

REGULAR SESSION

March 28, 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, March 28, 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 and members of the news media and press. Tim Pirtle, City Attorney was absent.

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 14, 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. Brock and carried.

RECOGNITION OF VISITORS

Mayor Haley recognized David Luna, 313 Lakeshore Drive, who stated he was representing a group of home owners and residents of the Forest Park area protesting the placement of modular homes in their neighborhood. He presented a petition that contained approximately 70 signatures of residents of the area that read:

“We the residents of Forest Park Estates do hereby petition the city of McMinnville, TN and the McMinnville Zoning Commission, against the multi-sectional “trailer” located at 208 Forest Drive. This dwelling does hereby violate the Forest Park Estates bylaws and must be removed from Forest Park Estates. The definition of a modular home and a mobile home are attached for reference along with photos of the trailer being moved into the neighborhood. We have also attached the ad from Meadows Homes directly from their website on the internet. We present the signatures of the residents of Forest Park Estates for the petition.”

Mayor Haley recognized Anne Buckner, 314 Lakeshore Drive, who also spoke against the placement of modular homes. She requested the codes be changed to require modular homes to be built on site.

Mayor Haley recognized Nolan Ming, Director of Planning and Zoning, who stated the modular home in Forest Park meets our current codes. It is not in violation of our zoning or building codes. It may be in violation of the Forest Park Subdivision Codes, but that would have to be enforced through court action.

COMMUNICATIONS

Motion was made by Mr. Newman to approve a request from Melissa Brown, on behalf of the Generations Campbell Lodge/Wood House, for their annual “5K color run” fundraiser to be held in McMinnville scheduled for Saturday, May 13th. The motion was seconded by Mr. Neal and carried.

Motion was made by Mr. Newman to approve a request from Laura Beth Gheesling, on behalf of the Ignite for Progress group of McMinnville, to plant a tree at Ramsey Park on April 20th at 5:30 p.m. as an Earth/Arbor day event. The motion was seconded by Mr. Chastain and carried.

Motion was made by Mr. Neal to approve a request from Katie Kemezis, Main Street McMinnville Director, for the city to provide trash cans, recycling bins, brooms, racks and disposable gloves for their April 22, 2017 Spring Clean in downtown McMinnville to celebrate Earth Day. The motion was seconded by Mr. Chastain and carried.

PETITIONS

The petition from the Forest Park Estates residents was the only petition received.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

Motion was made by Mr. Chastain to authorize the city recorder to refund Orchard View LLC in the amount of \$7,802.00 for 2016 taxes. The refund is due to a Tennessee State Board of Equalization appeal. The motion was seconded by Mr. Neal and upon call of the roll, Aldermen Alsbrook, Brock, Chastain, Harvey, Neal, Newman and Mayor Haley voted Aye. Voting Nay: None. Motion carried.

Mayor Haley read a Proclamation proclaiming the month of April 2017 as Child Abuse Prevention Month across the City of McMinnville and encouraging all citizens to become

involved in efforts to prevent all levels of child abuse thereby strengthening the community in which we live.

Mayor Haley read a proclamation proclaiming the month of April 2017 as Sexual Assault Awareness Month across the City of McMinnville and encouraging all citizens to become involved in efforts to prevent all levels of sexual assault.

Mayor Haley read a proclamation proclaiming April 2017 as National Autism Awareness Month across the City of McMinnville, Tennessee, and urging all citizens to become better educated about this disorder and actively participate in community support groups and agencies that assist those families affected by autism.

RESOLUTIONS

Resolution No. 2011, a resolution to authorize the City of McMinnville, Tennessee, to purchase one (1) 908M Caterpillar Loader (Articulated Rubber Tire) in the amount of \$89,290.56 for the McMinnville Water & Sewer 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. Neal to adopt Resolution No. 2011. 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.

Resolution No. 2012, a resolution of the City of McMinnville, Tennessee, to accept the bid of Tinsley Asphalt, LLC in the amount of \$103,133 to furnish materials and labor to pave the Civic Center back parking lot; 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. Newman to adopt Resolution No. 2012. 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.

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 first reading.

Motion was made by Mr. Chastain to pass Ordinance No. 1741 on first 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. 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 first reading.

Motion was made by Mr. Harvey to pass Ordinance No. 1742 on first 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. 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 first reading.

Motion was made by Mr. Chastain to pass Ordinance No. 1743 on first 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 first reading.

Motion was made by Mr. Harvey to pass Ordinance No. 1744 on first 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. 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 first reading.

Motion was made by Mr. Chastain to pass Ordinance No. 1745 on first 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. 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 first reading.

Motion was made by Mr. Brock to pass Ordinance No. 1746 on first 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 first reading.

Motion was made by Mrs. Alsbrook to pass Ordinance No. 1747 on first 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. 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 first reading.

Motion was made by Mr. Chastain to pass Ordinance No. 1748 on first 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. 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 first reading.

Motion was made by Mr. Chastain to pass Ordinance No. 1749 on first 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 first reading.

Motion was made by Mr. Brock to pass Ordinance No. 1750 from first reading. The motion was seconded by Mr. Chastain.

Motion was made by Mr. Brock to amend Ordinance No. 1750 by adding under Section 506.6 the wording “Applies immediately upon Final passage and publication of the ordinance and/or its caption to new construction, installations, occupancies or businesses. Existing installations, occupancies or businesses have one year form the date of the final passage and publication of the ordinance and/or its caption to comply.” This wording is added after the working “The range must also be protected by a self-contained residential fire suppression system”. 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. 1750, as amended, from first reading, 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 the first reading.

Motion was made by Mr. Chastain to pass Ordinance No. 1751 on first 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. 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 first reading.

Motion was made by Mr. Brock to pass Ordinance No. 1752 on first 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. 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 the first reading.

Motion was made by Mr. Chastain to pass Ordinance No. 1753 on first 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 first reading.

Motion was made by Mr. Chastain to pass Ordinance No. 1754 on first 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.

DEPARTMENTAL REPORTS

Fire Chief Kendall Mayfield reported the Fire Department employees will be flowing fire hydrants next month.

Parks and Recreation Director Scott McCord reported the Park Theatre passed their fire inspection. We are now only waiting on the chairs for the balcony.

Brad Hennessee, Assistant Public Works Director, thanked the other departments for helping the Public Works employees during the recent storm. They had 11 traffic signals blown down and 28 trees in the roadways. The Water Department employees helped remove trees and the Police Department directed traffic.

Administrator Brock reported that the storm damage started about 6:00pm and by 10:00pm all traffic signals were back up and working. Everything worked out well with all departments working together.

ANNOUNCEMENTS

Mayor Haley gave members of the Board a written report on the Tennessee Municipal League Legislative Conference which was held in Nashville March 20-21, and the Rural Development Conference held March 22-23 in Murfreesboro.

He also reported the Bluegrass Underground shows held on March 24, 25 and 26 were all sold out. People from across the nation and outside the U.S. attended.

The Chamber's Taste of the Underground was also a huge success.

ADJOURNMENT

There being no further business the meeting adjourned.

City Recorder

Mayor