

BOARD MEETING

February 08, 2010

The Board of Mayor and Aldermen of the City of Tullahoma, Coffee and Franklin Counties, Tennessee met in a regular session at the Municipal Building, in Tullahoma, on Monday, February 8, 2010, at 5:30 p.m., with Mayor Troy Bisby presiding and the following named members of the Board of Mayor and Aldermen: James Blanks, James Eads, Jerry Mathis, Mike Norris Greg Sandlin and Mike Stanton. All seven Board members were present.

Louis J. Baltz, City Administrator; Randall Morrison, City Attorney; and Rosemary Womack, City Recorder; were also present at the meeting.

The meeting was opened with an invocation delivered by Dr. Jim Growden and he the pledge of allegiance to the flag.

PROCLAMATIONS, AWARDS, AND SPECIAL PRESENTATIONS – NONE -

COMMENDATIONS AND CERTIFICATES -

Mayor Bisby read a certificate of appreciation and presented it to Mr. Joe Pannell and Mr. Brad Holt of the Goodrich Corporation for their donation of the Fire Safety House.

COMMENTS FROM CITIZENS –

Ms. Pat Outlaw, 308 Jefferson Street, President of the American Legion Auxiliary, stated that without these roadblocks their annual budget of \$6,000.00 would be severely hurt. She wanted the Board to vote to allow the roadblock solicitations to continue.

Mr. Colin Lawrence of 215 West Coffee Street is with the Big Brothers Association. They collect monies at the roadblocks in order to give out 125 food boxes at Christmas time. He asked the Board to reconsider their vote on the solicitation ordinance.

Mr. Terry Lockwood, 137 Linda Lane, is serving as Commander of the American Legion Post 43 here in Tullahoma. He stated he wants the Board to reconsider this measure and allow these types of organizations to have roadblocks so that funds can be collected to support the needy.

Mr. Joe Hills, 1112 Country Club Drive, Tullahoma. Mr. Hills stated that he was speaking on behalf of Col. Randy Payne who is retired from the US Air Force. Mr. Payne volunteers every Monday at the VA Hospital and could not be here tonight. Mr. Payne is also a Grand Knight with the Knights of Columbus. The Knights of Columbus collect at roadblocks to help the intellectually challenged. Mr. Hills stated that they do not want to see the collections stopped since they use 100 % of the monies collected to help the intellectually challenged and other such charities.

Mr. Jeff Ready, 304 Twelve Oaks Drive, stated he sees no good reason why a child from Tullahoma should go to school cold or hungry. He asked the Board to allow the collections at roadblocks to continue.

Mr. Terry Lockwood, 137 Linda Lane, spoke again. He stated that he had attended the 5th district meeting for the American Legion held in Woodbury two weeks ago. At this meeting it was stated that the State is considering cutting their budget as supported by the State by over \$2 million dollars. Mr. Lockwood said, should this cut go through this will further decrease the available funds for any charitable agency in this community.

REPORTS FROM MEMBERS OF THE BOARD OF MAYOR AND ALDERMEN

ALDERMAN MATHIS – Mr. Mathis stated that he attended the Mayor's Youth Council.

ALDERMAN EADS – Mr. Eads stated that he will attend the Duck River Utility Commission meeting and the Consolidated Communication Commission meeting later this month. He is looking forward to getting the wording completed for the First Responder agreement.

ALDERMAN BLANKS – Mr. Blanks said there was no meeting for the School Board last week. He did attend a meeting with Tennessee Department of Transportation regarding Cedar Lane. Mr. Blanks stated that there will be a Finance Committee meeting tomorrow where the outdoor pool project will be on the agenda.

ALDERMAN SANDLIN – Mr. Sandlin stated that he attended a monthly Tullahoma Chamber of Commerce coffee. He said there was no Tullahoma Airport Authority meeting last week. Mr. Sandlin also stated there was no Planning Commission meeting last week.

