

BOARD MEETING

SEPTEMBER 24, 2007

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, September 24, 2007, at 5:30 p.m., with Mayor Troy Bisby presiding and the following named members of the Board of Mayor and Aldermen: Janice Bowling, James Eads, Jonathan James, Sandy Lindeman, Mike Norris, and Scott Shasteen.

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

The meeting was opened with an invocation delivered by Alderman James Eads and the pledge of allegiance to the flag.

COMMENDATIONS AND CERTIFICATES

Mayor Bisby recognized employees for the service to the City. Officer Bobby Fuller for 25 years of service, Officer James Tate for 20 years of service, Fire Fighter Jason Caldwell, and with the Finance Department, Mary Parker for 5 years of service.

COMMENTS FROM CITIZENS

Ms. Rosie Graham, 205 Lakewood Drive, a member of the Tullahoma City School Board, expressed discontent with the process regarding a potential new location for City Hall and its impact to the Tullahoma City School facilities located at the South Jackson square.

REPORTS FROM MEMBERS OF THE BOARD OF MAYOR AND ALDERMEN

ALDERMAN SHASTEEN – Mr. Shasteen reported that he attended the East Lincoln PTO Pancake Breakfast, and the opening ceremony for Waggoner Park, the new location for the Frank Mullins Football League. Mr. Shasteen commended Mr. Mark Moran for his countless hours of dedication to the Frank Mullins League. Mr. Shasteen reported that he attended the Fire Department Promotion ceremony on September 11, and that he would be attending the Grundy Street Land Sale Review Committee meeting tomorrow night that he was out of town for the Tullahoma Housing Authority (THA) meeting but that there were a couple of agenda items regarding the THA later in the agenda.

ALDERMAN EADS – Mr. Eads reported that he attended the Planning Commission meeting. Mr. Eads expressed his disappointment with the School Board not wanting to have a joint meeting with the City.

ALDERMAN JAMES – Mr. James reported that he will attend the TUB meeting tomorrow night and announced the Public Power Celebration at TUB on October 5. Mr. James reported that he attended the East Lincoln PTO Pancake breakfast and the Frank Mullins Football League/Waggoner Park ceremony.

Mr. James addressed an article in the Tullahoma News that referenced the why he might run for a Board of Education position and subsequent comments regarding the School Board liaison. Mr. James stated that he had no issue with Mrs. Lindeman and her previous position as Board of Education liaison. He also commended the time and effort put forth by those that expressed their opinion/views to the community through the Letter to the Editor column in the Tullahoma News.

ALDERMAN LINDEMAN – Mrs. Lindeman reported that she attended the Drug Task Force/Youth Development Committee meeting and that the committee agreed to change the name to the Tullahoma Youth Development Committee. Mrs. Lindeman reported that she attended the Celebration for the Caboose's new home, the Quarterly Chamber joint get together, and would be attending the Grundy Street Land Sale Review Committee meeting tomorrow night.

ALDERMAN NORRIS – Mr. Norris reported that he attended the Fire Officers promotion ceremony, the Caboose dedication, the Tullahoma Airport Authority meeting, the joint Chamber function, and the School Board meeting. Mr. Norris reported that the projected enrollment is down by 72 students a 2% decrease, an increase in staff by 16 positions (4 teachers, 12 from other sources), that 64% of the teachers have obtained tenure, and that the average increase for a teaching position is 4.4%.

MAYOR PRO TEM BOWLING – Mrs. Bowling reported that attended the Arnold Community Council meeting on September 11, the Coffee County Senior Citizens Board of Directors meeting, the Governor's Conference, a Lee Greenwood concert held at Franklin County High School to benefit the Multi-County Cancer Network, the Coffee County Joint Economic & Community Development meeting, the East Lincoln PTO Pancake breakfast, and the joint chamber function. Mrs. Bowling reported that she would be attending the Chamber Coffee hosted by Harton Hospital tomorrow, and the Grundy Street Land Sale Review Committee Meeting tomorrow night.

MAYOR BISBY – Mayor Bisby reported that he attended the Caboose celebration and thanked all for their hard work, he attended the Mullins Field opening and commended all who rolled up their sleeves and worked making a

great place for the league. Mayor Bisby reported that he would be meeting with TDOT next week in Nashville. Mayor Bisby discussed the attempted meeting with the School Board and the fact that they had presented three dates but that the City Board had picked a date that was not presented by the School Board. Mayor Bisby further discussed a possible future meeting with the City and School boards and setting it for a time that is convenience for most.

REPORT FROM CITY ATTORNEY – Mr. Morrison requested setting a date for an Attorney/Client meeting. After review of schedules the meeting was set for Friday, October 12 at noon at City Hall.

