



BOARD OF MAYOR AND ALDERMEN MEETING AGENDA

September 24, 2026 - 5:30 P.M.
Town Hall, 100 Main Street E.

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Roll Call
5. Approval of Agenda
6. Welcome from the Mayor
7. Recognition of Employees, Guests, or other Visitors
8. Approval and/or Correction of the minutes of the Board of Mayor and Aldermen Meeting dated August 27, 2026, monthly financial report, and department reports.
9. Visitors' Comments:
10. Old Business:
 - A. SECOND READING AND PUBLIC HEARING: Ordinance 26-550: FY 26-27 Budget Amendment #1
 - B. DISCUSSION AND CONSIDERATION: Property Issue- 912 S. Sherbrooke
11. New Business:
 - A. FIRST READING: Ordinance 26-551: Street Parking Regulations
 - B. DISCUSSION AND CONSIDERATION: Resolution 26-693: Park Facility Dedication- Eugene Christian
12. Board Comments: Mayor, Vice-Mayor, Aldermen
13. Staff Comments: Town Manager, Operations Director, Town Recorder, Town Attorney
14. Adjourn



LEGISLATIVE MEMORANDUM			
Date	September 24, 2026	Agenda Item	Aug 27, 2026 Meeting Minutes
Prepared By	Tyler Williams, Town Manager	Department	Administration
Summary			
The purpose of this item is to consider approval of the official minutes of the regular meeting of the Board of Mayor and Aldermen held on August 27, 2026.			
Fiscal Impact			
None			
Staff Recommendation			
Staff recommends approval.			
Attachments			
August 27 Meeting Minutes			



TOWN OF MOUNT CARMEL

BOARD OF MAYOR AND ALDERMEN MEETING MINUTES

A regularly scheduled meeting of the Town of Mount Carmel, Tennessee Board of Mayor and Aldermen was held at Mount Carmel Town Hall, 100 East Main Street, on August 27, 2026, at 5:30 p.m.

CALL TO ORDER

5:30 pm by Mayor John Gibson

INVOCATION AND PLEDGE OF ALLEGIANCE

Led by Vice-Mayor Bare and Alderman Binstock

ROLL CALL:

BMA	Present	Absent	Town Administration Present
Alderman Darby Patrick	✓		Tyler Williams, Town Manager
Alderman James Cross	✓		Tiffany Bishop, Town Recorder
Alderman Mindy Shugart		✓	Matthew Matney, Town Attorney
Alderman Philip Binstock	✓		Jason Salyer, Director of Municipal Operations
Alderman Jim Gilliam	✓		Mitch Walker, Fire Chief
Vice-Mayor Jim Bare	✓		David Larson, Police Chief
Mayor John Gibson	✓		

WELCOME FROM THE MAYOR/EMPLOYEE RECOGNITION

Mayor Gibson presented a Mayoral Proclamation honoring the Life and Memory of Dolly Parton, as well as a \$1,000 donation to the Hawkins County Imagination Library

APPROVAL and/or correction of the July 23, 2026, Board of Mayor and Aldermen meeting minutes, departmental and financial reports.

Motion: Vice-Mayor Bare

Second: Alderman Binstock

Approved: All present voting in favor

VISITOR COMMENTS

Jerry King- spoke regarding the property issue at 912 S Sherbrooke

OLD BUSINESS

- A. SECOND READING: Ordinance 26-549: Establish Certified Tax Rate for FY 26-27

Motion: Vice-Mayor Bare

Second: Alderman Binstock

	AYES	NAYS	OTHER
Alderman Darby Patrick	✓		
Alderman James Cross	✓		
Alderman Mindy Shugart			Absent
Alderman Philip Binstock	✓		
Alderman Jim Gilliam	✓		
Vice-Mayor Jim Bare	✓		
Mayor John Gibson	✓		
Totals:	6	0	

NEW BUSINESS

- A. FIRST READING: Ordinance 26-550: FY 26-27 Budget Amendment #1

Motion: Vice-Mayor Bare

Second: Alderman Binstock

	AYES	NAYS	OTHER
Alderman Darby Patrick	✓		
Alderman James Cross	✓		
Alderman Mindy Shugart			Absent
Alderman Philip Binstock	✓		
Alderman Jim Gilliam	✓		
Vice-Mayor Jim Bare	✓		
Mayor John Gibson	✓		
Totals:	6	0	

- B. DISCUSSION AND CONSIDERATION: Resolution 26-687: Appoint Town Recorder

Motion: Vice-Mayor Bare

Second: Alderman Binstock

	AYES	NAYS	OTHER
Alderman Darby Patrick	✓		
Alderman James Cross	✓		
Alderman Mindy Shugart			Absent
Alderman Philip Binstock	✓		

Alderman Jim Gilliam	✓		
Vice-Mayor Jim Bare	✓		
Mayor John Gibson	✓		
Totals:	6	0	

C. DISCUSSION AND CONSIDERATION: Resolution 26-688: PEP Safety Partners Grant

Motion: Vice-Mayor Bare

Second: Alderman Binstock

	AYES	NAYS	OTHER
Alderman Darby Patrick	✓		
Alderman James Cross	✓		
Alderman Mindy Shugart			Absent
Alderman Philip Binstock	✓		
Alderman Jim Gilliam	✓		
Vice-Mayor Jim Bare	✓		
Mayor John Gibson	✓		
Totals:	6	0	

D. DISCUSSION AND CONSIDERATION: Resolution 26-689: Interlocal Agreement with City of Church Hill

Motion: Vice-Mayor Bare

Second: Alderman Binstock

	AYES	NAYS	OTHER
Alderman Darby Patrick	✓		
Alderman James Cross	✓		
Alderman Mindy Shugart			Absent
Alderman Philip Binstock	✓		
Alderman Jim Gilliam	✓		
Vice-Mayor Jim Bare	✓		
Mayor John Gibson	✓		
Totals:	6	0	

E. DISCUSSION AND CONSIDERATION: Resolution 26-690: Interlocal Agreement with Sullivan County

Motion: Vice-Mayor Bare
Second: Alderman Binstock

	AYES	NAYS	OTHER
Alderman Darby Patrick	✓		
Alderman James Cross	✓		
Alderman Mindy Shugart			Absent
Alderman Philip Binstock	✓		
Alderman Jim Gilliam	✓		
Vice-Mayor Jim Bare	✓		
Mayor John Gibson	✓		
Totals:	6	0	

F. DISCUSSION AND CONSIDERATION: Resolution 26-691: Rules of Order

Motion: Vice-Mayor Bare
Second: Alderman Binstock

	AYES	NAYS	OTHER
Alderman Darby Patrick	✓		
Alderman James Cross	✓		
Alderman Mindy Shugart			Absent
Alderman Philip Binstock	✓		
Alderman Jim Gilliam	✓		
Vice-Mayor Jim Bare	✓		
Mayor John Gibson	✓		
Totals:	6	0	

G. DISCUSSION AND CONSIDERATION: Resolution 26-692: Purchasing Policy

Motion: Vice-Mayor Bare
Second: Alderman Binstock

	AYES	NAYS	OTHER
Alderman Darby Patrick	✓		
Alderman James Cross	✓		
Alderman Mindy Shugart			Absent
Alderman Philip Binstock	✓		
Alderman Jim Gilliam	✓		

Vice-Mayor Jim Bare	✓		
Mayor John Gibson	✓		
Totals:	6	0	

H. DISCUSSION AND CONSIDERATION: Property Issue- 912 S. Sherbrooke

Table this item until September 10, 2026, BMA workshop.

