

**Regular Meeting of the
Board of Mayor and Council
City of McKenzie
McKenzie, TN**

August 9, 2007

- a. Call to Order** – Mayor Walter Winchester
- b. Opening Prayer** – Councilperson Davis
- c. Roll Call** –

Mayor Winchester
Councilperson Hale
Councilperson Davis
Councilperson Ramey
Councilperson Allen
Councilperson Holland
Councilperson Adkins

All members of the Council were present for the meeting.

- d. Mayor's Welcome**

Mayor Winchester welcomed citizens, guests and city department heads to the meeting.

- e. Approval of Minutes**

Motion made by Councilperson Hale, seconded by Councilperson Ramey, to approve the minutes as presented. The motion passed without voiced opposition.

- f. Financial Matters**

1. Bills:	<u>Vendor(s)</u>	<u>Amount</u>
None		

- g. Old Business**

None

- h. New Business**

- 1. Mr. Bob Thornton to speak on the 2007 THDA (Home) Program Grant**

Discussion:

Mayor Winchester introduced Mr. Bob Thornton of Nelson and Thornton who wrote the grant for the city to apply for the 2007 THDA (Home) Program grant. Mr. Thornton's comments are attached as a handout to the council. Mr. Thornton provided a new income guideline for eligible participants into the program. The participants must own their home and it must be the primary residence of the person applying to the program for possible assistance. The resident will be required to provide a copy of a warranty deed or a 99 year lease of the property. The house must be repaired to bring them up to code. This process could include replacing the entire home or necessary repairs to bring it up to code, i.e. handicapped bathroom, entrance, etc. The property owners must also be current on their taxes both to the city and county. The property owners must not be in "conflict of interest" which means they may not be related to any member of the elected body or works in the administration of the city. The city will put a lien on the property for a period of 5 years if the home is repaired through this grant program and for a period of 15 years if the home is required to be completely replaced. If the owner sells the home in that time frame, they must repay the city for any length of time remaining on the liens. (prorated percentage per year). This money that would be repaid, would be collected by the city, city would send money to state and finally, state to federal government who provides the funds for this program. Other factors are included in attachments.

Councilperson Holland asked if the total salary mark changed during the process, would that affect the person who was receiving assistance on their home. Mr. Thornton advised that once the application was accepted and a contract was signed, a change in total salary would not affect the person receiving assistance. Holland asked if the program administrator could look at a house and advise if its conditions met the program guidelines and Thornton advised that inspectors with experience in this function would take a quick look at the house and you could usually tell from the outside if the house would meet the requirements. A further review/inspection of the houses that may be accepted in the program would be conducted as the process narrowed down potential candidates. A limit of about \$68,400 for a two bedroom house is a state limit on the amount that can be spent on replacing a complete house. Councilperson Adkins asked if a disadvantaged person just needed their home updated to include handicapped facilities, etc, could this home be considered for the program. Thornton advised that quite often this type work was part of the process. Councilperson Davis asked if substandard electrical and plumbing would qualify for assistance and Thornton replied in the affirmative. International Building Codes are the acceptable limits. The city's liability for this grant is \$2500 and this amount will be divided among the number of qualified applicants and the qualified applicants will also have to pay \$500 for their share once their home is accepted into the program.

2. 1st reading on Ordinance # 420 (To amend beer ordinance)

Discussion:

Councilperson Adkins expressed her appreciation to the Council for the good workshop that resulted in this Ordinance’s update and amendment.

Action Taken:

Motion was made by Councilperson Adkins, seconded by Councilperson Hale, to pass Ordinance #420 on first reading.

Motion is by role call vote:

Councilperson Hale	<u>Y</u>	Councilperson Allen	<u>Y</u>
Councilperson Davis	<u>N</u>	Councilperson Holland	<u>Y</u>
Councilperson Ramey	<u>Y</u>	Councilperson Adkins	<u>Y</u>

Votes were as follows: Ayes – 5, Nays – 1, Abstain – 0, Absent – 0.
The motion passed.

3. 1st reading on Ordinance # 421 (Charter franchise agreement)

Discussion:

Mayor Winchester advised this Ordinance was a result of the efforts by Mr. John Howell who conducted an audit of Charter payments to the city and the city had been operating since December 2006 without an agreement as everyone was waiting for possible legislative action on competition for cable services.

