

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

November 13, 2008

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

Mayor Winchester
Councilperson Hale
Councilperson Huffman
Councilperson Arthur
Councilperson Thompson
Councilperson Holland
Councilperson Broadbent

d. Mayor's Welcome

Mayor Winchester extended congratulations to the newly elected, re-elected, and appointed members. Mayor read the greeting to the members of the audience reminding them this was a business meeting of the city council and members must be recognized by the mayor before they were permitted to speak.

e. Approval of Minutes

Motion made by Councilperson Hale, seconded by Councilperson Arthur, to approve the October 9, 2008 minutes. The motion passed.

f. Financial Matters

1. Bills:	<u>Vendor(s)</u>	<u>Amount</u>
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None

g. Old Business

None

h. New Business

1. Public Hearing on Ordinance 434

Discussion:

Mayor declared the public hearing open. No citizen from the audience desired to speak. The meeting was declared closed.

2. First reading on Ordinance 434 (an ordinance amending the official zoning map of McKenzie, TN. to rezone Tax Parcels 88.00 [E. Ray Morris], Carroll County Tax Map 11, located on Hwy 22 and 88.04 [Robert T. Ellis], Carroll County Tax Map 11, located on East Forrest Avenue from R-1 [Low Density Residential] to B-P [Planned Business])

Discussion:

Mr. Billy Barksdale gave presentation to the council on facts of the proposed retail sales area. He stated that the proposed area has been donated to the city on the premises that the area would be developed for retail. The land would be donated in three (3) sections by owner, Mr. Ray Morris.

Action Taken:

Motion made by Councilperson Arthur seconded by Councilperson Broadbent, to pass on first reading of Ordinance 434.

Motion is by role call vote:

Councilperson Hale	<u>Y</u>	Councilperson Thompson	<u>Y</u>
Councilperson Huffman	<u>Y</u>	Councilperson Holland	<u>Y</u>
Councilperson Arthur	<u>Y</u>	Councilperson Broadbent	<u>Y</u>

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

3. First reading on Ordinance 435 (an ordinance to amend the zoning ordinance of the City of McKenzie, to address adult oriented businesses and establish a B-4 [Impact Business] zoning district to accommodate and regulate such uses)

Discussion:

Attorney Kent Jones explained to the council and audience that the proposed amendment to the ordinance was an effort to control the areas where the adult oriented business could locate. He reminded the council and audience that this type business could not be legislated out of the city due to the freedoms provided by the constitution.

Action Taken:

Motion made by Councilperson Hale, seconded by Councilperson Thompson, to pass on first reading of Ordinance 435

Motion is by role call vote:

Councilperson Hale	<u>Y</u>	Councilperson Thompson	<u>Y</u>
Councilperson Huffman	<u>Y</u>	Councilperson Holland	<u>Y</u>
Councilperson Arthur	<u>Y</u>	Councilperson Broadbent	<u>Y</u>

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

4. First reading on Ordinance 436 (an ordinance amending the official zoning map of McKenzie, TN. to rezone a portion of Tax Map 8.00, Carroll County Tax Map 17, located on Kencindot Avenue owned by Jack McDade from R-1 [Low Density Residential] to B-4 [Impact Business])

Discussion:

This Ordinance is necessary to establish an area for potential high traffic business and any business located in other business zones could potentially locate in the B-4 (Impact Business Zone) Adult Oriented businesses were considered to be potential high traffic businesses.

Action Taken:

Motion made by Councilperson Arthur, seconded by Councilperson Hale, to pass on first reading of Ordinance 436

Motion is by role call vote:

Councilperson Hale	<u>Y</u>	Councilperson Thompson	<u>Y</u>
Councilperson Huffman	<u>N</u>	Councilperson Holland	<u>Y</u>
Councilperson Arthur	<u>Y</u>	Councilperson Broadbent	<u>Y</u>

Votes were as follows: Ayes - 5, Nays - 1, Abstain - 0, Absent - 0.
The motion passed.

