

BOARD MEETING

AUGUST 14, 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, August 14, 2006 with Mayor Troy Bisby presiding and the following named members of the Board of Mayor and Aldermen: Janice Bowling, Lane Curlee, Jonathan James, Sandy Lindeman, Phil Trimble, and Scott Shasteen.

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

SWEARING IN CEREMONY

Mr. Randall Morrison, City Attorney, read the Certification from the Election Commission.

Mr. Randall Morrison, City Attorney, administered the oath of office to Alderman-Elect Mr. Jonathan James, Alderman-Elect Ms. Sandy Lindeman, and School Board Members Ms. Rosie Graham and Ms. Linda Thoma.

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

PROCLAMATIONS; AWARDS; AND SPECIAL PRESENTATIONS

COMMENTS FROM CITIZENS

Ms. Beverly L. Sasser, 110 Kings Place, informed the Board of property damage that she and neighbors have been experiencing during the night hours that they feel have been from dogs running loose. Discussion followed regarding the leash law, what legal recourse homeowners have, and the enforcement of violation of the leash law. Mr. Wayne Limbaugh, Public Works Director, discussed a possible alternate work schedule for the Animal Control Officers that he has been reviewing to help with enforcement of the leash law.

Ms. Kathryn Rose, 506 Campbell Avenue, discussed the Tullahoma High School Auditorium and repairs that she felt are needed in that facility.

ELECTION OF MAYOR PRO-TEM

Nominations were opened for Mayor Pro-Tem. Alderman Curlee

nominated Alderman Scott Shasteen. Alderman James nominated Alderman Janice Bowling.

On paper ballot the vote was as follows:

Bisby -	Bowling
Bowling -	Bowling
Curlee -	Shasteen
James -	Bowling
Lindeman -	Shasteen
Shasteen -	Shasteen
Trimble -	Shasteen

The vote being four (4) votes for Alderman Shasteen and three (3) votes for Alderman Bowling, Alderman Shasteen was appointed Mayor Pro-Tem.

Mayor Bisby called for a two-minute recess was taken to adjust the name plates for seating and voting purposes.

Mayor Bisby reopened the meeting.

REPORT FROM MEMBERS OF THE BOARD OF MAYOR AND ALDERMEN

MAYOR BISBY – Mayor Bisby passed out and read a memo with the Board Liaison appointments for the Board members. Mayor Bisby said there is still an appointment to be made by the Board for the Planning Commission. Mr. Baltz reported that they were looking into the Duck River Utilities Commission (DRUC) position held by Dr. Jim Waters and that they had not been in contact with Dr. Waters. They have received information from Randall Braker, General Manager DRUC need to postpone this appointment until Staff can review with Randall Morrison, City Attorney.

Mayor Bisby handed out a memo to the Board of Mayor and Aldermen and the Tullahoma City School Board Members that presented a School System Capital Improvements Development Plan Outline. Mayor Bisby proposed that the BMA and the Tullahoma City School Board must work together to prioritize needed capital improvements.

Mayor Bisby reported on the matching grants received from the State and thanked Kurt Glick and Debi Graham for their preparation of the application and also thanked the State Rep. Judd Matheny and Senator Cooper for their support.

Mayor Bisby reported that the poles that were used to hold up the banners across the streets have been removed by TUB. He thanked TUB for their help and stated that it cleaned up the area quite nicely.

ALDERMAN TRIMBLE – Mr. Trimble reported that he attended the Planning Commission meeting a couple of weeks ago and that it was well attended. He stated that the item on the development of a portion of property between Riley Creek and Ovoca was deferred until the August 21, 2006 meeting. Mr. Trimble thanked the Mayor for his involvement per his (Mr. Trimble's) request. Mr. Trimble said that he doesn't know the resolution but hopefully they will be able to resolve the issue in a way that is good for the citizens as well as is good for development in Tullahoma.

Mr. Trimble stated that he had received several calls regarding the outdoor pool being closed on or about August 1, 2006. He said that he didn't understand the reasoning until he spoke to Mr. Glick so that he wanted to explain the reasoning to the public. He said that when the students go back to school the attendance falls off, however, the chemicals for the pool run just under \$200 per day to keep the pool open for very few users. Mr. Trimble said that with the use so light it is just not cost effective.

ALDERMAN JAMES – Mr. James stated that he was profoundly grateful that he is a member of the Board and that he is humbled that the voters have confidence in him to put him in this position. Mr. James stated the he does not take that for granted and that he would do his utmost to be accountable. Mr. James stated that this is a difficult time with the pending issues, however it is his belief that this Board has the taxing, the appropriating authority, and that this board must make the tough decisions and that he is willing to do that.

