

BOARD MEETING

JANUARY 23, 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, January 23, 2006 with Mayor Troy Bisby presiding and the following named members of the Board of Mayor and Aldermen: Janice Bowling, Lane Curlee, Rich Darden, Scott Shasteen, and Jim Waters. Absent was Phil Trimble.

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

The meeting was opened with an invocation delivered by Rev. Lewis Groce and the pledge of allegiance to the flag.

PROCLAMATIONS; AWARDS; AND SPECIAL PRESENTATIONS

Mayor Bisby recognized City Employee Service Award recipients: 20 years: Kurt Glick; 10 years: Kent Carter, Charles Sells, and Jeff Smith; 5 years: Robert Boehm, Robert Burns, Billy Morris, and Jeremy Suits.

COMMENTS FROM CITIZENS

Mr. Bob Ford, 808 Westwood Drive, representing the Tullahoma Soccer Association, commented in favor of a new soccer complex. Soccer players Jeremy Ortiz and Jessica Morgan commented in favor of a new soccer complex.

Mr. Don Myers, 115 Sears Roebuck Road, discussed the petition for recall item and a taxpayer bill of rights.

Mr. Billy Morgan, 1410 Country Club Drive, commented in favor of a new soccer complex.

Mr. Hunter Norris, 433 Albemarle Drive, representing the Tullahoma Little League, commented to the idea that he would like to see a coordinated effort to purchase more land (with state matching grants) and build the soccer complex along with a baseball complex.

Mr. Gary Lyle, 200 Old Fort Street, commented on behalf of the City in respect to the building of these facilities and wanting to make sure that the City has the infrastructure in the Recreation department to maintain the facilities.

Dr. Waters commented that they have discussed this and that staff for the Recreation department is something that needs to be addressed at budget time.

REPORT FROM MEMBERS OF THE BOARD OF MAYOR AND ALDERMEN

ALDERMAN SHASTEEN – Mr. Shasteen reported that he attended the Planning Commission meeting on January 17th and they decided that the transportation study would begin with the first meeting of a sub committee that has been formed and the first meeting will be on January 31st.

They will begin considering revisions to the transportation plan. Mr. Shasteen reported that he attended the School Board meeting on January 16th. Mr. Shasteen said that each City Board member had received a handout from the School Board tonight which was a report from the Tennessee Advisory Commission on intergovernmental relations regarding school system consolidation. Mr. Shasteen encouraged the board members to read through the report and consider the matter. Mr. Shasteen reported prior to the School Board meeting, he had asked Dr. Lawson to provide some input on the safety conditions of the Tullahoma schools because he felt that in recent weeks they've heard numerous citizens stand at the podium and imply and make claims that schools were unsafe and a fire hazard. At the School Board meeting on the 16th of January, Dr. Lawson reported that the buildings are not improvable, primarily East Lincoln, is not improvable but that it is completely safe and has exits in classrooms, and that it has passed State Fire Marshall inspections and local inspections. Mr. Shasteen went on to say that Dr. Lawson claimed without reservation that each of the City School buildings was safe and was not a fire hazard. Mr. Shasteen reported that the School Board discussed the County school bond issue and the fact that they are hoping to see a vote on that in March. Mr. Shasteen said that it looks good for Tullahoma, if what the County wants to do, would get voted in. The School Board approved the calendar for the academic year 2006-2007. Mr. Shasteen read a presentation that the school board made to Mrs. Opal Anderton, a teacher for the Tullahoma City Schools for 53 years.

ALDERMAN BOWLING – Mrs. Bowling reported that she attended the Airport Authority meeting and reported that that skydiving is proposing a lease (a new organization) and Chris Rounds is looking to put an industry at the airport, and that the treasurers report was indicated they are in good shape, and the FBO report indicated that they are still one of the most active airports for general aviation. Mrs. Bowling stated that entities are working together for the Air Show coming up Memorial Day weekend. Mrs. Bowling reported that the Airport Authority was delighted to adopt the City Code of Ethics recently approved by the Board. Mrs. Bowling said that she would submit the Code of Ethics to the TUB. Mrs. Bowling reported that she was able to speak at the banquet held by the Red Cross to honor all those that participated in helping the evacuees from Hurricane Katrina. Mrs. Bowling asked that in regard to Mr. Shasteen's report regarding the safety of the schools, if Mr. Steve Woodard could also give his opinion on East Lincoln School, because she had received calls regarding the safety of the schools. She was glad to see the report in the Tullahoma News that the schools were safe for the children.

Mrs. Bowling stated that she was asked by Mr. Keith Hamilton to read a statement from him in her Board Report. Mrs. Bowling read the statement.

