

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

**March 8, 2007**

- a. Call to Order** – Mayor Walter Winchester
- b. Opening Prayer** – Councilperson Allen
- c. Roll Call** – All members of the Council were present.

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

**d. Mayor’s Welcome**

Mayor Winchester welcomed citizens to the Council meeting. Visitors included members of the Parks and Recreation Advisory Board.

**e. Approval of Minutes**

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

**f. Financial Matters**

<b>1. Bills:</b>	<b><u>Vendor(s)</u></b>	<b><u>Amount</u></b>
------------------	-------------------------	----------------------

None

**g. Old Business** – None

**h. New Business**

**1. Public Hearing on Ordinance (An Ordinance amending the official zoning map of McKenzie, Tennessee, to rezone tax parcel 19.00 {Mars Pet Care}, Weakley County Tax Map 162, located on Old State Route 22 from R-1 [Low Density Residential] to M-1 [Light Industrial])**

**Discussion:**

Mayor Winchester declared the Public Hearing open and invited any member of the audience to speak on the proposed Ordinance. No comments were offered and Mayor Winchester declared the public hearing closed.

**2. Second (2<sup>nd</sup>) Reading on Ordinance 414 (An Ordinance amending the official zoning map of McKenzie, Tennessee, to rezone tax parcel 19.00 {Mars Pet Care}, Weakley County Tax Map 162, located on Old State Route 22 from R-1 [Low Density Residential] to M-1 [Light Industrial])**

**Discussion:**

Mayor Winchester explained the location of the property included in Ordinance 414, that the Mars Company had already removed the old building, leveled the lot and proposed to install a parking lot for trucks bringing and receiving products from the plant.

**Action Taken:**

Motion made by Councilperson Davis, seconded by Councilperson Holland, to pass on second reading of Ordinance 414.

Motion is by role call vote:

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

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

**3. Approval of Resolution 07-005 (Resolution requesting AT&T {formally BellSouth} to enter into cable franchise negotiations in the City of McKenzie)**

**Discussion:**

Tennessee Municipal League has asked cities to pass this resolution to encourage AT&T to negotiate with the local governments as other cable franchise companies do and the city would welcome competition if it would indicate better rates, improved services and all customers would be included in a local contract.

Mayor Winchester advised the Council that AT&T were trying to circumvent the process of being permitted to enter into a cable franchise negotiations with the state and not with cities as the present cable operators do. This would eliminate local control, possibly would reduce local revenue from the present structure, and AT&T would only have to service whom they chose to service. This resolution

was in support of a request from the Tennessee Municipal League who assists cities in trying to follow and support legislation that is beneficial to municipalities. Councilperson Holland asked if there were any reasons that this proposed AT&T request would be beneficial to our or any city. Mayor Winchester stated that AT&T equipment was not as modern as the present cable provider, Charter Communications; the state would be required to hold some of the revenue as a “handling fee” which would reduce the local income. AT&T had the opportunity to join the process in the past 11 years and they chose not to join and when they saw other cable companies providing telephone, cable TV, and internet service, they saw lost revenue and were trying to bypass the process and only have one entity to negotiate with, the State of Tennessee. Councilperson Hale asked if the motion was passed would it be a good idea for each councilperson to call our representative/senator and Mayor Winchester stated this would be a very good idea to let the legislators know that we support competition as long as it was on an equal basis.

**Action Taken:**

Motion made by Councilperson Hale, seconded by Councilperson Holland, to approve Resolution 07-005.

Motion is by role call vote:

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

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

**4. Approval of Resolution 07-006 (Resolution regarding SB1933/HB1422 the “Competitive Cable and Video Services Act”)**

**Discussion:**

No discussion.

**Action Taken:**

Motion made by Councilperson Holland, seconded by Councilperson Allen to approve Resolution 07-006.

