

REGULAR SESSION

April 11, 2017

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 11, 2017, 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 Kate Alsbrook, 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 March 28, 2017 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. Newman and carried.

RECOGNITION OF VISITORS

No visitors present expressed a desire to address the Board.

COMMUNICATIONS

Motion was made by Mr. Neal to approve a request from Katie Kemezis, Executive Director Main Street McMinnville, and Christy Ross, President Downtown Business Alliance for partial street closure for the north and south section of Court Square beginning at 5:00 am until 6:00 pm on Saturday, June 3rd for their "Market on Main" event. She also requested the use of the City's lot across the street from The Vintage Market on East Main Street. The motion was seconded by Mr. Chastain and carried.

PETITIONS

There were not petitions.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

Mayor Haley read a Proclamation proclaiming April 20, 2017 as Arbor Day in the City of McMinnville and urged all citizens to celebrate Arbor Day and support efforts to protect our trees and woodlands and to plant trees to gladden the heart and promote the well-being of this and future generations.

RESOLUTIONS

Resolution No. 2013, a resolution of the City of McMinnville, Tennessee, to accept the low bids of Tinsley Asphalt, LLC to furnish materials and labor to overlay various city-identified existing city streets as per specifications of the McMinnville Public Works Department; to authorize the City Administrator of the City of McMinnville to issue the necessary purchase order on behalf of the City of McMinnville; and to express the time when the resolution becomes effective was introduced for adoption.

Motion was made by Mr. Neal to adopt Resolution No. 2013. The motion was seconded by Mr. Brock and upon call of the roll Aldermen Alsbrook, Brock, Chastain, Harvey, Neal, Newman and Mayor Haley voted aye. Voting Nay: None. Motion carried.

Resolution No. 2014, a resolution of the City of McMinnville, Tennessee, to enter into a Lease Agreement with McMinnville Green Recycling; to authorize the Mayor to sign the Lease Agreement; and to set the date for the resolution to become effective was introduced for adoption.

Motion was made by Mr. Neal to adopt Resolution No. 2014. The motion was seconded by Mr. Newman and upon call of the roll Aldermen Alsbrook, Brock, Chastain, Harvey, Neal, Newman and Mayor Haley voted Aye. Voting Nay: None. Motion carried.

ORDINANCES

Ordinance No. 1741, an ordinance to amend the Municipal Code of the City of McMinnville, Tennessee, by striking the words and figures contained in Title 7, Chapter 2 of said Code and adopting in lieu thereof a new and complete Chapter 2, which section incorporates the adoption by reference of the 2012 edition of the *International Fire Code*, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of McMinnville; providing for the issuance of permits and collection of fees therefor; repealing Ordinance No.1614 of the City of McMinnville and all other ordinances or parts of

laws in conflict therewith and setting the date that this ordinance shall become effective was introduced for second and final reading.

Motion was made by Mr. Brock to pass Ordinance No. 1741 on second and final reading. The motion was seconded by Mr. Chastain and upon call of the roll Aldermen Alsbrook, Brock, Chastain, Harvey, Neal, Newman and Mayor Haley voted aye. Voting Nay: None. Motion carried.

Ordinance No. 1742, an ordinance to amend the Municipal Code of the City of McMinnville, Tennessee, by striking the words and figures contained in Title 12, Chapter 1 of said Code and adopting in lieu thereof a new and complete Chapter 1, which section incorporates the adoption by reference of the 2012 edition of the *International Building Code*, regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures in the City of McMinnville; providing for the issuance of permits and collection of fees therefor; repealing Ordinance No.1612 of the City of McMinnville and all other ordinances or parts of laws in conflict therewith and setting the date that this ordinance shall become effective was introduced for second and final reading.

Motion was made by Mr. Chastain to pass Ordinance No. 1742 on second and final reading. The motion was seconded by Mr. Harvey and upon call of the roll Aldermen Alsbrook, Brock, Chastain, Harvey, Neal, Newman and Mayor Haley voted aye. Voting Nay: None. Motion carried.