ALDERMAN STANTON – Mr. Stanton said there was a Dream Tullahoma meeting on January 28. The Outdoor Exhibit Committee will be presenting to the Board of Mayor and Alderman at an upcoming meeting. He attended a Tullahoma Pride Committee meeting. Mr. Stanton stated there is a Senior

Health Plus Program that is held monthly at Harton Hospital. There is a free tax assistance service available (for all low and middle income tax payers) thru an organization called Tax Aid they are sponsored by the AARP Foundation. You can call 455-9475 anytime from 8:00am to 12:00 noon to schedule an appointment.

MAYOR PRO TEM NORRIS – Mr. Norris stated that he attended a Tullahoma Utility Board meeting. There will be a Finance Committee meeting on February 9, 2010 at 12:00 noon here at City Hall.

MAYOR BISBY – Mayor Bisby said “thank you” to the Recreation Department for their recent program titled, “Art for All.” He then said thanks to the Police Department for their assistance with the recent Boy Scout 100th year anniversary march down Jackson Street. In addition, the School Crossing Guards and Police Officers did a wonderful job recently keeping our students and citizen’s safe as school was let out early because of the snow. Mayor Bisby stated the Tullahoma Pride Committee has worked up a tentative schedule for the front display window at City Hall. He handed out a sheet of paper with their ideas. Mayor Bisby stated a committee had offered some changes to the First Responder agreement.

REPORT FROM THE CITY ATTORNEY – Randall Morrison had no report.

REPORT FROM THE CITY ADMINISTRATOR – Mr. Jody Baltz stated there was a progress meeting with the engineers regarding the Cedar Lane project and the field survey is nearly complete.

CONSENT AGENDA

AGENDA ITEM 10-14 - MINUTES OF JANUARY 25, 2010 REGULAR MEETING.

A motion was made by Mr. Blanks and seconded by Mr. Mathis to approve the consent agenda as presented.

On roll call all members present voted aye and it was so ordered.

OLD BUSINESS –

ORDINANCE NO. 1396 – AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF TULLAHOMA, TENNESSEE BY REPEALING SECTION 5-113 OF CHAPTER 1 (IN GENERAL) OF TITLE 5 (MUNICIPAL

FINANCE AND TAXATION) IN ITS ENTIRETY AND SUBSTITUTING IN LIEU THEREOF A NEW SECTION 5-113 OF CHAPTER 1 REGARDING APPLICATION FOR PERMITS, LICENSES, AND OR PRIVILEGES – PAYMENT OF ALL DELINQUENT CHARGES, TAXES, AND FEES, for passage on the second of three readings.

Mayor Bisby read the caption of Ordinance No. 1396 and gave the background information.

A motion was made by Mr. Stanton and seconded by Mr. Sandlin to accept Ordinance No. 1396 on the second of three readings.

On roll call all members presented voted aye and it was so ordered.

ORDINANCE NO. 1397 – AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF TULLAHOMA, TENNESSEE BY REPEALING SECTION 17-118 OF CHAPTER 1 (IN GENERAL) OF TITLE 17 (REFUSE) IN ITS ENTIRETY AND SUBSTITUTING IN LIEU THEREOF A NEW SECTION 17-118 OF CHAPTER 1 REGARDING DELINQUENT WASTE COLLECTION FEES-PENALTIES, for passage on the second of three readings

Mayor Bisby read the caption of Ordinance No. 1397 and gave the background information.

A motion was made by Mr. Sandlin and seconded by Mr. Blanks to accept Ordinance No. 1397 on the second of three readings.

On roll call all members presented voted aye and it was so ordered.

ORDINANCE NO. 1398 – AN ORDINANCE TO REPEAL CHAPTER 3, SECTION 9 OF THE MUNICIPAL CODE OF THE CITY OF TULLAHOMA AND SUBSTITUTING IN LIEU THEREOF A NEW CHAPTER 3, SECTION 9 CHARITABLE, EDUCATIONAL AND RELIGIOUS SOLICITATIONS, for passage on the second and final reading.

Mayor Bisby read the caption of Ordinance No. 1398 and gave the background information.

A motion was made by Mr. Sandlin and seconded by Mr. Norris to adopt Ordinance No. 1398 on the second and final reading.

