

STATE OF TENNESSEE
COUNTY OF MARSHALL

CITY OF LEWISBURG
APRIL 13, 2010

The Lewisburg City Council met for their regularly scheduled monthly meeting on Tuesday, April 13, 2010, 6:00 p.m. at Lewisburg City Hall, 131 East Church Street, Lewisburg, Tennessee.

Those present and attending were: Mayor Barbara Woods, City Manager Eddie Fuller, City Treasurer/Recorder Connie W. Edde, City Attorney Bill Haywood, Councilmen Hershel Davis, Ronald B. McRady, Robin Minor, Quinn Brandon Stewart and Odie Whitehead, Jr.

Members Absent: None

Mayor Woods called the meeting to order.

The Invocation was given by Clay Derryberry and the Pledge of Allegiance was led by Terry Wallace.

Item 1. Announcements

The following announcements were made:

- String Fling, May 15, Rock Creek Park, Noon - 9:00 pm.
- Job Fair at Recreation Center on April 20th from 9:00 am until 2:00 pm.
- Not too late to turn in your 2010 Census.
- Thanks to the City of Lewisburg for planting and the Nature Conservancy who contributed the trees and bushes planted along our Greenway.
- May 1st, Hazardous Waste Day, Good-Will parking lot.
- Thanks to Greg Lowe for keeping everyone informed by Marshall County Happenings.

Item 2. Approval of Minutes

Motion to approve the minutes of the public hearing and regular scheduled meeting of March 9 and the special call meeting of March 16 was made by Councilman Stewart and seconded by Councilman Davis. Upon a roll call vote:

Councilman Davis - Aye
Councilman Minor - Aye
Councilman McRady - Aye

Councilman Stewart - Aye
Councilman Whitehead - Aye

Motion Passed: 5 - 0

Item 3. Approval of the Bills /Financial Statement

Motion to approve the March 2010 bills and the February 2010 financial statement was made by Councilman Whitehead and seconded by Councilman McRady. Upon a roll call vote:

Councilman Davis - Aye
Councilman McRady - Aye
Councilman Minor - Aye

Councilman Stewart - Aye
Councilman Whitehead - Aye

Motion Passed: 5 - 0

Item 4. Unfinished Business

4A) Discuss Proposal from Allied Waste

Motion was made by Councilman McRady, seconded by Councilman Stewart (upon date amendments), to approve a contract with Allied Waste for solid waste disposal for the City of Lewisburg. City Manager Eddie Fuller requested a final contract be presented by Allied Waste to the City Attorney for his review before final signage. Upon a roll call vote:

Councilman Davis - Aye
Councilman McRady - Aye
Councilman Minor - Aye

Councilman Stewart - Aye
Councilman Whitehead - Aye

Motion Passed: 5 - 0

Item 5. New Business

5A) First Reading of Ordinance 10-05

Motion was made by Councilman Stewart, seconded by Councilman McRady, to approve first reading of Ordinance 10-05, an ordinance that will close and vacate an alley lying between 633 and 641 North Church Street. Upon a roll call vote:

Councilman Davis - Aye
Councilman McRady - Aye
Councilman Minor - Aye

Councilman Stewart - Aye
Councilman Whitehead - Aye

Motion Passed: 5 - 0

5B) Consider First Reading of Ordinance 10-06

Motion was made by Councilman Whitehead, seconded by Councilman Davis, to approve first reading of Ordinance 10-06 concerning polices and rules pertaining to City owned cemeteries. The following is the current policy in place:

Current Cemetery Policy

1. No flowers will be allowed on graves during the mowing season (March 15 through October 15) except for ten (10) days prior to decoration and ten (10) days after decoration. Only saddles or flowers in urns on the monument will be allowed.
2. No shrubs or small trees will be allowed to be placed within cemetery.
3. No planting of live flowers with the exception of peonies will be allowed.
4. Benches, seats, etc. will be permitted provided the bench, seat, etc. is placed at the foot of the grave and allows an unobstructed path across the grave for mowing and maintenance purposes. Placement of any bench, seat, etc. shall first be approved by the Director of Public Works or his representative.
5. No flowers shall remain on the burial site over one (1) week past the burial date.
6. Human remains only.

The following is the proposed policy:

Proposed Cemetery Policy

1. No flowers and/or objects that obstruct mowing and maintenance (March 15 through October 15) will be allowed on graves except for 10 days prior to decoration and 10 days after decoration. Only saddles and flowers in urns will be allowed on the monuments.
2. No shrubs or small trees shall be allowed to be placed within the cemetery.
3. No planting of live flowers with the exception of peonies will be allowed.
4. Benches and/or seats will be permitted provided the bench and/or seat is placed at the foot of the grave and allows an unobstructed path across the

grave for mowing and maintenance purposes. Placement of any bench and/or seat shall have the approval of the Cemetery Caretaker prior to placing the bench and/or seat.