Motion: Alderman Binstock

Second: Alderman Gilliam

	AYES	NAYS	OTHER
Alderman Darby Patrick	✓		
Alderman James Cross	✓		
Alderman Mindy Shugart			Absent
Alderman Philip Binstock	✓		
Alderman Jim Gilliam	✓		
Vice-Mayor Jim Bare	✓		
Mayor John Gibson		✓	
Totals:	5	1	

ADJOURN

Motion: Vice-Mayor Bare at **6:30 P.M.**

Second: Alderman Binstock

Approved: *All present voting in favor*

Approve: _____
John Gibson, Mayor

Attest: _____
Tiffany Bishop, Town Recorder



LEGISLATIVE MEMORANDUM			
Date	September 24, 2026	Agenda Item	Departmental Reports
Prepared By	Tyler Williams, Town Manager	Department	Administration
Summary			
August 2026 Departmental Reports			
Fiscal Impact			
Staff Recommendation			
Staff recommends approval.			
Attachments			
Financial Report Public Works Report Police Department Report Fire Department Report WWTP Report			



FINANCIAL REPORT

TOWN OF MOUNT CARMEL, TN

Month ending 08/31/2026

GENERAL FUND:

BALANCE:

Checking Account (First Horizon)	\$151,246.97
LGIP Investment Account	\$703,149.46
Certificate of Deposit (First Horizon)	\$5,000,000.00
Capital Outlay Savings (First Horizon)	\$31,565.47
TOTAL:	\$5,885,961.90

DRUG FUND:

BALANCE:

Drug Fund Checking (First Horizon)	\$28,143.16
Special Drug Fund (First Horizon)	\$0.00
TOTAL:	\$28,143.16

SEWER FUND:

BALANCE:

Checking Account (First Horizon)	\$184,407.17
Savings/Sewer Savings 2014 (First Horizon)	\$1,071.16
LGIP Investment Account	\$606,433.46
TOTAL:	\$791,911.79

GRAND TOTAL CASH ON HAND:	\$6,706,016.85
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Current Savings Rate: 2.43%

Current LGIP Rate: 3.72%



Monthly Report

August 2026

Work Completed/Accomplishments

- 41 Sewer Locates
- Installed multi-family housing sewer tap on Ruritan Dr.
- Moved dog kennel from officer Fontenot's home to PD and back to his house
- Also moved large dog kennel from officer Stapleton's house to PD
- Removal and reinstallation of A/C unit from dog kennel and permanent install of dog kennel
- Mowed Recycling center 3 times
- Mowed Fire Dept. 4 times
- Mowed Park 3 times
- Mowed Main st. 3 times
- Mowed median strip 2 times
- Mowed retention pond located at Fox Ridge and sprayed
- Weed eat Park
- Weed eat Main st. 2 times
- Weed eat 11w
- Spray 11w, Main st.
- Spray Park / Sewer
- Hauled Approximately 18 loads of Brush around 70 tons
- Approximately 7.5 hrs cleaning Park and Recycling center



PUBLIC WORKS

- Approximately 24 total hrs cleaning Trucks and equipment
- Approximately 24 hrs cleaning Break room and shop
- 2 hrs cleaning around City Hall
- 4 people attended the touch a truck event
- Changed air filters and several lights at and around City Hall
- Litter Removal from Main st., 11w, each mowing cycle
- Weed eat Hammond ave and Independence ave Guardrails etc
- Spray Hammond ave and independence ave Guardrails etc
- 3 hrs cleaning and trimming Flower beds
- Storm clean-up 2 times
- Ran street Sweeper on Lloyds chapel, Hammond ave, Hunters run, Ellis ln Hammond estates
- Attended a Mandatory Meeting (city wide)
- Repairs to Dew Eze Mower
- Poured concrete slabs for benches at Park
- Replaced 4 missing street signs
- Service on F350 service truck
- Replaced rear Tractor tire
- Side arm mower mowed Hammond ave, independence ave, Ellis ln, Main st, 11w, Reedwood st, Wolfe ln, Dover ave, Beach st, Cherokee st, Cherry st, Hiawasse st, Lloyds chapel along with several other smaller streets and subdivisions
- 30 Minutes a week per employee for administrative work

Range: 08/01/2026 -> 08/31/2026

<u>OFFICERS</u>	<u>CHARGES</u>	<u>NUMBER</u>
		Number Of C Arrest
Edward Letterman		
	Texting/Hands Free Law 55-8-199	1
	Edward Letterman	1
Total for: C		1
		Number Of Cit w/o CC Arrest
Daniel Cesarz		
	Financial Responsibility-Insurance Proof	1
	Daniel Cesarz	1
Jorge Valladares		
	Driving W/O License in possession,55-50-351	1
	Financial Responsibility-Insurance Proof	1
	Jorge Valladares	2
Total for: Cit w/o CC		3
		Number Of TR Arrest
Austin Lyons		
	Light Law Violation	1
	Speeding	7
	Stop Sign Violation	1
	Austin Lyons	9
Daniel Cesarz		
	Financial Responsibility-Insurance Proof	3
	Light Law Violation	1
	REGISTRATION-EXPIRED TAGS	2
	Speeding	2
	Daniel Cesarz	8
Jaylen Tyler		
	Speeding	2
	Jaylen Tyler	2
Jorge Valladares		
	Financial Responsibility-Insurance Proof	1
	Light Law Violation	1
	REGISTRATION-EXPIRED TAGS	1
	Jorge Valladares	3
Joshua Walsh		
	Light Law Violation	1
	Joshua Walsh	1
Michael Fontenot		
	REGISTRATION-EXPIRED TAGS	1
	Michael Fontenot	1
Montre Russell		
	Speeding	1
	Montre Russell	1
Total for: TR		25
Grand Total:		29



Offenses	Count
Larceny/Theft	2
Motor Vehicle Theft	1
Assault	1
Vandalism	1
Drug/Narcotic	1
Worthless Checks	1
Trespass Of Real Property	1
DOSL / DORL	4
Total:	12

Memos	Count
Civil Dispute	1
Death (DOA)	1
Harassment	1
Property Damage (Non Criminal)	1
Suspicious Activity	1
Welfare Check	1
Total:	6

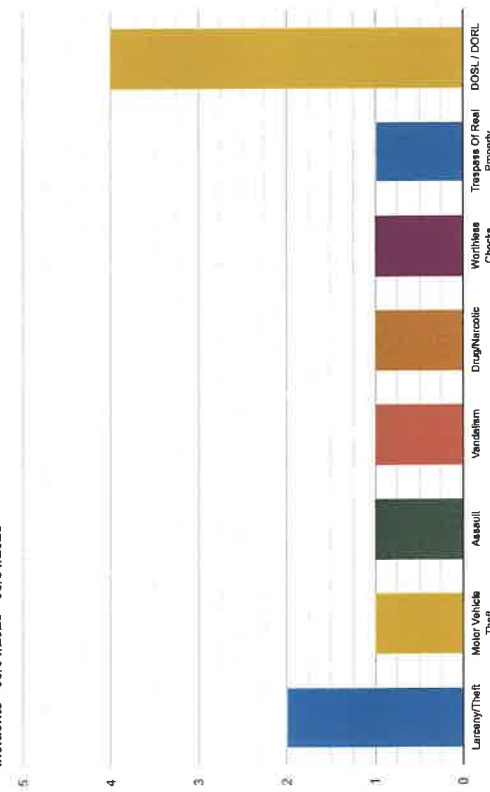
Arrests	Count
Adult (On-View Arrest)	3
Adult (Summoned/Cited)	3
Total:	6

Tickets	Count
Traffic (Municipal Court)	22
Traffic Charges (Municipal Court)	87
Warning	26
Tow	1
Total:	49

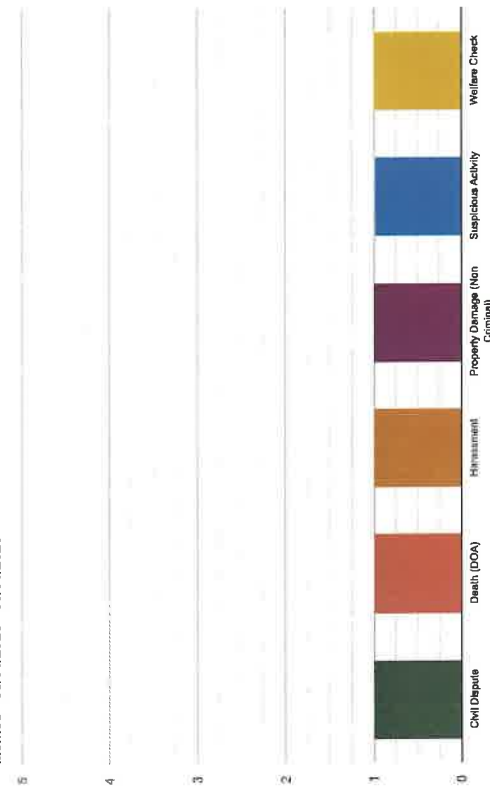
Crashes	Count
Property damage (over \$ threshold)	1
Total:	1