Ordinance No. 1743, an ordinance to amend the Municipal Code of the City of McMinnville, Tennessee, by striking the words and figures contained in Title 12, Chapter 2 of said Code and adopting in lieu thereof a new and complete Chapter 2, which section incorporates the adoption by reference of the 2012 edition of the *International Plumbing Code*, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems in the City of McMinnville; providing for the issuance of permits and collection of fees therefor; repealing Ordinance No. 1613 of the City of McMinnville and all other ordinances or parts of

laws in conflict therewith and setting the date that this ordinance shall become effective was introduced for second and final reading.

Motion was made by Mr. Chastain to pass Ordinance No. 1743 on second and final reading. The motion was seconded by Mr. Brock and upon call of the roll Aldermen Alsbrook, Brock, Chastain, Harvey, Neal, Newman and Mayor Haley voted aye. Voting Nay: None. Motion carried.

Ordinance No. 1744, an ordinance to amend the Municipal Code of the City of McMinnville, Tennessee, by striking the words and figures contained in Title 12, Chapter 3 of said Code therefor; repealing the Electrical Code of the City of McMinnville and all other ordinances or parts of laws in conflict therewith and setting the date that this ordinance shall become effective was introduced for second and final reading.

Motion was made by Mrs. Alsbrook to pass Ordinance No. 1744 on second and final reading. The motion was seconded by Mr. Chastain and upon call of the roll Aldermen Alsbrook, Brock, Chastain, Harvey, Neal, Newman and Mayor Haley voted aye. Voting Nay: None. Motion carried.

Ordinance No. 1745, an ordinance to amend the Municipal Code of the City of McMinnville, Tennessee, by striking the words and figures contained in Title 12, Chapter 4 of said Code and adopting in lieu thereof a new and complete Chapter 4, which section incorporates the adoption by reference of the 2012 edition of the *International Fuel Gas Code*, regulating and governing fuel gas systems and gas-fired appliances in the City of McMinnville; providing for the issuance of permits and collection of fees therefor; repealing Ordinance No.1482 of the City of McMinnville and all other ordinances or parts of laws in conflict therewith and setting the date that this ordinance shall become effective was introduced for second and final reading.

Motion was made by Mr. Newman to pass Ordinance No. 1745 on second and final reading. The motion was seconded by Mr. Brock and upon call of the roll Aldermen Alsbrook, Brock, Chastain, Harvey, Neal, Newman and Mayor Haley voted aye. Voting Nay: None. Motion carried.

Ordinance No. 1746, an ordinance to amend the Municipal Code of the City of McMinnville, Tennessee, by striking the words and figures contained in Title 12, Chapter 5 and Title 12, Chapter 9 of said Code; repealing any of the City of McMinnville other ordinances or

parts of laws in conflict therewith and setting the date that this ordinance shall become effective was introduced for second and final reading.

Motion was made by Mrs. Alsbrook to pass Ordinance No. 1746 on second and final reading. The motion was seconded by Mr. Chastain and upon call of the roll Aldermen Alsbrook, Brock, Chastain, Harvey, Neal, Newman and Mayor Haley voted aye. Voting Nay: None. Motion carried.

Ordinance No. 1747, an ordinance to amend the Municipal Code of the City of McMinnville, Tennessee, by striking the words and figures contained in Title 12, Chapter 6 of said Code and adopting in lieu thereof a new and complete Chapter 6, which section incorporates the adoption by reference of the 2012 edition of the *International Energy Conservation Code*, regulating and governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems in the City of McMinnville; providing for the issuance of permits and collection of fees therefor; repealing Ordinance No.1615 of the City of McMinnville and all other ordinances or parts of laws in conflict therewith and setting the date that this ordinance shall become effective was introduced for second and final reading.

