

STATE OF TENNESSEE
COUNTY OF MARSHALL

CITY OF LEWISBURG
JULY 14, 2009

The Lewisburg City Council met for their regularly scheduled monthly meeting on Tuesday, July 14, 2009, 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, Councilors Quinn Brandon, Hershel Davis, Robin Minor, Odie Whitehead, Jr., and Councilman Ronald B. McRady

Members Absent: None

Mayor Woods called the meeting to order.

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

Item 1. Announcements

Mayor Woods announced the following:

- 1) Congratulation was given to Amanda Smith on being crowned Miss Marshall County.
- 2) Congratulation was given to Tommy Harris on being named Citizen of the Year.
- 6) A special Thank You was given to all volunteers for their time and hard work in helping make all community events possible.

Item 2. Approval of Minutes

Motion to approve the minutes of the special call meeting of June 23 was made by Councilor Brandon, seconded by Councilor Whitehead. Upon a roll call vote:

Councilor Brandon - Aye
Councilor Davis - Aye
Councilor Minor - Aye

Councilman McRady - Aye
Councilor Whitehead - Aye

Motion Passed: 5 - 0

Motion to approve the minutes of the public hearing and regular scheduled meeting of June 9 was made by Councilor Brandon, seconded by Councilor Minor. Upon a roll call vote:

Councilor Brandon - Aye
Councilor Davis - Aye
Councilor Minor - Aye

Councilman McRady - Aye
Councilor Whitehead - Aye

Motion Passed: 5 - 0

Item 3. Approval of the Bills / Financial Statement

Motion to approve the June 2009 bills and the May 2009 Financial Statement was made by Councilor Davis and seconded by Councilor Whitehead.

Upon a roll call vote:

Councilor Brandon - Aye
Councilor Davis - Aye
Councilor Minor - Aye

Councilman McRady - Aye
Councilor Whitehead - Aye

Motion Passed: 5 - 0

Item 4. Unfinished Business

4A) Final Reading of Ordinance 09-05

Motion was made by Councilor Brandon, seconded by Councilor Whitehead, to approve third and final reading of Ordinance 09-05, an ordinance rezoning property known as 744 Crestland from "R-3" (High Density Residential) to "C-2" (Intermediate Business). Upon a roll call vote:

Councilor Brandon - Aye
Councilor Davis - Aye
Councilor Minor - Aye

Councilman McRady - Aye
Councilor Whitehead - Aye

Motion Passed: 5 - 0

4B) Final Reading of Ordinance 09-06

Motion was made by Councilor Brandon, seconded by Councilor Davis, to approve third and final reading of Ordinance 09-06, an ordinance rezoning property known as 973 Old Belfast Road from "I-2" (Industrial Park) to "R-3" (High Density Residential). Upon a roll call vote:

Councilor Brandon - Aye
Councilor Davis - Aye
Councilor Minor - Aye

Councilman McRady - Aye
Councilor Whitehead - Aye

Motion Passed: 5 - 0

4C) Final Reading of Ordinance 09-07

Motion was made by Councilor Davis, seconded by Councilor Minor, to approve third and final reading of Ordinance 09-07, approving the tax rate of \$1.36 (no increase) and the budget for 2009-2010. Upon a roll call vote:

Councilor Brandon - Aye
Councilor Davis - Aye
Councilor Minor - Aye

Councilman McRady - Aye
Councilor Whitehead - Aye

Motion Passed: 5 - 0

4D) Second Reading of Ordinance 09-08

Motion was made by Councilman McRady, seconded by Councilor Whitehead, to approve second reading of Ordinance 09-08, an ordinance amending Ordinance 98-05 pertaining to soliciting on the square. A Public Hearing was held prior to this meeting pertaining to this ordinance. Upon a roll call vote:

Councilor Brandon - Aye
Councilor Davis - Aye
Councilor Minor - Aye

Councilman McRady - Aye
Councilor Whitehead - Aye

Motion Passed: 5 - 0

4E) Consider SRO Agreement with School Board

Motion was made by Councilman McRady, seconded by Councilor Minor, to approve an agreement with the Marshall County School Board pertaining to the School Resource Officer Program. Upon a roll call vote:

Councilor Brandon - Aye
Councilor Davis - Aye
Councilor Minor - Aye

Councilman McRady - Aye
Councilor Whitehead - Aye

Motion Passed: 5 - 0

Item 5. New Business

5A) First Reading of Ordinance 09-09

Motion was made by Councilor Whitehead, seconded by Councilor Minor, to approve first reading of Ordinance 09-09, an ordinance amending the City's Zoning Ordinance by adding a definition of Bottle Club.

City Manager Eddie Fuller explained this pertained to establishments where no alcoholic beverages are sold, but where members, guests/customers provide their own alcoholic beverages paying a fee or other consideration for admission, membership or setups. The zoning for this type of establishment will be "I-3" (Special Industrial).
Upon a roll call vote:

Councilor Brandon - Aye
Councilor Davis - Aye
Councilor Minor - Aye

Councilman McRady - Aye
Councilor Whitehead - Aye

Motion Passed: 5 - 0

5B) Resolution with State of Tennessee

Motion was made by Councilor Brandon, seconded by Councilor Whitehead, to approve a Resolution that will allow an agreement with the State of Tennessee for widening (5 lanes) State Route 106 (Ellington Parkway) from the Fayetteville Highway to the Spring Place Road. Upon a roll call vote:

Councilor Brandon - Aye
Councilor Davis - Aye
Councilor Minor - Aye

Councilman McRady - Aye
Councilor Whitehead - Aye

Motion Passed: 5 - 0

5C) Prohibit Handguns in Certain Public Areas

Motion was made by Councilman Whitehead, seconded by Councilman Minor, to approve a Resolution prohibiting guns (people with or without permits) within our parks/recreation facilities. With the State recently passing legislation allowing guns in such areas, they have allowed municipalities to opt-out of their version. Upon a roll call vote:

Councilor Brandon - Aye
Councilor Davis - Aye
Councilor Minor - Aye

Councilman McRady - Nay
Councilor Whitehead - Aye

Motion Passed: 4 - 0

Item 6. Other Business

6A) Pilot Approval for South 31st Place, LLC

Motion was made by Councilor Whitehead, seconded by Councilor Davis, to approve a Resolution allowing a PILOT (payment in lieu of tax) program for South 31st Place, LLC and Will and Baumer Candle Company.

Economic Director Terry Wallace explained the details of the PILOT and stated the Lewisburg Industrial Board has requested approval.

Upon a roll call vote:

Councilor Brandon - Aye
Councilor Davis - Aye
Councilor Minor - Aye

Councilman McRady - Aye
Councilor Whitehead - Aye

Motion Passed: 5 - 0

6B) Councilor Brandon asked the status of the TDEC finding concerning the City's Stormwater Program.

6C) Councilman McRady inquired about the lawsuit with Sandrell (re: cooling system at Rec. Center) and was informed it would be filed this week.

6D) City Attorney Haywood informed the Council a motion would be made to transfer responsibility to the State pertaining to the Highway 373 complaint.

Item 7. Citizen Input

None

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 6:40 p.m.

MAYOR

CITY RECORDER