REPORT FROM THE CITY ADMINISTRATOR – Mr. Baltz requested the Board to consider adding Agenda Item 07-138 – Pole Relocation Agreement – Turkey Creek Roadway Improvement Project to the agenda to be considered Other New Business. Mr. Baltz reported that he attended a District 6 Homeland Security meeting.

Mr. Eads asked for an update on the audio system. Mr. Baltz reported that the hardware to upgrade the audio system is in place and the audio can now be accessed on the website.

Mr. Eads asked for a status on the parliamentary. Mr. Baltz reported that the City received no responses to the RFQ.

A motion was made by Mr. Bowling and seconded by Mr. James to accept Agenda Item 07-138 to be considered under Other New Business. On roll call all members present voted aye and it was so ordered.

CONSENT AGENDA

Agenda Item 07-124 - Minutes of the September 10, 2007 Board Meeting

Agenda Item 07-125 – Journal Entries for September 20, 2007

Agenda Item 07-126 – Finance Report for August 2007

A motion was made by Mrs. Bowling and seconded by Mrs. Lindeman to accept the Consent Agenda. On roll call all members present voted aye and it was so ordered.

OLD BUSINESS

ORDINANCE NO. 1355 – AN ORDINANCE IN IMPLEMENTATION OF TITLE 5,

FINANCE AND TAXATION, CHAPTER 1, IN GENERAL, OF THE CODE OF ORDINANCE OF THE CITY OF TULLAHOMA, TENNESSEE, AND AN ORDINANCE TO MAKE APPROPRIATIONS FOR THE ADMINISTRATION, OPERATION AND MAINTENANCE OF EACH DEPARTMENT AND AGENCY OF THE CITY GOVERNMENT OF THE CITY OF TULLAHOMA, TENNESSEE, FOR THE PERIOD ENDING JUNE 30, 2008, AND AN ORDINANCE TO SET THE TAX RATE FOR THE REAL ESTATE AND PERSONAL PROPERTY FOR THE TERM 2007, AND AN ORDINANCE TO FACILITATE OTHER FISCAL OPERATIONS OF THE CITY OF TULLAHOMA, TENNESSEE

Mayor Bisby read the caption of Ordinance No. 1355 for the third and final reading.

A motion was made by Mrs. Bowling and seconded by Mr. James to accept Ordinance No. 1355 for the third and final reading.

A motion was made by Mr. Norris and seconded by Mrs. Lindeman to amend section 3 to return back to the way it was when the budget was first passed with a couple of changes. Mr. Norris read that Section 3 would read as follows: "At the end of each fiscal year, all local revenues appropriated for Tullahoma City School funding in excess of those funds required to balance the Board of Mayor and Alderman approved Tullahoma City School Budget without the use of reserves shall be placed into the sales tax sinking fund".

Discussion followed from Board members regarding the wording, the advantage of changing to the amended proposed wording, state laws regarding the use of school reserves and approvals for that use, and that the change goes against the statement in the budget ordinance that zero funds shall be used from City reserve accounts to balance operating budgets for the City and/or the School system.

Mayor Bisby called for a vote on the amendment to the motion. On roll call the vote was as follows:

AYE: Bisby, Lindeman, Norris

NAY: Bowling, Eads, James, Shasteen

The vote being three (3) ayes and four (4) nays the motion failed.

Discussion followed regarding the conflict in language regarding the zero use of reserves. More discussion followed regarding the school budget.

Mayor Bisby called for a vote on the motion to accept Ordinance No. 1355. On roll call the vote was as follows:

AYE: Bowling, Eads, James, Shasteen

NAY: Bisby, Lindeman, Norris

The vote being four (4) ayes and three (3) nays the motion was so ordered.

SEE ATTACHED COPY OF ORDINANCE NO. 1355

NEW BUSINESS

AGENDA ITEM 07-127 – SET PUBLIC HEARING FOR REZONING REQUEST FOR 200 & 202 EDDIE STREET FROM R-3 TO C-2, MR. THEO SWEENEY, APPLICANT

A motion was made by Mrs. Bowling and seconded by Mr. Norris to set a public hearing for October 22, 2007. On roll call all members present voted aye and it was so ordered.

AGENDA ITEM 07-128 – SET PUBLIC HEARING FOR ANNEXATION REQUEST AND PLAN OF SERVICE FOR 994 RILEY CREEK ROAD, MR. WALTER R. WILSON, SR., APPLICANT

A motion was made by Mrs. Lindeman and seconded by Mrs. Bowling to set a public hearing for October 22, 2007. On roll call all members present voted aye and it was so ordered.