A discussion evolved among the Board members.

An amendment was made to the motion by Mr. Norris and seconded by Mr. Sandlin to change the words in the Exhibit A of Chapter 3: letter (i) from

“Only 501-c3 charities” to “**Non-profit charities**”; letter (h) “the four (4) way stop intersections at Grundy Street and Anderson Street and Grundy Street and Washington Street.” to “**any approved all way stops as determined by the Chief of Police or City Administrator.**”; letter (k) “participant” to “**participate**”.

On roll call the vote was as follows:

AYE: Bisby, Eads, Norris, Sandlin

Nay: Blanks, Mathis, Stanton

The vote being four (4) Ayes and three (3) Nays, the amendment passed and it was so ordered.

Another amendment was made by Mr. Stanton. He wanted to add to the original motion and the previous amendment that any traffic light or any four way stop deemed acceptable by the Police Chief, but only with the solicitors being permitted to be on the side of the street or the sidewalk, not in the middle of the intersection.

The motion failed for a lack of a second and Mr. Stanton withdrew his motion to the amendment.

Amendment Number two (2) was made to the original motion by Mr. Mathis and seconded by Mr. Blanks to allow the non-profit organizations to solicit at four (4) way stop signs and red traffic lights with the police department being made aware of every time they are going to do the solicitations.

On roll call the vote was as follows:

AYE: Blanks, Mathis

NAY: Bisby, Eads, Norris, Sandlin, Stanton

The vote being two (2) Ayes and five (5) Nays, the amendment failed.

City Attorney, Randall Morrison made a suggestion as to a correction on the wording of the preamble of Ordinance No. 1398. In the preamble section, the words “fail to promote” should be replaced with the word “**requires**”. In the second whereas, the word “prohibit” should be replaced with the word “**regulate**”.

A motion was made by Mr. Norris and seconded by Mr. Sandlin to accept the suggested word changes as recommended by the City Attorney.

On roll call all members presented voted aye and it was so ordered.

Mayor Bisby then called for a vote on the original motion as amended.

On roll call the vote was as follows:

AYE: Bisby, Blanks, Norris, Sandlin

Nay: Eads, Mathis Stanton

The vote being four (4) Ayes and three (3) Nays, the amendment passed and it was so ordered.

NEW BUSINESS

RESOLUTION NO. 1455 – A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF TULLAHOMA TO EXECUTE A MUTUAL AID AGREEMENT WITH THE ARNONLD AIR FORCE BASE, TENNESSEE, for adoption.

Mayor Bisby read the caption of Resolution No. 1455.

Fire Chief Shasteen gave the background information.

A motion was made by Mr. Norris and seconded by Mr. Eads to adopt Resolution No. 1455 and authorize the Mayor and appropriate staff to execute the agreement.

On roll call all members presented voted aye and it was so ordered.

ORDINANCE NO. 1399 – AN ORDINANCE TO ADOPT A NEW CHAPTER 3, TITLE 13 OF THE MUNICIPAL CODE OF THE CITY OF TULLAHOMA, TENNESSEE RELATIVE TO SLUM CLEARANCE, for passage on the first of two readings.

Mayor Bisby read the caption of Ordinance No. 1399.

City Attorney, Randall Morrison gave some background information.

A motion was made by Mr. Norris and seconded by Mr. Blanks to pass Ordinance No. 1399 on the first of two readings with staff to follow up on how other cities are handling this type of ordinance.

On roll call all members presented voted aye and it was so ordered.

ITEM NO. 10-15 - ACCEPTANCE OF DONATION FROM GOODRICH CORPORATION.

Mayor Bisby read the caption of agenda Item 10-15 and gave some background information.

A motion was made by Mr. Sandlin and seconded by Mr. Norris to accept the donation of the fire safety items form the Goodrich Corporation.

On roll call all members presented voted aye and it was so ordered.

There being no further business to come before the Board of Mayor and Aldermen at this time the Board Meeting adjourned at 7:08 p.m.

CITY RECORDER

MAYOR