

## REGULAR MEETING

### LOUDON CITY COUNCIL

November 21, 2016

The regular meeting of the Loudon City Council was held on November 21, 2016 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*. Maureen Colvin video recorded the meeting for LCTV3. There were twenty people present.

Mayor Greenway called the meeting to order at 6:31 P.M. He asked Councilman Harris to hold the invocation and lead the Pledge of Allegiance to the Flag of the United States of America.

Mayor Greenway asked if council members had a chance to review the minutes of the regular meeting held on October 17, 2016. **A motion was made by Councilman Harris, seconded by Councilman Stewart and unanimously passed to approve as written, the minutes of the regular meeting held on October 17, 2016.**

Council considered the administrative approval of the purchase of gasoline (\$1.6095 per gallon) and diesel fuel (\$1.4752 per gallon) on November 14, 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 (\$1.6095 per gallon) and diesel fuel (\$1.4752 per gallon) on November 14, 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 Mr. Tony Gibbons.

Mr. Gibbons stated that he was the new director of Loudon County Habitat for Humanity replacing Shauna Oden. He thanked city council for their recent donation of property on Freedman Street. He said the demolition of the building on the property would be done as soon as possible. He said it might be done as soon as Saturday.

Mayor Greenway expressed his appreciation for all the work he and the Habitat for Humanity do.

Mayor Greenway presented an ordinance for final reading that would allow for the use of 96 gallon garbage cans purchased from the City of Loudon if the truck can safely access the pickup site. A motion was made by Councilman Harris, seconded by Councilman Stewart that the following ordinance be passed on second reading:

#### ORDINANCE 2016-11

##### AMENDING THE LOUDON MUNICIPAL CODE TITLE 17 CHAPTER 1 REGARDING REFUSE AND TRASH DISPOSAL

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 2016-17 Budget. Manager Mills explained the amendments for various grants, for engineering of a drainage issue, a donation to East Tennessee Foundation and the purchase of 96 gallon garbage cans. There was discussion that some of the projects or purchases included in the budget amendments may not be approved. City Recorder Putkonen explained the budget amendments provide the appropriation of funds, but does not specifically authorize a purchase or project. A motion was made by Councilman Harris, seconded by Councilman James that the following ordinance be passed on first reading:

##### AMENDING THE 2016-2017 FISCAL YEAR BUDGET

Upon a vote the AYES were: Harris, James, Millsaps, Stewart and Greenway. Mayor Greenway declared the ordinance passed on first reading. A public hearing was scheduled for December 19, 2016 at 6:20 P.M.

Mayor Greenway presented an ordinance for first reading to prohibit parking on the southwest side of Highway 72N around the intersection of Prospect Church Road. Manager Mills explained that the owner of the Over the Hill Grill (located at 16471 Hwy 72N) had made the request due to obstructed visibility when vehicles park along the road of

oncoming traffic for his customers. A motion was made by Councilman James, seconded by Councilman Stewart that the following ordinance be approved on first reading:

**PROHIBITING PARKING OF A SECTION OF THE  
SOUTHWEST SIDE OF HIGHWAY 72N**

Upon a vote the AYES were: James, Stewart, Harris, Millsaps and Greenway. Mayor Greenway declared the ordinance passed on first reading. A public hearing was scheduled for 6:25 P.M. on December 19, 2016.

Mayor Greenway presented a resolution to authorize a \$2,000 donation to the East Tennessee Foundation Loudon County Community Fund. Manager Mills explained that council voted last month to approve the donation. He added that the donation was advertised in the newspaper prior to this meeting. A motion was made by Councilman Harris, seconded by Councilman Stewart that the following resolution be passed:

**RESOLUTION NO. 2016-54**

**AUTHORIZING A DONATION TO THE EAST TENNESSEE FOUNDATION**

Upon a vote, the resolution unanimously passed.

Mayor Greenway presented a resolution authorizing the mayor to execute a contract with the Tennessee Department of Transportation for a grant to resurface Blair Bend Drive. After significant discussion, a motion was made by Councilman Harris. There was no second to the motion. Mayor Greenway declared the resolution failed for lack of a second.

Mayor Greenway presented a resolution authorizing a contract with Urban Engineering, Inc. in the amount of \$14,810 to prepare plans and specifications for proposed drainage improvements near Poplar and Church Streets. After some discussion about whether it was necessary to hire an engineer to do the job, Mayor Greenway called for a motion. There was none. Mayor Greenway declared the resolution failed for lack of a motion.

