

CITY COUNCIL MINUTES
APRIL 12, 2011

The Harriman City Council met in regular session April 12, 2011 at 7:00 p.m. in the City Municipal Complex. The Honorable Chris Mason, Mayor was present and presiding. Mayor called the meeting to order with the Pledge of Allegiance and a prayer by Councilmember Wright. Roll call of Council was as follows:

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

ABSENT:

Mayor Mason asked for a motion to approve the minutes from April 5, 2011. Councilmember Holley made the motion and Councilmember Sampson seconded. The motion passed with a unanimous roll call "Yes".

Mayor Mason asked for a motion to pay the bills. Councilmember Sampson made the motion and was seconded by Councilmember Holley. The motion passed with a unanimous roll call "Yes".

DELEGATIONS

Mayor Mason asked the public if anyone would like to approach Council.

OLD BUSINESS

Mayor Mason asked Councilmember Wright if he had any old business. Councilmember Wright stated the street department committee will be working on a list of streets to pave if funds become available. He also stated that he would like to have about four inmates to work this summer to help the street department by cleaning out ditches and unstopping culverts. Mayor Mason stated they would make a formal request to the Sherriff's department.

Mayor Mason asked Councilmember Mynatt if he had any old business. Councilmember Mynatt stated he had a request from Citizen Gary Nelson on some culvert work in Meadowview. The city fixed one culvert but hasn't fixed the one closest to his property. This is causing washout damage to his property when it rains and would like to have this fixed as soon as the help becomes available. Councilmember Mynatt stated he mentioned about the community gardens in last weeks meeting. He spoke with Harold Balcom and his recommendation was that we would just need to get the property owners permission to utilize the property for that purpose. Councilmember Mynatt stated he talked with Harold about the Margrave Bridge issue. Harold is looking into several different options to see what actions we might be able to take. Harold stated Councilmember Mynatt had asked him if we could get injunctive relief from the railroad to fix the bridge and continue the road all the way thru. He is looking at the history of the bridge and is going to see if the city ever took the bridge over for maintenance. If not, then we could see about the railroad causing a public nuisance by refusing to deal with the bridge. He stated we need

some questions answered first. Mayor Mason stated he has made Senator Yager and Representative Hurley aware this was a priority on our list.

Mayor Mason asked Councilmember Tedder if he had any old business. Councilmember Tedder stated he did not have any at this time.

Mayor Mason asked Councilmember Sampson if he had any old business. Councilmember Sampson reported they had voted on a resolution supporting Arizona's Immigration law. They also voted to send a letter and a copy of the resolution to someone and he wanted to know if we remember whom and if that was done. Mayor Mason stated we did send a letter and a copy of the resolution to Senator Yager and State Representative Ferguson. Councilmember Sampson stated he thought it would be a good idea to send a letter to the new Governor Bill Haslam. Councilmember Mynatt stated he thought the immigration law issue was in the state legislature being discussed. Mayor Mason stated he would resend the letter to the Governor, Senator and State Representative.

Councilmember Sampson wanted to commend Councilmember Mee for standing up for what the beer board and he recommended to the council. Councilmember Sampson has been approached about the cab stand again.

Councilmember Sampson stated the night council voted to approve Bubba's cab; the owners had stated they were going to open a stand inside the city limits. He wanted to notify the owners and see what the situation was. Mayor Mason asked Maria to research the code and get back with Councilmember Sampson. Councilmember Mynatt stated he thought at the time they determined that was not a requirement according to city charter.

Mayor Mason asked Councilmember Mee if he had any old business. Councilmember Mee stated he did not have any at this time.

Mayor Mason asked Councilmember Holley if he had any old business. Councilmember Holley stated Bill Young said the garbage pick up fees will be added this month to the utility bills.

Councilmember Holley asked for an update on the Princess Theatre Marquee. Bob Tidwell stated the bids have gone out for the trailhead and the marquee is included in the trailhead grant. The bids were opened last week and there was only one bidder. The bid was \$75,000 over what was budgeted and they have worked out what could be done in this situation. Bob stated he wasn't sure what the marquee was going to look like. Mayor Mason stated it was about time for an update tour and would get that scheduled with the architect.