AGENDA ITEM 07-129 – REPORT FROM PLANNING COMMISSION ON MUNICIPAL BUILDINGS

Mr. Lance Baxter, Chairman of the Planning Commission, reported on the Planning Commission recommendation. Mr. Neil Loeffler also reported for the Planning Commission.

A motion was made by Mr. Shasteen and seconded by Mrs. Bowling to accept the recommendation of the Planning Commission of Option #2 and place it on the agenda as a study session item at the next board meeting. Option #2 – Build new Police Department/Municipal Building which would include the Police Department, the entire City Hall Staff and the Tullahoma City School Systems Staff. This preferred location will be built on City owned property at South Jackson Street and Hwy 55. Mayor Bisby called for a vote on the motion. On roll call all members present voted aye and it was so ordered.

AGENDA ITEM 07-130 – OWNERSHIP OF SOUTH JACKSON SQUARE

Mr. Eads presented the agenda item.

A motion was made by Mr. Eads and seconded by Mr. Shasteen to accept Option 1 to request the City Attorney to provide an opinion, or obtain definitive legal ruling if necessary, to determine what options are available to the Board of Mayor and Aldermen when considering use of this land, or relocation of the TCS Administration staff.

City Attorney Mr. Morrison said that the Office of the City Attorney can tell the Board that the City of Tullahoma owns that property in fee simple which is absolute ownership. Mr. Morrison offered to explain how he arrived at the statement, but Board indicated it was not necessary. Discussion followed regarding the ownership of the property and the rights regarding leased property, who paid for the Board of Education building when it was build, and other legal issues. Mayor Bisby asked Alderman Eads to prepare list for the City Attorney. Mr. Eads will make a list and forward to the BMA, newspaper, and bring those to the meeting.

Mayor Bisby called for a vote on the motion. On roll call all members present voted aye and it was so ordered.

AGENDA ITEM 07-131 – TDEC SMALL MS4 ANNUAL REPORT

Mr. Baltz and Mr. Limbaugh presented the information for the TDEC Small MS4 Annual Report.

AGENDA ITEM 07-132 – APPROVAL OF CHANGE ORDER NO. 1 – TURKEY CREEK ROADWAY IMPROVEMENT PROJECT

Mr. Limbaugh presented the information.

A motion was made by Mr. Shasteen and seconded by Mrs. Bowling to accept staff recommendation and approve Change Order No. 1 for the Turkey Creek Road Project. On roll call all members present voted aye and it was so ordered.

AGENDA ITEM 07-133 – ASPHALT PAVING BID

Mr. Limbaugh presented the information.

A motion was made by Mr. Shasteen and seconded by Mrs. Lindeman to accept staff recommendation to reject all bids, redo the bid document, and rebid.

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

AGENDA ITEM 07-134 – APPOINTMENT TO TULLAHOMA HOUSING AUTHORITY

Mayor Bisby reappointed Mrs. Louvenia Hayes to the Tullahoma Housing Authority.

AGENDA ITEM 07-135 – APPROVAL OF POLICE SERVICES CONTRACT WITH TULLAHOMA HOUSING AUTHORITY

A motion was made by Mrs. Bowling and seconded by Mr. James to accept staff recommendation of Alternative 1 and authorize the Mayor to execute the contract extending the police services. On roll call all members present voted aye and it was so ordered.

AGENDA ITEM 07-136 – APPROVAL OF PURCHASE OF LAW ENFORCEMENT SOFTWARE

Police Chief Blackwell presented the information.

A motion was made by Mrs. Bowling and seconded by Mr. Norris to approve the agreement between the City of Tullahoma and M&M Micro System, Inc. and authorize the Mayor to execute same. On roll call all members present voted aye and it was so ordered.

AGENDA ITEM 07-137 – APPROVAL OF SOLICITATION FOR LAW ENFORCEMENT PUBLICATIONS

Police Chief Blackwell presented the information.

A motion was made by Mr. Shasteen and seconded by Mrs. Bowling to approve participation in the L.A.W. publication solicitation and permit the Chief of Police to sign the letter of introduction. On roll call all members present voted aye and it was so ordered.

OTHER NEW BUSINESS

AGENDA ITEM 07-138 – POLE RELOCATION AGREEMENT – TURKEY CREEK ROADWAY IMPROVEMENT PROJECT

Mr. Baltz presented the information.

A motion was made by Mrs. Bowling and seconded by Mrs. Lindeman to approve Alternative 1 to approve the agreement and authorize the Mayor to

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

The Board discussed setting up an informal joint meeting with the School Board to discuss capital needs in general. Mr. Norris will contact the school and get a list of dates that they would be available to meet.

There being no further business to come before the Board of Mayor and Aldermen at this time, the Board Meeting adjourned at 8:12 p.m.

CITY RECORDER

MAYOR