regarding water being cut off due to a codes violation to be changed. She thinks the punishment of having the water turned off is too harsh. She wanted to know what had to be done in order to change the ordinance. Mayor Wilson said that since it was already an ordinance, and one of the alderman would need to put it on the agenda before the board. Mayor Wilson stated that the City would enforce the ordinance as it is now. Alderman DeLong asked Mayor Wilson if it would be possible to form a committee to explore the options. Alderman Evans suggested that she come up with alternatives and get them to him, and he would share them with the Board.

Glenn West, 316 East South Street, Greenbrier, TN 37073

Mr. West spoke regarding the treatment of citizens when it comes to enforcing codes violations. He said that Mayor Wilson did not treat everyone the same. Mayor Wilson responded that he did treat everyone alike.

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1. Call to Order by the Mayor.

The Board of Mayor and Aldermen met at 7:15 p.m. on Monday, September 10, 2007, at City Hall. Mayor Billy Wilson presided with the following Board and staff members present.

2. Roll Call.

Board members

Bonnette Dawson	Ward 3
Jeff DeLong	Ward 2
Wayne Dugger	Ward 3
Joshua Evans	Ward 2
Carol Fagg	Ward 1
Bill Vernich	Ward 1

Dept. Heads

Rich Hatfield
Tommy Maitland
Rachel Slusser

Christina Bartee, City Attorney

3. Wayne Dugger prayed; followed by the pledge of allegiance.

4. Adoption of Agenda.
Motion: To adopt the revised agenda.
By: Joshua Evans, second by Bill Vernich.
Discussion: Alderman Evans wanted to add a discussion to the agenda regarding temporarily closing the crossings before the actual vote of Ordinance No. 07-17. Mayor Wilson allowed the revision.
Roll Call: 7 yes, 0 no
MOTION PASSED.
5. Approval of Minutes of the August 6, 2007 and August 13, 2007 meeting.
Motion: To approve the minutes of the August 6, 2007 and August 13, 2007, board meeting.
By: Joshua Evans, second by Bonnette Dawson.
Roll Call: 7 yes, 0 no.
MOTION PASSED.
6. Presentations/Memorials. There were no presentations or memorials.
7. Communications from the Mayor and Aldermen.
Mayor Wilson made copies of his comments to give out. His comments were as follows:
1ST READING September 10, 2007
PUBLIC HEARING AND 2ND READING October 1, 2007

Factual evidence to support closing RR crossings

In April 2006, GFD responded to a page that a semi-truck was stuck on the crossing at Main Street. At the time, a train was traveling on the tracks through Greenbrier, and it stopped only a few hundred yards away from the truck.

It is believed that the height of this crossing has grown around 3 feet over the years. The steep grade of this crossing is what causes vehicles to become stuck. It is also the build up of the crossing that causes it to be unable to be repaired.

When using the Main Street crossing you are visually limited to the side of the tracks you are on. There is no way to see the opposite side of the crossing until the vehicle is positioned on the tracks. This is an area of concern because there is no way to know if there is room for your vehicle at the 4-way stop on the opposite side (if you are headed that direction) or if you will need to wait your turn out on the tracks. This is a public safety concern.

Within a few days of this incident, I contacted Jim Cain with CSX Railway to discuss the installation of crossing arms and repairs to the Main Street crossing. During this conversation, we discussed adding crossing arms to all RR crossings, the removal of old line poles, and cleaning up the right of ways.

The next morning CSX removed the line poles and began a study of the needed repairs.

In June 2006, TDOT began their own study including, but not limited to, a traffic study. Studies showed Main Street crossing was beyond repair, unsafe, and needed to be closed.

During this time, I appointed a railroad committee to study the issue of closing RR crossings, clean up, and pole removal. It was at this time, an article was brought to my attention about quiet zones.

A quiet zone is an area in which every crossing would have crossing arms. This would allow trains to go through the City with out blowing the whistle. This does not take in to account the everyday things that could happen that the train would be required to blow the whistle. This could include something on the tracks, such as people walking, animals, and debris. My goal was never to just achieve a quiet zone, but to insure public safety. Being a quiet zone would just be benefit for the citizens that live near RR crossings.

I contacted CSX regarding the possibility of the quiet zone and was told that with the measures discussed in April it would be possible. This included crossing bars at all crossings.

I had Mike Bauer contact Bill Anderson at TDOT multiple times to discuss all of the options without closing any crossings. It was made clear to me that due to the condition of the Main St. crossing that closure was the only option.

J.C. Hailey was hired to engineer an alternative plan for the flow of traffic.

