

BOARD MEETING

NOVEMBER 26, 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, November 26, 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 Rev. Lewis Groce and the pledge of allegiance to the flag.

PROCLAMATIONS, AWARDS, AND SPECIAL PRESENTATIONS - None

COMMENDATIONS AND CERTIFICATES - None

COMMENTS FROM CITIZENS - None

REPORTS FROM MEMBERS OF THE BOARD OF MAYOR AND ALDERMEN

ALDERMAN JAMES – Mr. James reported that he attended a neighborhood presentation regarding the Country Club Drive rezoning, the auditorium presentation by Tullahoma City Schools, and will be attending the TUB meeting tomorrow that will have some Fiber to the Premise contracts considered.

ALDERMAN NORRIS – Mr. Norris reported that he attended the Tullahoma Airport Authority meeting. He said that the progress of the improvements is moving along, and that the Beechcraft event was very successful. Mr. Norris reported that he attended the Tullahoma City School board meeting where 8 THS students were recognized for placing among the top 10 in the State of Tennessee for various mathematics categories. He reported that the Tullahoma Women's Club recognized Tullahoma students that had placed 3rd in a National Youth Poetry contest.

ALDERMAN SHASTEEN – Mr. Shasteen reported that he attended a Planning Commission meeting on November 19th and thanked all those citizens who attended the meeting. Mr. Shasteen reported that Mr. Brian Skelton, TUB General Manager gave a presentation and update of the status of Fiber to the

Premise and that the Planning Commission requested that he provide quarterly updates to them. Mr. Shasteen reported that the Planning Commission approved the Major Thoroughfare Plan, the Subdivision Regulations, a site plan for a new funeral home, and for BSM Properties the Tullahoma Marketplace which will be located on the old Worth property on Jackson Street. Mr. Shasteen reported that the Planning Commission forwarded two items that are on the agenda tonight with non-favorable recommendations. Mr. Shasteen reported that he attended the Thanksgiving meal presentations, and the Coffee County Leadership, "Government Day".

ALDERMAN EADS – Mr. Eads reported that he attended the Planning Commission and appreciated the public involvement. Mr. Eads discussed a citizen comment regarding the wishing of "Merry Christmas".

ALDERMAN LINDEMAN – Mrs. Lindeman reported that she attended the THS Auditorium meeting and stated that it was a good presentation.

MAYOR PRO TEM BOWLING – Mrs. Bowling reported that she attended the Industrial Board of Coffee County meeting and the Coffee County Joint Economic & Community Development (CCJECD) meeting on November 14. Mrs. Bowling discussed some of the upcoming industrial projects the Industrial Board of Coffee County are currently working on and said that Mr. Ted Hackney would be giving an update on their activities at the December 10 Board of Mayor and Aldermen meeting. Mrs. Bowling reported that Mr. Baltz gave a good presentation at the CCJECD meeting regarding the new 3-Star requirements and stated that he represents the City well on this committee.

MAYOR BISBY – Mayor Bisby reported that he participated in the Manchester Christmas Parade on Saturday with Mayor Superstein and that he plans to invite Manchester Mayor Betty Superstein and Coffee County Mayor David Pennington to join him in the Tullahoma Christmas Parade. Mayor Bisby reported that he attended the Thanksgiving meal preparation and delivery. Mayor Bisby thanked those who volunteer daily for "meals on wheels", and the citizen volunteers that participated on the Thanksgiving Day meal preparation and deliveries, along with Harton Hospital for the preparation of the food.

Mayor Bisby announced that the annual Christmas Parade will be held on Friday, December 7 beginning at 7:00 p.m.

Mayor Bisby announced the appointments of the following persons to the Small Business Loan Committee:

Ms. Pat Williams
Mr. Dwight Miller

Ms. Sue Wilson
Ms. Debi Graham
Alderman Mike Norris – Board Liaison

REPORT FROM CITY ATTORNEY – No report.