Non-Investigatory Crashes	Count
Property damage (under \$ threshold)	1
Total:	1

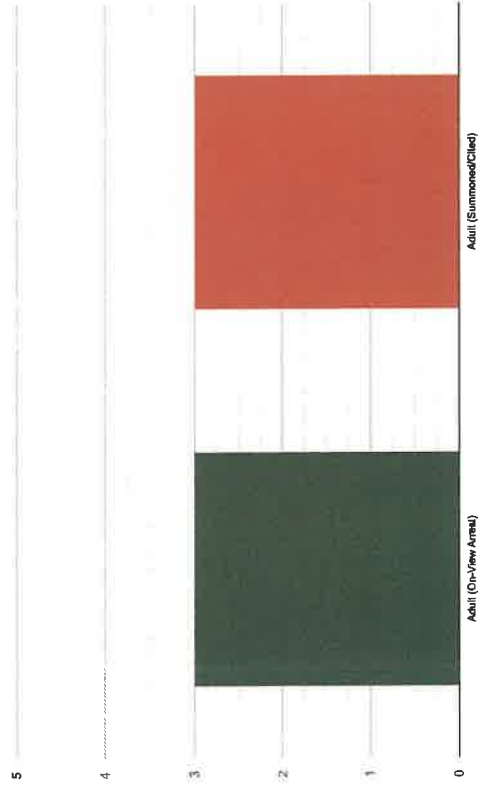
Incidents - 08/01/2026 - 08/31/2026



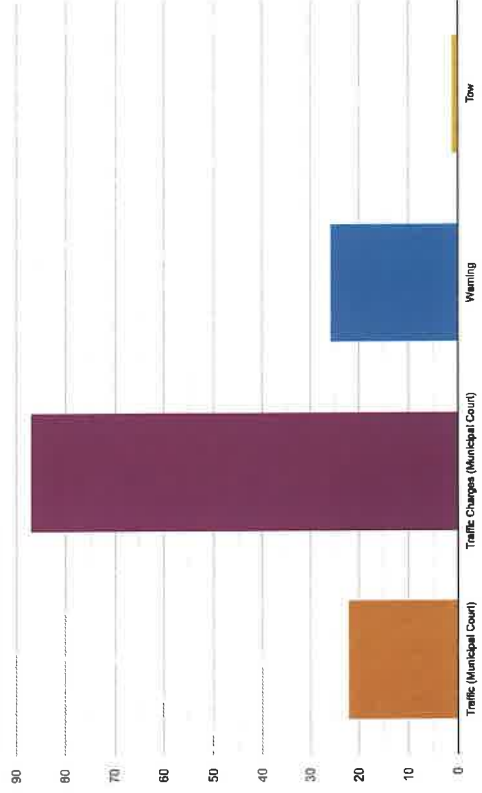
Memos - 08/01/2026 - 08/31/2026



Arrests - 08/01/2026 - 08/31/2026



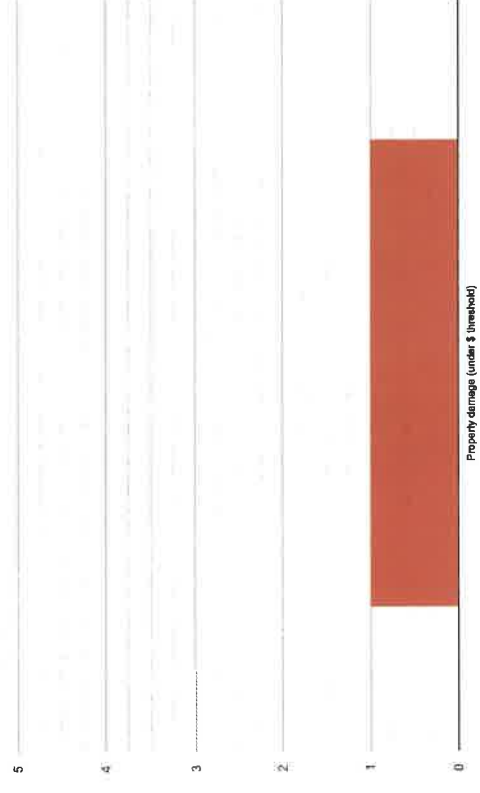
Tickets - 08/01/2026 - 08/31/2026



Crashes - 08/01/2026 - 08/31/2026



Non-Investigatory Crashes - 08/01/2026 - 08/31/2026



Mount Carmel Fire Department

Mitch Walker, Fire Chief



September 1st, 2026

To: Tyler Williams, City Manager

Ref: August 2026 Monthly Report

Call Data

- 52 Calls for Service
 - o Fires: 2
 - o Hazardous Situations: 10
 - o Medical: 22
 - o Public Service: 15
 - o No Emergency: 2
 - o Rescue: 1
- Year to Date Calls: 336

Volunteer Response Time to Station

- Average: 00:59
- 90th Percentile: 2:02

Apparatus Response Times

- Average: 4:57
- 90th Percentile: 8:19

Volunteer Staff Hours

- Emergency Response Hours: 96 hours, 10 minutes

Training Hours

- Total: 441.5 Hours
 - o Company Level Training – 183.5 hours
 - o Driver/Operator Training – 20 hours
 - o Hazardous Materials Training – 91 hours
 - o Fire Prevention – 30 hours
 - o Medical Hours – 15 Hours

-
- o Officer Training – 42 hours
 - o Technical Rescue Training – 60 hours

Significant Activities

- Completed training year 2025 Tennessee Firefighting Commission Incentive Pay audit with no findings.
- Hosted Tennessee Firefighting Commission Test Event on August 12th, 2026.
- Participated in Town of Mount Carmel's Back to School Splash and Touch a Truck Event.
- Participated in youth night at Oak Grove Baptist Church.
- Fall 2026 basic firefighting class is underway with 16 students from Mount Carmel, Church Hill, Striggersville, Goshen Valley, Carters Valley, and Stanley Valley Fire Departments.
- Attended Northeast Regional Fire Chiefs Association Meeting.
- Connex storage box was installed at station and painted for increased storage of training items and equipment.
- Submitted Hazardous Materials Emergency Preparedness Grant for training equipment.
- Received \$1,000.00 donation from Atmos Energy for volunteer firefighter Preston Patrick.
- Completed one food truck inspection.
- Submitted rescue squad recognition act to remain eligible for future grants.
- Submitted training year 2027 education incentive pay courses.
- Displayed flag at Volunteer High School's first home football game of the season honoring military and first responder personnel.
- Firefighter Noah Graziano obtained his Hazardous Materials Operations certification.
- Firefighter Matt Hall obtained his Firefighter I certification.
- Lieutenant Brody Armstrong obtained his Fire Officer II certification.
- Captain Joe Stapleton obtained his Fire Department Instructor certification.
- Assistant Chief Luke Wood obtained his Incident Safety Officer certification.
- Chief Mitch Walker obtained his Fire and Life Safety Educator I certification.

Date: August 31, 2026
To: Tyler Williams, Jason Salyer
Copy: Matt Malone
From: Chad Arnold
Subject: July 2026 Management, Operations & Maintenance Report - WWTP

Executive Summary

There were two (2) excursions to the NPDES permit during the month of July 2026.

The first excursion to the NPDES permit was an Effluent TRC Daily Maximum excursion. Our desired TRC setpoint has been lowered to prevent recurrence of this exceedance.

The second excursion to the NPDES permit was a Dry Weather SSO that occurred on the plant grounds on July 19, 2026.

The Dry Weather SSO occurred when after performing routine sludge wasting, our plant operator mistakenly left the valves open that allow for wasting. The overflow from the digester filled an excavated trench that was for new force main installation on the lift station inside the plant. Once the ditch was full, the overflow was able to enter the wet well for this lift station through a core drilled maintenance hole, triggering a high-level alarm on our Mission SCADA system. My maintenance team was alerted to the call. We arrived on site and found the wasting valves had been left open and we closed them immediately. Because of this excavation, much of the overflow was contained within the plant grounds.

This SSO event was reported to TDEC immediately on July 19, 2026. The excavation and affected areas were cleaned by vacuum truck. Our daily operator logbook was updated with a field for acknowledgment of the waste valves being closed.

Operations

Loading and percent removal as follows:

Parameter	Influent, mg/L	Effluent *mg/L / lbs/day	Reduction % Monthly (85% minimum)	Reduction % Daily (40% minimum)
BOD average	274	4 / 11	98%	96%
TSS average	309	8 / 22	97%	94%

*** NPDES Effluent Limit (Monthly Average) – 30 mg/L / 119 lbs/day**

Flow as follows:

Flow*	MGD
Influent Flow Average, monthly	0.171 MGD*
Effluent Flow Average, monthly	0.350 MGD

*Mt Carmel STP is rated at **0.472 MGD**.

Please refer to the attachments for the state operating report.

Biosolids Dewatering & Disposal

- Dewatering
 - Dewatered 153,287 gallons.
 - 8 loads were transported to Eco-Safe Landfill in July 2026.
 - 66.8 wet tons disposed.

Biosolids Wet Tons Disposed via Landfill

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2026	41.8	48.2	34.8	53.5	28.1	25.2	66.8	-	-	-	-	-	298.4

Residential Lift Stations Maintenance Summary

- Inframark's Maintenance Team responded to twenty-four (24) recorded residential lift station calls during the month of July 2026.
- Inframark's Maintenance Team responded to one (1) after-hours call for main lift stations.
- Three (3) residential lift station pump replacements were recorded during the month of July 2026. Three (3) residential lift station pumps were pulled and cleared of clogs.
- Eleven (11) residential pumps are in inventory. 306 Willow St. residential lift station installed. 2 of the 3 residential lift stations for Ruritan Rd. are installed. Awaiting the third house to be delivered to site.

