

**CITY COUNCIL MINUTES
JULY 14, 2009**

The Harriman City council met in regular session July 14, 2009 at 7:00 p.m. in the City Municipal Complex. Vice Mayor Chase Tedder was present and presiding. Vice-Mayor Tedder called meeting to order with the Pledge of Allegiance and a prayer by Fire Captain Preston Hamby. Roll call of Council was as follows:

PRESENT: Kenyon Mee
Ken Mynatt
J.D. Sampson
Chase Tedder
ABSENT: Buddy Holley
Mayor Mason
Lonnie Wright

Vice-Mayor Tedder asked for a motion to approve the minutes from July 7, 2009. Councilmember Mynatt made the motion and Councilmember Mee seconded. The motion passed with a unanimous Roll Call "Yes".

Vice-Mayor Tedder asked for a motion to pay the bills. Councilmember Mynatt made the motion and was seconded by Councilmember Sampson. The motion passed with a unanimous Roll Call "Yes".

DELEGATIONS

Vice-Mayor Tedder asked the Public if anyone would like to approach Council. Police Chief Randy Heidle asks council's approval of \$3000 for a Cross Response Training for Crisis. The training will be brought on site instead of sending the Officers somewhere else for the training. This training will be the first of several to have everyone in the department trained in Crisis situations. After brief discussion a motion was made by Councilmember Mynatt to approve the \$3000.00 for the training session and was seconded by Councilmember Mee. The motion passed with a unanimous Roll Call "Yes".

OLD BUSINESS

Councilmember Sampson Inquired about the hiring program discussed in last weeks meeting. He asked the Council to please send their suggestions to the City Clerk. Councilmember Mynatt stated that they were going to discuss this matter further in the workshop meeting. Vice Mayor Tedder stated that the Clerk was already working on the program. Councilmember Sampson also stated that some headlines that were published in the paper were wrong. He stated that we were not borrowing money to make ends meet. Dr. Kerley informed the media that we were borrowing money to refinance two debts to get a lower interest rate and to pave the streets that was recently discussed in a regular Council Meeting. After more in-depth discussion, Cheryl Duncan with Roane County News assured the Council that she would get with her editor in this matter.

Harold Balcom wanted to inform the Council that after the mediation in the case of Lively vs. Roane Medical Center that instead of the \$50,000 deductible that the Council had approved, the City was only going to have to spend \$45,000 plus court cost to settle this case.

AGENDA

Discuss and possibly approve the Certificate of Compliance for Laura's Liquor Store. Vice-Mayor Tedder yielded the floor to Police Chief Randy Heidle. Mr. Heidle stated that after his inspection the store had everything in place. He also went on to state that the only time that this store failed in a STING operation was back in 2007. After the operation they returned to follow up with the store in the matter and the employee had been fired on the spot. Vice Mayor Tedder asked for a motion approving the Certificate of Compliance for Laura's Liquor Store. A motion was made by Councilmember Mee and seconded by Councilmember Sampson. The motion passed with a unanimous Roll Call "Yes".

Discuss and possibly take action on Pinnacle Point

Vice Mayor Tedder yielded the floor to Attorney Harold Balcom. Mr. Balcom reiterated that last month the Council gave the Engineering firm thirty days to look over the numbers that our engineering firm came up with. He stated that he received a fax from them indicating that they needed more data. Mr. Balcom told them that they had all the data that we had and how our process has evolved. Then he said he basically told them it was time to “put up or shut up”. Mr. Balcom received a call today and spoke with Jimmy Scott, who is one of their attorney’s. Mr. Robinette had turned over all the data that he has on this project. They are still modeling trying to determine if in fact that numbers that we come up with are something they can agree with. They are wanting a little more time and they talked about the statute of limitations are up in February of next year. They want the time to see if their numbers match or come close to what they have and if they do come close they will just pay the difference, but if they don’t agree they want to mediate this matter instead of putting everyone thru the expense of court litigation. If the mediation fails then of course this matter will go to court litigation. Mr. Balcom wants authority to mediate this matter within the next sixty days. If mediation is a success then this matter is resolved. If the mediation fails then Mr. Balcom need authorization from council to go ahead and file suit. After much discussion Councilmember Mynatt made a motion to authorize Mr. Balcom to mediate this matter with sixty days and if mediation fails then gives Mr. Balcom the authorization to file suit and was seconded by Councilmember Mee. The motion failed with three yes one no vote. After more discussion Councilmember Sampson changed his no vote to yes and the motion passed with a unanimous Roll Call “Yes”.

2nd Reading of Ordinance 0609-2

Vice Mayor Tedder stated the Ordinance was read aloud in last weeks meeting and in the public hearing. Vice Mayor Tedder asked for a motion to pass the 2nd reading of Ordinance 0609-2. A motion was made by Councilmember Mee and seconded by Councilmember Sampson. The motion passed with a unanimous Roll Call “Yes”.

