

## REGULAR SESSION

March 8, 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, March 8, 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 February 23, 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. Neal and carried.

### RECOGNITION OF VISITORS

Mayor Haley recognized Brook Holmes, Co-Executive Director Main Street McMinnville, who requested to hold a Greenway 5K Race on Saturday, June 11, 2016. They also plan to partner with Warren County Animal Control to hold a pet adoption event at Riverfront Park prior to the race and provide \$15 rabies shots on site by a certified vet.

Motion was made by Mr. Newman to approve the request. The motion was seconded by Mr. Brock and carried.

Mayor Haley recognized Mandy Eller, President McMinnville-Warren County Chamber of Commerce, who requested permission to host a new event, "Taste of the Underground," to celebrate local music and local food in a celebration of their crafts. The event will be held at the Park Theatre on April 2, 2016. She requested that West Main Street be closed from Chancery Street to West Court Square from Saturday, April 2<sup>nd</sup> at 12 Noon until prior to 8:00 a.m. Sunday, April 3<sup>rd</sup>.

In discussion it was decided not to close the street until 2:00 p.m. in order not to interfere with local businesses in that area.

Motion was made by Mr. Newman to approve the request but close the street at 2:00 p.m. rather than at Noon. The motion was seconded by Mr. Brock and carried.

Mayor Haley recognized Charles Bogle, 408 Oak Hill Drive, who requested the Board, when considering making changes to the Alcohol Policy, not to allow alcohol to be served at the ballfields.

#### COMMUNICATIONS

Motion was made by Mr. Chastain to approve a request from Leigh Holland, on behalf of the Relay for Life Team, to have a 5K fundraiser on April 30<sup>th</sup>. They will be using an approved route and the Kids' Funfest and Safety Day is a City-Sponsored, simultaneous event being held that day. The motion was seconded by Mr. Neal and carried.

Motion was made by Mr. Newman to approve a request from Melissa Brown, Executive Director Generations Campbell Lodge/Wood House, for permission to have a "5K color run" in McMinnville on Saturday, May 21<sup>st</sup> from 7:00 a.m. – 10:00 a.m. They will be using an approved route and adhere to all the guidelines. The motion was seconded by Mr. Chastain and carried.

#### PETITIONS

There were no petitions.

#### UNFINISHED BUSINESS

There was no unfinished business.

#### NEW BUSINESS

There was no new business.

#### RESOLUTIONS

Resolution No. 1977, a resolution to authorize the City of McMinnville, Tennessee to accept the bid from Kidd Ford for one (1) 2016 12 Passenger Van in the amount of \$29,089.36, for the McMinnville Police Department; to authorize the City Administrator to issue the necessary purchase order; and to express the time when the resolution becomes effective was introduced for adoption.

Motion was made by Mr. Neal to adopt Resolution No. 1977. 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.

Resolution No. 1978, a resolution for the City of McMinnville, Tennessee, to provide space at City Hall described in the diagram, attached to the resolution and incorporated by

reference as Exhibit A, to the Department of Safety & Homeland Security for driver issuance transactions at no cost to the state for rent, utilities or internet connectivity. The Department of Safety will provide driver service employees to process the same transactions that are available at the current Driver Services Center and the Department of Safety will provide all equipment, testing machines and supplies; and to express the time for the resolution to become effective was introduced for adoption.

Motion was made by Mr. Chastain to adopt Resolution No. 1978. The motion was seconded by Mr. Harvey.

In discussion Mayor Haley said the reason we were doing this and moving this on, we have a copy of a proposed lease agreement and a lot of things that are highlighted in orange are up for discussion and for changes as necessary. We still do not have a full list of all the items required to be done. In order to move this forward and in order to meet the deadline the State wanted a commitment from the City that we were willing to move forward with this project.

Questions were raised about the cost for the renovations the State will require. Based on partial information we have received the estimated cost is \$50,000. This does not include the HVAC unit. The State is working on the list of items they will require.

It was pointed out that the Resolution was non-binding because we do not have cost figures.

Other concerns that were raised such as the City providing daily janitorial services and supplies, including break room supplies, Right of First Offer would have to be addressed in the lease agreement.

Mr. Brock stated we needed someone from the State to come down and discuss these issues. Mr. Neal stated he could not support this. This is a state-provided service. The Board needs to consider City needs and services. He would prefer spending money on other things for the City. He stated he might consider it if the County or some other entity would help. No other city has done this type of an agreement.

Following discussion and upon call of the roll Aldermen Brock, Chastain, Harvey, Newman and Mayor Haley voted Aye. Voting Nay: Alderman Neal. Alderman Bonner abstained. Motion carried.

Resolution No. 1979, a resolution of the City of McMinnville, Tennessee to adopt an Alcohol Policy approving that alcohol and beer may be served or sold on and in parks and buildings which the City of McMinnville owns for both public and private events pursuant to guidelines, as attached to the resolution as Exhibit 1 and made a part of this resolution as fully as

if copied herein verbatim; to provide that the Policy may be further amended; and to set the time for the resolution to become effective was introduced for adoption.

Motion was made by Mr. Newman to adopt Resolution No. 1979. The motion was seconded by Mr. Chastain.

In discussion, Mr. Newman stated this was recommended by the Parks and Recreation Committee to the Board, not the exact language, but the idea. One of the things included in the policy is the exclusion of the serving or consumption of alcohol at the Gilley Pool, and he would make the motion to exclude the civic center ballfields and the soccer fields. He agrees the concerns regarding alcohol at the ballfields are valid.