Mrs. Bowling reported that TUB will meet tomorrow night and she summarized the agenda for the TUB meeting. Mrs. Bowling reported that later in the agenda is a status report from TUB regarding telecommunications for the Board to review. Mrs. Bowling read the report for the benefit of the citizens of Tullahoma.

ALDERMAN CURLEE – Mr. Curlee reported that he was unable to attend the Tullahoma Housing Authority meeting; however he was updated by Mr. Randy Miesel who informed him that the audit was presented at the meeting and there were no findings for the previous fiscal year.

ALDERMAN DARDEN – No report.

ALDERMAN WATERS – Dr. Waters reported that he attended the DRUC meeting and that water consumption is down. Dr. Waters reported they are expecting a rate increase of 5 cents per 1,000 gallons of water.

MAYOR BISBY – Mayor Bisby reported that the Tullahoma Pride Committee met for the first time last week. Mayor Bisby named the chairman and members and reported that that it looks like a very promising committee. Mayor Bisby reported that they notified Stehpens that we would like to have them as our financial advisor and the other entities that submitted proposals have been notified that Stephens will be on our advisor. Mayor Bisby reported that they have a conference call scheduled next week with Stephens to start the thinking process about to review the different options available. Mayor Bisby reported that once they have some ideas lined out, they would like to have some sort of a work session with the Board to get input and then once they have a fairly close consensus they will bring it back before the Board.

REPORT FROM THE CITY ATTORNEY – Mr. Morrison reported that he has been in touch with the County regarding school funding. Mr. Morrison explained the sources of revenue the City School systems revolve around. He related that he believed that they receive about \$11.5 million from the State, \$5,200,000 from the City and the County chips in about \$3,100,000. Mr. Morrison reported that another source of tax is rural sales tax and he is in the process of discussing that with the County Mayor. Thus far he has found that in the past, there has been some type of oral agreement that Tullahoma would not accept or take their portion or amount of those taxes. Mr. Morrison reported that he is working some of the pending cases.

REPORT FROM THE CITY ADMINISTRATOR – Mr. Baltz reported that he would be attending the first post organizational meeting of the Southeast Rural Transportation Organization (RTPO) meeting on January 25. Mr. Baltz explained the purpose of this organization.

CONSENT AGENDA

Agenda Item 06-05 - Minutes of January 9, 2006 Board Meeting

Agenda Item 06-06 – December 2005 Finance Report

A motion was made by Mrs. Bowling and seconded by Dr. Waters to adopt the consent agenda as presented. On roll call all members present voted aye and it was so ordered.

OLD BUSINESS

ORDINANCE NO. 1326 – 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 715 S. WASHINGTON STREET AND 205 E. MONROE STREET FROM R-4, HIGH DENSITY RESIDENTIAL MOBILE HOME PARK DISTRICT TO C-2, GENERAL COMMERCIAL (COFFEE COUNTY TAX MAP 127C, PARCELS 16 & 17)

Mr. Morrison read Ordinance No. 1326 for the second and final reading. A motion was made by Mrs. Bowling and seconded by Mrs. Bowling to accept Ordinance No. 1326. On roll call all members present voted aye and it was so ordered.

SEE ATTACHED COPY OF ORDINANCE #1326

OTHER OLD BUSINES

Mr. Darden stated that at the last Board meeting, Ordinance No. 1325 to increase the number of members of the Tullahoma Airport Authority Board and that he has received several calls from citizens interested in submitting an application for this board. He asked if we had made a call for citizens to submit applications.

Mayor Bisby commented that he thought first the Airport Authority would need to amend their Charter. Mr. Baltz reported that they are required to publish the caption of the ordinance and he believed it appeared in the Sunday paper, so that the Board can solicit citizen participation forms if they so wish to, but that they have not done a formal specific call at this time. Dr. Darden wanted to clarify that he thought in a previous board meeting they had said they would call for the applications two weeks in advance of an appointment. Mr. Baltz said that they could go ahead and post the request on Peahead. Mrs. Bowling called for a point of order and stated that at the next Policy Committee meeting on January 31st, they are going to review the citizen participation form to reflect the new ethics policy and that she feels whatever they do that it would be appropriate to wait until they have the ethics policy/public response forms. Dr. Darden responded that he thought they could have a verbal response in the interim but if that's a technicality that would be okay with him. Mr. Baltz further discussed that in the last discussion that they contemplated that on the actual form that persons fill out when they express interest would have a signoff or at least a copy of the policy so that they would have it in hand before they made a presentation to the public.

