

REGULAR SESSION

June 12, 2018

The Board of Mayor and Aldermen of the City of McMinnville, Tennessee, met in regular session at its regular meeting place, City Hall, Tuesday, June 12, 2018, 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: Administrator Bill Brock; 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, recording the action taken at the meeting.

CONSIDERATION OF MINUTES

Mayor Haley stated that written copies of the minutes of the regular session of May 22, 2018 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 Terry Mullican representing Mt. Leo Church of Christ. Mr. Mullican stated that on March 3, 2018 sewer flooded the lower level of their church. The city was contacted, they came out and saw the problem. A city employee contracted Jay Bragg, the local representative for the city's insurance, to ask about cleanup since this was on a Saturday and they needed it cleaned up before church services on Sunday. Jay said to call Servpro.

After the city's insurance company's investigation, they determined the city was not liable for the backup and sent a letter to the church stating this.

The church received a bill from Servpro for in the amount of \$17,353.00 for the cleanup.

Mr. Mullican requested the city reimburse the church for the \$17,353.00 and guarantee the problem was fixed and it would not happen again. The church's insurance company only paid them \$2,500.

Mayor Haley referred this to the Water and Sewer Committee and the city's legal counsel.

Mayor Haley recognized David Hill who stated he wanted to address an article in Sunday's paper regarding the Mayor planning to propose seeking a new city administrator. He said the last city administrator was very controversial with the citizens and the Board.

Four years ago the Board named Bill Brock as the Acting City Administrator. He was curious as to how naming a local person to that position would work out. The difference has been like day and night. Mr. Brock has done a good job with the day to day operations of the city without seeking personal attention or recognition. During the last four years he has proven he can do the job and he was amazed some would want to move the city backwards instead of forward.

Mr. Hill encouraged the Board not to take action on the Mayor's proposal until after the county and city elections this year.

COMMUNICATIONS

Motion was made by Mr. Chastain to approve a request from Martha Phillips, Executive Director Children's Advocacy Center, for the donation of the use of the civic center gym and event supplies on Thursday, September 27, 2018 for their 11th Annual Angels Autumn Fest Fund Raiser. The motion was seconded by Mr. Neal and carried.

Motion was made by Mr. Neal to approve a request from Neal Cox, McMinnville Breakfast Rotary River Cleanup Chairman, for the City to pick up the trash collected from their clean-up schedule for July 21, 2018. The motion was seconded by Mr. Chastain and carried.

Motion was made by Mr. Newman to approve a request from Jay Bragg, Rotary Club of McMinnville Event Chairman, for approval to conduct the 37th Annual Stars & Stripes 5K Fun Run and Walk on July 4, 2018. The event will start at 7:30 a.m. and they will be using Course 5 and the event should end about 9:00 a.m. The motion was seconded by Mr. Brock and carried.

Motion was made by Mr. Newman to approve a request from Bobby Kirby, McMinnville City Triathlon committee member, for the use of the Gilley Pool, Civic Center, Police patrol, to waive the fees, the blocking and closing of Garfield Street between Sunset Drive to Clark Blvd. and the closing of the inside lane of Clark Blvd between DC Tire (Post Road) to Club Drive for their triathlon scheduled for August 18, 2018. The motion was seconded by Mr. Neal and carried.

Motion was made by Mr. Chastain to approve a request from Kyle Clyde, Recreation Program Coordinator, for the closure of a section of Main Street and sections of adjacent streets for the McMinnville 4th of July celebration. He requested the streets be closed from 4:00 a.m. until 1:00 p.m. The motion was seconded by Mr. Brock and carried.

Motion was made by Mr. Neal to approve a request from Connie Smith, Director, McMinnville Warren County Senior Center, Inc., for the use of the City owned stage and folding chairs for an election debate for candidates running for county-wide offices to be held at the Farmer's Market July 21, 2018. They will pay the rental fees. The motion was seconded by Mr. Brock and carried.

PETITIONS

There were no petitions.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

Motion was made by Mayor Haley to reappoint Sally Brock to another four-year term on the Board of Public Utilities. The motion was seconded by Mr. Newman and carried.

Mayor Haley stated he appointed a new Ad Hoc Security and Safety Committee to find out how prepared the city was in the event of a tornado disaster, someone poisoning our water supply, a school shooting, a shooting at one of our downtown events, etc. We have several plans on the books but we need to review them and look at putting all of them into one plan so everyone would know the chain of command and who was in charge in the event of a disaster.

He recognized Alderman Chastain, Chairman of the new committee, for his report.

Alderman Chastain stated they had their initial meeting last Tuesday. It was a short meeting. At the meeting he described the purpose of the committee and the tasks they had been given. Bill Brock gave them a copy of the City's existing Emergency Management Plan, but that is just the City's plan. It does not include the county or any other plans.

Basically, they decided to review the plan and reconvene at a later date. Mr. Chastain read a list of other organizations and entities such as department heads, police, fire, Warren County Sheriff's Department, Warren County EMS, River Park Hospital, the school system, Durham Bus Services, MES, Caney Fork Electric, Ben Lomand, TBI, Homeland Security, FEMA, TEMA, Warren County 911 and the Rescue Squad that he felt needed to be involved to some extent in this. How they will be involved will have to be determined.

Whether they have one large meeting with representatives from these various entities or individual interviews still needs to be determined.

Mr. Pirtle stated they may want to add UCHRA to the list. They have a lot of transportation services located locally.

The next item on the agenda was discussion of full-time City Administrator position.

Motion was made by Mayor Haley for the Board to move on securing the services of MTAS to implement and assist the City in the process of hiring a full time City Administrator, with an outline, timetable and job description to be determined. The motion was seconded by Mr. Newman.

