

REGULAR MEETING
LOUDON CITY COUNCIL
September 19, 2016

The regular meeting of the Loudon City Council was held on September 19, 2016 at 6:30 P.M. in the Council Meeting Room. Those present were: Mayor Jim Greenway, Councilmen Jeff Harris, Johnny James, Lynn Millsaps and Dennis Stewart. Also present were City Manager Lynn Mills, City Attorney Joe Ford and City Recorder Stephanie Putkonen. The press was represented by Heidi Lara with the *Loudon County News Herald*. Stephanie Smallen video recorded the meeting for LCTV3. There were thirteen people present.

Mayor Greenway asked Councilman Harris to hold the invocation and lead the Pledge of Allegiance to the Flag of the United States of America.

Mayor Greenway recognized Katie Moore and Wes Bunch representing the Tennessee Housing Development Agency (THDA). They were in attendance to present a \$500,000 facsimile check representing the award of a HOME grant. Mayor Greenway and the city council members posed for a picture with Ms. Moore. Mayor Greenway thanked them for the grant award.

Mayor Greenway asked if council members had a chance to review the minutes of the regular meeting held on August 15, 2016. **A motion was made by Councilman Harris, seconded by Councilman James and unanimously passed to approve as written, the minutes of the regular meeting held on August 15, 2016.**

Council considered the administrative approval of the purchase of gasoline (\$1.6145 per gallon) and diesel fuel (\$1.5497 per gallon) on August 30, 2016 from Rogers Petroleum. **A motion was made by Councilman James seconded by Councilman Harris and unanimously passed to administratively approve the purchase from Rogers Petroleum of gasoline (\$1.6145 per gallon) and diesel fuel (\$1.5497 per gallon) on August 30, 2016.**

Mayor Greenway welcomed the visitors and asked if anyone had anything to bring before council that did not appear on the agenda. He recognized Officer Patrick Brooks representing the Loudon Police Department. He gave council some information about the unused medicine drop off station at the police department located at 100 Cedar Street.

Mayor Greenway asked if the Lenoir City Police Department also had a drop off point. Officer Brooks said that they did not. He said that the Sheriff's department accepts unused medicine at the window during operating hours.

Mayor Greenway recognized Mr. Scott Mackintosh. Mr. Mackintosh said he was present as part of the Leadership Loudon County program.

Mayor Greenway presented an ordinance to amend the 2016-2017 Budget. Manager Mills explained the amendments were for signage in the industrial parks and the HOME grant that was recently awarded. A motion was made by Councilman Harris, seconded by Councilman Stewart that the following ordinance be passed:

ORDINANCE NO. 2016-08

AMENDING THE 2016-2017 FISCAL YEAR BUDGET

Upon a vote, the AYES were: Harris, Stewart, James, Millsaps and Greenway. Mayor Greenway declared the ordinance passed on second and final reading.

Mayor Greenway presented an ordinance for first reading to amend the 2016-2017 Fiscal Year Budget. Manager Mills explained that this amendment to the Blair Bend Fund would provide for the appropriation for legal fees pertaining to the Vanhooseco PILOT agreement. The Loudon County Economic Development Agency has requested this payment. A motion was made by Councilman Harris, seconded by Councilman Stewart that the following ordinance be passed on first reading:

AMENDING THE 2016-2017 FISCAL YEAR BUDGET

Upon a vote, the AYES were: Harris, Stewart, James, Millsaps and Greenway. Mayor Greenway declared the ordinance passed on first reading. A public hearing was scheduled for October 17, 2016 at 6:20 P.M.

Mayor Greenway presented an ordinance for first reading to adopt several building and other codes. A motion was made by Councilman Stewart, seconded by Councilman Harris that the following ordinance be passed on first reading:

ADOPTING THE INTERNATIONAL BUILDING CODE (2012), THE INTERNATIONAL RESIDENTIAL CODE (2012), INTERNATIONAL PLUMBING CODE (2012), INTERNATIONAL MECHANICAL CODE (2012), INTERNATIONAL FUEL GAS CODE (2012), NATIONAL ELECTRIC CODE (2008), ADA STANDARDS FOR ACCESSIBLE DESIGN (2010), INTERNATIONAL FIRE CODE (2012), NFPA 101 LIFE SAFETY CODE (2012), NFPA 13 STANDARD FOR INSTALLATION OF SPRINKLER SYSTEMS (2012), NFPA 96 STANDARD FOR VENTILATION CONTROL AND FIRE PROTECTION OF COMMERCIAL COOKING OPERATIONS (2012), AND NFPA 72 NATIONAL FIRE ALARM CODE (2012), BY REFERENCE

Upon a vote the AYES were: Stewart, Harris, James, Millsaps and Greenway. Mayor Greenway declared the ordinance passed on first reading. A public hearing was scheduled for October 17, 2016 at 6:25 P.M.

Mayor Greenway presented a resolution that would rescind Resolution 2016-42. That resolution authorized the Loudon County Economic Development Agency (LCEDA) to negotiate and develop an in-lieu-of-tax agreement with Tate & Lyle. Manager Mills said Councilman Millsaps had requested a re-vote on the resolution. He said it would need to be rescinded and then voted on again.

Councilman Millsaps said he wanted to rescind his vote. He asked if he could make some statements before a motion was made.

Attorney Ford said he could.

