

## **BOARD MEETING**

**APRIL 24, 2006**

The Board of Mayor and Aldermen of the City of Tullahoma, Coffee and Franklin Counties, Tennessee met in a public session at the Municipal Building, in Tullahoma, on Monday, April 24, 2006 with Mayor Troy Bisby presiding and the following named members of the Board of Mayor and Aldermen: Janice Bowling, Lane Curlee, Rich Darden, Phil Trimble, and Jim Waters. Absent was Scott Shasteen.

Louis J. Baltz III, City Administrator; Randall Morrison, City Attorney; and Susan Wilson, City Recorder, were also present at the meeting.

The meeting was opened with an invocation delivered by Dr. Baylon Hilliard the pledge of allegiance to the flag.

### **PROCLAMATIONS; AWARDS; AND SPECIAL PRESENTATIONS**

Mayor Bisby presented a proclamation to Ms. Patra Escue, 2<sup>nd</sup> Vice President American Legion Auxiliary and Poppy Drive Chairperson, designating April 29, 2006 as Poppy Day in Tullahoma.

Mayor Bisby presented a proclamation to Mr. Jack Jennings, National Preservation Society, designating May 2006 as National Preservation Month.

Mayor Bisby read a proclamation designating May 1-7, 2006 as Public Service Week.

Mayor Bisby recognized City Employee Service Award recipients Kenneth Howard for 15 years of service and Roger Rayder for 5 years of service.

### **COMMENTS FROM CITIZENS**

Mr. Dale Womack, 313 Hillcrest Drive, commented regarding the protest petition for the proposed bond issue on Resolution 1290. Mr. Womack stated that they are not opposed to school improvements but that they would like more input and like them done more economically.

Mr. Trimble commented regarding the assumption of most persons that the improvements would be funded by a tax increase only and that there may be other options.

Mrs. Bowling commented regarding the board funding school capital improvements.

Dr. Waters commented on the sales tax sinking fund issues.

Mr. Don Myers, 115 Sears Roebuck Road, commented on an article that he said he had written and was published in the newspaper entitled "It's Time to Change the Face of Coffee County". Mr. Myers further commented regarding salaries of school officials and Resolution 1288.

Mr. Trimble expressed his objection to the conduct of this portion of the meeting and his concern in regard to Mr. Myers, who is not a citizen of Tullahoma, being allowed to have a free forum for commentary at the Board meetings.

Mayor Bisby commented in regard to him allowing non-citizens to comment in that there are property/business owners in Tullahoma that may not live within the City limits; however he would allow comment from them. Dr. Waters said that he agrees they should be allowed to comment however they should not be allowed to harass the Board members. Mayor Bisby also said that he keeps a three-minute time limit on citizen comments in the "Comments from Citizens" portion of the meeting and he does not think it would be fair to arbitrarily choose who can speak or not speak. Mr. Trimble commented that he would discuss it later on in the meeting.

Mr. Myers told Mr. Trimble that he should resign.

Miss Sarah Williams, 1107 Bragg Circle, an eighth-grade student at West Middle School, commented and presented a petition opposing the sale of the 184 acres of land in the Short Springs Natural Area.

## **REPORT FROM MEMBERS OF THE BOARD OF MAYOR AND ALDERMEN**

**ALDERMAN BOWLING** – Mrs. Bowling reported that the TUB meeting will be tomorrow night and that TUB is in the process of saying goodbye to Joe Loggins, retiring General Manager and that there will be several events open to the public and encouraged all who can, to come by shake hands with Mr. Loggins and thank him for the tremendous work that he has done for our community. Mrs. Bowling reported that she attended the Airport Authority meeting and they are working in concert with the "Wings of Freedom" from out at AEDC, and our City Chamber of Commerce. Mrs. Bowling encouraged all to avail themselves to the free air show scheduled for Memorial Day weekend, May 27<sup>th</sup> and 28<sup>th</sup>.

**ALDERMAN CURLEE** – No report.

**ALDERMAN DARDEN** – No report.

**ALDERMAN TRIMBLE** – Mr. Trimble reported that he attended the Planning Commission and they are looking at the zoning recommendations from

the engineering firm that did the work out at the airport and they are going to start reviewing the zoning regulations in and around the airport area. Mrs. Bowling stated that they had received funds to develop a land use plan from the Department of Aeronautics and that according to the Tennessee Code Annotated that the Airport Authority has the sole authority over the zoning for airport property. Mr. Trimble clarified that it was the property adjacent to the Airport.

**ALDERMAN WATERS** – Dr. Waters reported that he attended the DRUC meeting and the water quality is good. Dr. Waters reported that he attended the Drug Task Force/Youth Development Council meeting and the guest speaker was Dr. Thomas Phelps, Tullahoma Sleep Disorder Center. Dr. Waters requested that Attorney Morrison file a restraint order against Mr. Myers for public harassment.

**MAYOR BISBY** – Mayor Bisby reported that he would like a couple of items put on the study session. Mayor Bisby said that there are some areas in town where businesses would like to be able to display items on the sidewalk and our current ordinance does not permit that. He would like to discuss a limited area for that possibility. The second item he would like to discuss is an ordinance for dangerous breeds of dogs not being allowed in the City limits. Mayor Bisby referred to Estill Springs who he thought had recently enacted an ordinance disallowing dangerous breeds of dogs in the city limits.

**REPORT FROM THE CITY ATTORNEY** – No report.

**REPORT FROM THE CITY ADMINISTRATOR** – Mr. Baltz reported that regarding Coffee County finance and school funds that Staff had followed up, however the response from Coffee County was that they would get back to the City some time in May.

