

**REGULAR MEETING
NEWBERN BOARD OF MAYOR AND ALDERMEN
SEPTEMBER 16, 2008
7:00 PM**

The Newbern Board of Mayor and Aldermen met in regular session in the Board Meeting Room at the Newbern Municipal Building. Vice Mayor Larry Fesmire presiding. Aldermen present were Mary Dycus, Bill Parks, Olen Parker and Kathy Clements. Also present were City Recorder Jason Roberts, Utilities Office Manager Rosalind Green and Police Chief Harold Dunivant.

CALL TO ORDER AND APPROVAL OF MINUTES

Vice Mayor Fesmire called the meeting to order at 7:00 pm and asked Alderman Parker to open with a prayer. Vice Mayor Fesmire asked if the Board of Mayor and Aldermen had reviewed the minutes from the August 19th Regular Meeting. Alderman Parker made a motion to approve the minutes with Alderman Dycus second. All voted aye and the minutes were approved.

WELCOME VISITORS AND VISITOR BUSINESS

Vice Mayor Fesmire welcomed all visitors and asked if any had business to bring before the board. There were none.

OLD BUSINESS

None

NEW BUSNIESS

Newbern Municipal Judge Appointment

Vice Mayor Fesmire addressed the board and stated that the resignation of Jason Hudson has created a vacancy in the Newbern Municipal Court for the position of Judge. Judge Hudson addressed the board and thanked the board for the opportunity to Recorder Roberts stated that the solicitation of resumes had returned 3 interested parties but due to conflicts only one was officially submitted for approval. Stephen Scofield addressed the board and stated that he had submitted a resume but had to withdraw due to a conflict with his work as a rule 31 mediator. He thanked the board for their consideration but could not formally apply. Jason Creasy was the only qualified judge remaining for consideration. Vice Mayor Fesmire called for a motion to appoint Jason Creasy and was made by Alderman Parker and was seconded by Bill Parks. Alderman Dycus requested a roll call vote. The vote went as follows: Alderman Dycus - No, Alderman Parks - Aye, Alderman Fesmire - Aye, Alderman Parker - Aye and Alderman Clements - Aye. The motion was approved 4-1.

JERRY MANGUM - DOG ATTACK

Jerry Mangum addressed the board and described a dog attack that he encountered on August 25. Mr. Mangum described in detail the events of said attack and the damage it caused to him and his pet. Mr. Mangum was concerned about the amount of fine enforced in the City's vicious dog ordinance. Mr. Mangum stated that \$50.00 in his opinion was not sufficient deterrent to vicious dogs. Mr. Mangum did state that the actions taken by the Newbern PD and the Humane Society. Amy Goins addressed the board and recounted a dog attack that occurred at her residence. Ms. Goins stated that she was unsatisfied with the level of response given by the City of Newbern and the Humane Society. Alderman Parker made a motion to let John Lannom incorporate or identify the State Law into the current vicious dog ordinance and to inquire about the Police

Department destroying animals. The motion was seconded by Alderman Clements. All voted aye and the motion carried.

POLITICAL DEBATE

Bubba Wheeler addressed the board requested permission to hold a Political Debate between the Mayoral Candidates and the Alderman Candidates in the Newbern Board Room. The question was raised about public use of the board room interfering with grant monies or federal monies. Recorder Roberts stated that he had requested an answer from MTAS concerning the use of the Board room and had not heard back from them as of yet. Bill Parks made a motion to table the discussion until information could be gathered from MTAS on the use of the board room. The motion was seconded by Alderman Parker. All voted aye and the motion carried.

ORDINANCE 09/03

City Recorder Roberts addressed the Board about the proposed ordinance that would rezone property on hwy 211. Alderman Parker made a motion to dispense with the reading of ordinance 09/03 and was seconded by Alderman Parks. All voted aye and the motion to dispense carried. Alderman Parks made a motion to approve with Alderman Clements second. All voted aye and the motion carried.

METER READER VEHICLE PURCHASE

Recorder Roberts presented the board with the only bid submitted for the purchase of the meter reader truck. Tim Castellow Ford submitted a bid of 13,900. Alderman Parks stated his desire for the City to look at a smaller vehicle that was potentially more gas efficient. Alderman Parker made a motion to rebid the purchase to include smaller trucks and was seconded by Alderman Parks. All voted aye and the motion carried.

S T ENVIRONMENT REPORT

Randy Gregory addressed the Board and stated that there were no problems and presented a good report.

FIRE DEPARTMENT REPORT

None

POLICE DEPARTMENT REPORT

Police Chief Harold Duvivant requested permission to hire Jeff Fisher. Alderman Clements made a motion to approve the hire with Alderman Parks second. All voted aye and the motion carried.

RECREATION DEPARTMENT REPORT

None

STREET DEPARTMENT REPORT

None

ELECTRIC DEPARTMENT

Utilities Office Manager Rosalind Green addressed the board and stated that she had received notification from MTAS advising us to pass on the TVA increase to the electric customers of the City of Newbern. Mrs. Green stated that upon approval the rate increase would be effective October 1. Alderman Parker made a motion to approve the increase with Alderman Fesmire second. Alderman

Parks voted against with the remaining member voting aye and the motion carried.

GAS DEPARTMENT REPORT

Mrs. Green addressed the board and stated that the remainder of our gas had been purchased for \$8.05. This is somewhat lower than prior year cost. Mrs. Green stated rates would be monitored to see if a reduction in fees could be absorbed.

WATER & SEWER REPORT

None

MAYOR'S REPORT

Vice Mayor Fesmire stated that Mayor Dennison was absent due to foot surgery.

ADJOURNMENT

At 8:30 p.m., there being no further business to discuss Alderman Parker made a motion to adjourn with Alderman Parks second. All voted aye and the meeting was adjourned.

VISITORS PRESENT

Doug Tyler, Greg Barr, Bubba Wheeler, Dan Post, Randy Gregory, Bennie Green, Dandy Hill, James Wilkerson, Any Campbell, Jerry Mangum and Glen Campbell.



K.W. Dennison, Mayor



Jason Roberts, City Recorder