ALDERMAN BOWLING – Mrs. Bowling reported that she did attend the public hearing last Monday evening with the Planning Commission and stated that there were 477 signatures of people who live all around that proposed development who were concerned about the density of that development. Mrs. Bowling discussed a proposal that stated if the density could be reduced that the issues regarding infrastructure, roads, water run-off, etc. Mrs. Bowling suggested that this may be an appropriate time to review the residential zonings and use that is already developed around these areas and make sure that our zoning map is corresponding to the development that has already taken place. Mrs. Bowling suggested they have some type of a study session to look at a larger zoning map to see if they need to address some of the zones that are already in place in Tullahoma so that they don't encounter this type of situation again.

Mrs. Bowling reported that she attended the TUB meeting and that there was nothing out of the ordinary. They approved entering a contract with Asplunde, a tree expert company and that they also approved a contract with Electric Power Systems, Inc., for the providing of substation maintenance and testing, also approved was entering a contract with ACRT for the purpose of providing a contract Utility Forester for the year 2007. Mrs. Bowling reported that she attended the Airport Authority meeting last week. Mrs. Bowling recognized

Mrs. Sharon Tinkler and her husband Bill in the audience who are both pilots and have recently relocated to Tullahoma because of the Airport and thanked them for choosing Tullahoma. Mrs. Bowling said that at the Airport Authority meeting they discussed the accomplishments over the past year and she stated highlighted those items (fire hydrants with reflectors, security lighting installed with TUB due to lighting study performed with regard to homeland security, landscaping that helped to spruce up the grounds for the air show, the cleaning up of an old put that was there for years at the south end of the terminals that TUB helped correct adding gravel and making it a better drainage area). Mrs. Bowling reported that TUB has agreed to extend the water line under Ledford Mill Road to the north end of the field so that there can be some development on about 70-90 acres that are open to develop. Mrs. Bowling said that Mr. Jeff Fishman discussed the Industrial Board absorbing the cost for the labor costs on the extension. Mrs. Bowling discussed the money secured from the Tennessee Aeronautics Division being over two million dollars for the Tullahoma Airport, and stated that we received the second largest amount of money for any general aviation airport with the exception of Chattanooga. Also resolved was a serious drainage issue with a main hanger and in cooperation with Jacob Sverdrup Engineering and with the help of Public Works under the supervision of Mr. Limbaugh the work was taken care of. Mrs. Bowling commented regarding the cooperation of many people and great accomplishments over the past year. She expressed her gratitude for being able to serve on the Airport Authority this past year and recognized the wonderful qualities, attributes, and potential of our Airport.

Mayor Bisby mentioned that he had received calls from aldermen and visitors commending Mrs. Bowling for her participation on the Airport Authority Board.

Mrs. Bowling commented regarding the concerns of citizens for the future of the expansion of Cedar Lane.

ALDERMAN CURLEE – Mr. Curlee asked if they needed to make a board appointment this evening for the open Planning Commission seat. Mayor Bisby said they did and thanked Mr. Curlee for the reminder. He said they would finish the board reports and then do the appointment.

ALDERMAN LINDEMAN – Mrs. Lindeman thanked the voters who supported her during the election. Mrs. Lindeman expressed her appreciation for those voters that stood in the long lines due to some technical difficulties with the Election Commission. Mrs. Lindeman stated that she felt it was important for those that ran for an office to make sure their signs are taken down. Mrs. Lindeman reported that she has met with the Mayor and City Administrator and Alderman James for a brief introduction. She reported that she attended an Arnold Community Council meeting/barbecue. She reported that she and Alderman James had also met with Brian Skelton, General Manager at TUB and

Chairman of the board Mr. Clem Reese and received information and toured the administration building. Mrs. Lindeman stated that she was excited to be here and ready to serve as an Alderman in Tullahoma.

Mrs. Bowling said that she neglected to announce that tomorrow night at Tullahoma High School between 5-7 p.m. there will be a TDOT public hearing and anyone that has any input as to whether or not on Wilson (Hwy 55) from Jackson Street to the red light should become five lanes is welcome to attend the meeting and make their comments.

MAYOR PRO-TEM SHASTEEN – Mr. Shasteen welcomed the new aldermen and the new school board members. Mr. Shasteen commented on the long lines for voting and suggested reviewing placing more voting machines in larger precincts if that is allowable by the Election Commission. Mr. Shasteen reported that he attended the Planning Commission meeting last week and that it ended in a 3/3 deadlock so they voted 4/2 to continue at the next meeting on August 21 at 4:00 p.m., here in the board room. Mr. Shasteen said currently they have five members and there is an open seat due to the resignation of Mr. Bob Perry because he is moving. Mr. Shasteen reported that the School Board has not met since the last meeting however the Wilkins stadium have been installed and worked very well during the fan feast game. Mr. Shasteen complimented the Tullahoma Recreation Department, Ian Anderson and his crew for the way the field looked at the ball game. He said that the field looked like artificial turf and it has never looked better. He said there were a number of visitors from Nashville and they were stunned at the appearance of the field.

