

## **MINUTES**

### **CITY COUNCIL MEETING**

**May 25, 2010**

**PRESENT:**        **Marilyn Nixon**  
                      **LexieOrr**  
                      **Rusty Leonard**  
                      **Harry Parmley**  
                      **Alvin Powell**

**The regular monthly meeting of the Monteagle City Council was called to order at 6:02 PM by Mayor Marilyn Nixon.**

**Following the prayer and pledge of allegiance, Ald. Orr made a motion to approve the Agenda for tonight's meeting. Ald. Parmley seconded the motion and it passed 5/0. Ald. Orr then made a motion to approve the Minutes of the regular meeting of April 27, 2010, and the special meeting of May 5, 2010. Ald Leonard seconded the motion and it passed 5/0.**

#### **REPORTS OF COMMITTEES AND OFFICERS**

##### **1. POLICE DEPARTMENT – Copy attached**

**Ald. Parmley commended the police department on their quick arrest of the individuals who broke into Richie's Market. Chief McNeece asked the council to pass the Policy and Procedures for Use of Force. Ald. Leonard made a motion to approve the Policy. Ald. Orr seconded the motion and it passed 5/0.**

##### **2. E-911 – No Report**

**There was a request for awnings over the doors at the 911 building. They have gotten a price from M & S Home Improvement. The labor and the awnings will be about \$1600.00. Ald Powell made a motion to approve up to \$1600.00 for this project. Ald. Parmley seconded the motion and it carried 5/0.**

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**3. FIRE DEPARTMENT – Copy attached**

**Chief Layne requested the city to purchase uniform shirts and badges for the fire department members. The shirts are \$18.99 each, the badges are \$21.99 each and \$34.99 for the chief and assistant chief. The total will be approximately \$1000.00. Ald. Leonard made a motion to purchase the shirts and badges at a cost not to exceed \$1000.00. Ald. Orr seconded the motion and it carried 5/0.**

- 4. CODES ENFORCEMENT – Our building inspector, Earl Geary, introduced himself to the council and offered to assist in any way he can. Ald. Orr asked Mr. Geary about the temporary electrical connection at the Alliance Physical Therapy site. Mr. Geary said he will contact the owner to see that it is removed.**
- 5. PLANNING COMMISSION – Ald. Orr gave an oral report on the activities of the Planning Commission. He discussed the request from Tinsley Paving to annex their property at the foot of the mountain. It would require a corridor annexation down I-24 and about six or seven miles south on Hwy. 64-50. After a brief discussion, Ald. Orr made a motion that the corridor annexation into Franklin County be denied. There was no second and the motion failed. Ald. Leonard said he thought we should review the documents and the case law on this type of annexation from December 2009 to see if this is a valid annexation for the city and if it would produce any revenue. He said he felt we should first study this to see if there is any benefit for the city. Ald. Leonard made a motion to refer this back to the Planning Commission for extensive discussions on the legality and the long term benefits for the city, if any. Ald. Parmley seconded the motion and it passed 4/1 on roll call with Ald. Orr voting no.**

**Ordinance No. 63-10-44-A – This ordinance would amend the zoning map to change an area owned by Donna Lawson on Highway 41A from C-2 to R-1.**

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**Ald. Orr made a motion to approve Ordinance No. 63-10-44-A on first reading. Ald. Leonard seconded the motion which passed 5/0.**

- 6. RECREATION COMMITTEE – Ald. Powell gave a report on the activities of the rec committee. He said they had discussed moving the fence to 285' so soft ball and soccer could be played there. The cost will be about \$15,000.00 to do this work.**
- 7. MAYOR – Mayor Nixon announced that there will be a training session at city hall on June 18<sup>th</sup> at 4:00. MTAS will conduct the session.**
- 8. ALDERMEN – Ald. Orr asked if the letters went out to Mr. Meeks and Miss Fults for the donation of the Fults house. He was told that they were sent a week or two ago. He also asked about doing the monthly salaries the first Friday of each month and the city recorder said she could begin doing this in June. Ald. Parmley said he felt Kevin Gilliam should be doing only the sewer projects right now because of the intensity of that work. He made a motion to that effect. Ald. Powell seconded the motion but withdrew his second when Mr. Gilliam said he would let the council know if he had any problems keeping up with his work.**
- 9. CITY RECORDER – None**