Residential Lift Station Pumps Replaced

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2026	3	3	3	1	6	5	3	-	-	-	-	-	24

Major Maintenance Items - WWTP

- Project construction has continued and is going well. As of 8/31/26, the new blowers are under roof, the air flow meter has been installed, and the new blower's manifold is installed. With this work complete, no more air shutdowns are expected in the scope of the project. We are awaiting the arrival of the new control panel for lift station 3.
- The MLSS of the plant has been stable between 3,000-3,400 mg/L. Our final clarifier operates between a six inch and one foot sludge blanket. Our sludge management has continued to go in the right direction.

Major Maintenance Items – Lift Stations

- Lift station 7 pump 2 has seen longer run times recently. We removed it from the automatic rotation and need to pull the pump to inspect for clogs. The neighboring property owner extended fencing and blocked our past area for access to pull this pump with a crane truck. We have investigated this with Jason and determined the property owner is within their boundaries. A gantry crane has been purchased and is being assembled at the lift station to pull the pumps when needed.
- The replacement control panel and Mission panel have been installed at lift station 6.

Type	Month	Fiscal Year	Remaining Balance (1)
Repair & Maintenance Cap	\$34,732.43	\$34,732.43	\$115,267.57
Chemical Cap	\$3,037.50	\$3,037.50	\$34,280.50
Sludge Cap	\$1,781.86	\$1,781.86	\$83,218.14

- (1) Annual Repair & Maintenance Budget - \$150,000.00
Annual Sludge Cap Budget - \$85,000.00
Annual Chemical Budget - \$37,318.00

NOTE: Expenses are applied to the Caps once Inframark has paid the invoices.

Capital Expenditures Procured by the Town of Mount Carmel

Type	Month	Fiscal Year
Residential Pump Maintenance	\$17,650.00	\$17,650.00
WWTP Maintenance	\$0.00	\$0.00
Machinery & Equipment Rental	\$4,766.07	\$4,766.07
TOTAL	\$22,416.07	\$22,416.07

Please refer to the attachments for the operational and maintenance tracking financial reports.

Health & Safety

- There were no recordable injuries for the month of July 2026.
- Safety training is assigned to each team member individually and is completed on-line.
- Weekly Process Control Meetings are held weekly on Wednesdays, and safety topics are addressed during these meetings.

Personnel

- Lab Technician Kaitlyn Welsch has applied to test for her Grade I Wastewater treatment certification this fall.
- The addition of an extra maintenance technician has allowed us to verify residential lift stations against the addresses they service. To date, we have verified 207 residential lift stations and the addresses they exist at.



August 13, 2026
Mount Carmel STP
Permit Number TN0062057
Reporting Period: July 2026
Re: DMR Cover Letter

There were two (2) excursions to the NPDES permit during the month of July 2026.

1. *Effluent TRC Daily Maximum* was 2.11 mg/L (permit limit: 2.0 mg/L) on July 2, 2026.
2. *Dry Weather SSO* that occurred on the Mount Carmel STP grounds on July 19, 2026.

Our desired TRC setpoint was lowered to prevent recurrence of the TRC daily maximum limit exceedance.

The Dry Weather SSO occurred when after performing routine sludge wasting, our plant operator mistakenly left the valves open that allow for wasting. The overflow from the digester filled an excavated trench that is for new force main installation on the lift station inside the plant. Once the ditch was full, the overflow was able to enter the wet well for this lift station through a core drilled maintenance hole, triggering a high-level alarm on our Mission SCADA system. My maintenance team was alerted to the call. We arrived on site and found the wasting valves had been left open and we closed them immediately. Because of this excavation, much of the overflow was contained within the plant grounds.

This SSO event was reported to TDEC immediately on July 19, 2026. The excavation and affected areas were cleaned by vacuum truck.

The Mount Carmel STP, laboratory, and lift stations are operated and maintained by Inframark. The Town of Mount Carmel maintains responsibility for the collection system lines. If you have any questions or require additional information, please call me at (423)387-2369.

Sincerely,

A handwritten signature in blue ink that reads "Anthony C. Arnold". The signature is written in a cursive, flowing style.

Anthony C. Arnold
Project Manager – Mount Carmel STP

Enclosures

Distribution: Tyler Williams, Town of Mount Carmel
Jason Salyer, Town of Mount Carmel
William Parks, TDEC-DWR
Matthew Malone, Inframark

Date: September 21, 2026
To: Tyler Williams, Jason Salyer
Copy: Matt Malone
From: Chad Arnold
Subject: August 2026 Management, Operations & Maintenance Report - WWTP

Executive Summary

There were no excursions to the NPDES permit during the month of August 2026.

The plant has been performing well for the past few months, and we have been successfully processing the necessary amounts of biosolids to keep the plant in compliance. We no longer have a “back log” of sludge, and we can remove only the solids that are required on a daily and weekly basis.

The construction project has been going as planned. In August, we saw the completion of the new blower’s installation. The scope of work for lift station 3 is scheduled to begin on September 14th. During this time, we will be bypass pumping from an upstream manhole in order to enter the wet well and make necessary pump installations. We will not have any Mission monitoring for this pump bypass, so the maintenance technician on call will be checking the bypass operation before dark each day that week and over the weekend to verify operation.

Commissioning of the lift station is scheduled for 9/21/26 and commissioning of the blowers is scheduled for 9/23/26. Representatives from manufacturers and vendors will be on site for these start-ups.

Operations

Loading and percent removal as follows:

Parameter	Influent, mg/L	Effluent *mg/L / lbs/day	Reduction % Monthly (85% minimum)	Reduction % Daily (40% minimum)
BOD average	340	7 / 19	98%	94%
TSS average	308	12 / 31	96%	95%

* NPDES Effluent Limit (Monthly Average) – 30 mg/L / 119 lbs/day

Flow as follows:

Flow*	MGD
Influent Flow Average, monthly	0.161 MGD*
Effluent Flow Average, monthly	0.327 MGD

*Mt Carmel STP is rated at **0.472 MGD**.

Please refer to the attachments for the state operating report.

Biosolids Dewatering & Disposal

- Dewatering
 - Dewatered 139,405 gallons.
 - 6 loads were transported to Eco-Safe Landfill in August 2026.
 - 33.3 wet tons disposed.

Biosolids Wet Tons Disposed via Landfill

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2026	41.8	48.2	34.8	53.5	28.1	25.2	66.8	33.3	-	-	-	-	331.7

Residential Lift Stations Maintenance Summary

- Inframark's Maintenance Team responded to twenty-one (21) recorded residential lift station calls during the month of August 2026.
- Inframark's Maintenance Team responded to two (2) after-hours calls for main lift stations.
- One (1) residential lift station pump replacement was recorded during the month of August 2026. Two (2) residential lift station pumps were pulled and cleared of clogs.
- Eight (8) residential pumps remain in inventory. Waiting on last home to be set on Ruritan Ln to install the pump for it.

Residential Lift Station Pumps Replaced

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2026	3	3	3	1	6	5	3	1	-	-	-	-	25

Major Maintenance Items - WWTP

- The sludge feed valve for Digester 3 broke closed in August. On 9/16/26, our maintenance technicians entered the digester and repaired the broken valve. The dewatering press can now be fed directly from digester 3 again.

Major Maintenance Items – Lift Stations

- Lift station 8 pump 1 is developing an issue with clogging. We have had to pull it and remove debris twice in the last 30 days and 3 times this year. Although these pumps are designed to grind and discharge non-organics such as flushable wipes, eventually the cutting mechanisms can wear out. Since the motor is still good and the pump works, I purchased a new cutter ring assembly to attempt to repair the pump and prevent future clogs. Work will take place when parts are received.
- Lift station 1 pump 1 was pulled and cleared of a clog in August. Returned to operation.
- On August 1st, most of the Independence Ave. area lost power. During this time, we lost power to 8 of the 11 lift stations, including the main lift station, lift station 5. Through my team's quick thinking and response, we were able to manage the flows by making control adjustments and avoid any overflows during this power outage. We made calls to available septic services to assist with pumping, but the power came back on before this was needed.

Type	Month	Fiscal Year	Remaining Balance (1)
Repair & Maintenance Cap	\$19,123.38	\$53,855.81	\$96,144.19
Chemical Cap	\$0.00	\$3,037.50	\$34,280.50
Sludge Cap	\$11,570.61	\$13,352.47	\$71,647.53

- (1) Annual Repair & Maintenance Budget - \$150,000.00
Annual Sludge Cap Budget - \$85,000.00
Annual Chemical Budget - \$37,318.00

NOTE: Expenses are applied to the Caps once Inframark has paid the invoices.

