

## **CALL TO ORDER**

Mayor Spencer Knight called to order the regular meeting of the Rutledge City Council on the above date. Council members Bill Spann, James Bratcher, Tom Strott and Brenda Thompson were present as were members of the public.

## **ANNOUNCEMENTS**

None.

## **APPROVAL OF MINUTES**

Bill Spann made motion that the minutes of the December 15, 2008 meeting be approved as submitted. James Bratcher seconded, all voted in favor and motion carried.

## **FINANCIAL UPDATE**

City clerk Debbie Rutherford gave an update on checking and utility billing balances.

## **BUSINESS LICENSE APPROVALS**

Mayor Knight advised the council that there were two business license applications to be approved located at 114 Fairplay Street. He said that the business is Bentley's All Natural Meats and Produce and The Manna Shoppe, Inc.

He

advised that these were for bookkeeping purposes only and that use is allowed.

Tom Strott made motion to approve the license for Bentley's All Natural Meat and Produce located at 114 Fairplay

Street for bookkeeping purposes only.

Brenda Thompson seconded, all voted in favor and motion carried.

Brenda Thompson made motion to approve the license application for bookkeeping purposes only for The Manna Shoppe, Inc.

Bill Spann seconded, all voted in favor and motion carried.

## **ADAM CUMMING – WATER TOWER**

Mayor Knight advised the council that Mr. Cumming was present to talk to them about the water tower on Fears Road. He stated that Mr. Cummings home was next door to the new water tower.

He said that he had spoken to Mr. Cumming at the very beginning in regards to the location of the tower. Mr. Cumming addressed the council and handed out a detailed letter of problems he had encountered during the construction.

He said he had approached WREDCO about buying the lot next to his home but they said no.

He stated my wife and I have been through a lot with this tower.

He said I have over 100 pictures.

There have been cranes running from sun up to sun down seven days per week; there have been forest fires from the welding.

It has been an onslaught of things continuously for fourteen months.

We even offered to pay for the perk tests for a new site, again they said no.

If the tower were to collapse it would fall 34 feet over my property line.

It would fall 61 feet across the road onto the neighbor's property.

My property has been covered with black ash with the sand blasting and the burn piles.

I was told that they would not be spray painting the tank that it would be rolled.

Tom Strott asked him if paint got on any of his property.

He answered no because he had covered everything.

He stated when they started spray painting he called and spoke again to Gwen Yates and he said they were not supposed to be doing that.

Gwen then told me that they would create a curtain on cables and that would contain it.

They did not do that.

Everything is documented in my letter.

When the forest fire started the workers stated they were glad they got it out because it would have blown me away.

There are char marks in all the trees.

When they decided to drill the well they drilled close to my well. They would be getting into my water table.

I am looking to see if Rutledge would consider a water tap for me. The last issue is now buzzards are roosting over my house.

Nobody seemed to take my property into consideration.

I appreciate you all taking the time to read the letter and look at the pictures.

Mayor Knight advised Mr. Cumming that he would need to talk to the engineer and attorney. He said as far as mother nature goes anything can happen.

I don't know what kind of laws are in place but I am sure everything was done to code.

I will have to go back to the contract and look and see what it says about the painting.

I know the fire started from the welding and it burned about an acre, it took out the underbrush.

Mr. Cumming said embers from the fire were landing on my roof.

He said I called Caldwell about leaving it unattended.

They said they would pressure wash my house but that never happened.

I never heard another word from them.

Mayor Knight advised the council that the only time he knew there was a problem was when WREDCO drilled the well they filled in the ditch with dirt and caused drainage problems for Mr. Cumming. At this point we went over there and cleaned the dirt out of the ditch. As far as the birds they are migratory, they will show up and then they will leave.

Mr. Duncan addressed the council and said the tower should have been 300ft from any house or road. If they had just moved it down one lot the paint and everything would not have been an issue. Mayor Knight said he would need to go over all the information with Caldwell Tanks. Mr. Cumming said I am not trying to beat anybody. Tom Strott stated that most of his inconvenience had to do with the contractors.

Mayor Knight said he would get with Caldwell Tank and explain the problems.

Tom Strott said we still have their final payment we can hold.

Mr. Duncan said there are still liability issues.

Tom Strott advised him that everything was built according to laws and codes.

Mr. Duncan said all we are asking for is a tap, which is cheap compared to what could happen.

James Bratcher said we have to accept that the tank is there. We can work on compensation for any damages to property. Th  
e issue of the tap fee would have to be discussed.

If there was anything done to your property it will be repaired.

He said we all need to go and look at the property.

Mayor Knight stated that the tap issue would be tabled until the February 16<sup>th</sup> meeting.

## **BESSEMER PROPERTY – 130 W. MAIN ST.**

Mayor Knight advised the council that nothing had been done to the property at 130 W. Main Street since his conversation with Mr. Bessemer. He said that this has been going on since August of 2000. He said if the council agrees he will call the building inspector and start the condemnation process.

Tom Strott made motion to authorize the mayor to proceed with the condemnation process.

Bill Spann seconded, all voted in favor and motion carried.

**MEETING ADJOURNED.**