

REGULAR MEETING

LOUDON CITY COUNCIL

September 21, 2009

The regular meeting of the Loudon City Council was held on September 21, 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. Stephanie Smallen videotaped the meeting for LCTV3. There were six citizens present.

Councilman Garner 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 special meeting held August 10, 2009 and the regular meeting held on August 17, 2009. **A motion was made by Councilman Lambert, seconded by Councilman Garner and unanimously passed to approve as written the minutes of the special meeting held August 10, 2009 and the regular meeting held on August 17, 2009.**

Council considered the administrative approval of the purchase of gasoline and diesel fuel from the low bidder, Pilot Travel Centers LLC (\$1.8759 per gallon for unleaded plus gasoline and \$1.8329 per gallon for diesel fuel). **A motion was made by Councilman Millsaps, seconded by Councilman Cartwright and unanimously passed to administratively approve the purchase of gasoline and diesel fuel from Pilot Travel Centers LLC (\$1.8759 per gallon for unleaded plus gasoline and \$1.8329 per gallon for diesel fuel).**

Council considered bids for paving sections of Grove Street from Mulberry Street to the Green Street/Angel Row area. The bids were: Rogers Group, Inc. - \$55,175.00, Harrison Construction Company - \$57,000.00, and Greenback Asphalt Co., Inc. - \$59,355.25. **A motion was made by Councilman Lambert, seconded by Councilman Garner and unanimously passed to award the paving bid to the low bidder, Rogers Group, Inc. for \$55,175.00.**

Mayor Swiney welcomed the visitors and asked if anyone had anything to bring before council that did not appear on the agenda. He recognized Mr. Wayne Arden, a resident of Green Acres Subdivision.

Mr. Arden complained that some employees in the garbage department couldn't do their job because they couldn't pick up over 25 or 40 pounds. He added that some of the employees do a good job.

City Manager Mills said the public works department does have an employee with a back injury that does have a lifting restriction. He added that he wasn't sure at this time if it is a temporary restriction.

Councilman Lambert said he had spoken with Mr. Arden prior to the meeting. He said his problem was not with the garbage collection, but the demolition collection particularly grass clippings.

Mr. Arden said the grass clippings sit there for a couple of weeks and get in the ditch.

City Manager Mills said the employees had been instructed to leave the grass to dry out. The time that takes depends upon the weather.

Councilman Millsaps said grass pickup is a difficult thing to handle. He added that other areas of town complain too.

Mayor Swiney asked Manager Mills to meet with Public Works Director Fagg to pass along the complaints.

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

AMENDING THE 2008-2009 FISCAL YEAR BUDGET

Upon a vote, the AYES were: Cartwright, Garner, Lambert, Millsaps and Swiney. Mayor Swiney declared the ordinance passed on first reading. He called for a public hearing to be held October 19, 2009 at 7:00 P.M.

Mayor Swiney presented an ordinance reducing the wholesale liquor tax inspection fee from 8% to 5%. After some discussion, motion was made by Councilman Cartwright, seconded by Councilman Millsaps that the following ordinance be passed on first reading:

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 first reading. He called for a public hearing to be held October 19, 2009 at 7:10 P.M.

Mayor Swiney presented an ordinance reducing the speed limit to 20 MPH on Main Street. Councilman Millsaps suggested that the speed limit be changed only on the problem section of the street, from Upper Street to Grove Street. A motion was made by Councilman Lambert, seconded by Councilman Millsaps that the following ordinance be passed with the addition of "from Upper Street to Grove Street":

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 first reading. He called for a public hearing to be held at 7:15 P.M. on October 19, 2009.

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

PROHIBITING PARKING ON A SECTION OF MAIN STREET

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 7:20 P.M. on October 19, 2009.

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

RESOLUTION NO. 2009-23

AUTHORIZING 3 FORD CROWN VICTORIA POLICE VEHICLES TO BE CONSIDERED SURPLUS

Upon a vote, the resolution was unanimously approved.

Council considered the sale of a portion of property on Grove Street to Ms. Betty McAllister. Manager Mills explained that the city owed her \$1,500 for planning commission meal catering. The sale of the land would satisfy that debt. In exchange the city would also make certain traffic enhancements at the intersection of Grove Street and Clyde Street to make it safer.

A motion was made by Councilman Lambert, seconded by Councilman Garner that the following resolution be passed:

RESOLUTION NO. 2009-24

**APPROVING THE SALE OF A PORTION OF CERTAIN REAL PROPERTY
ON GROVE STREET TO MS. BETTY MCALLISTER**

Upon a vote, the resolution was unanimously approved.

Council considered the authorization of a Section 125 Cafeteria Plan for the employees. Manager Mills explained that this would allow the employees to pay for certain eligible expenses such as insurance premiums for cancer insurance on a pre-tax basis through a payroll deduction. A motion was made by Councilman Millsaps, seconded by Councilman Lambert that the following resolution be passed:

RESOLUTION NO. 2009-25

**AUTHORIZING THE ESTABLISHMENT OF A SECTION 125
CAFETERIA PLAN FOR EMPLOYEES**

Upon a vote, the resolution was unanimously approved.

Council considered contracting with Progression Electric for \$11,281 to reinstall the crosswalk signalization at the intersection of Mulberry Street and Grove Street. Manager Mills said the traffic lights were currently on timers. The price included putting the sensors back in the street.

Councilman Lambert said the sensors created a lot of trouble. The state came through and dug up the pavement. He thought timers would be better.

Manager Mills said the price would probably be less if they were left on timers.

A motion was made by Councilman Millsaps, seconded by Councilman Garner to approve the following resolution with the amendment "up to \$11,281":

RESOLUTION NO. 2009-26

**AUTHORIZING THE REINSTALLATION OF CROSSWALK SIGNALIZATION
AT THE INTERSECTION OF MULBERRY STREET AND GROVE STREET**

Upon a vote, the resolution was unanimously approved.

Councilman Garner asked about the sensors for the traffic lights at Highway 72 and Highway 11. Manager Mills said the extra weight of the truck traffic is hard on the sensors. He said he could get an estimate to put the sensors back and redo the intersection.

Councilman Millsaps proposed that the city take over the administration of Centre 75 Business Park. He suggested an agreement be made with the county to use Sugar Limb and/or Blair Bend funds and the city take over the administration.

Manager Mills said the county had indicated willingness to let the city administer it. He suggested the agreement be amended to keep a percentage of Centre 75 land sales to fund its maintenance.

Manager Mills presented a resolution to set fees for the new Lion's Club Pavilion at Loudon Municipal Park. A motion was made by Councilman Millsaps, seconded by Councilman Lambert that the following resolution be passed:

RESOLUTION NO. 2009-27

**FEES AND CHARGES FOR THE LOUDON PARKS AND
RECREATION LION'S CLUB PAVILION**

Upon a vote, the resolution was unanimously approved.

Manager Mills presented a resolution for council consideration authorizing the installation of barriers at the intersection of Grove Street and Clyde Street to improve the safety at the intersection. A motion was made by Councilman Garner, seconded by Councilman Millsaps that the following resolution be passed:

RESOLUTION NO. 2009-28

AUTHORIZATION OF STREET SAFETY IMPROVEMENTS

Upon a vote, the resolution was unanimously approved.

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

Recorder

Mayor