Capital Expenditures Procured by the Town of Mount Carmel

Type	Month	Fiscal Year
Residential Pump Maintenance	\$870.00	\$18,520.00
WWTP Maintenance	\$0.00	\$0.00
Machinery & Equipment Rental	\$22,094.33	\$41,860.40*
TOTAL	\$22,964.33	\$60,380.40*

(*) – Fiscal year totals were updated to include the rental of dewatering press on Town's Capital Machinery & Equipment Rental total. Updated to now reflect this rental on Cap Expense Summary.

Please refer to the attachments for the operational and maintenance tracking financial reports.

Health & Safety

- There were no recordable injuries for the month of August 2026.
- Safety training is assigned to each team member individually and is completed on-line.
- Weekly Process Control Meetings are held weekly on Wednesdays, and safety topics are addressed during these meetings.

Personnel

- Lab Technician Kaitlyn Welsch has scheduled her Grade I Wastewater Treatment certification October 26th.
- The addition of an extra maintenance technician has allowed us to verify residential lift stations against the addresses they service. To date, we have verified 207 residential lift stations and the addresses they exist at.



September 14, 2026
Mount Carmel STP
Permit Number TN0062057
Reporting Period: August 2026
Re: DMR Cover Letter

There were no excursions to the NPDES permit during the month of August 2026.

The Mount Carmel STP, laboratory, and lift stations are operated and maintained by Inframark. The Town of Mount Carmel maintains responsibility for the collection system lines. If you have any questions or require additional information, please call me at (423)387-2369.

Sincerely,

A handwritten signature in blue ink that reads "Anthony C. Arnold". The signature is written in a cursive style.

Anthony C. Arnold
Project Manager – Mount Carmel STP

Enclosures

Distribution: Tyler Williams, Town of Mount Carmel
Jason Salyer, Town of Mount Carmel
William Parks, TDEC-DWR
Matthew Malone, Inframark



LEGISLATIVE MEMORANDUM			
Date	September 24, 2026	Agenda Item	Ordinance 26-550 (2nd Reading)
Prepared By	Tyler Williams, Town Manager	Department	Administration
Summary			
Ordinance No. 26-550 amends the Town's Fiscal Year 2026-2027 budget to recognize and appropriate an additional \$2,000,000 Local Parks and Recreation Fund (LPRF) grant award received by the Town for improvements to the Town's park system.			
Fiscal Impact			
The ordinance increases General Fund budgeted revenues and expenditures by \$2,000,000. It also moves money allocated to the Hawkins Co ECD into other departmental areas that need adjustment.			
Staff Recommendation			
Staff recommends approval.			
Attachments			
Ordinance 26-550			



ORDINANCE # 26-550

AN ORDINANCE AMENDING THE FISCAL YEAR 2026-2027 BUDGET AS PASSED BY ORDINANCE # 26-547 OF THE TOWN OF MOUNT CARMEL, TENNESSEE

WHEREAS, the Town of Mount Carmel adopted the fiscal year 2026-2027 budget by passage of Ordinance #26-547 on May 21, 2026; and

WHEREAS, pursuant to the Tennessee state constitution, Section 24 of Article II, no public money shall be expended except pursuant to appropriations made by law; and,

WHEREAS, pursuant to the Municipal Budget Law of 1982, as found in the *Tennessee Code Annotated* section 6-56-209, the Board of Mayor and Aldermen has the authority to authorize the budget officer to transfer moneys from one appropriation to another within the same fund; and,

WHEREAS, projected revenues and expenditures for FY 2026-2027 have evolved;

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF MOUNT CARMEL, TENNESSEE THAT CHANGES BE MADE TO THE FISCAL YEAR 2026-2027 BUDGET AS FOLLOWS:

SECTION 1. Ordinance #26-57 is hereby amended by the following for Revenues:

General Fund	FY 2026-2027 Original Budget	FY 2026-2027 Amended Budget
Total Revenue	\$4,110,368.00	\$6,110,368.00

SECTION 2. Ordinance #26-57 is hereby amended by the following for Expenditures:

General Fund	FY 2026-2027 Original Budget	FY 2026-2027 Amended Budget
Total Appropriations:	\$5,728,068.00	\$7,728,068.00

	FY 2025-2026 Original Budget	FY 2025-2026 Amended Budget
Fund Balance – Appropriated	\$1,617,700.00	\$1,617,700.00

SECTION 3. The Board of Mayor and Alderman authorizes the Town Recorder to make said changes in the accounting system.

SECTION 4. This ordinance shall take effect upon publication after its final passage in a newspaper of general circulation, the public welfare requiring it.

Voting by the Board, as follows, August 27, 2026, First Reading:

	AYES	NAYS	OTHER
Alderman Darby Patrick	x		
Alderman James Cross	x		
Alderman Mindy Shugart			Absent
Alderman Philip Binstock	x		
Alderman Jim Gilliam	x		
Vice-Mayor Jim Bare	x		
Mayor John Gibson	x		

Voting by the Board, as follows, September 24, 2026, Second Reading and Public Hearing:

	AYES	NAYS	OTHER
Alderman Darby Patrick			
Alderman James Cross			
Alderman Mindy Shugart			
Alderman Philip Binstock			
Alderman Jim Gilliam			
Vice-Mayor Jim Bare			
Mayor John Gibson			

John K. Gibson, Mayor

ATTEST:

Tiffany Bishop, Town Recorder



LEGISLATIVE MEMORANDUM

Date	September 24, 2026	Agenda Item	Prop. Issue- 912 S. Sherbrooke
Prepared By	Tyler Williams, Town Manager	Department	Administration

Summary

The Board is asked to provide direction regarding a shed, parking pad, and retaining wall located within an unopened public street right-of-way adjacent to 912 S. Sherbrooke Circle.

The right-of-way was established as part of the Brookshire Hills Phase 3 subdivision and was intended to provide a potential future street connection to the undeveloped property behind the subdivision. Although the street has never been constructed, the Town continues to hold public street rights in the corridor.

The Town Attorney has outlined several options available to the Board, ranging from taking no action or requiring removal of the improvements to granting an easement or permanently vacating the right-of-way.

Fiscal Impact

None.

Staff Recommendation

Staff recommends Option D- granting a limited easement.

Attachments

Memo from Town Attorney regarding 912 S. Sherbrooke

**PRIVILEGED AND CONFIDENTIAL — ATTORNEY-CLIENT
COMMUNICATION
MEMORANDUM**

TO: Board of Mayor and Aldermen, Town of Mt. Carmel, Tennessee
FROM: Grace E. Studer, Spurrell, Studer & Matney Law Group, PLLC
DATE: 07/20/2026
RE: Shed, parking pad, and retaining wall built in the unopened street right-of-way next to 912 S. Sherbrooke Circle — the Town's options

I. PURPOSE AND SUMMARY

This memorandum is informational. It explains the Town's legal position regarding private improvements — a shed, a parking pad, and a small retaining wall — that were built inside an unopened street right-of-way next to 912 S. Sherbrooke Circle, and it lays out the Town's options so the Board can decide how to proceed.

The short version. The strip of land in question is not a spare piece of Town property that can simply be sold off. It is an unopened public street: when the Brookshire Hills Phase 3 subdivision was created in 1991, the developer's recorded plat set this strip aside as a future street, intended to one day connect South Sherbrooke Circle to the large undeveloped tract behind the subdivision. No road was ever built, but the strip is still legally a public street. The homeowners at 912 S. Sherbrooke Circle built improvements in it, they are now selling their home, and their buyer wants the encroachment resolved before closing. Based upon the information presently available, the homeowners do not appear to possess any ownership interest in the public right-of-way and the Town is under no obligation to act on their timeline. The Board's real choice is between two paths: keep the street corridor for the Town's future use while allowing the improvements to stay under a written, revocable agreement — or give up the corridor permanently by formally “vacating” the street. As explained below, giving it up is more complicated than it sounds: it would not actually give the buyer clean title, because neighboring lot owners may hold their own private rights in the strip, and it would permanently surrender the only platted street access to the undeveloped land behind the subdivision.

II. KEY TERMS

This matter turns on distinctions between different kinds of property rights. The following plain-language definitions are used throughout this memorandum.

Fee simple (“fee”) — Full, outright ownership of land — what most people mean when they say they “own” property. The owner can sell it, lease it, or give it away.

Plat — The recorded map that creates a subdivision. It shows the individual lots and the streets that serve them, and it is filed in the county Register of Deeds office.

Right-of-way — A strip of land set aside for a street, whether or not a street has actually been built on it. An “unopened” right-of-way is one where the street was never constructed.

Dedication — The act by which a developer, through the recorded plat, gives the public the right to use the platted streets. *Important:* a dedication normally gives the public only the right to use the strip as a street. The underlying ownership of the dirt itself usually stays with the adjoining lot owners, out to the middle of the street.