Motion is by role call vote:

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

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

**5. Discussion/Approval on the City of McKenzie Parks and Recreation Code of Ethics**

**Discussion:**

Mayor Winchester asked Councilperson Holland to lead the discussion on the proposed McKenzie Parks and Recreation Code of Ethics. Holland thanked the Parks and Recreation Advisory Board for their work and effort in trying to formulate this proposed Code of Ethics. Council had been presented a copy of the proposal before the meeting so they could review it for discussion. Holland introduced Tracy Webb who stated the proposed Code of Ethics was adopted by the National Youth Sports Coaching Association. It was hoped that if the Code was adopted, it would remind players, parents, coaches that the participants were supposed to be having fun and everyone should keep this in perspective as they participated or viewed an athletic event. Tracy Webb stated that in the last year, several incidents at games had indicated there was a need to have some conduct code in effect to indicate in situations who to call, how to file reports, proposed levels of discipline, etc. Page two of the proposed code included a proposed list of actions if the code was violated. Councilperson Davis stated that he had problems with the document in that several of the items listed for coaches, players and parents to abide by were subjective and it would be difficult to determine if the subjective items were violated and would you punish a coach, player, etc for violating a subjective item. He stated that it may be better titled as a mission statement rather than a code of ethics. Webb stated that the Advisory Board proposed adopting the Code of Ethics as adopted by the national organization and other surrounding cities and towns and it was not meant to be a list of violations and a list of potential ramifications. Debbie Broadbent said the code was to establish a protocol so each league would be aware of the proper channels to go when situations arose that may need further action. Further conversation by Davis indicated his non-support of the subjective items listed on the front page of the code and he asked for a list of prohibitive actions with incidents/punishments listed, then he could support these. Councilperson Hale indicated that he did not think a list of prohibited actions was the proper approach and the proposed Code of Ethics was similar to a Boy Scout Code and the goal was a preventative measure when participants were required to sign the Code of Ethics. Councilperson Holland said the proposed action was a “reminder” to parents, coaches, participants that bad behavior would not be accepted and could be used by parents /coaches to encourage participants to display good sportsmanship while participating in the program. City Attorney Jones was asked his opinion on

the proposed code and he stated that in the short time he had to review the document, he stated the use of the park/city property was a privilege and not a right parallel to the driver's license providing a privilege to drive on highways. He stated that a document such as this was needed to tell the public that "we are on the side of right, ethics and morality, and if you desire to participate, you must abide by these guidelines." Councilperson Adkins stated that the document was summed up by the last italicized line on the second page. (Document enclosed for record).

**Action Taken:**

Motion made by Councilperson Holland, seconded by Councilperson Hale, to approve the Parks and Recreation Advisory Board Code of Ethics.

Motion is by role call vote:

Councilperson Hale	<u>Yes</u>	Councilperson Allen	<u>Yes</u>
Councilperson Davis	<u>No</u>	Councilperson Holland	<u>Yes</u>
Councilperson Ramey	<u>No</u>	Councilperson Adkins	<u>Yes</u>

Votes were as follows: Ayes – 4, Nays – 2, Abstain - 0, Absent - 0. The motion passed.

**i. Citizens Input – None**

**j. Council Discussion/Reports**

Report from fire department presented by Councilperson Adkins.

Mayor Winchester advised of some relief in the sewer moratorium as noted by a letter from the Department of Environment and Conservation

The plans for the sewer project have been approved by the state and the project is now open for bids. There will be a bid opening on March 27, 2007, conducted by GRW Engineering firm to determine the best bid for the project.

**k. Any other business –**

Mayor Winchester asked the council for a working session on Monday, March 19, 2007 at 7:00 p.m.

**I. Adjournment**

With no further business, motion was made by Councilperson Davis, seconded by Councilperson Adkins, to adjourn. The motion passed.

**APPROVED:** \_\_\_\_\_  
**Walter Winchester, Mayor**

**ATTEST:** \_\_\_\_\_  
**Charlie Beal, City Recorder**