

REGULAR SESSION

February 9, 2016

The Board of Mayor and Aldermen of the City of McMinnville, Tennessee, met in regular session at its regular meeting place, City Hall, Tuesday, February 9, 2016, at approximately 7:00 p.m. Adequate public notice of the agenda was given by notices posted at City Hall, articles in the Southern Standard newspaper and news reports on the local radio stations. Present were: Mayor Jimmy Haley; Vice Mayor Ben Newman; Aldermen Jimmy Bonner, Everett Brock, Ryle Chastain, Steve Harvey and Mike Neal. Absent: None. Others present: Bill Brock, Acting City Administrator; Shirley Durham, City Recorder; Tim Pirtle, City Attorney and members of the news media and press.

The meeting was presided over by the Honorable Mayor Jimmy Haley, with Shirley Durham, City Recorder, recording the action taken at the meeting.

CONSIDERATION OF MINUTES

Mayor Haley stated that written copies of the minutes of the regular session of January 26, 2016 had been sent to each member of the Board of Mayor and Aldermen previously. He asked if any member of the Board wished to make any corrections, additions or modifications to the minutes.

Motion was made by Mr. Chastain to dispense with the reading of the minutes and approve them as written. The motion was seconded by Mr. Bonner and carried.

RECOGNITION OF VISITORS

Mayor Haley recognized Sebastian Dodge who is working on his Eagle Scout project to build a small bridge on the Greenway behind Sally's Ally that was approved by the Board on November 10, 2015.

He gave the members of the Board a copy of the bridge plans prepared by Scott St. John, an engineer that did the plans and will organize the project. He asked the Board to approve the plans.

Motion was made by Mr. Newman to approve the plans. The motion was seconded by Mr. Chastain and carried.

Mayor Haley recognized Ms. Phyllis Hillis, 213 Moss Drive, who asked the Board to consider building an indoor pool.

Mayor Haley recognized State Representative Kevin Dunlap who thanked the Building and Grounds Committee, Mayor Haley and the entire Board for their willingness to work with

the State on a last effort to save our driver license center. He stated he and Representative Matheny and Senator Bowling had been working very hard to save the Driver License Center in Warren County. All their appeals to the Governor have been unsuccessful at this point. He said if the City can offer this space in the basement of City Hall, that the Mayor has worked very hard on, this may be a way to save it. The State has indicated they are willing to spend \$17,000 to do the wiring that would be required for their equipment.

Mayor Haley said he received an email today from Assistant Commissioner Bullard saying they were moving forward with our proposal and have tentatively approved our site and are willing to do the upgrades that are necessary and we can negotiate any other costs.

Mayor Haley recognized Carolyn Lance, 419 West Main Street, who spoke against the request to rezone the Hardee's property.

Mayor Haley recognized John Douglas, owner of property at 411 West Main Street, who also spoke against the rezoning of the Hardee's property.

Mayor Haley recognized Wayne Rigsby, 100 West Lawn Street, who stated he met with Nolan Ming, Planning and Zoning Director, and he requested that Hardee's build an 8 foot wall and they have agreed to do this. He got what he asked and it is acceptable.

COMMUNICATIONS

Motion was made by Mr. Bonner to approve a request from Martha Phillips for the City to serve as co-sponsor for the Children's Advocacy Center, Families In Crisis and Kids of the Community Kids Funfest on Saturday, April 30th. She also requested the use of the back parking lot at the civic center (the use of the interior if inclement weather), minimal personnel, and facility resources to host this celebration of youth. The motion was seconded by Mr. Chastain and carried.

PETITIONS

There were no petitions.

UNFINISHED BUSINESS

Motion was made by Mr. Neal to authorize City Recorder to refund Middle Tennessee Surgical Center the amount of \$2,919.00 for real property taxes that were lowered by the State Board of Equalization. The motion was seconded by Mr. Chastain and carried with all Board members voting Aye.

Motion was made by Mr. Bonner to authorize City Recorder to refund Middle Tennessee Surgical Center the amount of \$1,446.00 for personal property taxes that were lowered by the

State Board of Equalization. The motion was seconded by Mr. Newman and carried with all Board members voting Aye.