REPORT FROM THE CITY ADMINISTRATOR – Mr. Baltz reported that the First Baptist Church has requested a temporary street closure for December 21, 22, & 23 from 6:30 p.m. to 9:00 p.m. for the annual “Night in Bethlehem”. Mr. Baltz stated that they had also requested the Board to consider issuing a standing approval for the above requests contingent on confirmation annually of date and times to the City Manager and TUB.

A motion was made by Mrs. Bowling to approve the temporary street closure for December 21-23, 2007. On roll call all members present voted aye and it was so ordered.

No motion was made for a standing approval.

CONSENT AGENDA

**Agenda Item 07-169 - Minutes of the November 12, 2007 Board Mtg
Agenda Item 07-170 October 2007 Finance Report**

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

OLD BUSINESS

ORDINANCE NO. 1357 – 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 200 AND 202 EDDIE STREET FROM R-3 TO C-2, TENERAL COMMERCIAL DISTRICT (COFFEE COUNTY TAX MAP 124-O, GROUP B, PARCEL 4.00)

Mayor Bisby read the caption of Ordinance No. 1357 for the first of two readings.

A motion was made by Mr. Shasteen and seconded by Mrs. Lindeman to accept Alternative No. 2 to disapprove the request for rezoning.

Mr. Shasteen discussed the concerns expressed by the neighbors at the

public hearing. Mr. Eads asked if the applicant was present. There was not response from the audience.

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

ORDINANCE NO. 1358 – AN ORDINANCE TO AMEND TITLE 5 (MUNICIPAL FINANCE AND TAXATION), CHAPTER 1 (IN GENERAL) OF THE TULLAHOMA MUNICIPAL CODE, BY ADDING A NEW SECTION, REGARDING THE FINANCIAL MANAGEMENT OF GENERAL OBLIGATION BONDS AND NOTES

Mayor Bisby read the caption of Ordinance No. 1358 for the second of three readings.

A motion was made by Mrs. Bowling and seconded by Mr. James to accept Ordinance No. 1358 on the second of three readings. On roll call all members present voted aye and it was so ordered. Mayor Bisby said that he had voted no, or thought that he had voted no.

A motion was made by Mrs. Bowling and seconded by Mr. James to reconsider the vote. On roll call all members present voted aye and it was so ordered.

On roll call the vote for the motion to accept Ordinance No. 1358 on the second of three readings was as follows:

AYE: Bowling, Eads, James, Lindeman, Norris, Shasteen

NAY: Bisby

The vote being six (6) ayes and one (1) nay, the motion was so ordered.

ORDINANCE NO. 1359 – AN ORDINANCE TO AMEND TITLE 1 (GENERAL ADMINISTRATION), CHAPTER 2 (BOARD OF MAYOR AND ALDERMEN) OF THE TULLAHOMA MUNICIPAL CODE FOR THE CITY OF TULLAHOMA TO DEFINE ADEQUATE NOTICE

A motion was made by Mr. James and seconded by Mrs. Bowling to adopt Ordinance No. 1359 on the second and final reading.

Mr. Eads asked for details of the ordinance for the public. Mayor Bisby read the section 1-216 regarding adequate public notice.

Mayor Bisby called for a vote on the motion.

On roll call the vote was as follows:

AYE: Bowling, Eads, James, Lindeman, Norris, Shasteen

NO: Bisby

The vote being six (6) ayes and one (1) nay the motion was so ordered.

ORDINANCE NO. 1360 – AN ORDINANCE TO AMEND TITLE 1 (GENERAL ADMINISTRATION), CHAPTER 6 (RECORDS MANAGEMENT) OF THE TULLAHOMA MUNICIPAL CODE FOR THE CITY OF TULLAHOMA TO PROVIDE FOR ARCHIVING OF VIDEO RECORDINGS

A motion was made by Mrs. Bowling and seconded by Mrs. Lindeman to accept Ordinance No. 1360 on the second of two readings. On roll call all members present voted aye and it was so ordered.

