

REGULAR MEETING

LOUDON CITY COUNCIL

April 21, 2014

The regular meeting of the Loudon City Council was held on April 21, 2014 in the Council Meeting Room. Those present were: Mayor Judy Keller, Council Members Mike Cartwright, Judy Jones, Jimmy Parks and Lynn Millsaps. Also present were City Manager Lynn Mills, City Attorney Joe Ford and City Recorder Stephanie Putkonen. Stephanie Smallen video recorded the meeting for LCTV3. The press was represented by Katherine Fernandez with the *Loudon County News Herald*. There were approximately thirty to forty people present.

Mayor Keller 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 March 17, 2014. Councilmember Jones said that she was present at the public hearing and asked that the minutes be changed to show her present rather than absent. **A motion was made by Councilmember Cartwright, seconded by Councilmember Parks and unanimously passed to approve the minutes of the regular meeting held on March 17, 2014 with the change of Councilmember Jones being present at the public hearing.**

Council considered the administrative approval of the purchase of gasoline (\$3.215 per gallon) and diesel fuel (\$3.1514 per gallon) on April 2, 2014 from Rogers Petroleum. **A motion was made by Councilmember Millsaps, seconded by Councilmember Jones and unanimously passed to administratively approve the purchase of gasoline (\$3.215 per gallon) and diesel fuel (\$3.1514 per gallon) on April 2, 2014 from Rogers Petroleum.**

Council considered the bids for the renovation of the swimming pool. The following two bids were received: Paddock Construction Co. for \$1,506,808 and Merit Construction Co. for \$1,298,900. After considerable discussion, **a motion was made by Councilmember Jones, seconded by Councilmember Parks and unanimously passed to authorize Recreation Director Harrell to work with the low bidder, Merit Construction Company to reduce costs and present a revised bid.**

Mayor Keller recognized the visitors and asked if anyone had anything to bring before council that did not appear on the agenda. She recognized Charlie Kerr who spoke as the representative of the Loudon Utilities union employees who were present. He explained that on the previous Tuesday the union employees received a letter from Manager Lynn Mills stating that the utility board was no longer going to recognize IBEW 760 as a bargaining unit. He asked for help from city council. He also asked why the fifth member of the utility board had not been appointed.

Mayor Keller responded that Director Thomas's term would expire June 30, so she was waiting until June to make the appointment.

Manager Mills said council had been made aware of the situation. He said the labor attorney, Ward Phillips, had advised him that the opinion from the state comptroller was that entering into a labor agreement violated state law. He added that the utility board would honor the items in the current agreement.

Mr. Kerr said that the union attorneys tell him this is incorrect. He said he had letters.

Mayor Keller asked him to give the letters to Attorney Ford for his review.

Mr. Kerr asked why after thirty eight years it is suddenly illegal.

Manager Mills said that he had been officially notified. He added that the workers would not be mistreated. The only difference is there would be no signed agreement.

Mr. Tim Tate, representing IBEW, said that a memorandum of understanding (MOU) is not illegal. He said this is what Loudon Utilities has. He said utility co-ops have collective bargaining agreements, and they are enforceable by law. He said the public utilities have MOUs and they cannot be taken to court.

Mayor Keller thanked the union members for being there. She added that they want what is best for everyone involved.

Mr. Kerr thanked council for their time.

Mayor Keller presented an ordinance for second reading to set the school speed zone on Mulberry Street at 15 M.P.H. A motion was made by Councilmember Parks, seconded by Councilmember Cartwright that the following ordinance be amended to change the speed limit to 20 M.P.H. and passed on second reading:

ESTABLISHING A SCHOOL SPEED ZONE ON MULBERRY STREET

Upon a vote, the AYES were: Parks, Cartwright, Jones, Millsaps and Keller. Due to the change in the ordinance, it will be considered for a third reading at the May 19, 2014 city council meeting.

Mayor Keller presented a resolution authorizing the continuance of the vehicle replacement program with Jacky Jones Ford Lincoln Mercury for the 2013 Ford F150 4x4 in the Public Works Department and the 2013 Ford Explorer leased to the Loudon County Economic Development Agency (LCEDA). A motion was made by Councilmember Millsaps, seconded by Councilmember Jones that the following resolution be passed:

RESOLUTION NO. 2014-14

**AUTHORIZING THE CONTINUING VEHICLE
REPLACEMENT PROGRAM OF CITY VEHICLES**

Upon a vote, the resolution unanimously passed.

Mayor Keller presented a resolution authorizing a lease agreement for a 2014 Ford Explorer to the LCEDA. A motion was made by Councilmember Cartwright, seconded by Councilmember Parks that the following resolution be passed:

RESOLUTION NO. 2014-15

**AUTHORIZING A LEASE AGREEMENT WITH LOUDON
COUNTY ECONOMIC DEVELOPMENT AGENCY**

Upon a vote, the resolution unanimously passed.

Mayor Keller presented a resolution authorizing the seventh round of the Courthouse Square Commercial Building Rehabilitation Grant Program. A motion was made by Councilmember Millsaps, seconded by Councilmember Cartwright that the following resolution be passed:

RESOLUTION NO. 2014-16

**AUTHORIZING THE SEVENTH ROUND OF GRANT APPLICATIONS
FOR THE CITY OF LOUDON'S COURTHOUSE SQUARE REVITALIZATION
ACT COMMERCIAL BUILDING REHABILITATION PROGRAM**

Upon a vote, the resolution unanimously passed.

Mayor Keller presented a resolution to enter into a two year mowing contract for the parks with Brewster's Services Group. A motion was made by Councilmember Millsaps, seconded by Councilmember Cartwright that the following resolution be passed:

RESOLUTION NO. 2014-17

AUTHORIZING CONTRACT WITH BREWSTER'S SERVICES GROUP

Upon a vote, the resolution unanimously passed.

Manager Mills reported that the 1996 Ferrara fire truck that was declared surplus in February had been sold to M3 Fire Apparatus, LLC for \$25,000. He added that the new truck should be ready by May 1st.

Councilmember Cartwright stated that pertaining to the discussion held at the workshop about tree trimming contractors, he wanted to apologize to Public Works Director Bill Fagg and make it clear that he did not mean anything negative about the work Mr. Fagg does.

Recreation Director Harrell told everyone that the recreation department was giving away trees the next day for Earth Day.

Jerry Harnish, representing Rural Metro, said he was available if the city needed anything.

The owner of Proformance Muffler Shop on Mulberry Street wanted to know the status of the proposed turn lane into Fort Loudoun Middle School that would be located in front of his business. He wanted to know if he should go ahead and pave his parking lot.

Mayor Keller said she was aware of his concerns. She said she didn't want to adversely affect the business and homeowners. She recommended that he attend the planning commission meeting held on the first Wednesday of the month at 12:30 P.M.

There being no further business, Mayor Keller adjourned the meeting at 8:15 P.M.

Recorder

Mayor