Motion was made by Mrs. Alsbrook to pass Ordinance No. 1747 on second and final reading. The motion was seconded by Mr. Harvey and upon call of the roll Aldermen Alsbrook, Brock, Chastain, Harvey, Neal, Newman and Mayor Haley voted aye. Voting Nay: None. Motion carried.

Ordinance No. 1748, an ordinance to amend the Municipal Code of the City of McMinnville, Tennessee, by striking the words and figures contained in Title 12, Chapter 7 of said Code and adopting in lieu thereof a new and complete Chapter 7, which section incorporates the adoption by reference of the 2009 of the *Accessible and Usable Buildings and Facilities (ICC A117.1-2009) Code*, providing standards to allow a person with a physical disability to get to, enter, and use a site, facility, building, or element in the City of McMinnville; repealing any of the City of McMinnville other ordinances or parts of laws in conflict therewith and setting the date that this ordinance shall become effective was introduced for second and final reading.

Motion was made by Mrs. Alsbrook to pass Ordinance No. 1748 on second and final reading. The motion was seconded by Mr. Brock and upon call of the roll Aldermen Alsbrook,

Brock, Chastain, Harvey, Neal, Newman and Mayor Haley voted aye. Voting Nay: None.
Motion carried.

Ordinance No. 1749, an ordinance to amend the Municipal Code of the City of McMinnville, Tennessee, by striking the words and figures contained in Title 12, Chapter 8 of said Code and adopting in lieu thereof a new and complete Chapter 8, which section incorporates the adoption by reference of the 2012 edition of the International Swimming Pool and Spa Code, regulating and governing the design, construction, alteration, movement, renovation, replacement, repair and maintenance of swimming pools, spas, hot tubs, aquatic facilities and related equipment in the City of McMinnville; providing for the issuance of permits and collection of fees therefore; repealing Ordinance No.1298 of the City of McMinnville and all other ordinances or parts of laws in conflict therewith and setting the date that this ordinance shall become effective was introduced for second and final reading.

Motion was made by Mr. Harvey to pass Ordinance No. 1749 on second and final reading. The motion was seconded by Mr. Brock and upon call of the roll Aldermen Alsbrook, Brock, Chastain, Harvey, Neal, Newman and Mayor Haley voted aye. Voting Nay: None.
Motion carried.

Ordinance No. 1750, an ordinance to amend the Municipal Code of the City of McMinnville, Tennessee, by striking the words and figures contained in Title 12, Chapter 10 of said Code and adopting in lieu thereof a new and complete Chapter 10, which section incorporates the adoption by reference of the 2012 edition of the *International Mechanical Code*, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems in the City of McMinnville; providing for the issuance of permits and collection of fees therefor; repealing Ordinance No.1616 of the City of McMinnville and all other ordinances or parts of laws in conflict therewith and setting the date that this ordinance shall become effective was introduced for second and final reading.

Motion was made by Mr. Chastain to pass Ordinance No. 1750 on second and final reading. The motion was seconded by Mrs. Alsbrook and upon call of the roll Aldermen Alsbrook, Brock, Chastain, Harvey, Neal, Newman and Mayor Haley voted aye. Voting Nay: None. Motion carried.

Ordinance No. 1751, an ordinance to amend the Municipal Code of the City of McMinnville, Tennessee, by striking the words and figures contained in Title 12, Chapter 11 of said Code and adopting in lieu thereof a new and complete Chapter 11, which section incorporates the adoption by reference of the 2012 edition of the *International Existing Building Code*, regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings, including historic buildings, in the City of McMinnville; providing for the issuance of permits and collection of fees therefor; repealing Ordinance No.1617 of the City of McMinnville and all other ordinances or parts of laws in conflict therewith and setting the date that this ordinance shall become effective was introduced for second and final reading.

Motion was made by Mr. Brock to pass Ordinance No. 1751 on second and final reading. The motion was seconded by Mr. Newman and upon call of the roll Aldermen Alsbrook, Brock, Chastain, Harvey, Neal, Newman and Mayor Haley voted aye. Voting Nay: None. Motion carried.