Mayor Greenway presented a resolution authorizing the purchase of 265 ninety-six gallon Toter carts from Stringfellow for a total of \$17,813.30. Manager Mills said that since the ordinance was passed to open up the usage of the larger garbage cans city wide, more needed to be purchased. A motion was made by Councilman Harris, seconded by Councilman Stewart that the following resolution be passed:

**RESOLUTION NO. 2016-55**

**AUTHORIZING THE PURCHASE OF NINETY-SIX GALLON TOTER CARTS**

Upon a vote, the resolution unanimously passed.

Mayor Greenway presented a resolution authorizing an even trade of a 2016 Ford F150 for a 2017 Ford F150 through Jacky Jones Ford Lincoln Mercury's vehicle replacement program. The vehicle is in the Recreation Department. A motion was made by Councilman Stewart, seconded by Councilman James that the following resolution be passed:

**RESOLUTION NO. 2016-56**

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

Upon a vote, the resolution unanimously passed.

Mayor Greenway presented a resolution amending the fees for the usage of the Lions Club Pavilion to \$120 for twelve hours effective January 1, 2017. A motion was made by Councilman Harris, seconded by Councilman Stewart that the following resolution be passed:

**RESOLUTION NO. 2016-57**

**AMENDING FEES FOR THE LOUDON PARKS AND  
RECREATION LIONS CLUB PAVILION**

Upon a vote, the resolution unanimously passed.

Mayor Greenway presented a resolution authorizing expenditures to purchase and install LED lighting in Liberty and Legion Parks. A motion was made by Councilman James, seconded by Councilman Harris that the following resolution be passed:

**RESOLUTION NO. 2016-58**

**AUTHORIZING THE PURCHASE AND INSTALLATION OF LIGHT-  
EMITTING DIODE LIGHTING AT LIBERTY PARK AND LEGION PARK**

Upon a vote, the resolution unanimously passed.

Mayor Greenway presented a resolution to accept a Tennessee Highway Safety Grant in the amount of \$5,000 to purchase a radar trailer. A motion was made by Councilman Stewart, seconded by Councilman James that the following resolution be passed:

**RESOLUTION NO. 2016-59**

**ACCEPTING TENNESSEE HIGHWAY SAFETY GRANT**

Upon a vote, the resolution unanimously passed.

Mayor Greenway re-appointed Ham Carey to the Housing Authority with the term expiring 12/15/2020. He also re-appointed Jack Lefler II to the Housing Authority with the term expiring 12/15/2021.

Mayor Greenway appointed Salvatore Medina to replace Ken Brewster, who resigned, on the Planning Commission. The term expires 6/30/2019.

Mayor Greenway introduced an item for discussion pertaining to the retirement of City Manager Mills. He said that a few months ago Manager Mills indicated he would retire at the end of this year. Subsequently he changed his mind, and said he wanted to wait to retire and work until December 2017 or possibly longer.

Mayor Greenway said that as a result of Manager Mills' initial retirement date, a preliminary search began to fill his position.

Mayor Greenway asked Manager Mills if it was voted to accept his retirement tonight, what would be his reaction.

Manager Mills said when Mayor Greenway asked him about retirement, he gave an "off the cuff" answer to retire in December. After giving it some thought, he decided he wanted to wait until December 2017 or possibly longer.

After considerable discussion, Mayor Greenway called for a motion to allow Manager Mills to continue his service as he serves now. Councilman Millsaps made the motion, but there was no second to the motion. Mayor Greenway declared the motion died for lack of a second.

Mayor Greenway called for a motion that the city manager position be vacated and council continue a search for a new manager. A motion was made by Councilman Stewart and seconded by Councilman James that the city manager position be vacated and council continue a search for a new manager.

Manager Mills asked about the utility board. He said this action would only apply to the city manager part of his job.

Mayor Greenway responded that the utility board would have to make that decision.

Councilman Millsaps asked if the position was to be vacated immediately.

Councilman Stewart responded that he envisioned a severance package and the manager would work through a transition period with the new guy.

Councilman James said he would like to see a timeline of six months to a year. He did not want immediate termination.

Attorney Ford said the motion on the table was for the position to be vacated immediately. He recommended the withdrawal of the motion that was on the table if that was not the intent.

Councilman Stewart withdrew his motion.

**A motion was made by Councilman Stewart that the manager position be vacated subject to negotiations with Mr. Mills concerning a layover period, pay and benefits and to train a new city manager.**

Councilman Millsaps asked the definition of a layover period.

Attorney Ford said the layover period would be discussed and voted on at the next meeting.

Councilman Harris asked if a layover period was like a transition period. Attorney Ford said it was.

**Councilman James seconded the motion. Upon a vote, the AYES were Stewart, James, Harris and Greenway. Millsaps voted NAY. Mayor Greenway declared the motion passed.**

There being no further business, Mayor Greenway adjourned the meeting at 7:56 P.M.

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Recorder

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Mayor