ORDINANCE NO. 1361 – AN ORDINANCE TO AMEND TITLE 20 (MISCELLANEOUS), CHAPTER 4 (PUBLIC PROPERTY, REAL OR PERSONAL) SECTION 20-401 OF THE TULLAHOMA MUNICIPAL CODE FOR THE CITY OF TULLAHOMA REGARDING THE SALE OR SURPLUS OF REAL PROPERTY OF THE CITY

A motion was made by Mrs. Lindeman and seconded by Mrs. Bowling to adopt Ordinance No. 1361 on first of two readings.

Mr. Shasteen read Ordinance No. 1361 for the public.

On roll call the vote was as follows:

AYE: Bowling, Eads, James, Lindeman, Norris, Shasteen

NO: Bisby

The vote being six (6) ayes and one (1) nay the motion was so ordered.

RESOLUTION NO. 1367 – A RESOLUTION BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF TULLAHOMA, TENNESSEE TO AMEND THE PURCHASING POLICIES AND PROCEDURES MANUAL FOR THE CITY OF TULLAHOMA, TENNESSEE

A motion was made by Mr. Shasteen and seconded by Mrs. Lindeman to adopt Resolution No. 1367.

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

AGENDA ITEM 07-168 – SET ATTORNEY/CLIENT MEETING

Mr. Eads reported that they had received new information from Attorney Morrison and that he had requested an attorney/client meeting for input from the Board.

A motion was made by Mr. Eads and seconded by Mrs. Lindeman to have an attorney/client meeting tonight in the downstairs conference room immediately following the study session. On roll call all members present voted aye and the motion was so ordered.

NEW BUSINESS

RESOLUTION NO. 1369 – A RESOLUTION PERTAINING TO SPECIAL RULES OF ORDER IN THE CONDUCT OF THE TULLAHOMA BOARD OF MAYOR AND ALDERMEN MEETINGS

A motion was made by Mr. James and seconded by Mr. Shasteen to approve Resolution No. 1369.

Discussion ensued regarding an existing Ordinance on file that addresses this subject and discussion of Roberts Rules of Order as it pertains to this Board.

A motion was made by Mr. Norris and seconded by Mrs. Lindeman to table this item pending a discussion of Roberts Rules of Order.

Discussion ensued regarding this issue being forwarded from the Policy Committee for Board review at a Study Session among the discussion of Roberts Rules of Order.

A motion was made by Mrs. Bowling and seconded by Mr. Norris to defer this issue and any other Roberts Rules of Order item to be discussed and brought forth to a study session on the December 10, 2007 Board of Mayor and Aldermen meeting.

It was stated in discussion that the previous motions were withdrawn.

Mayor Bisby called for a vote on the motion to defer to a study session on December 10, 2007. On roll call all members present voted aye and it was so ordered.

RESOLUTION NO. 1370 – A RESOLUTION COMMEMORATING THE BICENTENNIAL OF FRANKLIN COUNTY, TENNESSEE

A motion was made by Mr. Shasteen and seconded by Mr. Norris to adopt Resolution No. 1370.

Mayor Bisby read Resolution No. 1370 for the public.

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

RESOLUTION NO. 1371 – A RESOLUTION TO ADOPT A PLAN OF SERVICES FOR A TRACT OF LAND LOCATED AT 994 RILEY CREEK ROAD

A motion was made by Mr. Shasteen and seconded by Mr. Norris to adopt Resolution No. 1371. On roll call all members present voted aye and it was so ordered.

AGENDA ITEM 07-171 – SET A PUBLIC HEARING FOR REZONING REQUEST FOR 701-706 COUNTRY CLUB DRIVE FROM R-1 TO R-3 (MR. RANDAL TOMBERLIN, APPLICANT)

A motion was made Mr. James and seconded by Mr. Norris to approve Alternative No. 2 to disapprove the request for rezoning. On roll call all members present voted aye and it was so ordered.

AGENDA ITEM 07-172 – SET A PUBLIC HEARING FOR ANNEXATION REQUEST AND PLAN OF SERVICES FOR 222 LAKE HILLS ROAD (MS. NINA HOLDEN, APPLICANT)

A motion was made by Mrs. Bowling and seconded by Mr. Shasteen to set a public hearing for January 14, 2008.

