

REGULAR SESSION

August 12, 2014

The Board of Mayor and Aldermen of the City of McMinnville, Tennessee, met in regular session at its regular meeting place, City Hall, Tuesday, August 12, 2014, 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 Rick Barnes, Jimmy Bonner, Mike Neal and Billy Wood. Absent: Alderman Ken Smith. Others present: 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 July 22, 2014 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. Bonner to dispense with the reading of the minutes and approve them as written. The motion was seconded by Mr. Newman and carried with all Board members voting Aye.

RECOGNITION OF VISITORS

Mayor Haley recognized Mr. Dave Wideman, 205 James Street, who spoke against the proposal to lower the tax rate. He said the amount of the decrease would offer little benefit to the individual, but it would reduce the City's tax revenue by approximately \$200,000. He has heard little discussion or concern about the amount of taxes we pay. He asked that they keep the current tax rate.

Mayor Haley recognized Mr. David Hill, Lyon Street, who stated a recent Southern Standard on-line poll showed that 70% of the votes that were cast were in favor of abolishing the City Administrator position. The Board voted to keep the position. He stated that before they start the hiring process or name someone to the position they need to decide what they want the duties and powers to be.

Mayor Haley recognized Mr. Dennis Kronlage, 207 River Drive, who stated in addition to his residence he owns five other pieces of property in the city and he was against lowering the tax rate. The decrease was not going to make that much difference to him even with his six pieces of property. He had rather see that money be used to better fund the non-profits.

COMMUNICATIONS

Motion was made by Mr. Barnes to approve a request from Christopher Mark Brown for permission to decorate the front entrance of Pistole Park Soccer Complex as an Eagle Scout project. The motion was seconded by Mr. Wood and carried with all Board members voting Aye.

PUBLIC HEARING

Mayor Haley declared the meeting open for a Public Hearing to hear comments in regard to reclassifying two properties located at 104 and 106 Walling Street from R-2 Medium Density Residential District to R-5 Residential Commercial District, as advertised in the July 20, 2014 edition of the Southern Standard newspaper. He invited anyone present to address the Board and speak either for or against the proposed rezoning.

After a period of time when no one present expressed a desire to speak Mayor Haley declared the Public Hearing closed.

UNFINISHED BUSINESS

Mayor Haley stated under Unfinished Business was an item to discuss and take action to appoint an interim city administrator and to establish compensation and other pertinent parts of the position. He said before they take action on this he drafted a letter delegating most of his daily duties as acting administrator to the Public Works Director and the City Recorder. Members of the Board were given a copy of this letter. He thought this should carry them over until a new board is seated, but there is the item under Unfinished Business they can make a motion on or not. It was up to the board.

Following is the letter from Mayor Haley.

Following discussion Mr. Newman stated he had this put on the agenda to find someone for this position, but this delegation of duties to Mr. Brock and Mrs. Durham is a large part of what he wanted to accomplish. He was happy with what the Mayor has done and would not make a motion on this item.

Members of the Board indicated they wanted to move forward with deciding the duties, responsibilities, salary, etc. for a new administrator and post the position.

Mr. Wood stated he felt they needed one person in charge until another administrator is hired.

Motion was made by Mr. Wood to amend the McMinnville Municipal Code Title 1, Chapter 7, entitled City Administrator Section 1-701. Office of administrator created. and eliminate the requirement of a college degree for the acting city administrator and appoint Bill Brock as acting city administrator. The motion was seconded by Mr. Barnes.

In discussion members of the Board asked the City Attorney if they could legally do this. He stated he felt the item listed on tonight's agenda was broad enough to allow them to amend this section.

The amendment would have to be done by ordinance and it would take two readings, but this could count as the first reading. He also felt adequate Public Notice had also been given by the way it was worded on the agenda.

In discussion Mr. Brock asked if any of the duties were changed, and Mr. Wood stated there had been no motion to change them. He also stated if this motion passed and he accepted the position, he would like assurance from the Board that once they hired a new administrator he could go back to his position as Public Works Director. The Board indicated he could.

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

The Board indicated they would discuss compensation at a later date.

NEW BUSINESS

There was no new business.

RESOLUTIONS

There were no resolutions.

ORDINANCES

Ordinance No. 1698, an ordinance to change the zoning classification of approximately two acres of properties from R-2 Medium Density Residential District to R-5 Residential Commercial District; and to set a time when the ordinance becomes effective was introduced for first reading.

Motion was made by Mr. Barnes to pass Ordinance No. 1698 on first reading. The motion was seconded by Mr. Wood and upon call of the roll Aldermen Barnes, Bonner, Neal, Newman and Wood voted Aye. Voting Nay: Mayor Haley. Motion carried.

Ordinance No. 1699, an ordinance to declare the estimated revenues for the City of McMinnville, Tennessee, for the fiscal year beginning July 1, 2014 and ending June 30, 2015 and to designate the distribution of said revenues to the various departments and funds; to set the tax rate on all property; and to express the time for the ordinance to become effective was introduced for first reading.

Mrs. Durham explained that the ordinance that was in their agenda packet had the current \$2.09 tax rate and showed an estimated fund balance at June 30, 2015 of \$3,118,845.00. She stated the Finance Committee recommended a tax rate of \$1.99 reflecting a fund balance of \$3,101,060. She gave them copies of the ordinance with the \$1.99 tax rate that showed an estimated fund balance at June 30, 2015 of \$2,913,105.00.

Motion was made by Mr. Barnes to pass Ordinance No. 1699 on first reading and set the tax rate at \$2.09. The motion was seconded by Mr. Newman.

In discussion Mr. Neal questioned some items that the Parks and Recreation Committee added to the Park Theatre budget at their August 5th meeting. Since the items were related to the building he felt they should have been considered by the Building and Grounds Committee rather than the Parks and Recreation Committee.

The two items in question were \$80,000 added to line item .266 Repair and Maintenance Building and line item .942 Seats \$40,000.

Motion was made by Mr. Neal to delete the \$80,000 for the Repair and Maintenance Building and the \$40,000 for seats from the Park Theatre budget. The motion was seconded by Mr. Bonner and upon call of the roll Aldermen Bonner and Neal voted Aye. Voting Nay: Aldermen Barnes, Newman, Wood and Mayor Haley. Motion failed.

Upon call of the roll on Mr. Barnes' motion to pass Ordinance No. 1699 on first reading and set the tax rate at \$2.09 Aldermen Barnes, Newman, Wood and Mayor Haley voted Aye. Voting Nay: Aldermen Bonner and Neal. Motion carried.

DEPARTMENTAL REPORTS

Parks and Recreation Director Scott McCord reported that the Smokin' In McMinnville Barbeque Cook-off went well this past weekend.

Police Chief Bryan Denton invited members of the Board to a Public Safety Unit (PSU) breakfast honoring Mr. Bob Molloy who is retiring as a PSU volunteer. He has served as a PSU officer for 10 years. The breakfast is scheduled for Thursday, August 14th at 8:00 at Gondola Restaurant.

ANNOUNCEMENTS

Mayor Haley reminded everyone of some upcoming events: Bluegrass Underground is this weekend, ISHA Community Health Fair is scheduled for Saturday, August 16th at the Civic Center from 9:00 a.m. until Noon, and Dr. David Gilbert will launch his new product, Evermind, at the Noon Rotary Club's regular meeting on Thursday. There will be a reception at the Chamber at 1:00 p.m.

ADJOURNMENT

There being no further business the meeting adjourned.

City Recorder

Mayor