## **CITIZENS**

**There were no citizens wishing to be heard.**

## **PUBLIC HEARING**

**There was a Public Hearing on proposed Ordinance 63-10-43-A which, among other things, represents a change to the zoning ordinance to direct developers of a site plan to the Landscape Ordinance. There were no comments on the proposed ordinance.**

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**OLD BUSINESS**

- 1. ORDINANCE 63-10-43-A – Ald. Orr made a motion to approve this ordinance on second reading. Ald. Leonard seconded the motion which carried 5/0.**

**PUBLIC UTILITY BOARD MEETING**

**At this time the mayor changed the order of business to allow the Utility Manager to give his report. Mr. Gilliam gave an oral report on the progress of the sewer projects to date.**

**OLD BUSINESS (Cont'd.)**

- 2. LAKE CLEAN UP DAY – Tabled to next meeting**
- 3. THE STAGE – Earl Nunley gave a schedule of the shows coming to the stage this season.**

**NEW BUSINESS**

- 1. BUSINESS LICENSE APPLICATION – Randall Henley applied for a business license for Henley's Electric and Plumbing. Ald. Orr made a motion to approve the license for Henley Electric and Plumbing. Ald. Powell seconded the motion and it passed 5/0.**
- 2. TINSLEY – This was referred back to the Planning Commission.**
- 3. EXPENSES – BRAD DEES – Ald. Parmley made a motion to pay the expenses totaling \$884.96 for Mr. Dees while he was in school. Ald. Powell seconded the motion which passed unanimously.**

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- 4. LOCAL GOVERNMENT EXEMPTION AUTHORITY – Earl Geary said that as of July 1, 2010, Tennessee requires every city and county to do inspections on construction. As the city is already doing this, he said we need to approve the exemption and send it to the state. He noted that we have adopted the 2003 International Building Code. Ald. Orr made a motion to authorize the mayor to sign the Local Government Exemption Authority. Ald. Leonard seconded the motion and it passed 5/0.**
  
- 5. SHAWN CONDRA – Ald. Parmley noted that our Workmen’s Comp insurance had denied the medical claim for Mr. Condra. He stated that if Mr. Condra had been a full-time employee he would have had health insurance to pay these medical bills and made a motion for the city to pay Mr. Condra’s medical bills. Ald. Powell seconded the motion. On roll call the motion passed 3/1 with Ald. Orr voting no and Mayor Nixon passing. Ald. Parmley then made a motion to hire Mr. Condra as a full-time employee with benefits in a mentor program. Ald. Powell seconded the motion and it passed 5/0.**
  
- 6. NUNLEY SANITATION – Mr. Nunley asked the council to reconsider an earlier decision to prohibit him from taking the trash he picks up in Monteagle to the city’s collection center. He said this was done because he is a commercial hauler, but he said he only picks up household trash and it would end up at the convenience center whether he took it there or not. Ald. Parmley made a motion to permit Mr. Nunley to use the convenience center to dispose of the trash he picks up in Monteagle. Ald. Powell seconded the motion. The motion passed 5/0 and it was noted that this was for bagged trash only.**
  
- 7. BEER POLICY – The mayor said the council will have a special meeting on June 18<sup>th</sup> at 3:00 to discuss the Beer Policy, the city’s audit, and the lake clean up.**

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**ANNOUNCEMENTS – The mayor read the schedule of meetings and workshops that will be coming up in the month of June and said there will be a special meeting at 3:00 on Friday, June 18<sup>th</sup> in the conference room.**

**There being no further business the meeting adjourned at 7:18 PM.**

**Respectfully submitted,**

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**Joy Sturtevant, City Recorder**