Easement — A permanent legal right to use someone else's land for a specific purpose. An easement is recorded in the land records, stays with the land when it is sold, and is very difficult to undo. The Town's interest in this corridor is a public street easement created by the plat dedication.

License — Permission to use land that can be taken back. Unlike an easement, a license gives the holder no ownership interest of any kind. A written, recorded license can allow existing improvements to stay while preserving the owner's right to revoke the permission later.

Vacation — The formal process — by ordinance of the Board — through which a town gives up its public rights in a street. Vacation removes the public's street easement; it is not a sale, and the Town receives nothing for it.

Adverse possession / prescriptive rights — Sometimes called “squatter's rights”: doctrines under which someone who openly uses another person's private land long enough can gain legal rights in it. Private parties generally cannot acquire ownership or prescriptive rights against municipal property devoted to a public use.

Marketable (“clean”) title — Ownership free of defects and third-party claims that a reasonable buyer would object to. This is what the purchaser of 912 S. Sherbrooke Circle is asking for.

III. BACKGROUND

The strip at issue lies immediately east of 912 S. Sherbrooke Circle (Tax Parcel 012C A 014.00), between that lot (Lot 14 of Brookshire Hills Phase 3) and Lot 13. It runs south from South Sherbrooke Circle toward the large undeveloped tract behind the subdivision. Although it has never been opened or paved, it was platted in 1991 as part of the subdivision's street system. At some point, improvements were built inside the strip: a shed, a parking pad, and a small retaining wall.

The current homeowners purchased the property in May 2022 for \$313,500 and have now listed it for sale. The buyer's title examination and survey revealed the encroachments, and the buyer has asked that they be resolved before closing. The sellers have asked the Town for a resolution that does not require them to tear out the improvements.

Two points frame everything that follows. First, the improvements have created no legal rights against the Town — the homeowners do not own any part of the strip and cannot sell any part of it, no matter how long the improvements have been there. Second, the pending home sale places no legal obligation on the Town. The Board is free to decide this matter based on the Town's own long-term interests, including whether the corridor may be needed for a future street, rather than on the sellers' closing schedule.

IV. WHAT THE TOWN ACTUALLY HOLDS

The first question in any matter like this is what kind of interest the Town has: does it own the strip outright (in fee simple), or does it hold a street easement created by dedication? The answer controls which options are legally available. That question has now been answered by pulling the records from the Register of Deeds.

Based on the records reviewed to date, the Town appears to hold a dedicated public street easement rather than fee ownership. The recorded plat of Brookshire Hills Phase 3 (Plat Cabinet 2, Slide 567B, approved 1991) contains the developer's certificate dedicating "all streets, alleys, walks, parks, and other open spaces to public or private use as noted." The strip appears on that plat as part of the dedicated street system: the survey geometry shows matching 25-foot corner curves on both sides of the strip where it meets South Sherbrooke Circle — the signature of a street entrance, not an ordinary boundary between two lots. The plat also notes roughly 0.88 acres of new road in the subdivision and shows the strip pointing directly at the adjoining undeveloped tract (identified on the plat as the Allandale Associates property, Deed Book 125, Page 333). In other words, the strip was deliberately reserved as the future street connection to that land.

Because the Town's interest comes from a dedication, three consequences follow, and each one matters to the Board's decision:

- The Town cannot sell the strip. A dedication gives the Town a street easement; the underlying land itself belongs to the adjoining lot owners. There is no Town-owned fee to convey (unless later title work turns up a separate deed to the Town, which nothing currently suggests).
- If the Town vacates the street, the strip does not go to the sellers alone. When a platted street is vacated, each adjoining owner generally ends up holding their side of the strip out to the middle. Here, the sellers' lot (Lot 14) would take the western half, and the owner of Lot 13 would take the eastern half. If any of the improvements sit past the middle line, vacating the street would simply convert a Town encroachment problem into a boundary dispute between two neighbors. The survey needs to be laid over the strip's centerline before vacation is seriously considered.
- Vacation alone may not eliminate all title concerns because adjoining property owners may retain private easement rights arising from the recorded subdivision plat. Under long-standing Tennessee law, people who buy lots in a subdivision based on the recorded plat acquire their own private rights in the platted streets — rights that are separate from the public's rights and that generally survive even if the town later vacates the street. That means the owner of Lot 13, the owner of the undeveloped tract behind the subdivision, and potentially other Brookshire Hills lot owners could still hold enforceable rights in the strip after a vacation. See *Rogers v. Sain*, 679 S.W.2d 450 (Tenn. Ct. App. 1984). Vacation removes only the Town from the picture; it does not clear the strip of everyone else.

One procedural note: the 1991 plat was approved by the Regional Planning Commission using forms consistent with approval in unincorporated Hawkins County, which suggests the subdivision may have been annexed into the Town afterward.

V. THE LEGAL GROUND RULES

A. The homeowners have gained no rights in the strip.

In Tennessee, no one can acquire rights in property a town holds for public purposes through long use, no matter how open or long-standing that use has been — the squatter's-rights doctrines simply do not run against public property. Nor does a town owe anyone compensation for improvements it never authorized on its property; towns have no duty to patrol their land to catch encroachments as they happen. See

Bledsoe County v. McReynolds, 703 S.W.2d 123, 126 (Tenn. 1985); *Morris v. Simmons*, 909 S.W.2d 441 (Tenn. Ct. App. 1993). **The practical upshot: the homeowners hold nothing in the strip, can convey nothing in it to their buyer, and the passage of time has changed none of that.**

B. “Never built” does not mean “abandoned.”

The fact that the street was never constructed does not mean the Town has lost it. Tennessee requires a deliberate, formal act — here, an ordinance — before a town gives up a public street; a street cannot be lost by inaction or the mere passage of decades. *Griffis v. Davidson County Metro. Gov't*, 164 S.W.3d 267, 279 (Tenn. 2005). **The corridor remains a public street today.**

C. The Board has the authority, and the procedure is set by the charter.

The Town's general law charter expressly gives the Board the power to establish, open, alter, extend, relocate, and vacate streets (Tenn. Code Ann. § 6-2-201(15)), along with general authority over Town property and contracts (§ 6-2-201(8) and (4)). Any vacation must be done by ordinance: two readings on separate days, passage by a majority of a quorum with the ayes and nays recorded, and publication of the ordinance or its caption before it takes effect (§§ 6-2-102, 6-2-101).

D. If the Town demands removal, litigation carries some risk.

If the Board chooses to require removal and the owners refuse, the Town's remedy is a lawsuit. One caution: in disputes between private neighbors, Tennessee courts sometimes decline to order an innocent encroacher to tear out improvements and instead award money damages. *Cross v. McCurry*, 859 S.W.2d 349 (Tenn. Ct. App. 1993). Whether a court would take that softer approach against structures sitting in a public street corridor is doubtful — courts protect public streets more zealously than private boundaries — but any lawsuit involves expense and some uncertainty, and the Board should weigh that.

E. Public property cannot be given away for private benefit.

Board decisions about Town property must serve a public purpose; officials may not use public property to hand out uncompensated private benefits. *Osborne v. Allen*, 143 Tenn. 343 (1920). Because the Town appears to hold only a dedicated street easement rather than fee ownership, there is likely no Town-owned land to convey. A revocable license avoids permanently transferring any property interest and therefore minimizes concerns regarding disposition of public property. As a revocable permission rather than a conveyance, it may also include administrative fees,

insurance requirements, indemnification, inspection rights, and other conditions protecting the Town.

F. Who could challenge the Board's decision.

Potential challengers would most likely include adjoining landowners or others possessing private easement rights affected by the proposed vacation. *Lewis v. Cleveland Mun. Airport Auth.*, 289 S.W.3d 808, 816 (Tenn. Ct. App. 2008). The people who could have standing are those whose own property rights are affected — most obviously the owner of Lot 13 across the strip, and the owner of the undeveloped tract the street was platted to reach. If the Board ever considers vacating the street, those owners should receive direct notice, both as a matter of fairness and to reduce the risk of a later challenge.

VI. WHY THE CORRIDOR MAY MATTER LATER

The recorded plat indicates that the strip was reserved as a future street connection. The 1991 plat shows it was deliberately reserved as the street connection between South Sherbrooke Circle and the large undeveloped tract behind the subdivision. If that tract is ever developed, this corridor may be the most practical — possibly the only — platted way to extend the Town's street network into it. If the Town gives the corridor up now and needs access later, it would have to buy new right-of-way at whatever it then costs, assuming suitable land is even available.

At the same time, the improvements sitting in the strip today interfere with nothing, because no road exists and none is currently planned. That is precisely the situation a revocable license is built for: the improvements stay for now, the pending home sale can close, and the Town keeps every future option — including the option to open the street someday. Vacation, by contrast, is one-way: it permanently surrenders the public corridor, does not clear the private rights other lot owners may hold in the strip, and forecloses the street connection the subdivision's designers planned for.