NEW BUSINESS

AGENDA ITEM 06-07 - DISCUSSION OF COUNTY AUDIT FINDINGS

Mayor Bisby gave a brief summary of the dividing of funds. Mr. Baltz reported that City Finance Staff and City School Finance Staff have been working together on this issue for some time and had made inquiries over a year ago. Mr. Baltz gave a summary of the background information provided in the agenda. A motion was made by Mrs. Bowling and seconded by Dr. Darden to authorize City Finance Staff to pursue gathering information with the view of recovering the lost revenues to the City of Tullahoma, and that they work in conjunction with the City School Financial Staff and that at the appropriate time include the City of Manchester Staff on an as-needed or as-

desired basis and to recover lost revenues as much as is allowed by the statute of limitations and or other compensation (in lieu of money). On roll call all members present voted aye and it was so ordered.

AGENDA ITEM 06-08 – SET CITY ELECTION DATE

Mr. Baltz presented the background information. A motion was made by Mrs. Bowling and seconded by Mr. Shasteen to accept Staff recommendation that the Finance Director be authorized to request the Coffee County Election Commission to call an election for the first Thursday in August for the purpose of electing two Aldermen and two Board of Education members. On roll call all members present voted aye and it was so ordered.

AGENDA ITEM 06-09 – DISCUSSION OF CAPITAL PROJECTS

Mr. Baltz presented the Capital Projects Summary information provided in the agenda packet.

AGENDA ITEM 06-10 – CHARLOTTE CIRCLE DRAINAGE IMPROVEMENTS

Mr. Wayne Limbaugh presented the information regarding the Charlotte Circle drainage improvements. A motion was made by Mrs. Bowling and seconded by Dr. Waters to accept Alternative No. 1 to designate \$250,620 from the November 2005 bond issue for this project, award the project to Curbers, Inc., and authorize the Mayor to execute the construction contract once all easement forms have been received. Dr. Waters referred to a drainage project on Country Club Drive (about the 1700 block) (\$15,000 project) that he would like to include in this drainage project. Mr. Baltz responded that currently if all projects outlined in the agenda are approved that would commit about \$3, 677,000 of the five million dollar bond issue so they would still have some remaining \$1.3 available for other types of projects. Mr. Baltz indicated that if they would like to have the Public Works Dept. to work a price for doing that work for consideration as a separate project they may do so. Dr. Waters asked if they would consider doing that. Mr. Baltz said that if the Board wants them to they can. Discussion followed regarding the need for other drainage issues and when appropriate to bring forward. Mr. Baltz said that any new projects that are not on the list they would have to do some engineering and study to get a cost figure. Discussion followed regarding additional requests to be brought back. Mr. Shasteen questioned the projects listed on page 87 that are not being brought up this evening as well as other potential projects, how are they going to go about deciding on the projects? He stated that he was under the impression when they started the bond issue and they each turned in a list of suggestions very early in the process, that as a Board they were going to sit down and debate and rank them and then begin the process of voting on them and completing them. He discussed that some suggestions may have changed, so that after tonight and the voting on the proposed projects they will have an idea of what money is left, that they take what is left and have a work session and discuss more in depth some of the smaller type of issues before they proceed with them. Mayor Bisby responded that the intent was that, and that the proposed improvements were what they believed to be the consensus of the Board to put forward, then the intent is to discuss at the study session to be at the next Board meeting. Mr. Baltz stated that if they had projects they wanted cost estimates on to forward them to Staff. Mayor Bisby called for a vote on the motion. On roll call

all members present voted aye and it was so ordered.

AGENDA ITEM 06-11 – STREET RESURFACING PROGRAM

Mr. Limbaugh presented the background information for the resurfacing program. A motion was made by Mrs. Bowling and seconded by Dr. Darden to approve Alternative No. 1 to designate \$1,000,000 in funds from the November 2005 Bond issue for street resurfacing. Once a budget amount is set by the Board, staff will submit a street repair list based on the approved budget for final approval so that the road work can begin this spring. On roll call all members present voted aye and it was so ordered.

AGENDA ITEM 06-12 – D. W. WILSON COMMUNITY CENTER RENOVATION

Mr. Kurt Glick presented the background information regarding the D. W. Wilson Community Center Renovation. A motion was made by Mrs. Bowling and seconded by Dr. Darden to approve Alternative No. 1 to approve budget of \$478,000 as provided in the bond issuance and authorize staff to issue a request for proposals for architectural services. On roll call all members present voted aye and it was so ordered. Discussion followed regarding Mr. Glick obtaining public input for the project. Mr. Shasteen commented regarding D. W. Wilson being our primary recreation center and the need for renovation opposed to new building. Mr. Shasteen requested that Mr. Baltz add another item to this project for review, which would be the gym floor of D. W. Wilson being 30 years old and that it has a number of significant cracks in the flooring. Mayor Bisby called for a vote. On roll call all members present voted aye and it was so ordered.