5. No flowers shall remain on the burial site over one (1) week past the burial date.
6. Human remains only.
7. No outline of grave site such as decorative rocks, mulch, mini nuggets, solar lights, etc. and the decoration of wildlife and such shall not be permitted with the exception of the American Flag and/or State Flag which will still be permitted.

Councilman McRady, Chairman of the Committee, explained the revisions consisted of changing the verbiage in Rule #4 and the addition of Rule #7. He added that uniformity and helping the caretakers maintain the cemeteries are the main goal of the Committee.

Councilman Minor questioned if the current sites that are in violation of Rule #7 would be "grandfathered". Councilman McRady confirmed those sites would not be in violation. He also stated the Committee had future plans for a brochure that will include cemetery rules for those purchasing graves.

Upon a roll call vote:

Councilman Davis - Aye
Councilman McRady - Aye
Councilman Minor - Aye

Councilman Stewart - Aye
Councilman Whitehead - Aye

Motion Passed: 5 - 0

5C) Resolution Approving In Lieu of Tax

Motion was made by Councilman Whitehead, seconded by Councilman Minor, to approve a resolution accepting an in lieu of tax payment from Lewisburg Gas Dept. for FY 2009-2010 in the amount of \$148,097.01. Upon a roll call vote:

Councilman Davis - Aye
Councilman McRady - Aye
Councilman Minor - Aye

Councilman Stewart - Aye
Councilman Whitehead - Aye

Motion Passed: 5 - 0

5D) Consider Resolution Pertaining to Energy Cost

Motion was made by Councilman Stewart, seconded by Councilman Minor, to approve a resolution pertaining to ways of lowering energy cost for all City buildings, including the City's Gas, Water and Electric Departments. TVA performed energy audits on certain City buildings and made recommendations to help in energy reduction. Upon a roll call vote:

Councilman Davis - Aye
Councilman McRady - Aye
Councilman Minor - Aye

Councilman Stewart - Aye
Councilman Whitehead - Aye

Motion Passed: 5 - 0

5E) Discuss Videoing City Council Meeting

Motion was made by Councilman Stewart, seconded by Councilman McRady, to approve videoing City Council Meetings. Councilman McRady stated he felt this would give citizens, which are unable to attend, the opportunity to watch the meetings. He also stated this would be a step forward in helping citizens become interested in the City. Cost would be approximately \$50 a month. Upon a roll call vote:

Councilman Davis - Aye
Councilman McRady - Aye
Councilman Minor - Aye

Councilman Stewart - Aye
Councilman Whitehead - Aye

Motion Passed: 5 - 0

Item 6. Other Business

6A) Budget Workshop will be held April 27 @ 4:30 p.m., Lewisburg City Hall.

6B) Betty Bigger stated she wanted to thank the City Manager for restoring the rock wall and the Gas Department for putting up a new fence at the back of Lone Oak Cemetery.

6C) Councilman Minor asked if farmers could be allowed to sell produce on Saturdays at Rock Creek Park. He stated he had not been contacted on this issue; he wondered if the shelter was being used every Saturday. It was determined there were some dates in which people reserve the shelter for other events, however, if City Hall was contacted, and no one was using the shelter, the farmers could sell produce on Saturdays.

6D) Councilman Minor asked if we were enforcing the laws pertaining to soliciting on the public square. He was advised it was being enforced properly.

Item 7. Citizen Input

7A) LaDelle Smith, 726 West Church Street, addressed the Council concerning CSX Railroad. Ms. Smith stated the railroad is bringing large engines approximately three (3) times a year and are blocking roadways, lights shining into residences and engine noises are going nonstop all night. She stated they were not only blocking the roads they also used water from the City's fire hydrants. She asked if they could be asked to move this action to another location.

City Manager Fuller explained they were sub-contractors with CSX and parking at that location because of accessibility to water.

City Attorney Haywood advised Ms. Smith to call the police department the next time this occurred and have them cite them on violation of the noise ordinance. He also stated he would write a letter to CSX concerning this issue.

Councilman Whitehead stated CSX needed to be contacted and asked to move to another area, and he would like the City Manager to work with the City Attorney to remedy this situation.

There being no further business to come before the Council, the regular monthly meeting of the Mayor and Council for the City of Lewisburg adjourned at 6:55 p.m.

MAYOR

CITY RECORDER