

MINUTES

CITY COUNCIL MEETING

May 27, 2008

PRESENT: **Charles Rollins**
 Dean Lay
 Bud Knott
 Marilyn Nixon
 Lexie Orr

The regular monthly meeting of the Monteagle City Council was called to order at 6:10 PM by Mayor Charles Rollins.

Following the prayer and pledge of allegiance the Minutes of the meetings of April 28, May 5, May 12, and May 19, 2008, and the Beer Board meeting of April 28, 2008, were approved on a motion by Ald. Lay which was seconded by Ald. Orr and carried 5/0.

REPORTS OF COMMITTEES AND OFFICERS

- 1. POLICE DEPARTMENT – Copy attached**
- 2. FIRE DEPARTMENT – Copy attached**
- 3. PLANNING COMMISSION – Ald. Orr gave an oral report of the last meeting. He said that the engineers for Sonic were present to answer any questions about this project.**
- 4. MAYOR – None**
- 5. ALDERMEN – Ald. Nixon reported that she has been working on grants. Ald. Orr discussed a lab for STP #2. There was a discussion also on purchasing all new filter media for the plant. Also discussed was the SRF loan and what we need to do to qualify for the loan. Jim Boynton was asked to have a drought**

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report for ready for the next meeting.

- 6. CITY RECORDER – The city recorder reported that our natural gas supplier has informed us that we can expect an increase of 35 - 40% in our rates this winter. She also noted that we have been contacted by the Franklin County Growth Committee to inquire if we are interested in having a growth area in that county. If so, we need to let them know soon.**

OLD BUSINESS

- 1. MTAS – Don Darden was present to discuss strategic planning with the council. He said we need to draw up a policy for this showing where we want the town to be in the next 15 years. Ald. Orr asked if MTAS could help the city with replying to the audit report from the comptroller's office. He said they would be happy to assist the city. Mr. Darden was asked if MTAS could do a comprehensive study of the city's policies. He said they could do an Administrative Review. Ald. Orr made a motion that a request be made to MTAS to do a comprehensive Administrative Review of the city. Ald. Knott seconded the motion and it passed 5/0.**
- 2. SOCCER TOURNAMENT – Ald. Orr made a motion to approve a \$250.00 donation for this event and charge the donation to 41000-700. Ald. Knott seconded the motion and it passed 5/0.**
- 3. AUDIT CONTRACT – It was reported to the council that the auditor who does the annual audit is not permitted by the state to do any internal work for the city, therefore Johnson, Murphey, & Wright cannot audit our occupancy taxes. Ald. Orr made a motion to approve this contract with Johnson, Murphey, &**

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Wright for the 2008 audit at a cost of \$20,900.00. Ald. Lay seconded the motion and it passed 5/0 on roll call vote.

- 4. OCCUPANCY TAX AUDIT – The city recorder reported that Allen, McGee, & Associates had submitted a proposal to do an audit of occupancy taxes. Ald. Lay made a motion to accept the proposal from Allen, McGee, & Associates and to have them audit at least two of the tax payers under the 2007-08 budget. Ald. Orr seconded the motion and it passed 5/0. Ald. Lay made a motion to have the mayor select the two tax payers to be audited. Ald. Orr seconded the motion and it passed 5/0.**
- 5. CITY JUDGE – Ald. Lay asked Bill Killian to talk to the council about appointing a city judge. Mr. Killian said that this is normally done to run concurrent with the council appointing the judge. Ald. Lay made a motion to appoint Mark Raines as city judge for the next two years to run with the current board's term of office at the current salary of \$300.00 per court session and to review this under the 2008-09 budget. Ald. Orr seconded the motion and it passed 5/0.**
- 6. ORDINANCE NO. 08-20 – GREASE ORDINANCE – Second Reading. Ald. Orr made a motion to pass ordinance 08-20 on second reading. Ald. Knott seconded the motion and it passed 5/0.**

NEW BUSINESS

- 1. LUCKY SPA – It was reported that the premises where this business was located have been vacated and the utilities turned off. There was a discussion on the illegal activities that had taken place in this business and it was noted that the previous employee had pled guilty to prostitution. Jerry Bible, attorney for the owner, was present at this meeting and Ald. Orr read him a letter we received from our city attorney stating that it was his opinion that the council had the right to revoke the business license for this establishment based on the prosecution for illegal activities. Ald. Lay made a motion to revoke the Lucky**

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Spa's business license and that of any other businesses that are operating illegally as per the legal opinion from the city attorney dated May 20, 2008. Ald. Orr seconded the motion and it passed 4/1 on roll call vote with the mayor voting no.

- 2. VICE MAYOR – Ald. Knott made a motion to appoint Dean Lay as vice mayor. Ald. Orr seconded the motion and it passed 4/0 with Ald. Lay abstaining.**
- 3. BUSINESS LICENSE APPLICATION – There was one application for a business license from Your Family Health Clinic to operate in Bill Kerstetter's building on Main Street. Ald. Orr seconded the motion and it passed 5/0.**
- 4. SUSPENSION – Ald. Knott made a motion that the employee referred to in the audit be suspended until such time as this could come before a judge to determine if any money is owed to the city. Motion died for lack of a second.**

PUBLIC UTILITY BOARD MEETING

- 1. NATURAL GAS SYSTEM – John Greeter was present as a board member of Elk River Public Utility District to see if the city is still interested in selling the natural gas system. This will be discussed at the meeting on June 2nd.**
- 2. POWER OUTAGE – The mayor reported that there was a power outage at STP #2 which caused a 90,000 gallon discharge into a stream during the outage. It has been reported to TDEC and the city will look into ways to keep this from happening again.**

CITIZENS HEARING

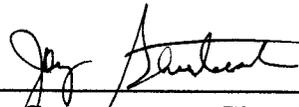
Jack Hastings asked the council to consider looking into the idea of allowing citizens to use golf carts to get around because of the rising cost of gasoline. He noted that other communities are making arrangements to be golf cart

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accessible. The mayor said he would have Jim Boynton and Virgil McNeece look into the possibility. Bill Killian will review the state statutes to determine what type of vehicles could be allowed on a public road. Guinn Nixon noted that there are some communities which are allowing this with some modifications required to the vehicles such as head lights and tail lights.

There being no further business the meeting adjourned at 8:03 PM.

Respectfully submitted,



Joy Sturtevant, City Recorder