AGENDA ITEM 06-13 – MINIATURE GOLF COURSE CONVERSION

Mr. Glick presented the background information regarding the project. A motion was made by Mr. Shasteen and seconded by Mrs. Bowling to approve Alternative No. 1 to designate \$3,000 from the November 2005 bond issue as the budget for this project. On roll call all members present voted aye and it was so ordered.

AGENDA ITEM 06-14 – JOHNSON LANE RECREATION AREA IMPROVEMENTS

Mr. Glick presented the background information regarding the project. A motion was made by Mr. Shasteen and seconded by Mrs. Bowling to accept Alternative No. 1 to designate funds of \$856,000 from the bond issue and authorize issuance of an A/E RFP. Discussion followed regarding the existing fields and future possible uses. Further comments followed regarding baseball fields, soccer fields, maintenance of the fields, and the possibility of more development with future land acquisition possibilities using grants with matching funds. More discussion followed regarding the maintenance of the fields and future possibilities for Waggoner Park. Mayor Bisby called for a vote. On roll call all members present voted aye and it was so ordered.

AGENDA ITEM 06-15 – MUNICIPAL BUILDING RENOVATION

Mr. Baltz presented the background information. A motion was made by Mrs. Bowling and

seconded by Mr. Shasteen to accept Alternative No. 1 to approve budget of \$350,000 as provided in bond issuance and authorize staff to issue requests for architectural proposals. Discussion followed regarding the Police Department and the board room tables. Mr. Shasteen wanted to put it on record that his personal feeling is that we should be looking for a new facility for the Police Department. On roll call all members present voted aye and it was so ordered.

AGENDA ITEM 06-16 – TURKEY CREEK ROADWAY IMPROVEMENTS

Mr. Limbaugh presented the background information. A motion was made by Mrs. Bowling and seconded by Mr. Shasteen to approve Alternative No. 1 to designate \$550,000 from November 2005 bond issue as the budget for this project. Discussion followed regarding the boundaries/length of the sidewalks. On roll call all members present voted aye and it was so ordered.

AGENDA ITEM 06-17 – TURKEY CREEK ROAD/W. LINCOLN STREET INTERSECTION IMPROVEMENTS

Mr. Limbaugh presented the background information. A motion was made by Mrs. Bowling and seconded by Dr. Darden to accept Alternative No. 1 to designate \$190,000 from the November 2005 bond issue for the local match requirement and to fund the traffic signal warrant study. Discussion followed regarding the timeline of the project and the money funded. On roll call all members present voted aye and it was so ordered. Mr. Shasteen asked Mr. Baltz to add a couple of items to the list on page 87 of Capital Projects Summary, 1) To replace ladder truck for the Fire Department (approximately \$500,000) and 2) The addition/roof to Fire Hall No. 2. Mr. Baltz gave some background information regarding the addition to Fire Hall No. 2.

AGENDA ITEM 06-18 – DISCUSSION OF PROPOSED RESOLUTION ON INITIATIVES

Mrs. Bowling gave the background information regarding the proposed Initiatives Resolution stating that she wanted to bring forward the information as an Alderman rather than as the Policy Committee. A motion was made by Mr. Shasteen and seconded by Mrs. Bowling to accept Alternative No. 1 to authorize the City Attorney to draft a Resolution for the consideration of the Board of Mayor and Aldermen. Mr. Curlee stated that he felt that was an improper motion as it was the same motion at the prior meeting. Mayor Bisby ruled that it was an out of order motion. A motion was made by Mrs. Bowling and seconded by Mr. Shasteen to suspend the rules of order to allow the motion. Further discussion of the motion followed. Mayor Bisby called for a vote on the motion to suspend the rules to consider the motion. On roll call the vote was as follows:

AYE: Bisby, Bowling, Shasteen, Waters

NAY: Darden, Curlee

Dr. Waters stated the he miss-voted and asked to revote. Mayor Bisby called for a revote. On roll call the vote was as follows:

AYE: Bisby, Bowling, Shasteen

NAY: Darden, Curlee, Waters

The vote being three (3) ayes and three (3) nays, the motion failed.

Mrs. Bowling stated that she will consult Roberts Rules of Order and that she would the issue and draft a resolution to bring to the Board.

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.

FINANCE DIRECTOR

MAYOR