5. Discussion/Approval of Resolution 08-013 (a resolution to contribute to the Carroll County RSVP)

Discussion:

None

Action Taken:

Motion made by Councilperson Thompson, seconded by Councilperson Huffman, to approve Resolution 08-013 (a resolution to contribute to the Carroll County RSVP)

Motion is by role call vote:

Councilperson Hale	<u>Y</u>	Councilperson Thompson	<u>Y</u>
Councilperson Huffman	<u>Y</u>	Councilperson Holland	<u>Y</u>
Councilperson Arthur	<u>Y</u>	Councilperson Broadbent	<u>Y</u>

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

6. Discussion/Approval of Resolution 08-014 (a resolution adopting an identity theft policy)

Discussion:

None

Action Taken:

Motion made by Councilperson Holland, seconded by Councilperson Hale, to approve Resolution 08-014 (a resolution adopting an identity theft policy)

Motion is by role call vote:

Councilperson Hale	<u>Y</u>	Councilperson Thompson	<u>Y</u>
Councilperson Huffman	<u>Y</u>	Councilperson Holland	<u>Y</u>
Councilperson Arthur	<u>Y</u>	Councilperson Broadbent	<u>Y</u>

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

7. Discussion/Approval of the contract for the 4th of July 2009 firework display.

Discussion:

Mayor advised council that the company the city had been contracting in the past for fireworks were no longer in business and the city had been contacted by Tennessee Pyrotechnic Contractors, LLC of Paris, Tennessee who had been recommended by the prior contractor. Tennessee Pyrotechnic Contractors forwarded a proposal for the event with DVDs from other events they had

conducted. The Council was advised if the city could provide an amplification system that could produce 400+ watts of sound; the company had agreed to put the show to music for no extra charge.

Action Taken:

Motion made by Councilperson Holland, seconded by Councilperson Broadbent, to award the contract to Tennessee Pyrotechnic Contractors, LLC. of Paris, TN.

Motion is by role call vote:

Councilperson Hale	<u>Y</u>	Councilperson Thompson	<u>Y</u>
Councilperson Huffman	<u>Y</u>	Councilperson Holland	<u>Y</u>
Councilperson Arthur	<u>Y</u>	Councilperson Broadbent	<u>Y</u>

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

8. Discussion/Approval to purchase used dump truck for street department

Discussion:

Councilperson Holland asked what uses the truck be used for and answer provided is that it would save time and effort having to utilize our smaller vehicles for hauling. Mayor advised this was not an item budgeted for the Street Department in this current budget and the budget would need to be amended at the year end to pay for the vehicle.

Action Taken:

Motion made by Councilperson Thompson, seconded by Councilperson Huffman, to purchase the used dump truck for the street department.

Motion is by role call vote:

Councilperson Hale	<u>Y</u>	Councilperson Thompson	<u>Y</u>
Councilperson Huffman	<u>Y</u>	Councilperson Holland	<u>Y</u>
Councilperson Arthur	<u>Y</u>	Councilperson Broadbent	<u>Y</u>

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

i. Citizens Input

Citizens Fred Morris and Claude Prince went on record as opposing the Adult Oriented business on behalf of their churches and personal reasons.

j. Council Discussion/Reports:

Councilperson Holland gave the Parks and Recreation Board meeting report. She expressed her gratitude to Councilpersons Broadbent and Thompson for their service on the Parks and Recreation Board.

Mayor Winchester advised council members on the Fire Department report that had been provided by copies to council members.

Mayor advised of the SIFE event "Stamp Out Hunger" that would be held in the downtown city park on Saturday, November 15, 2008. This event will also be held in conjunction with a "Homeless Awareness" information demonstration by ARETE, also from Bethel College.

Bethel College Renaissance has scheduled their annual Christmas program and the council and public were advised to secure tickets to this event as they usually sold out.

k. Any other business

None

l. Adjournment

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

APPROVED: _____
Walter Winchester, Mayor

ATTEST: _____
Charlie Beal, CMC
City Clerk/Recorder