## **CONSENT AGENDA**

**Agenda Item 06-52 - Minutes of April 10, 2006 Board Meeting**  
**Agenda Item 06-53 – March 2006 Finance Report**

A motion was made by Dr. Waters and seconded by Mrs. Bowling to accept the minutes and finance report as presented. On roll call all members present voted aye and it was so ordered.

## **OLD BUSINESS**

**ORDINANCE NO. 1328 – AN ORDINANCE TO AMEND THE STORMWATER MANAGEMENT ORDINANCE OF THE CITY OF TULLAHOMA, TENNESSEE WHICH IS CODIFIED AS ORDINANCE NO. 1283**

Mayor Bisby read the caption of Ordinance No. 1328 for the second of three readings. A motion was made by Mrs. Bowling and seconded by Dr. Waters to

accept Ordinance No. 1328. On roll call all members present voted aye and it was so ordered.

**SEE ATTACHED COPY OF ORDINANCE #1328**

**NEW BUSINESS**

**ORDINANCE NO. 1329 - AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF TULLAHOMA, TENNESSEE WHICH IS APPENDIX "A" TO THE CODE OF ORDINANCES OF THE CITY OF TULLAHOMA, TENNESSEE BY CHANGING THE ZONING MAP WHICH IS A PART THEREOF TO RE-ZONE CERTAIN PROPERTIES AT 202 GOLF CLUB LANE FROM R-1, LOW DENSITY RESIDENTIAL TO C-2, GENERAL COMMERCIAL DISTRICT (COFFEE COUNTY TAX MAP 124H, GROUP B, PARCEL 3)**

Mayor Bisby read the caption of Ordinance No. 1329 for the first of two readings. A motion was made by Mrs. Bowling and seconded by Dr. Waters to accept Ordinance No. 1329. On roll call all members present voted aye and it was so ordered.

**SEE ATTACHED COPY OF ORDINANCE #1329**

**ORDINANCE NO. 1330 - AN ORDINANCE TO AMEND TITLE 1, CHAPTER 2, SECTION 1-207 OF THE TULLAHOMA MUNICIPAL CODE FOR THE CITY OF TULLAHOMA**

Mayor Bisby read Ordinance No. 1330 for the first of two readings. A motion was made by Mrs. Bowling and seconded by Dr. Waters to accept Ordinance No. 1330. Discussion followed regarding majority and unanimous voting on this ordinance. Mr. Baltz indicated they would follow the same rules of any ordinance. Discussion followed regarding the order and process of the meetings regarding non-citizens comments and the discussion of it being on the study session for the next meeting. Comments followed from Mayor Bisby regarding allowing each citizen comment not to go longer than three minutes. Mayor Bisby called for a vote. On roll call all members present voted aye and the motion was so ordered.

**AGENDA ITEM 06-54 - SURPLUS OF ROW BETWEEN 210/214 E. GRUNDY STREET**

Mr. Steve Woodard presented the background information. A motion was made by Mr. Trimble and seconded by Mrs. Bowling to approve the request of surplus of property. On roll call all members present voted aye and it was so ordered.

**AGENDA ITEM 06-55 – SET PUBLIC HEARING FOR REZONING REQUEST (208 ½ MITCHELL BLVD.) FROM I-2 TO C-2**

**AGENDA ITEM 06-56 – SET PUBLIC HEARING FOR REZONING REQUEST (208 MITCHELL BLVD.) FROM I-2 TO C-2**

Mr. Woodard presented the background information for Agenda Items 06-55 and 06-56. A motion was made by Mr. Trimble and seconded by Mrs. Bowling to approve call for Public Hearing on May 22, 2006 for request for rezoning. On roll call all members present voted aye and it was so ordered.

**AGENDA ITEM 06-57 – APPROVAL OF SPECIAL EVENTS (AIR SHOW) INSURANCE**

Mrs. Wilson presented the background information. A motion was made by Dr. Waters and seconded by Mrs. Bowling to approve the purchase of special events coverage for the air show. On roll call all members present voted aye and it was so ordered.

**AGENDA ITEM 06-58 – APPROVAL OF AUDIT SERVICES**

Mrs. Wilson presented the background information. A motion was made by Mrs. Bowling and seconded by Dr. Darden to renew the audit contract with Housholder, Artman & Associates. On roll call all members present voted aye and it was so ordered.

**AGENDA ITEM 06-59 – APPROVAL OF JOHNSON LANE ROADWAY IMPROVEMENTS**

Mr. Wayne Limbaugh presented the background information. A motion was made by Dr. Waters and seconded by Mrs. Bowling to award the project for the road widening and paving, retaining wall construction, and fence relocation to Smithway Asphalt, Inc. On roll call all members present voted aye and it was so ordered.

**AGENDA ITEM 06-60 – ACCEPTANCE OF REPORT FROM ELECTION COMMISSION**

Mayor Bisby read the letter from the Coffee County Election Commission. A motion was made by Mrs. Bowling seconded by Mr. Trimble to accept the report and authorize the City Attorney to draft an election resolution, as per T.C.A. Section 9-21-209. Discussion followed regarding the contents of the resolution. On roll call all members present voted aye and it was so ordered.

There being no further business to come before the Board of Mayor and Aldermen at this time, upon motion made and duly seconded, the Board Meeting

adjourned. On roll call all members present voted aye and it was so ordered.

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**FINANCE DIRECTOR**

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**MAYOR**