Ordinance No. 1752 an ordinance to amend the Municipal Code of the City of McMinnville, Tennessee, by striking the words and figures contained in Title 12, Chapter 12 of said Code and adopting in lieu thereof a new and complete Chapter 12, which section incorporates the adoption by reference of the 2012 edition of the *International Residential Code*, regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress in the City of McMinnville; providing for the issuance of permits and collection of fees therefor; repealing Ordinance No.1618 of the City of McMinnville and all other ordinances or parts of laws in conflict therewith and setting the date that this ordinance shall become effective was introduced for second and final reading.

Motion was made by Mrs. Alsbrook to pass Ordinance No. 1752 on second and final reading. The motion was seconded by Mr. Brock and upon call of the roll Aldermen Alsbrook, Brock, Chastain, Harvey, Neal, Newman and Mayor Haley voted aye. Voting Nay: None. Motion carried.

Ordinance No. 1753, an ordinance to amend the Municipal Code of the City of McMinnville, Tennessee, by striking the words and figures contained in Title 12, Chapter 13 of

said Code and adopting in lieu thereof a new and complete Chapter 13, which section incorporates the adoption by reference of the 2012 edition of the *NFPA 101, Life Safety Code*, providing minimum requirements, with due regard to function, for the design, operation, and maintenance of buildings and structures for safety to life from fire in the City of McMinnville; providing for the issuance of permits and collection of fees therefor; repealing Ordinance No.1391 of the City of McMinnville and all other ordinances or parts of laws in conflict therewith and setting the date that this ordinance shall become effective was introduced for second and final reading.

Motion was made by Mr. Brock to pass Ordinance No. 1753 on second and final reading. The motion was seconded by Mrs. Alsbrook and upon call of the roll Aldermen Alsbrook, Brock, Chastain, Harvey, Neal, Newman and Mayor Haley voted aye. Voting Nay: None. Motion carried.

Ordinance No. 1754, an ordinance to amend the Municipal Code of the City of McMinnville, Tennessee, by striking the words and figures contained in Title 13, of said Code and adopting in lieu thereof a new and complete Title 13, which section incorporates the adoption by reference of the 2012 edition of the *International Property Maintenance Code*, regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures in the City of McMinnville; providing for the issuance of permits and collection of fees therefor; replacing Title 13 of the City of McMinnville Municipal Code and other ordinances or parts of laws in conflict therewith and setting the date that this ordinance shall become effective was introduced for second and final reading.

Motion was made by Mrs. Alsbrook to pass Ordinance No. 1754 on second and final reading. The motion was seconded by Mr. Brock.

Motion was made by Mr. Newman to amend Ordinance No. 1754 under section 302.4.3 Disposal section 302.4.3.1 by deleting the wording “shall not to exceed two (2) cubic yards” and adding the wording “shall be removed within thirty (30) days.” The motion was seconded by Mr. Chastain and upon call of the roll Aldermen Alsbrook, Brock, Chastain, Harvey, Neal, Newman and Mayor Haley voted aye. Voting Nay: None. Motion carried.

On the motion to pass Ordinance No. 1754, as amended, on second and final reading, Aldermen Alsbrook, Brock, Chastain, Harvey, Neal and Mayor Haley voted aye. Voting Nay: None. Motion carried.

DEPARTMENTAL REPORTS

Mayor Haley recognized Police Chief Bryan Denton who reported the McMinnville Police Department was hosting a Police Bicycle class this week at the Civic Center. Police officers from several surrounding cities are participating.

ANNOUNCEMENTS

Alderman Chastain reported Highland Rim CrossFit's event held on April 8th to raise money for the nonprofit organization Active Heroes was very successful, they raised nearly \$3,000.

Mayor Haley reported CNN was in town on April 10th doing some filming at Cumberland Caverns.

City Hall will be closed on April 14th for Good Friday.

ADJOURNMENT

There being no further business the meeting adjourned.

City Recorder

Mayor