

## REGULAR MEETING

### LOUDON CITY COUNCIL

August 20, 2012

The regular meeting of the Loudon City Council was held on August 20, 2012 in the Council Meeting Room. The meeting was called to order at 7:30 P.M. Those present were: Mayor Judy Keller, Council Members Mike Cartwright, Judy Jones, Lynn Millsaps and Jimmy Parks. Also present were City Attorney Joe Ford, City Manager Lynn Mills and City Recorder Stephanie Putkonen. The press was represented by Vicky Newman with the *News Herald*. There were approximately twenty-four people present.

Former Councilmember Lewis Garner held the invocation. Councilmember Parks led the Pledge of Allegiance to the Flag of the United States of America.

Mayor Keller asked if council members had a chance to review the minutes of the regular meeting held on July 16, 2012. **A motion was made by Councilmember Jones, seconded by Councilmember Parks and unanimously passed to approve as written the minutes of the regular meeting held on July 16, 2012.**

Council considered the administrative approval of the purchase of gasoline (\$3.0955 per gallon) and diesel fuel (\$3.104 per gallon) on August 7, 2012 from the low bidder Rogers Petroleum. **A motion was made by Councilmember Millsaps, seconded by Councilmember Cartwright and unanimously passed to administratively approve the purchase of gasoline (\$3.0955 per gallon) and diesel fuel (\$3.104 per gallon) on August 7, 2012 from Rogers Petroleum Company.**

Mayor Keller welcomed the visitors and asked if anyone had anything to bring before council that did not appear on the agenda. State Representative Jimmy Matlock said that he was honored to be at the meeting and thanked the mayor and council for their service.

Mayor Keller thanked Representative Matlock for all of the time he gives to the community. There were no other comments.

Mayor Keller presented an ordinance for final reading to approve an amendment to the intergovernmental agreement continuing the Planning Office for fiscal year 2011-2012. A motion was made by Councilmember Millsaps, seconded by Councilmember Parks that the following ordinance be passed on second and final reading:

#### ORDINANCE NO. 2012-10

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

Upon a vote, the AYES were: Millsaps, Parks, Cartwright, Jones and Keller. There were no NAY votes. Mayor Keller declared the ordinance passed on final reading.

Mayor Keller presented an ordinance for final reading to approve an amendment to the intergovernmental agreement continuing the Planning Office for fiscal year 2012-2013. A motion was made by Councilmember Parks, seconded by Councilmember Jones that the following ordinance be passed on second and final reading:

#### ORDINANCE NO. 2012-11

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

Upon a vote, the AYES were: Parks, Jones, Cartwright, Millsaps and Keller. There were no NAY votes. Mayor Keller declared the ordinance passed on final reading.

Mayor Keller presented an ordinance amending the 2011-2012 fiscal year budget. A motion was made by Councilmember Jones, seconded by Councilmember Cartwright that the following ordinance be passed on first reading:

**AMENDING THE 2011-2012 FISCAL YEAR BUDGET**

Upon a vote, the AYES were: Jones, Cartwright, Millsaps, Parks and Keller. There were no NAY votes. Mayor Keller declared the ordinance passed on first reading.

Mayor Keller presented an ordinance amending the 2012-2013 fiscal year budget to provide for the purchase of a sanitation truck. A motion was made by Councilmember Millsaps, seconded by Councilmember Parks that the following ordinance be passed on first reading:

**AMENDING THE 2012-2013 FISCAL YEAR BUDGET**

Upon a vote, the AYES were: Millsaps, Parks, Cartwright, Jones and Keller. There were no NAY votes. Mayor Keller declared the ordinance passed on first reading.

Mayor Keller presented an ordinance to accept Quiet River Lane located in Phase II of the River's Edge Subdivision as a city street. A motion was made by Councilmember Parks, seconded by Councilmember Jones that the following ordinance be passed on first reading:

**ACCEPTING QUIET RIVER LANE AS A CITY STREET IN RIVER'S  
EDGE SUBDIVISION, PHASE II, AS RECORDED ON FINAL PLAT OF  
RIVER'S EDGE, PHASE II, PLAT CABINET H, SLIDE 30, IN THE  
LOUDON COUNTY REGISTER'S OFFICE, AND PURSUANT TO  
TENNESSEE CODE ANNOTATED §6-2-201 AND §7-31-104**

Upon a vote, the AYES were: Parks, Jones, Cartwright, Millsaps and Keller. There were no NAY votes. Mayor Keller declared the ordinance passed on first reading.