Councilperson Adkins asked how often payments were received with an agreement and she was advised that it was a quarterly payment. Councilperson Holland asked if a Charter person was going to be at the meeting. She was advised that this was a standardized agreement and a company representative was not required to be at the meeting. Holland asked if other companies could compete for the cable franchise or be in competition to Charter and she was advised that other companies could apply to the city to supply cable services

She questioned what would be the penalty if the company did not meet the federally approved customer service standards and Mayor Winchester advised that he would have to forward the request to Mr. John Howell for a response as the standards stated that “trained company service representative should be available to answer questions during normal business hour” and “telephone inquiries should not exceed 30 seconds” and “a transfer to another customer service representative should not exceed another 30 seconds.” She stated that numerous times she had called the local Charter office she had never received an answer from a human voice but was advised telephonically to call the 1-800 numbers for service and when she called that number there was never a response within 30 seconds, more like 30 minutes. She advised that once you actually were able to talk to someone they were nice and talked you through the process but it

was most difficult in trying to reach a real person. Mayor Winchester advised that this was an agreement that Charter was going to sign and in theory they were agreeing to the standards as set forth in the agreement. Councilperson Davis advised that the local paper published an article that stated Charter was looking to expand their office space locally and that would provide more personnel for assistance. Attorney Jones asked what the penalty was if Charter did not meet the customer service standards as there are not any penalties outlined in the agreement.

Action Taken:

Motion was made by Councilperson Ramey, seconded by Councilperson Hale, to pass Ordinance #421 on first reading:

Motion is by role call vote:

Councilperson Hale	<u>Y</u>	Councilperson Allen	<u>Y</u>
Councilperson Davis	<u>Y</u>	Councilperson Holland	<u>N</u>
Councilperson Ramey	<u>Y</u>	Councilperson Adkins	<u>Y</u>

Votes were as follows: Ayes – 5, Nays – 1, Abstain – 0, Absent – 0.
The motion passed.

4. Discussion/Approval of Resolution 07-014 (Amend City of Clarksburg and Carroll County Growth Boundaries)

Discussion:

Mayor Winchester advised that the City of Clarksburg had purchased some land and needed to include the purchase in their Urban Growth Boundary. Statues require all towns/cities in the county to approve the request or state why they disapprove the request.

Action Taken:

Motion was made by Councilperson Davis, seconded by Councilperson Allen, to approve Resolution 07-014.

Motion is by role call vote:

Councilperson Hale	<u>Y</u>	Councilperson Allen	<u>Y</u>
Councilperson Davis	<u>Y</u>	Councilperson Holland	<u>Y</u>
Councilperson Ramey	<u>Y</u>	Councilperson Adkins	<u>Y</u>

Votes were as follows: Ayes – 6, Nays – 0, Abstain – 0, Absent – 0.
The motion passed.

5. Discussion/Approval of Resolution 07-015 (To adopt policy statements for drug free workplace & city hiring practices for 2007 THDA Home Program Grant)

Discussion:

Councilperson Holland asked if the city ever drug tested their employees and Mayor Winchester replied in the affirmative in some areas and advised that all new employees were drug screened before they were hired. Councilperson Ramey asked if this resolution applied for those personnel working on the HOME Grant program and the answer was affirmative.

Action Taken:

Motion was made by Councilperson Davis, seconded by Councilperson Holland, to approve Resolution 07-015.

Motion is by role call vote:

Councilperson Hale	<u>Y</u>	Councilperson Allen	<u>Y</u>
Councilperson Davis	<u>Y</u>	Councilperson Holland	<u>Y</u>
Councilperson Ramey	<u>Y</u>	Councilperson Adkins	<u>Y</u>

Votes were as follows: Ayes – 6, Nays – 0, Abstain – 0, Absent – 0.
The motion passed.

6. Discussion/Approval of Resolution 07-016 (To adopt policies & procedures for the administration of a homeowner housing rehabilitation program) (THDA Home Program Grant)

Discussion:

None

Action Taken:

Motion was made by Councilperson Adkins, seconded by Councilperson Ramey, to adopt Resolution 07-016.