Councilman Millsaps stated that at the last meeting, he voted to allow the LCEDA director, the city manager and the county mayor to negotiate a PILOT agreement with Tate & Lyle. He said he voted against the first PILOT agreement that was approved. Tate & Lyle changed their mind and did not execute the approved agreement. He said the appeals by them were entering the 4th step of a 5 step appeals process. He recommended the appeals process be allowed to continue. He said as he saw it there were 2 options. Allow the 5 step process to continue or offer them a discounted tax bill. He said if the appeals are lost, then they (council) may be forced to raise taxes, but can blame it on Tate & Lyle having won the appeals. If a discounted tax bill is approved, then when taxes are raised they (council) have to tell taxpayers the taxes are being raised because Tate & Lyle was given a discount.

Councilman Millsaps made a motion, seconded by Councilman Stewart that the following resolution be passed:

RESCINDING RESOLUTION NO. 2016-42 AUTHORIZING THE LOUDON COUNTY ECONOMIC DEVELOPMENT AGENCY TO DEVELOP AND NEGOTIATE A PAYMENT IN LIEU OF TAX FOR TATE & LYLE TO RESOLVE CONTINUING CONTESTED PERSONAL AND REAL PROPERTY VALUATIONS OF THE FACILITY LOCATED AT 198 BLAIR BEND DRIVE, LOUDON, TENNESSEE

Upon a vote, Millsaps and Stewart voted AYE. Harris, James and Greenway voted NAY. Mayor Greenway declared the resolution failed to pass.

Mayor Greenway presented a resolution amending Resolution 2015-43 authorizing the PILOT agreement with Morgan Olson. Manager Mills explained that the execution of the agreement had been delayed. The resolution changes the term of the agreement to January 1, 2017 through December 31, 2026. A motion was made by Councilman Harris, seconded by Councilman Stewart that the following resolution be passed:

RESOLUTION NO. 2016-44

AMENDING RESOLUTION NO. 2015-43 AUTHORIZING THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF LOUDON TO ENTER INTO A PAYMENT IN-LIEU OF TAX FOR MORGAN OLSON

Upon a vote, the resolution unanimously passed.

Mayor Greenway presented a resolution accepting a quit claim deed from Jimmy Ward for property located at 1104 Freedman Street (Tax Map 41G, Group B, Parcel 12.00). Manager Mills explained that rather than clean up the property, Mr. Ward said he would give it to the city. He had already gone to Attorney Ford's office to execute a quit claim deed. Following a short discussion, a motion was made by Councilman Harris, seconded by Councilman James that the following resolution be passed:

RESOLUTION NO. 2016-45

ACCEPTING QUIT CLAIM DEED AND REAL ESTATE SALES CONTRACT FOR 1104 FREEDMAN STREET

Upon a vote, the resolution unanimously passed.

Mayor Greenway presented a resolution to declare equipment from several departments as surplus and sold. Manager Mills stated the following property was listed: Public Works Department had a tractor; the Fire Department had a 1996 Ferrara Fire Engine and a golf cart; and the Police Department had a golf cart. A motion was made by Councilman Stewart, seconded by Councilman James that the following resolution be passed:

RESOLUTION NO. 2016-46

AUTHORIZING CERTAIN EQUIPMENT TO BE CONSIDERED SURPLUS

Upon a vote, the resolution unanimously passed.

Mayor Greenway presented a resolution approving the purchase of cameras for the police department from Digital-Ally at a cost of \$45,690. A motion was made by Councilman Harris, seconded by Councilman Stewart that the following resolution be passed:

RESOLUTION NO. 2016-47

APPROVING PURCHASE OF CAMERAS

Upon a vote, the resolution unanimously passed.

There was discussion about naming the driveway into Loudon Municipal Park in order to have 911 addresses for the buildings. Manager Mills said Recreation Director Mark Harrell had gotten a quote of \$60,560 to bring the driveway up city street standards. After some discussion, **a motion was made by Councilman James, seconded by Councilman Harris and unanimously passed to name the driveway into Loudon Municipal Park, Municipal Park Drive.**

Council then discussed requesting bids to pave Municipal Park Drive. After some discussion, **a motion was made by Councilman Harris, seconded by Councilman James to request bids to pave Municipal Park Drive. Upon a vote, Harris and James voted AYE; Millsaps, Stewart and Greenway voted NAY. Mayor Greenway declared the motion failed.**

Council considered placing blue ribbons in various places around the city in honor of public safety employees. City Manager Mills said that Councilman Millsaps had made this request.

Councilman Millsaps said he made the request after reading an article that a town in Massachusetts had ordered blue ribbons be taken down. He suggested they be placed at the Interstate and at the Sugar Limb sign to show support for law enforcement officers. There was some discussion about the timing since it was time to put up fall decorations and Christmas decorations shortly thereafter. There was also discussion as to how long to leave them up. Councilman Harris suggested putting them on the light poles on the bridge. Councilman Millsaps agreed with that idea.

A motion was made by Councilman Millsaps, seconded by Councilman Stewart and unanimously passed to allow the Parks and Recreation Department to put blue ribbons in various places around town.

Mayor Greenway recommended the reappointment of David Meers and Rene McGill Schultz (terms expire 8/22/2022) to the Industrial Development Board as well as the appointment of Ruth Henderson McQueen to fill the vacated seat of Russell Alford (term expires 8/20/2019). Upon a vote, the appointments were unanimously approved.

Councilman Harris handed out to council members the Loudon Merchant and Property Owners Association (LMPOA) report. He reminded them that the LMPOA would like the Christmas decorations up by November 1st.

Manager Mills said only the Parks & Recreation Department could be committed. The Electric Department had a different schedule.

Police Sergeant Scott Newman recommended a red ribbon be added to the center of the blue ribbon to also honor firefighters. Council concurred that was a good idea.

There being no further business, Mayor Greenway adjourned the meeting at 7:27 P.M.

Recorder

Mayor