Mayor Keller presented a resolution to apply for up to a fifty percent grant for the repair of Queener Road. A motion was made by Councilmember Cartwright, seconded by Councilmember Parks that the following resolution be passed:

**RESOLUTION NO. 2012-29**

**AUTHORIZING THE SUBMITTAL OF A LOCAL INTERSTATE  
CONNECTING ROUTE APPLICATION TO THE STATE OF TENNESSEE  
DEPARTMENT OF TRANSPORTATION UNDER THE INTERSTATE  
CONNECTING ROUTE ACT OF 1965**

Upon a vote, the AYES were: Cartwright, Parks, Jones and Keller. Millsaps voted NAY. Mayor Keller declared the resolution passed.

Mayor Keller presented a resolution requesting the Tennessee Department of Environment and Conservation to monitor hydrogen sulfide.

Mr. Lewis Garner, representing the Air Quality Task Force, said they were making this request because Loudon County has been designated a nonattainment area.

A motion was made by Councilmember Millsaps, seconded by Councilmember Parks that the following resolution be passed:

**RESOLUTION NO. 2012-30**

**REQUESTING TENNESSEE DEPARTMENT OF ENVIRONMENT AND  
CONSERVATION TO MONITOR HYDROGEN SULFIDE (H<sub>2</sub>S)**

Upon a vote, the resolution was unanimously passed.

Council considered the purchase of a garbage truck and Heil packer. Manager Mills explained that Pigeon Forge had recently bid garbage trucks and the City of Loudon had an opportunity to “piggyback” on their bid for this truck. After the elimination of some options, the price of a new truck was \$216,173.

He further explained that bids had been received from Waste Connections and Stringfellow to purchase the 2006 truck. The high bid being \$70,000 which would make the net cost \$146,173.

A motion was made by Councilmember Cartwright, seconded by Councilmember Jones that the following resolution be passed:

**RESOLUTION NO. 2012-31**

**AUTHORIZING THE PURCHASE OF A GARBAGE TRUCK AND HEIL HALFPACK**

Upon a vote, the resolution was unanimously passed.

Council considered the sale of a 2006 Mack garbage truck with a Heil packer to Waste Connections for \$70,000. A motion was made by Councilmember Parks, seconded by Councilmember Cartwright that the following resolution be passed:

**RESOLUTION NO. 2012-32**

**APPROVING THE SALE OF THE OLD GARBAGE TRUCK  
(2006 MACK WITH HEIL PACKER)**

Upon a vote, the resolution was unanimously passed.

Council considered the replacement of the radio repeater for the police and fire departments from Cartwright Communications in the amount of \$6,476.88. This was necessary in order to comply with the federally mandated conversion to narrow band. A motion was made by Councilmember Parks, seconded by Councilmember Jones that the following resolution be passed:

**RESOLUTION NO. 2012-33**

**AUTHORIZING THE REPLACEMENT OF THE HANDHELD RADIO  
COMMUNICATION SYSTEM FROM CARTWRIGHT COMMUNICATIONS  
TECHNOLOGY, INC.**

Upon a vote, the resolution was unanimously passed.

Council considered authorizing out of state travel for Police Officer Bennie Houser to attend the District Attorneys General Conference September 26-28 at St. Simons, Georgia. A grant from the group would pay for the travel expenses. A motion was made by Councilmember Parks, seconded by Councilmember Cartwright that the following resolution be passed:

**RESOLUTION NO. 2012-34**

**APPROVING OUT-OF-STATE TRAVEL**

Upon a vote, the resolution was unanimously passed.

Council considered the approval of repairs to the 1997 Spartan fire truck (Rescue #8) in the amount of \$9,686.15 to Firetrucks & Emergency Vehicles. The repairs were necessary to expeditiously return the truck to service. A motion was made by Councilmember Millsaps, seconded by Councilmember Jones that the following resolution be passed:

**RESOLUTION NO. 2012-35**

**APPROVING THE REPAIRS OF THE 1997 SPARTAN RESCUE 8**

Upon a vote, the resolution was unanimously passed.

Council considered an offer from Ken Brewster of Brewster's Service Group to extend the current mowing contract one year to March 2014, and he would forego the 2% increase in the contract. A motion was made by Councilmember Millsaps, seconded by Councilmember Cartwright that the following resolution be passed:

**RESOLUTION NO. 2012-36**

**AUTHORIZING CONTRACT EXTENSION WITH BREWSTER'S SERVICES GROUP**

Upon a vote, the resolution was unanimously passed.

Council considered the authorization of a \$100,000 cash bond to be posted with the Tennessee Department of Transportation for traffic signal improvements at Highway 72 and Carding Machine Road. A motion was made by Councilmember Cartwright, seconded by Councilmember Jones that the following resolution be passed:

**RESOLUTION NO. 2012-37**

**APPROVING A DEPOSIT WITH TENNESSEE DEPARTMENT OF TRANSPORTATION FOR TRAFFIC SIGNALS AND IMPROVEMENTS AT HIGHWAY 72 NORTH AND CARDING MACHINE ROAD**

Upon a vote, the resolution was unanimously passed.