Motion is by role call vote:

Councilperson Hale	<u>Y</u>	Councilperson Allen	<u>Y</u>
Councilperson Davis	<u>Y</u>	Councilperson Holland	<u>Y</u>
Councilperson Ramey	<u>Y</u>	Councilperson Adkins	<u>Y</u>

Votes were as follows: Ayes – 6, Nays – 0, Abstain – 0, Absent – 0.
The motion passed.

7. Discussion/Approval to seek bids for Infrared Heat Equipment used to patch cuts/potholes in city streets. This equipment will be used by the Street Department

Discussion:

Council had been provided copies of photos and information on a piece of equipment desired by the Street Department to assist in repair of street cuts and other road problems.

Councilperson Holland asked “what was the cost of currently repairing holes in the streets at the present time and what would be the savings if this piece of equipment was purchased.” Public Works Director Waldrup advised that it was becoming extremely difficult to purchase “cold mix” used in street repair and this machine would permit the purchase of ‘hot mix” that could be stored, reheated and utilized in the repair of street holes. He advised that he felt for the future, the machine would be an asset to the city in street maintenance. Holland stated that the advertisement advised the machine could be utilized to repair “bird baths” (holes in street) and decorative asphalt and she was advised decorative asphalt was a design in a street, sidewalk that requires heating of the asphalt to establish an imprint in the surface, similar to the one that will be place at the corner of Cherry and College Drive, a logo of Bethel College, during the sidewalk installation down College Drive to the city recreation park.

The projected cost of the machine is approximately \$38,000.

Action Taken:

Motion was made by Councilperson Davis, seconded by Councilperson Davis, to Adkins grant permission to seek bids on the Infrared Heat Equipment to be utilized to repair cuts and potholes in city streets.

Motion is by role call vote:

Motion is by role call vote:

Councilperson Hale	<u>Y</u>	Councilperson Allen	<u>Y</u>
Councilperson Davis	<u>Y</u>	Councilperson Holland	<u>Y</u>
Councilperson Ramey	<u>Y</u>	Councilperson Adkins	<u>Y</u>

Votes were as follows: Ayes – 6, Nays – 0, Abstain – 0, Absent – 0.

The motion passed.

8. Recommendation/Appointments to Planning Commission

Discussion:

Mayor Winchester advised that two vacancies existed on the Planning Commission due term expiration and he was recommending reappointing Dean Robb and appointing Melissa Hawkins to the Planning Commission.

Action Taken:

Motion was made by Councilperson Adkins, seconded by Councilperson Allen to approve the Mayor's recommendations to the Planning Commission.

Motion is by role call vote:

Councilperson Hale	<u>Y</u>	Councilperson Allen	<u>Y</u>
Councilperson Davis	<u>Y</u>	Councilperson Holland	<u>Y</u>
Councilperson Ramey	<u>Y</u>	Councilperson Adkins	<u>Y</u>

Votes were as follows: Ayes – 6, Nays – 0, Abstain – 0, Absent – 0.
The motion passed.

i. Citizens Input

None

j. Council Discussion/Reports

Councilperson Adkins provide the monthly fire report and advised Fire Chief Tucker was attending a meeting in Weakley County on the discussion of adding a fee to the tax bill for county fire protection and not having rural fire contracts. McKenzie's Rural Fire Contracts are still being accepted and presently the Fire Department has collected about \$20,280.00 this year. This is for response to fire calls outside the city limits.

Councilperson Ramey advised that mosquito spraying was being performed in the city for a second time this year. This is a work swap program with the Town of Huntingdon.

Councilperson Holland advised that the fall soccer program is registering at the present time. She also advised that the McKenzie Garden Club was maintaining Triangle Park and was doing a good job keeping the plants healthy with some assistance from the Parks and Recreation staff.

Mayor advised that the Verizon Tower was installed but not functioning yet. He had earlier advised that the College Drive sidewalk project had started that date. The second part of the sewer rehab project would continue beginning August 13, 2007 on Magnolia Street.

There was concern/question about trucks using “Jake Brakes” within the city limits and there was agreement to discuss this at the working session.

k. Any Other Business

A working session for the Council was set for August 21, 2007 at 7:00 p.m.

l. Adjournment

With no further business, motion was made by Councilperson Hale, seconded by Councilperson Davis to adjourn. The motion passed without voiced opposition.

APPROVED: _____
Walter Winchester, Mayor

ATTEST: _____
Charlie Beal, CMC
City Recorder