

## REGULAR MEETING

### LOUDON CITY COUNCIL

October 19, 2009

The regular meeting of the Loudon City Council was held on October 19, 2009 in the Council Meeting Room. The meeting was called to order at 7:34 P.M. Those present were Mayor Bernie 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. Chris Smullen videotaped the meeting for LCTV3. There were approximately ten citizens present.

Reverend Jon Henson held the invocation. Councilman Millsaps 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 September 21, 2009. **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 September 21, 2009.**

Council considered the administrative approval of the purchase of gasoline and diesel fuel from the low bidder, Rogers Petroleum (\$1.7691 per gallon for unleaded plus gasoline and \$1.795 per gallon for diesel fuel). **A motion was made by Councilman Garner, seconded by Councilman Millsaps and unanimously passed to administratively approve the purchase of gasoline and diesel fuel from Rogers Petroleum (\$1.7691 per gallon for unleaded plus gasoline and \$1.795 per gallon for diesel fuel).**

Mayor Swiney welcomed the visitors and asked if anyone had anything to bring before council that did not appear on the agenda. There was no response.

Mayor Swiney presented an ordinance to amend the 2008-09 budget. A motion was made by Councilman Lambert, seconded by Councilman Millsaps that the following ordinance be passed on final reading:

#### ORDINANCE NO. 2009-06

##### AMENDING THE 2008-2009 FISCAL YEAR BUDGET

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

Mayor Swiney presented an ordinance to reduce the wholesale liquor tax inspection fee from 8% to 5%.

Councilman Garner stated that he thought it was too soon, and there was not yet enough data for evaluation. He reminded them that the revenue included in the budget was based on 8%.

Councilman Cartwright stated that our merchants need to be on an equal footing with the businesses in Knox County and Blount County. He then made the motion to approve the ordinance.

Councilman Millsaps stated that the city had received the majority of the tax revenue when the stores purchased their initial stock. He seconded the motion to approve the following ordinance on final reading:

#### ORDINANCE NO. 2009-07

##### AMENDING ORDINANCE NO. 2009-02 REGARDING RETAIL LIQUOR SALES (LIQUOR STORES) AND WHOLESALE LIQUOR TAX INSPECTION FEES

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

Mayor Swiney presented an ordinance reducing the speed limit to 20 MPH on Main Street from Upper Street to Grove Street. A motion was made by Councilman Lambert, seconded by Councilman Millsaps that the following ordinance be passed on final reading:

**ORDINANCE NO. 2009-08**

**ESTABLISHING THE SPEED LIMIT ON MAIN STREET AT 20 M.P.H.**

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

Council considered an ordinance prohibiting parking from 1207 Main Street to Upper Street. A motion was made by Councilman Millsaps, seconded by Councilman Garner that the following ordinance be passed on final reading:

**ORDINANCE NO. 2009-09**

**PROHIBITING PARKING ON A SECTION OF MAIN STREET**

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

Mayor Swiney presented an ordinance to close a section of Pecan Street between Steekee Street and the alley northwest of Steekee Street as a public street. Blairland Baptist Church requested and the Planning Commission recommended the closure. A motion was made by Councilman Lambert, seconded by Councilman Millsaps that the following ordinance be passed on first reading:

**CLOSING OF A SECTION OF PECAN STREET BETWEEN STEEKEE STREET  
AND THE ALLEY NORTHWEST OF STEEKEE STREET AS A PUBLIC STREET  
PURSUANT TO TENNESSEE CODE ANNOTATED §6-2-201**

Upon a vote, the AYES were: Lambert, Millsaps, Cartwright, Garner and Swiney. Mayor Swiney declared the ordinance passed on first reading. He called for a public hearing to be held at 7:05 on November 16, 2009.

Mayor Swiney presented an ordinance to clarify the procedure for citizens to dispose of grass clippings for collection by the public works department. A motion was made by Councilman Lambert seconded by Councilman Garner that the following ordinance be passed:

**AMENDING THE CODE OF ORDINANCES REGARDING GRASS CLIPPINGS  
IN RELATION TO REFUSE COLLECTION AND STREET OBSTRUCTIONS**

Upon a vote, the AYES were: Lambert, Garner, Cartwright, Millsaps and Swiney. Mayor Swiney declared the ordinance passed on first reading. He called for a public hearing to be held at 7:10 P.M. on November 16, 2009.

