

REGULAR MEETING
LOUDON CITY COUNCIL
July 19, 2010

The regular meeting of the Loudon City Council was held on July 19, 2010 in the Council Meeting Room. The meeting was called to order at 7:30 P.M. Those present were: Vice-Mayor Eugene Lambert, Councilmen Mike Cartwright, Lewis Garner, and Lynn Millsaps. Mayor Bernie Swiney was absent. Also present were City Attorney Edwin Arnold, City Manager Lynn Mills and City Recorder Stephanie Putkonen. The press was not represented. Chris Smallen videotaped the meeting for LCTV3. There were fifteen citizens present.

Councilman Garner held the invocation. Jacob Cardwell and Davis Gammons led the Pledge of Allegiance to the Flag of the United States of America.

Vice-Mayor Lambert asked if council members had a chance to review the minutes of the regular meeting held on June 21, 2010. **A motion was made by Councilman Garner, seconded by Councilman Millsaps and unanimously passed to approve as written the minutes of the regular meeting held on June 21, 2010.**

Council considered the administrative approval of the purchase of gasoline and diesel fuel (\$2.099 per gallon for unleaded plus gasoline and \$2.1185 per gallon for diesel fuel) from the low bidder Rogers Petroleum on June 15, 2010. **A motion was made by Councilman Millsaps, seconded by Councilman Cartwright and unanimously passed to administratively approve the purchase of gasoline and diesel fuel (\$2.099 per gallon for unleaded plus gasoline and \$2.1185 per gallon for diesel fuel) from Rogers Petroleum on June 15, 2010.**

Vice-Mayor Lambert welcomed the visitors. He recognized Jacob Cardwell and Davis Gammons and congratulated them for their achievement of earning the rank of Eagle Scout with the Boy Scouts of America on June 20, 2010 and July 31, 2010 respectively. They both built picnic tables for the parks as their service project. He presented to each of them a certificate of appreciation for their service and recognition of their achievement.

Vice-Mayor Lambert asked if anyone had anything to bring before council that did not appear on the agenda. Mr. Gene Gammons recommended that the city establish a code of approved colors to be used on the exterior of buildings. He noted that there was a building painted bright yellow, and he felt it took away from the work that had been done to improve the city.

Vice-Mayor Lambert replied that color restrictions had been discussed before. He added that he personally was proud to live in a community that doesn't regulate the color you can paint your house. He also thanked Mr. Gammons for all he has done for the community.

Vice-Mayor Lambert presented an ordinance for final passage to amend an intergovernmental agreement with Loudon County for the continuation of the Planning and Community Development Department. A motion was made by Councilman Millsaps, seconded by Councilman Cartwright that the following ordinance be passed on second and final reading:

ORDINANCE NO. 2010-06

**APPROVING AN AMENDMENT TO THE INTERGOVERNMENTAL
AGREEMENT CONTINUING THE PLANNING AND COMMUNITY
DEVELOPMENT DEPARTMENT**

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

Vice-Mayor Lambert presented an ordinance to rezone properties on Steekee Street to P-1, Professional /Civic District. A motion was made by Councilman Cartwright, seconded by Councilman Millsaps that the following ordinance be passed on second and final reading:

ORDINANCE NO. 2010-07

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 PROPERTY LOCATED ON STEEKEE STREET, REFERENCED: TAX MAP 41H, GROUP J, PARCEL 8.00 FROM R-1 LOW DENSITY RESIDENTIAL AND TAX MAP 41B, GROUP F, PARCEL 014.00 FROM R-2 HIGH DENSITY RESIDENTIAL TO P-1 PROFESSIONAL/CIVIC DISTRICT

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

Vice-Mayor Lambert presented an ordinance to change the name of a street within the Tennessee National Development from Indian Cave Drive to Red Fox Run. This change was requested to avoid confusion as two streets had the same name. A motion was made by Councilman Garner, seconded by Councilman Cartwright that the following ordinance be passed on second and final reading:

ORDINANCE NO. 2010-08

CHANGING THE NAME OF INDIAN CAVE DRIVE, A STREET IN POD 5A OF TENNESSEE NATIONAL DEVELOPMENT TO RED FOX RUN

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

Vice-Mayor Lambert presented a resolution authorizing certain easements in Highlands Business Park. Manager Mills said the purpose of this resolution was to correct the name of the principal company to Buckeye Corrugated, Inc. (The previous resolution was Resolution No. 2010-16 passed in May.) He also recommended the addition of LLC after Emory River Investments in Section 2.

Councilman Garner questioned the sentence stating that Tennessee Packaging Co. would be responsible for the maintenance of the detention facility. He stated that the city should be responsible.

Attorney Arnold agreed that the city will be responsible and recommended striking the last sentence of the resolution. He added that he had yet to confirm that Buckeye Corrugated, Inc. was an Ohio corporation.

A motion was made by Councilman Millsaps, seconded by Councilman Garner that the following resolution be passed with the addition of LLC and the deletion of the last sentence in Section 2:

RESOLUTION NO. 2010-25

AUTHORIZING CERTAIN EASEMENTS AT HIGHLANDS BUSINESS PARK ON ELIZABETH LEE PARKWAY FOR STORM WATER DETENTION AND GRADING FOR EXCESS FILL MATERIAL FOR THE FUTURE LOCATION OF TENNESSEE PACKAGING CO, A DIVISION OF BUCKEYE CORRUGATED, INC., AN OHIO CORPORATION

Upon a vote, the resolution was unanimously approved.

Council considered a resolution approving the out of state travel for the police chief and the director of the vehicle maintenance department to go to a police fleet exposition in St. Louis, Missouri. A motion was made by Councilman Cartwright, seconded by Councilman Garner that the following resolution be passed:

RESOLUTION NO. 2010-26

APPROVING OUT-OF-STATE TRAVEL

Upon a vote, the resolution was unanimously approved.

Vice-Mayor Lambert presented a proclamation requested by the Muscular Dystrophy Association to proclaim September 4, 2010 as Loudon Firefighter Appreciation Day. **A motion was made by Councilman Millsaps, seconded by Councilman Cartwright and unanimously passed to adopt the proclamation that proclaims September 4, 2010 as Loudon Firefighter Appreciation Day.**

Manager Mills reported that the sales agreement and resolution regarding the sale of land in Highlands Business Park were being reviewed by Buckeye Corrugated, Inc.

Councilman Millsaps asked about the status of the negotiations with Pilot Travel Centers LLC.

Manager Mills said the position of Pilot is that the lawsuit was dismissed, and they don't feel responsible for the city's legal fees. The verbal agreement between Jim Haslam and Mayor Swiney was for Pilot to reimburse \$25,000 of the city's legal fees. The total legal fees were approximately \$47,000. Manager Mills said he would continue negotiations.

There being no further business, Vice-Mayor Lambert adjourned the meeting at 8:00 P.M.

Recorder

Mayor