Questions were also raised about alcohol and beer may be served or sold on and in parks and buildings which the City of McMinnville owns. The City owns several buildings such as City Hall, Fire Department, Rescue Squad, and Public Works. Alcohol should not be sold or served at these buildings. It was pointed out the resolution should list the places alcohol can be sold or served and not try to list all of the exclusions.

Mr. Brock asked that they take it back to committee and try to amend and simplify this.

Motion was made by Mr. Brock to table the resolution. The motion was seconded by Mr. Neal and upon call of the roll Aldermen Bonner, Brock and Neal voted Aye. Voting Nay: Aldermen Harvey, Newman and Mayor Haley. Alderman Chastain abstained. Motion failed.

Motion was made by Mr. Newman to amend Resolution No. 1979 to delete under Section 1. the word "owns" and add after the City of McMinnville "Parks and Recreation Department controls and oversees, i.e. the Civic Center, the Farmer's Market, the Downtown Square, the Grassy Lot and the Park Theater." The motion was seconded by Mr. Chastain and upon call of the roll Aldermen Brock, Chastain, Harvey, Newman and Mayor Haley voted Aye. Voting Nay: Aldermen Bonner and Neal. Motion carried.

Upon call of the roll on the motion to adopt Resolution No. 1979, as amended, Aldermen Brock, Chastain, Harvey, Newman and Mayor Haley voted Aye. Voting Nay: Aldermen Bonner and Neal. Motion carried.

## ORDINANCES

Ordinance No. 1722, an ordinance of the City of McMinnville, Tennessee to amend the policies and fees of the Park Theater, that was adopted by Ordinance No. 1709, 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. Chastain to pass Ordinance No. 1722 on first reading. The motion was seconded by Mr. Newman and upon call of the roll Aldermen Bonner, Brock, Chastain, Harvey, Newman and Mayor Haley voted Aye. Voting Nay: Alderman Neal. Motion carried.

Ordinance No. 1723, an ordinance to adjust and maintain the deposits and fees for water and sewer use of and services rendered to customers of the City of McMinnville Water and Sewer Department pursuant to Tennessee Code Annotated 7-35-414. (a.); and to set the time for the ordinance to become effective was introduced for first reading.

Motion was made by Mr. Bonner to pass Ordinance No. 1723 on first reading. The motion was seconded by Mr. Chastain.

In discussion Alderman Neal stated the Water and Sewer Committee discussed the Reconnection Charge after cut-off and the possibility of giving a customer a free one-time reconnection. At that time, Mr. Pelham, Water and Sewer Director, did not think the software had the capabilities to track this. Since that time he has checked on this and there is a way to track it. Mr. Pelham also recommended instead of lowering the Reconnection Charge from \$50 to \$10 to set it at \$25. The \$10 fee would not cover the City's cost of cutting the water off for non-payment and turning it back on. He also recommended waiving the Reconnection Charge one time per calendar year.

Following discussion motion was made by Mr. Brock to amend Ordinance No. 1723 to change the Reconnection Charge after cut-off from \$10 to \$25 and waive the Reconnection Charge one time per calendar year. The motion was seconded by Mr. Chastain and upon call of the roll Aldermen Brock, Chastain, Harvey, Neal, Newman and Mayor Haley voted Aye. Voting Nay: Alderman Bonner. Motion carried.

Upon call of the roll to pass Ordinance No. 1723 on first reading, as amended, Aldermen Bonner, Brock, Chastain, Harvey, Neal, Newman and Mayor Haley voted Aye. Voting Nay: None. Motion carried.

Ordinance No. 1724, an ordinance to amend the City of McMinnville, Tennessee Municipal Code by deleting Title 4, Chapter 3 in its entirety and replacing Title 4, Chapter 3 with a new Occupational Safety and Health Program as attached to the ordinance as Exhibit A and made a part of this ordinance by reference; to provide for a severability clause and a superseding clause; and to express the time for the ordinance to become effective was introduced for first reading.

Motion was made by Mr. Newman to pass Ordinance No. 1724 on first reading. The motion was seconded by Mr. Chastain 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. 1725, an ordinance of the City of McMinnville, Tennessee to amend Chapter 1, Title 11 of the McMinnville Municipal Code by deleting Section 11-101. Drinking beer, etc., on streets, etc. in its entirety and inserting a new Section 11-101; 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. 1725 on first reading. The motion was seconded by Mr. Chastain and upon call of the roll Aldermen Brock, Chastain, Harvey, Newman and Mayor Haley voted Aye. Voting Nay: Aldermen Bonner and Neal. Motion carried.

#### DEPARTMENTAL REPORTS

Acting City Administrator Bill Brock announced that the advertisement for bids on the Park Theater balcony had been sent out and bids are due in by March 21<sup>st</sup> at 2:00 p.m.

#### ANNOUNCEMENTS

Alderman Brock thanked the officials, city employees and citizens for their expressions of sympathy and words of encouragement when his father passed away last week.

Mayor Haley announced that Fire Chief Kendall Mayfield's father passed away this morning. He will be at McMinnville Funeral Home. Arrangements are incomplete.

Mayor Haley reported that Bologna Day went well today. He thanked the Chamber, Durham Services and the businesses that provided food.

There will be a Habitat work day for elected officials on April 16<sup>th</sup>.

#### ADJOURNMENT

There being no further business the meeting adjourned.

---

City Recorder

---

Mayor