In order to install crossing arms on all RR crossings the Wilson St. crossing would need to be closed because of the unsafe distance for traffic to sit and wait for the train to cross.

The four remaining crossing at Industrial Drive, College St., South St., and Lights Chapel would be equipped with crossing arms.

The widening of Old Greenbrier Pike would include a turning lane along with the widening of Railroad Street. Both of these would be effective measures in helping with the flow of traffic. Especially with the congestion of school traffic and commuter traffic in the morning and afternoon. The addition of traffic lights placed at Lights Chapel Road and Hygeia Road on Hwy 41 will serve two safety concerns.

1. Traffic entering safely onto Hwy 41 from Old Greenbrier Pike.
2. Reduce traffic accidents at these intersections.

Both of these intersections have been the scene of several bad accidents over the last few years due to traffic entering from the side roads.

This project began because of my safety concerns. An incredible amount of time has been put into researching the logistics of this project. The convenience of the citizens to get back and forth to their homes in a timely and safe manner has been taken into consideration. As you know, we are a town with train tracks right down the middle. There is nothing that can be done about the delays that occur when a train comes through town. However, we can insure the safety of our citizens by making sure that the crossing areas are safe place for them to sit and wait for the train to pass.

My hope is that these proposed changes suggested in the study will improve the flow of traffic even with less railway crossings. There are plans in the works for the future widening of some parts of Main St., which would include the "S" curve and portions of Old Greenbrier Pike.

When the new sub-division goes in off Main St. at Watts Farm there will be a road added to connect Main St. to Ebenezer Rd. This will help the flow of traffic at the proposed Lights Chapel Rd. red light.

The project is estimated to take two years to complete. This includes immediate improvements made to the Main St. crossing before it is closed. I realize that once the crossings are closed we may need to make some sign modifications and that only time will tell people what is the best route for them depending on their destination.

I understand that change is hard at times. I cannot ignore my responsibility as the Mayor of Greenbrier, or my 32 years of emergency services experience. I agree with the State of Tennessee that the crossings are unsafe. My gut feeling tells me that preventative action needs to be taken before a tragedy happens. There is going to be 250 new homes built just off Main St. and with more land development possible, traffic will only increase.

If there were a tragic incident to happen it is likely that I would be there as a First Responder for our City. How could I live with myself knowing I had the chance to make safety improvements and chose not to? I cannot do that.

As for the people who are concerned about it affecting emergency response time, I can assure you that it is very unlikely to happen because we use the South St. crossing when we leave the Fire Department.

Mayor Wilson also included an article and pictures that related to these crossings. He gave a letter from TDOT and a Summary from a meeting held on July 24, 2007 regarding the closing of these crossings.

During the Mayor's comments, he stated that at the October 1, 2007 meeting the public would have an opportunity to ask as many questions as they wanted.

8. Reports from Committees and Department Heads. There were no reports.

9. Old Business.

- a. Ordinance No. 07-13 – Ordinance updating Ordinance No. 86-6 regulating the construction and maintenance of cross connections – 2nd reading.
Motion: To accept Ordinance No. 07-13.
By: Bill Vernich, second by Wayne Dugger.
Roll Call: 7yes, 0 no
MOTION PASSED.
- b. Ordinance No. 07-14 – Amend Ordinance No. 03-06, Title 8, Chapter 2, Section 8-204 regarding requirements for beer board quorum and action – 2nd reading.
Motion: To approve Ordinance No. 07-14.
By: Wayne Dugger, second by Bill Vernich.
Roll Call: 7 yes, 0 no
MOTION PASSED.

10. New Business.

- a. Ordinance No. 07-15 – Ordinance to amend the zoning map of the City by amending one parcel of .56 acres from RB to CB
Motion: To except Ordinance No. 07-15.
By: Wayne Dugger, second by Bonnette Dawson.
Roll Call: 7 yes, 0 no
MOTION PASSED.
- b. Ordinance No. 07-16 – Ordinance to amend the zoning map of the City by amending one parcel of .25 acres from RB to CA..
Motion: To approve Ordinance No.07-16.
By: Bonnette Dawson, second by Wayne Dugger.
Discussion: Alderman Dugger wants a map of the City included in the agenda packet when a rezoning issue will be up for a vote. Will start including on the agenda the address of proposed rezoning location.
Roll Call: Dawson, yes; DeLong, yes; Dugger, yes; Evans, yes; Fagg, yes; Vernich, yes; Mayor Wilson, yes.
MOTION PASSED.