Before any permanent decision, annexation history should be confirmed, and the Board should consult the Planning Commission about the corridor's future value and any development interest in the rear tract and overlay the survey on the strip's centerline as described above.

VII. THE TOWN'S OPTIONS

Each option below is legally available, but they are not equally practical. Because the strip is a dedicated public street rather than Town-owned land, the Board's real policy

choice is between preserving the corridor while accommodating the improvements, and permanently giving the corridor up.

Option A — Do nothing.

The Town has no legal duty to act. The encroachments would keep surfacing in every future sale or refinance of the property, and the parties to those transactions would have to deal with the resulting title objections on their own.

What this means for the Town: every Town right is preserved and nothing is spent, but the problem returns with every future sale, and the Town has no written agreement making the homeowners responsible for maintaining the improvements — including the retaining wall, which sits in the public right-of-way with no one formally answerable for it.

Option B — Require the improvements to be removed.

The Board may direct the owners to remove the shed, parking pad, and retaining wall and restore the strip at their own expense, and may sue to compel removal if they refuse (see Part V.D).

What this means for the Town: the corridor is fully restored and the strongest message is sent about building on public rights-of-way — but at the cost of litigation risk if the owners resist, and possible community friction if the improvements turn out to have been built innocently by prior owners years ago. Whether the current owners built or inherited the improvements should be confirmed before this option is pursued.

Option C — Allow the improvements to stay under a recorded, revocable agreement.

The Town and the owners would sign a recorded encroachment agreement stating that the improvements may remain — as a revocable license only, not as an easement and not as any transfer of property. Under Tennessee law a license gives permission without conveying any interest in land, and it can be revoked if the Town ever needs the corridor for a street, utilities, drainage, or any other public purpose. See *Dandridge v. Patterson*, 827 S.W.2d 797 (Tenn. Ct. App. 1991).

A recorded encroachment agreement often assists purchasers and title insurers in evaluating the encroachment, although individual underwriting decisions remain with the title insurer. The buyer takes the property knowing the improvements sit in a public right-of-way by permission — which is simply the truth of the situation.

The agreement should, at a minimum:

- cover only the existing improvements, exactly as shown on the survey (attached as an exhibit), with no enlargement, replacement with anything bigger, or new encroachments;
- state plainly that the Town owns the public street rights, that the permission is a revocable license, and that no ownership, easement, or other property right is being created;
- confirm that no rights arise by long use, estoppel, or money the owners have spent or will spend on the improvements;
- allow the Town to revoke on written notice whenever the corridor is needed for a public purpose, with removal and restoration entirely at the owner's expense;
- make the owners fully responsible for maintaining the improvements — expressly including the retaining wall, its drainage, and its structural condition;
- permit the Town, upon reasonable notice, to enter the property to inspect the improvements;
- acknowledge that the owners assume all risk associated with the continued existence of the improvements within the public right-of-way;
- require the owners to indemnify the Town and, if the Board wishes, carry liability insurance naming the Town as an additional insured;
- be recorded at the owners' expense and bind all future owners of the property.

What this means for the Town: the pending sale can close, the corridor and every future planning option are preserved, responsibility for the wall and other improvements is placed in writing on the private owners where it belongs, and the Town gains a template it can reuse the next time an encroachment like this surfaces. The trade-off is that future owners of the home hold the improvements under revocable permission rather than outright — but that accurately reflects what the strip legally is.

Option D — Grant a limited easement.

The Board could instead grant the owners an easement covering the existing improvements, with the Town reserving superior rights for future street and utility use.

What this means for the Town: little advantage over Option C, with added complications. A permanent easement burdens the corridor forever and would have to be bought out or litigated around if the street is ever opened. An easement that ends whenever the Town decides to open the street is, in practice, just the Option C

license wearing a different label — while creating a conveyed property interest that raises valuation and consideration questions a license avoids. Unless the Board specifically intends to give the owners a permanent property right, the license accomplishes the same result more simply.

Option E — Vacate the street.

The Board may conclude the corridor will never be needed and adopt an ordinance vacating it, following the charter procedure in Part V.C and reserving any utility easements.

What this means for the Town: this is the permanent option, and the title and plat research has revealed it delivers less than it appears to. Vacation removes only the Town's rights — the private rights other lot owners hold through the recorded plat may survive, so the buyer still would not receive clean title. The sellers would receive only the western half of the strip (the eastern half going to Lot 13's owner), so if any improvement crosses the centerline, the Town would have traded its own manageable encroachment issue for a boundary dispute between two of its residents. And the Town would permanently surrender the planned street connection to the undeveloped tract, which could cost real money to replace if that land ever develops. The owners of Lot 13 and the rear tract would be entitled to notice and could oppose the ordinance.

Option F — Sell the strip (not currently available).

Because the Town holds a street easement created by dedication rather than outright ownership, there is no Town-owned land here to sell. This option would come into play only if further title work unexpectedly uncovered a separate deed giving the Town fee ownership — in which case any sale would require an appraisal, fair consideration, a surveyed legal description, and compliance with the procedures governing disposition of Town property. On the current record, the Board should treat this option as unavailable.

VIII. WHAT THE BOARD IS ASKED TO DO

The Board is asked to review this memorandum and determine how the Town wishes to proceed. Based upon the records reviewed to date, the strip appears to be a dedicated, unopened public street, leaving the Board with a policy decision as to whether to preserve the corridor for future public use or permanently relinquish it. If the Board's immediate objective is to accommodate the pending sale while preserving all public rights, it may direct our office to negotiate and prepare a recorded revocable encroachment agreement. The Board likely possesses authority under its general statutory powers over municipal streets and property to authorize a revocable license

that conveys no property interest, remains subject to termination whenever the right-of-way is needed for a public purpose, and does not constitute a vacation or abandonment of the public street. Such an agreement may address the parties' immediate closing concerns while preserving the Town's flexibility to revisit vacation or any other course of action after the remaining factual questions—including annexation history, future planning considerations, and confirmation of the Town's property interest—have been fully resolved.



LEGISLATIVE MEMORANDUM

Date	September 24, 2026	Agenda Item	Ordinance 26-551
Prepared By	Tyler Williams, Town Manager	Department	Administration
Summary			
Ordinance No. 26-551 repeals and replaces Ordinance No.23-518, which prohibits parking upon designated public streets, roadways, and rights-of-way within the Town. The replacement ordinance preserves the original intent and general no-parking prohibition while establishing limited exceptions for circumstances in which temporary parking may be reasonable and necessary. It also removes the existing temporary-permit process and authorizes law-enforcement officers to evaluate exceptions based on the specific circumstances and applicable public-safety considerations.			
Fiscal Impact			
None.			
Staff Recommendation			
Staff recommends approval.			
Attachments			
Ordinance 26-551 Ordinance 23-518			



ORDINANCE # 26 – 551

AN ORDINANCE OF THE TOWN OF MOUNT CARMEL, TENNESSEE REPLACING ORDINANCE NO. 23-518 AND REGULATING PARKING ON PUBLIC STREETS

WHEREAS, the Town of Mount Carmel previously adopted Ordinance No. 23-518 to prohibit parking upon designated public streets, roadways, and rights-of-way within the Town; and

WHEREAS, the Board of Mayor and Aldermen desires to preserve the general parking prohibition established by Ordinance No. 23-518 while revising the ordinance to recognize limited exceptions for commercial and service vehicles, parties and private gatherings, special events, emergencies, and extreme weather conditions; and

WHEREAS, the Board further desires to authorize law-enforcement officers to exercise reasonable discretion in applying these exceptions while protecting traffic movement, emergency access, adjoining property, and public safety; and

WHEREAS, the Board finds it appropriate to repeal and replace Ordinance No. 23-518 in its entirety to incorporate these revisions and provide clear and consistent enforcement standards;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF MOUNT CARMEL, TENNESSEE, AS FOLLOWS:

SECTION 1. No parking is allowed on the paved portion of any street within the Town of Mount Carmel.

SECTION 2. The prohibition established by Section 1 shall not apply to the following temporary parking:

1. **Commercial and Service Vehicles.** A commercial, delivery, contractor, utility, moving, or service vehicle temporarily parked while its operator or occupants are actively engaged in loading, unloading, pickup, delivery, construction, repair, maintenance, landscaping, utility work, moving activities, or another lawful commercial or service activity at or near the location;
2. **Parties and Private Gatherings.** Vehicles temporarily parked in connection with a party, family gathering, funeral, wedding, religious gathering, or other private gathering;

3. **Special Events.** Vehicles temporarily parked in connection with a community activity or other public or private special event;
4. **Governmental and Emergency Activities.** Authorized emergency-response vehicles, law-enforcement vehicles, government vehicles, public-utility vehicles, and vehicles being used for road construction, public maintenance, or another governmental or public purpose;
5. **Extreme Weather Conditions.** Vehicles temporarily parked because of snow, ice, flooding, severe storms, extreme temperatures, or other hazardous weather conditions, when such parking is reasonably necessary to protect persons or property or to permit the safe movement, shelter, or operation of the vehicle;
6. **Emergencies and Mechanical Failures.** A vehicle temporarily stopped or left standing because of an emergency, mechanical failure, traffic condition, collision, or the direction of a law-enforcement officer; and

SECTION 3. An exception under Section 2 shall apply only for the period reasonably necessary to accomplish the activity or address the circumstances giving rise to the exception.

