

REGULAR MEETING

LOUDON CITY COUNCIL

March 15, 2010

The regular meeting of the Loudon City Council was held on March 15, 2010 in the Council Meeting Room. The meeting was called to order at 7:30 P.M. Those present were Mayor Bernie Swiney, Councilmen Mike Cartwright, Eugene Lambert and Lynn Millsaps. Councilman Lewis Garner was absent. Also present were City Attorney Edwin Arnold, City Manager Lynn Mills and City Recorder Stephanie Putkonen. Vicky Newman of the *News Herald* represented the press. Chris Smallen videotaped the meeting for LCTV3. There were eleven people 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 February 16, 2010. **A motion was made by Councilman Millsaps, seconded by Councilman Cartwright and unanimously passed to approve as written the minutes of the regular meeting held on February 16, 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 Mr. Gerald Holt.

Mr. Holt had several complaints about the police department. He alleged: a police sergeant beat a man who was having a seizure; a thirteen year old was raped, but the police investigator couldn't help because he was going on vacation; officers don't stop at stop signs; officers stop women for no reason; and they use unmarked SUV's and blow the horn for people to stop instead of using sirens. He added that the police chief did not have any control over the department and it was out of control.

Manager Mills said that the first accusation had been brought to his attention and he was investigating it. He said he would also look into the other allegations.

Mayor Swiney thanked Mr. Holt for his comments and assured him that Manager Mills would look into the allegations.

Mayor Swiney presented an ordinance rezoning a parcel of property on Carding Machine Road. A motion was made by Councilman Cartwright, seconded by Councilman Lambert that the following ordinance be passed on final reading:

ORDINANCE NO. 2010-03

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, Millsaps and Swiney. There were no NAY votes. Mayor Swiney declared the ordinance passed on second and final reading.

Mayor Swiney presented a resolution authorizing the Industrial Development Board to negotiate and accept an in lieu of tax agreement with DuPont Tate & Lyle Bio-Products. A motion was made by Councilman Millsaps, seconded by Councilman Cartwright that the following resolution be passed:

RESOLUTION NO. 2010-04

AUTHORIZING THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF LOUDON, TENNESSEE TO NEGOTIATE AND ACCEPT FROM DUPONT TATE & LYLE BIO-PRODUCTS, OR AN AFFILIATED ENTITY, PAYMENTS IN LIEU OF AD VALOREM TAX WITH RESPECT TO MANUFACTURING FACILITIES IN THE CITY OF LOUDON, TENNESSEE, AND FINDING THAT SUCH PAYMENTS ARE DEEMED TO BE IN FURTHERANCE OF THE PUBLIC PURPOSES OF THE BOARD AS DEFINED IN TENNESSEE CODE ANNOTATED SECTION 7-53-305

Upon a vote, the resolution was unanimously approved.

Mayor Swiney presented a resolution amending the resolution authorizing the 2010 HOME grant application to provide for the homeowner to contribute a minimum of \$500 toward the cost of the rehabilitation of the home. A motion was made by Councilman Cartwright, seconded by Councilman Lambert that the following resolution be passed:

RESOLUTION NO. 2010-05

AMENDING RESOLUTION NO. 2010-01 AUTHORIZING APPLICATION OF 2010 HOME GRANT

Upon a vote, the resolution was unanimously approved.

Mayor Swiney presented a resolution approving a contract with the engineering firm, Cannon & Cannon, Inc., for the lighting of the Wharf Street Greenway. A motion was made by Councilman Lambert, seconded by Councilman Millsaps that the following resolution be passed:

RESOLUTION NO. 2010-06

APPROVING THE CONTRACT WITH CANNON & CANNON, INC. FOR THE WHARF STREET GREENWAY LIGHTING

Upon a vote, the resolution was unanimously approved.

Council considered a resolution authorizing HUMANA as the third party administrator for the self-funded medical and dental insurance program. Manager Mills explained that HUMANA had purchased the current administrator, Cariten. The effective date for the change would be April 1, 2010. A motion was made by Councilman Lambert, seconded by Councilman Millsaps that the following resolution be passed:

RESOLUTION NO. 2010-07

APPROVING HUMANA AS THE THIRD PARTY ADMINISTRATOR FOR THE SELF-FUNDED MEDICAL INSURANCE PROGRAM

Upon a vote, the resolution was unanimously approved.

Council considered the retirement rates from Tennessee Consolidated Retirement System (TCRS) effective July 1, 2010. The rates were 16.28% for general employees and 19.78% for public safety employees. Manager Mills said the rates represent an increase of only $\frac{3}{4}$ of 1%. A motion was made by Councilman Lambert, seconded by Councilman Cartwright that the following resolution be passed:

RESOLUTION NO. 2010-08

ACKNOWLEDGING THE TCRS RATE EFFECTIVE JULY 1, 2010

Upon a vote, the resolution was unanimously approved.

Mayor Swiney presented a request from the police chief to declare as surplus a 1997 Chevrolet Blazer that had been seized and used as an undercover vehicle. The vehicle would be sold at govdeals.com. A motion was made by Councilman Cartwright, seconded by Councilman Millsaps that the following resolution be passed:

RESOLUTION NO. 2010-09

**AUTHORIZING A 1997 CHEVROLET BLAZER TO BE
CONSIDERED SURPLUS**

Upon a vote, the resolution was unanimously approved.

Council considered securing professional services to survey property owned by the city in Highlands Business Park. Manager Mills explained that after Highlands Business Park was developed the city had never properly surveyed and platted the land in order to have an accurate record of the land available for sale. He said he had received quotes from surveyors. Jim Ogle, PLS quoted a price of \$4,265; Wilbur Smith Associates quoted a price of \$6,250 and Harry Fraser declined to submit a price. He recommended Jim Ogle be hired to do the survey. A motion was made by Councilman Millsaps, seconded by Councilman Cartwright that the following resolution be passed:

RESOLUTION NO. 2010-10

**AUTHORIZING PROFESSIONAL SERVICES FOR SURVEY
OF CITY OWNED PROPERTY IN HIGHLANDS BUSINESS PARK**

Upon a vote, the resolution was unanimously approved.

Council considered the sale of property in Highlands Business Park to Tennessee Packaging Co. After some discussion, Mayor Swiney called for a motion to approve the following resolution:

**APPROVING THE SALE OF CERTAIN REAL PROPERTY IN
HIGHLANDS BUSINESS PARK TO TENNESSEE PACKAGING CO.**

There was no response. Mayor Swiney declared the resolution failed for lack of a motion.

Councilman Millsaps asked that quotes for surveillance equipment be obtained for the parks. Manager Mills said that Recreation Director Harrell was already doing so.

There being no further business, Mayor Swiney adjourned the meeting at 8:06 P.M.

Recorder

Mayor