Motion was made by Mr. Chastain to authorize City Recorder to refund River Park Hospital, Inc. the amount of \$69,393.00 for real property taxes that were lowered by the State Board of Equalization. The motion was seconded by Mr. Brock and carried with all Board members voting Aye.

Motion was made by Mr. Bonner to authorize City Recorder to refund River Park Hospital, Inc. the amount of \$18,263.00 for personal property taxes that were lowered by the State Board of Equalization. The motion was seconded by Mr. Brock and carried with all Board members voting Aye.

NEW BUSINESS

Motion was made by Mr. Bonner to authorize City Recorder to refund Jeremy E. and Leeann Richardson the amount of \$53.00 for 2015 real property taxes that were lowered by the Warren County Property Assessor due to a property assessment error. The motion was seconded by Mr. Neal and carried with all Board members voting Aye.

Motion was made by Mr. Bonner to authorize City Recorder to refund Brenda K. Perry the amount of \$120.00 for a 2015 tax relief payment that was sent to the City in error. The motion was seconded by Mr. Newman and carried with all Board members voting Aye.

RESOLUTIONS

Resolution No. 1973, a resolution to apply to the Tennessee Department of Economic and Community Development for Community Development Block Grant Funds was introduced for adoption.

Motion was made by Mr. Newman to adopt Resolution No. 1973. The motion was seconded by Mr. Bonner and upon call of the roll Aldermen Bonner, Brock, Chastain, Harvey, Neal, Newman and Mayor Haley voted Aye. Voting Nay: None. Motion carried.

ORDINANCES

Ordinance No. 1721, an ordinance to change the zoning classification of 0.33 acre of property located at 407 West Main Street, as shown on the map attached to the ordinance as Exhibit 1, from R-1 Low Residential District to C-1 Central Commercial District; and to set the time for the ordinance to become effective was introduced for first reading.

Motion was made by Mr. Chastain to pass Ordinance No. 1721 on first reading. The motion was seconded by Mr. Bonner.

In discussion Mr. Ming, Planning and Zoning Director, informed the Board that he had contacted the three adjoining property owners and two of the three were satisfied. The plans meet all of the codes including the screening. He recommended the request for rezoning be approved.

Following discussion and upon call of the roll Aldermen Bonner, Brock, Chastain, Harvey, Neal, Newman and Mayor Haley voted Aye. Voting Nay: None. Motion carried.

Ordinance No. 1722, an ordinance of the City of McMinnville, Tennessee to amend the policy, that was adopted by Ordinance No. 1709, to include Multi-Event Rates, as attached to the ordinance as Exhibit 1 and made a part of this ordinance as fully as if copied herein verbatim; to provide that the policies and fees may be further amended; and to set the time for the ordinance to become effective was introduced for first reading.

Motion was made by Mr. Newman to pass Ordinance No. 1722 on first reading. The motion was seconded by Mr. Brock.

In discussion City Attorney Tim Pirtle raised the question if there had been adequate public notice regarding the \$750 Box Office Fee. In committee only the Multi-Event Rates were discussed.

Following discussion, motion was made by Mr. Brock to defer this back to the committee. The motion was seconded by Mr. Neal and carried.

DEPARTMENTAL REPORTS

Fire Chief Kendall Mayfield stated his monthly report was included in their packet, and he would be glad to answer any questions. He hopes to have a report on the status of the fire engine within two weeks.

Parks and Recreation Director Scott McCord reported that after three years the Nursery Show is coming back to the civic center.

Acting Administrator Bill Brock stated he had been looking at ways to better inform the Board members of what is going on in the city. At the last staff meeting he asked Department Heads to issue a monthly report of what is going on in their departments. Each Board member also receives a monthly financial report that includes all departments. It is a very thick report. He asked if each chairman had rather have just the financial information for their departments. A full report can still be given to anyone that wants it.

City Attorney Tim Pirtle stated he and Mayor Haley met with County Executive Herschel Wells and the County Attorney to discuss the tax exempt status of St. Thomas Hospital. After

investigating the facts and legal research there were no legal grounds to appeal their tax exemption.

ANNOUNCEMENTS

Mayor Haley reported he was still working on the 3 Star Application.

Mayor Haley announced that Alderman Chastain was now a registered nurse. He congratulated him on this accomplishment.

ADJOURNMENT

There being no further business the meeting adjourned.

City Recorder

Mayor