No exception authorizes a vehicle to:

1. Obstruct the safe and orderly movement of traffic;
2. Prevent or materially restrict access by emergency vehicles;
3. Block a driveway, fire hydrant, fire lane, intersection, or traffic-control device;
4. Create an unreasonable hazard to motorists, pedestrians, or adjoining property; or
5. Violate any other applicable federal, state, or local law.

SECTION 4. A law-enforcement officer may exercise reasonable discretion in determining whether parking qualifies for an exception under this ordinance and whether the location or continued presence of a vehicle creates a public-safety or access concern.

A law-enforcement officer may direct that a vehicle be moved, relocated, or removed if the officer reasonably determines that the vehicle creates a traffic hazard, obstructs the roadway, restricts emergency access, unreasonably interferes with access to adjoining property, or otherwise threatens public safety. Failure to comply with an officer's lawful direction constitutes a violation of this ordinance. As such, a violation of this ordinance shall be enforced as illegal parking pursuant Title 15, Chapter 7 of the Mount Carmel Municipal Code, as amended, including the citation procedures and penalties established therein.

SECTION 5. Any person violating this ordinance shall be subject to the penalties and enforcement remedies authorized by the municipal code and applicable law. Each day that a violation continues shall constitute a separate offense.

SECTION 6. Ordinance No.23-518 is hereby repealed and replaced in its entirety by this ordinance. All ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of the conflict.

SECTION 7. This ordinance shall take effect upon publication after its final passage in a newspaper of general circulation, the public welfare requiring it.

Voting by the Board, as follows, September 24, 2026, First Reading:

	AYES	NAYS	OTHER
Alderman Darby Patrick			
Alderman James Cross			
Alderman Mindy Shugart			
Alderman Philip Binstock			
Alderman Jim Gilliam			
Vice-Mayor Jim Bare			
Mayor John Gibson			

Voting by the Board, as follows, October 22, 2026, Second Reading:

	AYES	NAYS	OTHER
Alderman Darby Patrick			
Alderman James Cross			
Alderman Mindy Shugart			
Alderman Philip Binstock			
Alderman Jim Gilliam			
Vice-Mayor Jim Bare			
Mayor John Gibson			

John K. Gibson, Mayor

ATTEST:

APPROVED AS TO FORM:

Tiffany Bishop
Town Recorder

Matthew Matney, Town Attorney

ORDINANCE NO. 23-518

TOWN OF MOUNT CARMEL, TENNESSEE

AN ORDINANCE OF THE TOWN OF MOUNT CARMEL TENNESSEE TO REPEAL AND REPLACE TITLE 15 "MOTOR VEHICLES TRAFFIC AND PARKING", CHAPTER 6 "PARKING" OF THE MOUNT CARMEL MUNICIPAL CODE

WHEREAS, the Town of Mount Carmel Board of Mayor and Aldermen wish to revise the Ordinance governing parking within the municipal boundaries of the Town of Mount Carmel.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN FOR THE TOWN OF MOUNT CARMEL TENNESSEE THAT CHANGES BE MADE AS FOLLOWS:

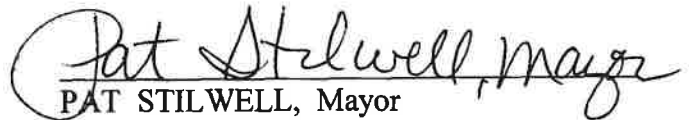
Section 1. Title 15 "Motor Vehicles Traffic and Parking", Chapter 6 "Parking", is repealed in it's entirety.

Section 2. Title 15 "Motor Vehicles Traffic and Parking", Chapter 6 "Parking", is replaced with the following:

No parking is allowed on the paved portion of any street within the Town of Mount Carmel except in the event of extreme inclement weather conditions. Temporary parking permits may be issued at the discretion of the Chief of Police in order to accommodate other temporary on street parking due to exigent circumstances .

Section 3. If any provision herein should conflict with other provisions of the Mount Carmel Code of Ordinances the most restrictive provisions shall apply.

This Ordinance shall take effect immediately upon final passage and publication, the public welfare requiring it.


PAT STILWELL, Mayor

Attest:


EMILY WOOD, Town Recorder

APPROVED AS TO FORM:

Town Attorney

MOTION: Alderman Jim Bare			
SECOND: Alderman Jim Gilliam			
1 st READING	AYES	NAYS	OTHER
Alderman Jim Bare	X		
Alderman John Gibson		X	
Alderman Jim Gilliam	X		
Alderman Darby Patrick	X		
Alderman Mindy Shugart	X		
Vice-Mayor Tresa Mawk	X		
Mayor Pat Stilwell	X		
TOTALS	6	1	-

MOTION: Alderman Mindy Shugart			
SECOND: Alderman Jim Bare			
2 nd READING	AYES	NAYS	OTHER
Alderman Jim Bare	X		
Alderman John Gibson		X	
Alderman Jim Gilliam	X		
Alderman Darby Patrick		X	
Alderman Mindy Shugart	X		
Vice-Mayor Tresa Mawk		X	
Mayor Pat Stilwell	X		
TOTALS	4	3	

NEWSPAPER: Kingsport Times-News Published: _____



LEGISLATIVE MEMORANDUM			
Date	September 24, 2026	Agenda Item	Resolution 26-693
Prepared By	Tyler Williams, Town Manager	Department	Administration
Summary			
This Resolution formally names the recently renovated facility at Mount Carmel Park as the Eugene “Gene” Christian Memorial Facility in recognition of Mr. Christian’s longstanding service to the Town of Mount Carmel and Hawkins County. Mr. Christian served 22 years as an Alderman for the Town of Mount Carmel and an additional six years as a Hawkins County Commissioner. His many years of public service reflect a significant commitment to the Town and the greater Mount Carmel community.			
Fiscal Impact			
None.			
Staff Recommendation			
Staff recommends approval.			
Attachments			
Resolution 26-693			



RESOLUTION 26-693

A RESOLUTION OF THE TOWN OF MOUNT CARMEL, TENNESSEE, NAMING AND DEDICATING THE RENOVATED PARK FACILITY IN MEMORY OF EUGENE “GENE” CHRISTIAN

WHEREAS, Eugene “Gene” Christian was a longtime resident of Mount Carmel who devoted many years of his life to public service and to the betterment of his community; and

WHEREAS, Mr. Christian faithfully served the citizens of the Town of Mount Carmel for twenty-two (22) years as an Alderman, contributing his time, judgment, and leadership to the governance and continued improvement of the Town; and

WHEREAS, his commitment to public service extended beyond Mount Carmel, as he also served for six (6) years as a Hawkins County Commissioner and later continued his service as a member of the Hawkins County Gas Board of Commissioners; and

WHEREAS, throughout his many years of public service, Mr. Christian demonstrated a lasting commitment to Mount Carmel and the citizens he represented, leaving a legacy of service that remains worthy of recognition; and

WHEREAS, the Town of Mount Carmel has recently completed substantial renovations to the public facility located at Mount Carmel Park, providing an appropriate opportunity to recognize an individual whose many years of service helped shape the community; and

WHEREAS, the Board of Mayor and Aldermen finds it fitting and appropriate that this facility serve not only the present and future citizens of Mount Carmel, but also as a lasting tribute to Mr. Christian’s years of service to the community;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Mayor and Aldermen meeting at Mount Carmel, Tennessee, on this 24th day of September, 2026, that

SECTION 1. The renovated park facility at Mount Carmel Park is hereby officially named and designated as the: **EUGENE “GENE” CHRISTIAN MEMORIAL FACILITY** in honor and memory, and in grateful recognition of his dedicated service to the Town of Mount Carmel and the greater Hawkins County community.

SECTION 2. Town officials are authorized to install appropriate permanent signage identifying the facility and commemorating Mr. Christian’s service

SECTION 3. A copy of this Resolution shall be presented to the family of Eugene “Gene” Christian as an expression of the Town’s appreciation for his many years of distinguished public service and the lasting contribution he made to the Mount Carmel community.

This Resolution shall take effect immediately, the public welfare requiring it.

ADOPTED this 24th day of September, 2026

John K. Gibson, Mayor

Attest:

Tiffany Bishop, Town Recorder