

## REGULAR SESSION

April 14, 2015

The Board of Mayor and Aldermen of the City of McMinnville, Tennessee, met in regular session at its regular meeting place, City Hall, Tuesday, April 14, 2015, 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 March 19, 2015 called session and the regular session of March 24, 2015 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. Brock and carried.

### RECOGNITION OF VISITORS

No visitors present expressed a desire to address the Board.

### COMMUNICATIONS

There were no communications addressed to the Board.

### PETITIONS

There were no petitions.

### UNFINISHED BUSINESS

There was no unfinished business.

### NEW BUSINESS

Mayor Haley read a Proclamation proclaiming April 2015 as “Child Abuse Prevention Month” across the city and called upon all of you to observe this month with programs and activities that champion the cause of children everywhere...and to direct resources that create a better future for all our youth.

Mayor Haley presented a framed copy to Martha Phillips, Director Children's Advocacy Center, and thanked her for all her efforts with the Children's Advocacy Center.

Alderman Brock announced that Appropriation Application forms would be available on Wednesday, April 15<sup>th</sup> for non-profit charitable or civic organizations to submit their funding requests for the 2015/2016 fiscal year budget.

#### RESOLUTIONS

Resolution No. 1951, a resolution of the City of McMinnville, Tennessee to approve of the Health, Educational and Housing Facilities Board of Sevier County, Tennessee's issuance of bonds in the aggregate principal amount of not to exceed \$32,232,200 to Hallmark Partridge Meadows, LLC with a portion of said amount to be used for the acquisition and renovation of Partridge Meadows Apartments located at 460 Oriole Drive, McMinnville, Tennessee; and to express the time when the resolution shall become effective was introduced for adoption.

Motion was made by Mr. Bonner to adopt Resolution No. 1951. The motion was seconded by Mr. Brock 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. 1952, a resolution of the City of McMinnville, Tennessee to accept the bid from CHC Mechanical in the amount of \$99,500.00 to remove and dispose of existing 2 Power Cold Corporation WDFC133D cooler and install an Evapco ESWB Closed Circuit Cooler as per specifications of the McMinnville Parks and Recreation 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. Newman to adopt Resolution No. 1952. The motion was seconded by Mr. Harvey.

In discussion Mr. McCord stated after bids were opened a representative with CHC contacted him and stated sales tax would be added to their bid. He told them they had two options. Honor the bid of \$99,500 or withdraw their bid. He has not heard back from them. He asked the Board to approve the bid and a purchase order would be issued for \$99,500 and if they accept it we will move forward. Upon call of the roll Aldermen Bonner, Brock, Chastain, Harvey, Neal, Newman and Mayor Haley voted Aye. Voting Nay: None. Motion carried.

Resolution No. 1953, a resolution of the City of McMinnville, Tennessee to accept the bid from Custom Construction in the amount of \$33,770.00 to remove existing retaining wall and fencing, blend tennis courts 2 and 3 together, install piping for drainage, and install new fencing where removed as per specifications of the McMinnville Parks and Recreation 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. Newman to adopt Resolution No. 1953. The motion was seconded by Mr. Brock 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. 1954, a resolution to authorize the City of McMinnville, Tennessee to accept the State Contract bid #45200 from Smith Turf & Irrigation to provide one (1) Toro Groundmaster 3505-D in the amount of \$26,477.88 and one (1) Toro Sand Pro 3040 with attachments in the amount of \$14,987.73 for a total amount of \$41,465.61 for the McMinnville Parks and Recreation Department; to authorize the City Administrator to issue the necessary purchase order; and to express the time when the resolution is to become effective was introduced for adoption.

Motion was made by Mr. Newman to adopt Resolution No. 1954. 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.

Resolution No. 1955, a resolution of the City of McMinnville, Tennessee, to accept the low bid of Highways, Inc. in the amount of \$404,820.00 to furnish materials and labor for Contract No. 213 REBID – STP Resurfacing with 80% (\$323,856.00) in Federal/State/STP funds and a 20% (\$80,964.00) local match subject to Federal/State approval; to authorize the City to enter into a contract with Highways, Inc. and to authorize the Mayor of the City of McMinnville to execute the said contract on behalf of the City of McMinnville, Tennessee and the Recorder to attest same; and to express the time when the resolution becomes effective was introduced for adoption.

Motion was made by Mr. Chastain to adopt Resolution No. 1955. The motion was seconded by Mr. Brock 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. 1956, a resolution to amend Resolution No. 1793 a resolution to approve the amount of the fees and costs to be imposed for confiscation or impoundment of animals by the Animal Control Department of the City of McMinnville pursuant to the authority of Title 10, Chapter 3, Section 10-315 of the McMinnville Municipal Code by revising Section 1 of the resolution in its entirety; and to express the time when the resolution becomes effective was introduced for adoption.

Motion was made by Mr. Bonner to adopt Resolution No. 1956. 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.

#### ORDINANCES

Ordinance No. 1709, an ordinance of the City of McMinnville, Tennessee to adopt Policies and Fees for use of the Park Theatre for public performances and private functions, 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 second and final reading.

Motion was made by Mr. Newman to pass Ordinance No. 1709 on second and final 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. 1710, an ordinance of the City of McMinnville, Tennessee to amend Ordinance No. 1583 and the McMinnville Municipal Code Title 10, Chapter 5, IMPOUNDMENT, Section 10-504(2). Destruction or adoption of unredeemed animals generally. by striking “All unsterilized dogs and cats five (5) months of age or older adopted from the city animal shelter be either spayed or neutered within thirty (30) days of their adoption. All animals adopted under five (5) months of age shall be spayed or neutered at six (6) months of age.” and inserting in lieu thereof “All unsterilized dogs and cats six (6) months of age or older adopted from the city animal shelter shall be spayed or neutered at or before adoption. All animals adopted under six (6) months of age shall be spayed or neutered at six (6) months of age.”; and to set the date for the ordinance to become effective was introduced for first reading.

Motion was made by Mr. Bonner to pass Ordinance No. 1710 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.

#### DEPARTMENTAL REPORTS

Scott McCord, Director Parks and Recreation, gave a report on activities at the civic center.

Bill Brock, Acting Administrator, reported that all department heads had been given their budget worksheets and they are due back in Friday.

He informed the Board that the City's loan application for the sewer plant renovations was filed before the deadline. After it was filed, they notified us of a new requirement that was not part of the application. The City must provide them with a "Green Business Plan." Anthony Pelham, Consulting Engineer, is trying to find out what has to be included in this Plan and working to complete it and file it with the State.

ANNOUNCEMENTS

Mayor Haley announced that volunteers are needed for the 5K Autism run on Saturday, April 18<sup>th</sup>.

The Grand Opening for the Park Theatre is being planned for May 16<sup>th</sup>.

Following adjournment of tonight's meeting, Bill Brock will give a tour of the Theatre for Board members or anyone else that would like to tour the facility.

Mayor Haley announced that the Three Star application had been submitted.

ADJOURNMENT

There being no further business the meeting adjourned.

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City Recorder

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Mayor