Discussion ensued regarding the Planning Commission and property owner's exclusion of one lot.

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

AGENDA ITEM 07-173 – APPROVAL OF GASB 45 ACTUARIAL SERVICES

A motion was made by Mrs. Lindeman and seconded by Mrs. Bowling to approve the recommendation of the firm Bryan, Pendleton, Swats & McAllister from Brentwood, TN and authorize the Mayor to sign the engagement letter.

Mr. James asked about the RFP on the audit services and if that would be going out soon. Mrs. Womack responded that the draft is on her desk and it

should go out within two weeks.

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

AGENDA ITEM 07-174 – FUNDING FOR TCS DESIGN WORK

A motion was made by Mr. Shasteen and seconded by Mr. James to authorize funds for the East Lincoln design work from the Tullahoma City School Reserve fund.

Discussion ensued regarding the balance of Tullahoma City School reserve fund balance.

A motion was made by Mr. James and seconded by Mr. Shasteen to amend the motion stating that the Board of Mayor and Aldermen are declaring East Lincoln and the City Hall/Police Department project as the top two priorities.

Discussion ensued where Mr. Norris said that he understands the information is forthcoming from the Finance Department, but that he could not commit until he knows the fund balances regarding what is available for capital projects. Mr. Shasteen commented that \$650,000 has already been designated for City Hall/PD project. Mrs. Lindeman suggested a study session for capital improvements and the financial statement of funds available. Mayor Bisby commented on funds being available and moving forward.

Mr. Eads called for a Point of Order that they were addressing the amendment right now.

Mr. James commented regarding project prioritization.

Mr. Eads called for a Point of Order that they were addressing the amendment. Mr. James said that his point was on prioritizing projects.

Mrs. Bowling called to question. Mayor Bisby called for a vote on the amendment to prioritize the top two projects as East Lincoln Elementary and City Hall/Police Department. 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) ayes the motion was so ordered.

Mayor Bisby called for a vote on the motion to fund East Lincoln design work from the Tullahoma City School Reserve fund. On roll call the vote was as follows:

AYE: Bowling, Eads, James, Lindeman, Shasteen

NAY: Bisby, Norris

The vote being five (5) ayes and two (2) ayes the motion was so ordered.

A motion was made by Mrs. Bowling and seconded by Mr. Shasteen to have a study session on the December 10, 2007 Board meeting to discuss capital projects with the funding available and to request that Mr. Dwayne Hicks to look at the THS stadium and to report to the Board at this study session his structural analysis of the concrete of the stadium.

Mr. Eads requested approval from Mr. Baltz for Mr. Hicks to review. Mr. Baltz gave his approval for Mr. Hicks to review and report back to the Board.

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

AGENDA ITEM 07-175 – APPROVAL OF MATCHING FUNDS TO TULLAHOMA AIRPORT AUTHORITY FOR TENNESSEE AERONAUTICAL DIVISION PROJECTS SET ATTORNEY/CLIENT MEETING

A motion was made by Mr. Norris and seconded by Mrs. Bowling to accept Alternative No. 1 to approve the local match funds for both projects.

It was noted to change the fiscal impact on the agenda item to delete the sentence “pending adoption of the FY09 budget”.

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

AGENDA ITEM 07-176 – APPROVAL OF US DEPARTMENT OF HOMELAND SECURITY GRANT APPLICATION

A motion was made by Mrs. Lindeman and seconded by Mrs. Bowling to approve the filing of the grant application.

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

AGENDA ITEM 07-177 – TECHNOLOGY INFORMATION AND DIRECTION

A motion was made by Mr. Shasteen and seconded by Mr. Norris to approve

Option 1 to direct staff to perform technology evaluation and provide report to the BMA by January 14, 2008. Staff shall bring recommendation to the BMA regarding changes, if any, in city's current technology direction including personnel and services.

It was noted to add to the second paragraph the word "dedicated" between no and technology.

Discussion ensued regarding the possibility of taxes being paid by credit card and convenience charge.

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, the Board Meeting adjourned at 7:19 p.m.

CITY RECORDER

MAYOR