REPORT FROM THE CITY ATTORNEY – No report.

REPORT FROM THE CITY ADMINISTRATOR – Mr. Baltz reported that in line with the overall improvements for the fall activities that the Parks and Recreation department is anticipating putting the sod down at what will be the Mullin's football field at Waggoner Park and they are making good progress on that, they are putting moving light poles to accommodate the football field and the goal posts have been received but should be up in time for their season.

Mayor Bisby asked about the capital improvements tour being planned for the new board members. Mr. Baltz said they are checking to see what type of transportation should be used whether it be 15 passenger or larger. They have a rough draft of potential sites and ideas of having an orientation for new board members and refresher for the existing board members along with the tour.

CONSENT AGENDA

Agenda Item 06-96 - Minutes of July 24, 2006 Board Meeting

A motion was made by Mr. Trimble and seconded by Mrs. Bowling to approve the minutes of the July 24, 2006 board meeting as corrected. On roll call all members present voted aye and it was so ordered.

OLD BUSINESS

ORDINANCE NO. 1337 – AN ORDINANCE TO ANNEX CERTAIN TERRITORY AND TO INCORPORATE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF TULLAHOMA, TENNESSEE AND TO ZONE SAME (PORTION OF OVOCA LAKE/CASCADE ROAD)

Mayor Bisby read the caption of Ordinance No. 1337 for the first of two readings. Mr. Baltz gave the background information. A motion was made by Mrs. Bowling and seconded by Mr. James to approve Ordinance No. 1337. On roll call all members present voted aye and the motion was so ordered.

SEE ATTACHED COPY OF ORDINANCE #1337

NEW BUSINESS

RESOLUTION NO. 1298– A RESOLUTION TO ADOPT A PLAN OF SERVICES (PORTION OF OVOCA LAKE/CASCADE ROAD, (RIGHT-OF-WAY), COFFEE COUNTY)

Mayor Bisby read the caption of Resolution No. 1298. Mr. Baltz presented the background information. A motion was made by Mrs. Bowling and seconded by Mr. Shasteen to approve Resolution No. 1298 with the caveat from Staff that any improvements on that road will come in line with existing necessary improvements for the City of Tullahoma in the usual manner. On roll call all members present voted aye and it was so ordered.

AGENDA ITEM 06-97 – APPROVAL TO SURPLUS ROW (LEDFOORD MILL ROAD)

Mr. Baltz gave the background information and stated that Staff recommends approval. A motion was made by Mr. Trimble and seconded by Mrs. Bowling to surplus. A discussion followed regarding procedures of notification to the property owners. On roll call all members present voted aye and it was so ordered.

AGENDA ITEM 06-98 – APPROVAL OF CERTIFICATE OF COMPLIANCE, LIQUOR LOCKER, 500 N. JACKSON STREET (MR. DONALD L. JACKSON, APPLICANT)

A motion was made by Mr. Trimble and seconded by Mr. Curlee to approve the Certificate of Compliance for the Liquor Locker subject to the fire inspection.

On roll call all members present voted aye and the motion was so ordered.

ORDINANCE NO. 1338 – AN ORDINANCE TO FALL UNDER THE PROVISIONS OF TITLE 5, FINANCE AND TAXATION, CHAPTER 1, SECTION 5-102, OF THE CODE OF ORDINANCES OF THE CITY OF TULLAHOMA, ADOPTED MAY 9, 2000 AND AN ORDINANCE TO AMEND ORDINANCE NO. 1319 OF THE CITY OF TULLAHOMA, TENNESSEE, ENTITLED “AN AMENDED ORDINANCE TO MAKE APPROPRIATIONS FOR THE ADMINISTRATION, OPERATION AND MAINTENANCE OF EACH DEPARTMENT AND OF THE CITY GOVERNMENT OF THE CITY OF TULLAHOMA, TENNESSEE, FOR THE PERIOD ENDING JUNE 30, 2006, AND WHICH ORDINANCE AND APPROPRIATIONS ARE IN COMPLIANCE WITH SECTION 5-102 OF THE TULLAHOMA CODE, FORMERLY ORDINANCE NO. 315 OF THE CITY OF TULLAHOMA, TENNESSEE KNOWN AS “AN ORDINANCE TO ESTABLISH THE FISCAL YEAR AND A BUDGET SYSTEM FOR THE CITY OF TULLAHOMA AND TO PRESCRIBE THE MANNER AND METHOD OF ITS ADOPTION, USE AND OPERATION AND TO PRESCRIBE PURCHASING POLICIES AND TO REPEAL ALL LAWS IN CONFLICT THEREWITH

