

REGULAR MEETING

LOUDON CITY COUNCIL

January 19, 2009

The regular meeting of the Loudon City Council was held on January 19, 2009 in the Council Meeting Room. The meeting was called to order at 7:30 P.M. Those present were Mayor Bernie R. Swiney, Councilmen Mike Cartwright, Lewis Garner, Eugene Lambert and Lynn Millsaps. Also present were City Manager Lynn Mills, City Attorney Edwin Arnold and City Recorder Stephanie Putkonen. Vicky Newman of the *News Herald* represented the press. Approximately thirty-five citizens were present.

Bishop J. Drinnon held the invocation. Councilman Cartwright led the Pledge of Allegiance to the Flag of the United States of America.

Mayor Swiney asked if council members had a chance to review the minutes of the regular meeting held on December 15, 2008. **A motion was made by Councilman Lambert, seconded by Councilman Cartwright and unanimously passed to approve as written the minutes of the regular meeting held on December 15, 2008.**

Council considered the administrative approval of the purchase of gasoline and diesel fuel from the low bidder, Rogers Petroleum (\$1.2918 per gallon for gasoline and \$1.585 per gallon for diesel fuel). **A motion was made by Councilman Millsaps, seconded by Councilman Garner and unanimously passed to administratively approve the purchase of gasoline and diesel fuel from Rogers Petroleum (\$1.2918 per gallon for gasoline and \$1.585 per gallon for diesel fuel).**

Mayor Swiney presented an ordinance for final reading amending the beer ordinance to incorporate the Responsible Vendor Act and adding wording related to golf courses. A motion was made by Councilman Lambert, seconded by Councilman Garner that the following ordinance be passed on second and final reading:

ORDINANCE NO. 2009-01

AN ORDINANCE TO AMEND SUBSECTION (1) OF SECTION 8-209, SECTIONS 8-207 SUBSECTION (1), 8-213 AND 8-214, AND TO ADD SECTIONS 8-215 TO THE CITY OF LOUDON MUNICIPAL CODE

Upon a vote the AYES were Lambert, Garner, Cartwright, Millsaps and Swiney. There were no NAY votes. Mayor Swiney declared the ordinance passed on final reading.

Mayor Swiney presented an ordinance for final reading to add a chapter to the Municipal Code pertaining to liquor stores.

Councilman Garner stated that he was not at last month's meeting due to illness. He was upset that council changed the distance from a church or school to 200 feet from 250 feet. He preferred 300 feet. He said he approved of the change from a maximum of 3 to 2 stores. He said they could have made the ordinance more restrictive. He said this was the hardest vote he ever had to make.

Councilman Millsaps said he didn't think 50 or 100 feet made a lot of difference. He said they did restrict the number to 2 instead of 3 or unlimited.

Councilman Cartwright said that they could not change the fact that liquor stores have been approved to locate in the City of Loudon. All they could do was control who and where they located.

Councilman Lambert added that council seemed to be getting the blame, but the council must establish controls to keep the state from taking over.

Mayor Swiney said council's job was to see that the establishment of liquor stores was done properly by restricting and policing them so they do not become obnoxious.

A motion was made by Councilman Millsaps, seconded by Councilman Cartwright that the following ordinance be passed on second and final reading:

ORDINANCE NO. 2009-02

**AN ORDINANCE TO ADD CHAPTER 3 TO TITLE 8
TO THE CITY OF LOUDON MUNICIPAL CODE**

Upon a vote the AYES were: Millsaps, Cartwright, Lambert, and Swiney. Garner voted NAY. Mayor Swiney declared the ordinance passed on final reading.

Councilman Garner reminded Mayor Swiney that he had overlooked the recognition of visitors on the agenda.

Mayor Swiney recognized Mrs. Renee Garner. She asked why city council did not move its meeting to Tuesday when it fell on the Monday holiday of Martin Luther King Day.

Councilman Cartwright said when the union for Loudon Utilities asked for the Martin Luther King Day holiday they were told they would have to give up one of the currently observed holidays. They weren't interested.

There was considerable discussion about the evaluation process once the applications for a Certificate of Compliance to locate a liquor store in Loudon were received.

Manager Mills said the only decision needed at this time in order to let the applications out was the date of the public hearing. The applicants have to advertise in three consecutive issues of the News Herald of their intent to apply for a Certificate of Compliance in order to apply to the State Alcoholic Beverage Commission for a liquor store license. The ad must include the date the city council will hold a public hearing for the purpose of public comment.

Council concurred to hold the public hearing for all the applicants at 6:00 P.M. on March 16, 2009.

There being no further business, Mayor Swiney adjourned the meeting at 8:40 P.M.

Recorder

Mayor