Councilmember Mee asked Councilmember Holley to clarify what he meant on garbage fees being added. Councilmember Holley stated everyone inside the city limits that has a utility bill will be charged \$10 a month. Councilmember Mee asked if there was an ordinance to this effect he wasn't aware of. Councilmember Holley stated they discussed it and it was in the Municipal Code to be mandatory and it was not being implemented. So anyone who didn't have garbage pickup on their bill was in violation of the municipal code. Councilmember Wright asked what would justify someone getting a waiver from the council. Councilmember Holley stated if you had an empty lot or a garage that is used for storage that isn't generating trash then you could get the garbage fee waived. Maria Nelson reported Sherry and she were going by a route sheet the utility board submitted for all inside city limit customers. They were working on seeing just who would need

garbage and who would not. They are about a quarter of the way done with the list but it is a slow process due to numbers not being on the houses. Councilmember Holley stated we were the only city in the area that was not implementing mandatory garbage fees.

AGENDA

Committee Reports

Mayor Mason reported the flyer for the signs that will be posted at all the parks was being passed around.

Councilmember Sampson stated baseball opening ceremonies would be 9:00a.m Saturday at South Harriman ball fields. He wanted to invite everyone to come out and support the little league teams.

Councilmember Wright reported there are several repairs that need to be made to the streets where HUB had to cut the streets for utility repairs. Also the street department is having to make repairs for the drainage problems.

Discuss and possibly approve the purchase of trash cans for the downtown area with grants funds

Mayor Mason reported he passed out a print out of the best deal he could find. The picture is black and white but the cans will be 24 gallon black steel. He has a quote for six cans for the downtown area. The total cost will be \$3,646 for six cans and shipping. Mayor Mason asked for the will of the council.

Councilmember Tedder made a motion to move forward with the purchase of the cans in the amount of \$3,646 to be paid for with grant funds. This was seconded by Councilmember Myantt. Councilmember Tedder stated he wanted everyone to know this will be paid for with grant money. Councilmember Wright asked if anyone else had responded on the project. Mayor Mason stated he went to several places and this was the cheapest. Councilmember Wright asked if this would need to be bid since it is over \$2,500. Mayor Mason stated he would bring back three quotes for the council to look at. Councilmember Tedder and Mynatt withdrew their motion.

Discuss and possibly take action regarding the Urban Growth Plan

City Attorney reported most everyone knows what is going to be done for the referendum election. He reported he would be putting together the resolutions needed for the proposed annexation to be put on the ballot for June 2011 election. Harold stated last week he had told the council they would need to decide what they want to do about the Urban Growth Committee. Did they want to take it to court or just go ahead and redo their entire plan before having the county reconvene the Urban Growth Committee? He showed the council on the map of what was going to be on the ballot for election. The areas in green were properties that were in Harriman's Urban Growth Plan that were voted on several years ago and the meeting minutes were never approved due to the committee failing to meet to approve the updated boundaries. Harold's advice is to take no action until after the referendum election. Then, assuming the election goes in favor of the city, go back and look at what other properties they would like to include in their urban growth plan and go thru the process all over again to include those.

First Reading of Truck Ordinance

Harold Balcom read ordinance 0311-02: An ordinance prohibiting the use of certain vehicles on certain secondary streets in the City of Harriman, Tennessee. Mayor Mason asked for a motion to approve the first reading of ordinance 0311-02. Councilmember Tedder made the motion and was seconded by Councilmember Mynatt. Councilmember Wright asked if this ordinance would allow a person to get home with a tractor trailer. Mayor Mason stated it would allow for him to get home with his truck and not his trailer. After much discussion the motion passed with a five "Yes" vote and one "No" vote by Councilmember Mee.

Mayor Mason reminded everyone about the hospital meeting tomorrow night at 6:00pm in the Annex.

There being no further business, motion to adjourn was made by Councilmember Tedder and was seconded by Councilmember Mynatt. The motion passed with a unanimous "Aye".



Christopher B. Mason/Mayor



Angela Skidmore/City Clerk