Mayor Bisby deferred to Mrs. Wilson for presentation of the Ordinance No. 1338 for the first of three readings. Mrs. Wilson gave the background information. Discussion followed regarding the balancing of funds and accounts. A motion was made by Mr. Trimble and seconded by Mrs. Bowling to adopt Ordinance No. 1338 on the first of three readings. On roll call all members present voted aye and it the motion was so ordered.

SEE ATTACHED COPY OF ORDINANCE NO. 1338

AGENDA ITEM 06-99 – APPROVAL OF REVISED BUDGET ADOPTION SCHEDULE

A motion was made by Mrs. Bowling and seconded by Mr. Trimble to approve the revised budget adoption schedule. Mr. Trimble discussed the first reading and the scheduling of work sessions. Discussion followed of having the Mayor’s proposed budget given to the Board before the meeting for review purposes and satisfying the legal requirement of adoption at the August 28, 2006 meeting. Mr. James requested having more meetings sooner rather than later. Discussion followed regarding having a work session on the budget after the board meeting on August 28, 2006 and restricting the budget to the only item on the study session. Mr. James expressed that he did not want to restrict the items to budget only and it was mentioned that they could put other items first and budget last. Discussion followed regarding the school budget and if any BEP changes, etc. Mayor Bisby said they would try to get the budget out to all members by Wednesday. Mayor Bisby called for a vote. On roll call all members present voted aye and it was so ordered.

RESOLUTION NO. 1299 – A RESOLUTION AUTHORIZING THE CITY OF TULLAHOMA TO PARTICIPATE IN THE TML RISK MANAGEMENT POOL “SAFETY PARTNERS” LOSS CONTROL MATCHING GRANT PROGRAM

Mrs. Casta Brice, Human Resource Director, presented the information. A motion was made by Mrs. Bowling and seconded by Mr. Shasteen to approve the following resolution that authorizes the City to participate in the TML “Safety Partners” Loss Control Matching Grant Program. On roll call all members present voted aye and it was so ordered.

SEE ATTACHED COPY OF RESOLUTION 1299

AGENDA ITEM 06-100 – APPROVAL OF THE USDA RURAL DEVELOPMENT GRANT APPLICATION

Mrs. Wilson presented the background information. A motion was made by Mrs. Bowling and seconded by Mrs. Lindeman to approve the filing of the application due September 1, 2006. On roll call all members present voted aye and it was so ordered.

AGENDA ITEM 06-101 – HEAD START TEMPORARY USE REQUEST FOR CD STAMPS

Mr. Glick presented the background information. Discussion followed of hours of operation for Head Start. Discussion followed of assigning a monetary/in-kind value of the service we are providing to them. A motion was made by Mrs. Bowling and seconded by Mr. Trimble to approve Alternative No. 1 to approve the additional request and instruct the City Attorney to prepare a hold harmless agreement to release the City of Tullahoma from liability of Head Start Activities with the modification to include adding an in-kind comparability. Mr. James clarified that they would be opening up the facility and we would be closing the facility and also wanted to clarify what temporary meant. Mr. Baltz said they are hoping to be out by November when the renovations are finished. Discussion followed regarding funding of renovation and the impact on the schedule. Mr. Baltz said that on the letter as follow up the action taken this evening, they could notify them that it would only be to a set time this fall and at such time they would have to bring it back to the Board for review. Mrs. Bowling modified her motion to include the November timeline and Mr. Trimble agreed. On roll call all members present voted aye and it was so ordered.

AGENDA ITEM 06-102 – RENEWAL OF CUSTODIAL SERVICE AGREEMENT

Mr. Glick presented the background information. A motion was made by Mr. Trimble and seconded by Mr. James to approve Alternative No. 1 to allow the Mayor to renew the contracts with Smith Janitorial and Pernick Services. On roll

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

OTHER NEW BUSINESS

AGENDA ITEM 06-103 – APPOINTMENT OF BOARD REPRESENTATIVE TO THE PLANNING COMMISSION

Mrs. Bowling nominated Mr. Jonathan James. Mrs. Lindeman moved that the nominations cease. The nominations ceased. Mayor Bisby called for a vote to appoint Mr. James to the Planning Commission. 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.

FINANCE DIRECTOR

MAYOR