Short discussion by Alderman Evans about the possibility of a temporary closing of East Main Street crossing and Wilson Street crossing. Mayor Wilson said that temporarily closing those crossings with out the additional red lights and turning lanes would create more problems.
- c. Ordinance No. 07-17 – Ordinance to close a portion of East Main Street and Wilson Street.
Motion: To pass on first reading, in order to get to a public hearing, Ordinance No. 07-17.
By: Wayne Dugger, second by Bill Vernich.
Roll Call: Dawson, yes; DeLong, yes; Dugger, yes; Evans, yes; Fagg, yes; Vernich, yes; Mayor Wilson, yes.
MOTION PASSED.
- d. Adopt Drug Free Tennessee guidelines to update our personnel manual.
Motion: To adopt Drug Free Tennessee guidelines.
By Joshua Evans, second by Bonnette Dawson.
Roll Call: 7 yes, 0 no
MOTION PASSED.
- e. Accept lowest bid from Huffman Tank & Tower at \$27,800.00 for the repainting of the water storage tank.
Motion: To accept bid from Huffman Tank & Tower.
By: Wayne Dugger, second Bill Vernich.

Discussion: Alderman Vernich asked City Superintendent, Tommy Maitland, why the bids had such a big difference between them. Mr. Maitland told the board that the engineering firm checked Huffman's references and everything checked out.

Roll Call: Dawson, yes; DeLong, yes; Dugger, yes; Evans, yes; Fagg, yes; Vernich, yes; Mayor Wilson, yes.

MOTION PASSED.

- f. Change Section 2.4 of the Police Department Standard Operating Procedures.

Motion: To change 2.4 of the Police Department Standard Operating Procedures.

By: Bill Vernich, second Wayne Dugger.

Roll Call: Dawson, yes; DeLong, yes; Dugger, yes; Evans, no; Fagg, yes; Vernich, yes; Mayor Wilson, yes

MOTION PASSED – 6 yes, 1 no

- g. Constitution Week September 17-23, 2007.

Motion: To adopt this Proclamation

By: Joshua Evans, second Bonnette Dawson

Roll Call: 7 yes, 0 no

MOTION PASSED.

- h. Adjustments to the water and sewer account -- \$3854.97

Motion: To accept adjustments to the water and sewer account for \$3854.97

By: Joshua Evans, second Wayne Dugger

Roll Call: Dawson, yes; DeLong, yes; Dugger, yes; Evans, yes; Fagg, yes; Vernich, yes; Mayor Wilson, yes.

MOTION PASSED.

11. Adjournment.

Motion: To adjourn.

By: Joshua Evans, second by Bill Vernich.

Roll Call: 7 yes, 0 no.

MOTION PASSED. Meeting adjourned at 7:39 p.m.

Billy Wilson, Mayor

Attest:

Rachel Slusser, City Recorder

**Greenbrier Board of Mayor and Aldermen
Special Call Meeting Minutes
August 13, 2007**

Public Hearing on Ordinance No. 07-12 – Amending zoning ordinance regarding rezoning 1.01 acres total on Church Street and Rawls Street. *Public hearing closed. 7:00pm*

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1. Call to Order by the Mayor.

The Board of Mayor and Aldermen met at 7:00 p.m. on Monday, August 13, 2007, at City Hall. Mayor Billy Wilson presided with the following Board and staff members present.

2. Roll Call.

Board members

Bonnette Dawson Ward 3
Wayne Dugger Ward 3
Joshua Evans Ward 2
Carol Fagg Ward 1

Dept. Heads

Rachel Slusser

Jeff DeLong and Bill Vernich were absent.

3. Adoption of Agenda.

Motion: To adopt the agenda.

By: Joshua Evans

Roll Call: 5 yes, 0 no, 2 absent

MOTION PASSED.

4. Old Business

a. Ordinance No. 07-12 – Amend zoning ordinance regarding rezoning of 1.01 acres total on Church Street and Rawls Street from medium density residential to high density residential.

Motion: To adopt Ordinance No. 07-12 as recommended by the Planning Commission.

By: Wayne Dugger, second by Bonnette Dawson.

Roll Call: Dawson, yes; DeLong, absent; Dugger, yes; Evans, no; Fagg, yes; Vernich, absent;

Mayor Wilson, yes.

MOTION PASSED.

5. Adjournment.

Motion: To adjourn.

By: Joshua Evans

Roll Call: 5 yes, 0 no, 2 absent.

MOTION PASSED. Meeting adjourned at 7:02 p.m.



Billy Wilson, Mayor

Attest:



Rachel Slusser, City Recorder