Mayor Swiney presented an ordinance to terminate the Loudon County Metro Narcotics Unit. Councilman Garner questioned whether all of the funds should be deposited into the drug fund. After some discussion, a motion was made by Councilman Garner, seconded by Councilman Cartwright that the following ordinance be passed:

**TERMINATING INTERLOCAL COOPERATION AGREEMENT  
OF A LOUDON COUNTY METRO NARCOTICS UNIT**

Upon a vote, the AYES were: Garner, Cartwright, Lambert, Millsaps and Swiney. Mayor Swiney declared the ordinance passed on first reading. He called for a public hearing to be held at 7:15 P.M. on November 16, 2009.

Council considered a resolution approving the construction of a handicap ramp at the Williamson House by E. Miller Construction in the amount of \$15,136. A motion was made by Councilman Millsaps, seconded by Councilman Lambert that the following resolution be passed:

**RESOLUTION NO. 2009-29**

**APPROVING THE CONSTRUCTION OF A HANDICAP RAMP AT THE WILLIAMSON HOUSE**

Upon a vote, the resolution was unanimously approved.

Council considered the purchase of four electro magnetic restraint devices (tasers) from the drug fund in the amount of \$3,451.40. A motion was made by Councilman Garner, seconded by Councilman Lambert that the following resolution be passed:

**RESOLUTION NO. 2009-30**

**AUTHORIZING PURCHASE OF ELECTRO MAGNETIC RESTRAINT EQUIPMENT FROM THE DRUG FUND**

Upon a vote, the resolution was unanimously approved.

Council considered a resolution to declare as surplus a Ford Crown Victoria police vehicle and authorize its sale on govdeals.com. A motion was made by Councilman Millsaps, seconded by Councilman Cartwright that the following resolution be passed:

**RESOLUTION NO. 2009-31**

**AUTHORIZING A FORD CROWN VICTORIA POLICE VEHICLE TO BE CONSIDERED SURPLUS**

Upon a vote, the resolution was unanimously approved.

Council considered allowing the discharge of firearms in the park for the purpose of a police and fire department fund raising event. A motion was made by Councilman Lambert, seconded by Councilman Cartwright to approve the following resolution:

**RESOLUTION NO. 2009-32**

**AUTHORIZING A LOUDON FIRE DEPARTMENT & LOUDON POLICE DEPARTMENT FUND RAISER FOR CHILDREN'S CHRISTMAS FUND**

Upon a vote, the resolution was unanimously approved.

Council considered accepting the Governor's Highway Safety Grant for 2009-10. Manager Mills explained that the funding in the past had been for a full-time officer plus some overtime for other officers, but this year the funding was cut to a maximum of \$19,987.44. He said the funding for the full time position would be short approximately \$35,000 for this fiscal year.

After a lengthy discussion, a motion was made by Councilman Garner, seconded by Councilman Cartwright that the following resolution be passed:

**RESOLUTION NO. 2009-33**

**ACCEPTING GOVERNOR'S HIGHWAY SAFETY GRANT**

Upon a vote, the AYES were: Garner, Cartwright, Lambert and Swiney. Millsaps voted NAY.

Council considered the authorization of the installation of traffic loops at the intersection of Mulberry Street and Grove Street at a cost of \$3,000. Manager Mills explained that the resolution approved last month did not include this amount. A motion was made by Councilman Garner, seconded by Councilman Lambert that the following resolution be passed:

**RESOLUTION NO. 2009-34**

**AUTHORIZING THE INSTALLATION OF TRAFFIC LOOPS AT THE INTERSECTION OF MULBERRY STREET AND GROVE STREET**

Upon a vote, the resolution was unanimously approved.

Councilman Garner asked if the old water tower at Hutch Manufacturing Corporation could be painted using the Courthouse Square Revitalization Funds.

Manager Mills stated it was not located in the zone. He added that in his discussions with Hutch representatives, they had not indicated any interest.

Manager Mills reported he had received a letter from the George R. Johnson Family Foundation regarding the award of a grant in the amount of \$4,000 to purchase two AED machines for the Fire Department. He explained that the Foundation is affiliated with the owners of Hardees Restaurants, and they make the grants available to communities. **A motion was made by Councilman Lambert, seconded by Councilman Cartwright and unanimously passed to accept the grant of \$4,000 from the George R. Johnson Family Foundation to purchase two AED machines.**

Manager Mills asked council for a decision regarding the location of the Christmas tree. He said he had spoken with County Mayor Arp. He said it would be fine to locate the tree on the Highway 11 side of the courthouse lawn.

Recreation Director Harrell presented photographs of the Christmas tree base at various locations on the new fountain triangle. After some discussion, **Mayor Swiney stated that the consensus was to locate the Christmas tree on the courthouse lawn.**

There being no further business, Mayor Swiney adjourned the meeting at 8:58 P.M.

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Recorder

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Mayor