Discuss and possibly take action on Initial Resolution to Refinance Capital Outlay Notes

Vice Mayor Tedder yielded the floor to Dr. Charles Kerley. Dr. Kerley passed around a sample resolution for the council to look at and to make changes as they saw fit. They did not get the initial resolution to us, but they are requesting some information from us. After much discussion a motion was made by Councilmember Mynatt to approve the resolution sample for Dr. Kerley to send in and get the initial resolution back by Monday July 20, 2009 and was seconded by Councilmember Sampson. The motion passed with a unanimous Roll Call “Yes”

Appointments for Committees and Boards

Vice Mayor Tedder made a recommendation to appoint Kathy Day and Joe Crossno to the Golf Board. A motion was made by Councilmember Mynatt and seconded by Councilmember Mee. The motion passed with a unanimous “Yes” vote.

Vice-Mayor Tedder made a recommendation to appoint Brad Goss as Fire Chief. A motion was made by Councilmember Mynatt and seconded by Councilmember Mee. The motion passed with a unanimous “Yes” vote.

There being no further business, motion was made by Councilmember Mynatt to recess this meeting and reconvene Tuesday July 21, 2009 at 6:00 pm and was seconded by Councilmember Mee. Motion to recess was passed with a unanimous “Yes”.

Chase Tedder Vice-Mayor

Angela Skidmore City Clerk

CITY COUNCIL MINUTES

July 21, 2009

The Harriman City council reconvened their July 14th meeting on July 21, 2009 at 6:00 p.m. in the City Municipal Complex. Mayor Chris Mason was present and presiding. Mayor Mason called meeting to order.

PRESENT: Kenyon Mee
J.D. Sampson
Chase Tedder
Lonnie Wright
ABSENT: Buddy Holley
Ken Mynatt

Mayor Mason opened the meeting informing everyone that on the table for discussion was the issue of borrowing money and refinancing money to pay for capital improvement projects, also to refinance the debt for Pinnacle Point.

Dr. Kerley stated that the meeting was to look at budgeted items. Mayor Mason opened the floor for discussion. Dr. Kerley explained everything that was in the folder for the Council and each step that the Council needed to take. Dr. Kerley's plan is to move forward with Resolution R0709-01 and R0709-02. Dr. Kerley stated that they had to be read out loud.

Mayor Mason read Resolution R0709-01. An initial resolution authorizing the incurrence of indebtedness by the City of Harriman, Tennessee, of not to exceed \$3,000,000, by the execution with a public building authority of one or more loan agreements, to provide funding for certain public works projects, to refund certain outstanding indebtedness, and to fund the incidental and necessary expenses related thereto. Mayor Mason asked for a motion to pass Resolution R0709-01. Motion was made by Councilmember Tedder and was seconded by Councilmember Sampson. After much discussion Motion passed with a unanimous roll call "Yes".

Dr. Kerley read Resolution R0709-02. A resolution to approve the execution and delivery of one or more loan agreements for the purpose of providing funds to refund certain outstanding indebtedness heretofore issued by The City of Harriman, Tennessee, and to provide funds for financing certain public works projects for the city. Mayor Mason asked for a motion to pass Resolution R0709-02. Motion was made by Councilmember Tedder and Seconded by Councilmember Mee. After brief discussion the motion passed with a unanimous roll call "Yes".

Dr. Kerley read Ordinance 0709-01. An ordinance amending ordinance no. 06-08-03 being an ordinance to establish a budget for The City of Harriman, Tennessee, for the fiscal year beginning July 1, 2008, and ending June 30, 2009 Mayor Mason asked for a motion to pass Ordinance 0709-01. Motion was made by Councilmember Tedder and was seconded by Councilmember Mee.

Dr. Kerley stated that these changes were where some line items were over paid and some were under paid. He also stated that the under spending exceeded the over spending. After brief discussion the motion passed with a unanimous roll call "Yes".

Dr. Kerley read Ordinance 0709-02. An ordinance of the City of Harriman appropriating funds and establishing a property tax rate for the fiscal year beginning July 1, 2009 and ending June 30, 2010. During the reading Dr. Kerley found a typo on the dates in section 4. It should have read July 1, 2009 and ending June 30, 2010. Dr. Kerley stated that they could make adjustments before final passage as long as they were made public. Mayor Mason asked for a motion to pass Ordinance 0709-02 with the amended dates in section 4. Motion was made by Councilmember Tedder and Seconded by Councilmember Mee. The motion passed with a unanimous roll call "Yes".

With there being no further business motion was made by Councilmember Wright to adjourn and Seconded by Councilmember Tedder. Motion passed with a unanimous "Aye".



Chris Mason Mayor

Angela Skidmore City Clerk