Council considered accepting a grant for traffic signal updates at Highway 11 and 72. The updates will include a camera traffic detection system. A motion was made by Councilmember Millsaps, seconded by Councilmember Parks that the following resolution be passed:

**RESOLUTION NO. 2012-38**

**ACCEPTING THE SPOT SAFETY IMPROVEMENT PROJECT AT THE INTERSECTION OF SR-2 (US 11) AND SR-72 FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION**

Upon a vote, the resolution was unanimously passed.

Council considered accepting a grant for traffic signal updates at Highway 11 and Ward Avenue. A motion was made by Councilmember Parks, seconded by Councilmember Jones that the following resolution be passed:

**RESOLUTION NO. 2012-39**

**ACCEPTING THE SPOT SAFETY IMPROVEMENT PROJECT AT THE INTERSECTION OF SR 2 (US 11) AND WARD AVENUE FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION**

Upon a vote, the resolution was unanimously passed.

Council considered a change order to the contract with Cannon & Cannon, Inc. for construction engineer inspections of the Wharf Street greenway lighting. Manager Mills explained that when the contract was originally entered into, they had an employee who lived in Loudon and was going to do the inspections. He left their firm before the project began. This created increased expense for the firm. He said eighty percent of the cost would be reimbursed by a grant.

After considerable discussion, a motion was made by Councilmember Cartwright, seconded by Councilmember Parks that the following resolution be passed:

**RESOLUTION NO. 2012-40**

**APPROVING CHANGE ORDER TO THE CONTRACT WITH CANNON & CANNON, INC. FOR THE WHARF STREET GREENWAY LIGHTING**

Upon a vote, the AYES were: Cartwright, Parks and Keller. Jones and Millsaps voted NAY. Mayor Keller declared the resolution passed.

Mayor Keller introduced the issue of the school resource officers. Manager Mills reported that the school board met two weeks before and tabled the issue of the additional funding for the school resource officers until the new members were sworn in on September 1.

Councilmember Millsaps stated that the schools were county schools and the county or the school board should be paying for the school resource officers. **Councilmember Millsaps made a motion, seconded by Councilmember Jones to not fund the school resource officers. Upon a vote, the AYES were Millsaps, Jones and Keller. Cartwright and Parks voted NAY. Mayor Keller declared the motion passed.**

Manager Mills reminded council that the first annual Loudon Riverfest was to be held August 25 at 7:00 P.M.

Director of Schools Jason Vance addressed council to ask them to reconsider their action to take the SRO officers out of the schools. He said a special meeting of the school board had been called for September 1 immediately after the new board is sworn in. The funding requested by the city was on the agenda.

Mayor Keller said this issue had been discussed at every meeting for the past five or six months. She asked if the board was going to consider the funding at \$157,000.

Vance responded no, but they are to consider the requested \$60,000.

Sarah King stated that she was a city resident. She asked council to give the new school board a month to consider the issue.

After more discussion, **a motion was made by Councilmember Cartwright, seconded by Councilmember Parks to cease providing school resource officers as of September 3, unless the school board agrees to increase their funding to the requested amount of \$60,000.**

Before the vote, Councilmember Jones asked Director Vance if the county was going to provide officers if the city officers are pulled out.

Director Vance responded that the high school had the most need, so the backup plan was to pull officers from other schools. He said he appreciated all that the city had done over the years. He asked for one more year.

Councilmember Millsaps said he did not have a problem leaving the officers until September 3, but if the funding was not at \$157,000, he would vote against leaving them any longer.

Mayor Keller called for a vote on the motion. **The AYE votes were Cartwright and Parks. The Nay votes were Jones, Millsaps and Keller.**

After more discussion, council concurred to allow the city manager to use his discretion in handling the transition of the school resource officers.

Manager Mills presented a memorandum of understanding with the Knoxville Police Department to provide for explosive ordnance response. He explained that they had requested an updated agreement. A motion was made by Councilmember Millsaps, seconded by Councilmember Parks that the following resolution be passed:

**RESOLUTION NO. 2012-41**

**AUTHORIZING CONTINUATION OF PARTICIPATION IN A MEMORANDUM  
OF UNDERSTANDING WITH KNOXVILLE POLICE DEPARTMENT**

Upon a vote, the resolution was unanimously passed.

Mayor Keller scheduled the public hearings as follows:

- 7:15 amending the 2011-2012 fiscal year budget;
- 7:20 amending the 2012-2013 fiscal year budget;
- 7:25 accepting Quiet River Lane as a city street.

There being no further business, Mayor Keller adjourned the meeting at 9:03 P.M.

---

Recorder

---

Mayor