

**REGULAR MEETING**  
**LOUDON CITY COUNCIL**  
**February 16, 2010**

The regular meeting of the Loudon City Council was held on February 16, 2010 in the Council Meeting Room. The meeting was called to order at 7:32 P.M. Those present were Mayor Bernie Swiney, Councilmen Mike Cartwright, Lewis Garner, Eugene Lambert and Lynn Millsaps. Also present were City Attorney Edwin Arnold and City Recorder Stephanie Putkonen. Vicky Newman of the *News Herald* represented the press. There were twelve citizens present.

City Attorney Arnold held the invocation. Councilman Lambert 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 January 18, 2010. **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 January 18, 2010.**

Council considered the administrative approval of the purchase of gasoline and diesel fuel (\$2.0264 per gallon for unleaded plus gasoline and \$2.0260 per gallon for diesel fuel) from the low bidder Rogers Petroleum on February 2, 2010. **A motion was made by Councilman Garner, seconded by Councilman Millsaps and unanimously passed to administratively approve the purchase of gasoline and diesel fuel (\$2.0264 per gallon for unleaded plus gasoline and \$2.0260 per gallon for diesel fuel) from Rogers Petroleum on February 2, 2010.**

Mayor Swiney welcomed the visitors and asked if anyone had anything to bring before council that did not appear on the agenda. He recognized Ms. Gwen Brown representing Brown Pearman Russell, LLC.

Ms. Brown introduced her partner, Mr. Richard Russell. She said her firm provides grant writing and planning and development services. They had submitted a Request for Qualifications (RFQ) to provide their services to apply for a HOME grant as well as to provide the administration if the grant is awarded. She explained that they would team with another firm to provide the inspection services required for the HOME grant. She said she included in her RFQ the qualifications for the firm, Barge Cauthen & Associates, Inc. as the firm they would partner with, but they would work with any firm the city chose for the inspection services.

She said the 2010 HOME grant program focuses on energy efficiency in the rehabilitation of the homes. She said this was new to the program.

Councilman Garner said he had been pleased with Ms. Brown's work in past and would recommend using her firm for the HOME grant. A motion was made by Councilman Garner, seconded by Councilman Lambert that the following resolution be passed with Brown Pearman Russell LLC being the firm selected:

**RESOLUTION NO. 2010-01**

**AUTHORIZING THE APPLICATION OF THE 2010 FEDERALLY FUNDED HOME  
GRANT FOR HOUSING REHABILITATION OF LOW INCOME HOUSEHOLDS**

Upon a vote, the resolution was unanimously approved.

Mayor Swiney presented an ordinance for final approval to clarify the method of the pick up of grass clippings. A motion was made by Councilman Lambert, seconded by Councilman Millsaps that the following ordinance be passed on third and final reading:

**ORDINANCE NO. 2010-02**

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

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

Mayor Swiney presented an ordinance to rezone approximately one acre of property on Carding Machine Road from P-1, Professional/Civic District to C-2, Highway Business District. He said the request was from Loudon County Habitat for Humanity, who desires to build a store on the site.

Councilman Garner reported that the Planning Commission did not recommend the rezoning. Some of the members considered this to be spot zoning.

Mr. Russ Newman, Loudon County Planner, explained that the P-1 zoning allows for business use of the property, but limits the size of the building which would be inadequate for their store. The balance of the property they intend to acquire would be for residential use and P-1 allows single family residential use. The Board of Zoning Appeals denied their request for a variance, so they have now requested the rezoning to accommodate the larger building. He said the Commission expressed concern about commercial being that far down Carding Machine Road, but there are commercial uses directly across the street from this property.

Councilman Garner said that some of the Commissioners were concerned about water runoff. He said the development would be required to have some type of detention area. He added that everything Habitat for Humanity has done has been fantastic, and he felt this store would be a good retail opportunity with a good economic impact for the City of Loudon.

Councilman Millsaps said that Mr. Newman had recommended the rezoning and with commercial businesses already located across the street, he did not consider this to be spot zoning.

A motion was made by Councilman Cartwright, seconded by Councilman Lambert that the following ordinance be passed on first reading:

**AMENDING THE ZONING MAP OF THE CITY OF LOUDON, TENNESSEE  
PURSUANT TO §13-7-203 AND §13-7-204 OF THE TENNESSEE CODE ANNOTATED,  
TO REZONE APPROXIMATELY ONE (1) ACRE OF PROPERTY LOCATED ON  
CARDING MACHINE ROAD, TAX MAP 48, A PORTION OF PARCEL 164.04 FROM  
P-1 PROFESSIONAL/CIVIC DISTRICT TO C-2 HIGHWAY BUSINESS DISTRICT**

Upon a vote the AYES were: Cartwright, Lambert, Garner, Millsaps and Swiney. Mayor Swiney declared the ordinance passed on first reading. He called for a public hearing to be held March 15, 2010 at 7:00 P.M.

Ms. Shauna Oden, representing Loudon County Habitat for Humanity, thanked the Mayor and City Council. She said she would be happy to answer any questions they may have.

Council considered the request of Police Chief Webb to donate to the Philadelphia Volunteer Fire Department a vehicle that was recently approved as surplus. A motion was made by Councilman Millsaps, seconded by Councilman Cartwright that the following resolution be passed:

**RESOLUTION NO. 2010-02**

**AMENDING RESOLUTION NO. 2009-39 AUTHORIZING A FORD CROWN VICTORIA POLICE VEHICLE TO BE CONSIDERED SURPLUS**

Upon a vote, the resolution was unanimously approved.

Mayor Swiney presented a resolution authorizing the purchase from the Drug Fund of a software update from LaserShot Shooting Solutions for \$5,830. The program is an interactive firearms training. A motion was made by Councilman Lambert, seconded by Councilman Millsaps that the following resolution be passed:

**RESOLUTION NO. 2010-03**

**AUTHORIZING EXPENDITURE FROM THE DRUG FUND**

Upon a vote, the resolution was unanimously approved.

Councilman Millsaps brought pictures he had taken of places where the asphalt was crumbling after the recent paving in the downtown area.

Recorder Putkonen said that Public Works Director Fagg was aware of the problems and had contacted the paving company. They are to come back when the weather warms up to repair the areas.

Councilman Millsaps said that since there are so many candidates running for the county offices, the city manager and public works director should designate areas to put political signs. He suggested a letter be sent to all of the candidates informing them of the approved areas.

Mr. Eddie McAllister questioned the approval by planning commission of the parking for a restaurant to be located at 859 Mulberry Street. He added that they have been much stricter on other restaurant locations.

Mr. Russ Newman responded that it was a tough decision. The commission approved it based on parking in the alley, and that they had permission to park in the McEachern parking lot.

Mr. McAllister said the commission told the owner of the Redskin Cafe that he could not count the parking at the adjacent business, Carroll's Bargain Box.

There being no further business, Mayor Swiney adjourned the meeting at 8:26 P.M.

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Recorder

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Mayor