Mayor Haley gave members of the Board an email from Warren Nevad, the City's MTAS consultant, stating they would need a formal letter of request and outlined the services MTAS would provide. He also gave them a copy of a job description for a City Administrator.

In discussion Aldermen Neal stated he saw no reason to make a change at this time. With the two upcoming elections that could change the composure of this Board and if this process continues on to October he felt it was unfair for this Board to hire an administrator that would be working with a potentially new Board. He was not in favor of making a change. He felt Mr. Brock has done a great job. He has always done anything he has asked him to do and has always gotten back to him promptly.

Upon call of the roll on Mayor Haley's motion Aldermen Alsbrook, Chastain, Harvey, Newman and Mayor Haley voted aye. Voting Nay: Aldermen Brock and Neal. Motion carried.

Mr. Chastain stated he had no problem with the process but he did not know if there was a person in the room that knew more about the functions and operations of the city than Bill. In lieu of his experience and training, if this is the way we are going to go, he should be allowed to apply for the position if he chooses.

Motion was made by Mr. Chastain to amend Ordinance No. 1518 regarding the minimum requirements for the City Administrator position to no longer include a college degree. The motion was seconded by Mr. Harvey.

Motion was made by Mr. Newman to amend the wording of Mr. Chastain's motion to instead of taking out the college requirement, amend it to read "Minimum qualifications shall include a college degree and/or experience and training in municipal administration." The motion was seconded by Mr. Neal. Upon call of the roll Aldermen Alsbrook, Brock, Chastain, Harvey, Neal, Newman and Mayor Haley voted aye. Voting Nay: None. Motion carried.

Upon call of the roll-on Mr. Chastain's motion, as amended, Aldermen Alsbrook, Brock, Chastain, Harvey, Neal, Newman and Mayor Haley voted aye. Voting Nay: None. Motion carried.

RESOLUTIONS

Resolution No. 2039, a resolution of the City of McMinnville, Tennessee, to authorize the continuance of expenditures of money for the necessary governmental functions until the budget for fiscal year 2018-2019 is prepared and a budget ordinance duly adopted, including money to pay City employees and to meet contractual obligations previously authorized; to authorize the Mayor and Recorder to execute such instruments as may be necessary for this purpose; to provide that the resolution shall remain in effect until a budget ordinance has been enacted; and to express the time when the resolution becomes effective was introduced for adoption.

Motion was made by Mr. Brock to adopt Resolution No. 2039. 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.

Resolution No. 2040, a resolution to authorize the City of McMinnville, Tennessee to accept the bid from Freeland Automotive for two (2) 2018 One-Ton 4/4 GVWR 14,000 lbs., 4-Door Cab and Chassis Trucks in the total amount of \$ 62,138.00 for 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. Harvey to adopt Resolution No. 2040. 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.

Resolution No. 2041, a resolution to authorize the City of McMinnville, Tennessee to accept the bid from Gene A. Fults & Son for two (2) One Ton Truck Beds with Dump Cylinders in the total amount of \$10,800.00 for 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. Chastain to adopt Resolution No. 2041. 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. 2042, a resolution of the City of McMinnville, Tennessee to ratify and affirm the action taken by the Mayor to sign a License Agreement with State of Tennessee, Department of Transportation for use of an area adjacent to the Barren Fork River under S.R. 56; and to set the date for the resolution to become effective was introduced for adoption.

Motion was made by Mr. Newman to adopt Resolution No. 2042. 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.

ORDINANCES

Ordinance No. 1773, an ordinance to amend Ordinance No. 1764, adopted September 26, 2017, and the McMinnville Municipal Code Title 5 Chapter 6 Section 5-606 which incorporates the levying of a hotel motel tax on the privilege of occupancy of a hotel, and adopting substantially in the form of the Monthly Tax Return Form by adding the wording “Effective July 1, 2018 the rate of the levy will increase to five percent (5%) as per Senate Bill No. 2707 approved April 20, 2018; and to set the time for the ordinance to become effective was introduced for second and final reading.

Motion was made by Mr. Brock to pass Ordinance No. 1773 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. 1774, an ordinance to direct all money collected on the Occupancy Tax (Hotel/Motel) to be paid to the Tourism Development Board monthly as collected by the City of McMinnville; 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. 1774 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. 1775, an ordinance to amend Ordinance No. 1762, adopted September 26, 2017, which appropriates funds to certain nonprofit charitable organizations and certain nonprofit civic organizations to promote civic betterment, social improvements and the health and general welfare of the residents of the City of McMinnville and to promote the economic welfare of the City of McMinnville and its residents, for the fiscal year beginning July 1, 2017 and ending June 30, 2018, by increasing appropriated funds to the McMinnville-Warren County Chamber of

Commerce by \$7,100 to be used for tourism; 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. 1775 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. 1761A, an ordinance to amend Ordinance No. 1761 adopted August 22, 2017, which is an ordinance to set the budget for the 2017-2018 fiscal year, by increasing figures in Section 2 General Fund; said revision of expenditures reflecting changes in fiscal year 2017-2018; and to express the time for this ordinance to become effective was introduced for second and final reading.

Motion was made by Mr. Newman to pass Ordinance No. 1761A 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.

DEPARTMENTAL REPORTS

Police Chief Bryan Denton gave members of the Board a copy of the McMinnville Police 2017 Annual Report.

Scott McCord, Parks and Recreation Director, gave an update report on the Skate Park and the tennis court renovations.

ANNOUNCEMENTS

Mayor Haley read a Proclamation proclaiming June 15, 2018 as Linda O'Neal Advocacy Day across the City of McMinnville.

He read a Proclamation proclaiming June 13, 2018 Literacy Day across the community as we celebrate the beginning of the summer reading program at our public library.

ADJOURNMENT

There being no further business the meeting adjourned.

City Recorder

Mayor