

**PUBLIC HEARING
NEWBERN BOARD OF MAYOR AND ALDERMEN
MARCH 16, 2010
6:30 PM**

The Newbern Board of Mayor and Aldermen met in called session in the Board Meeting Room at the Newbern Municipal Building. Mayor K.W. Dennison presiding. Aldermen present were Kathy Clements, Bill Parks, Larry Fesmire, Chris Odom, Robert Hart and Bennie Greene. Also present were City Recorder Jason Roberts, Utilities Office Manager Rosalind Greene and Public Works Director Sandy Hill.

ORDINANCE 10-09

Recorder Roberts addressed the board and explained Ordinance 10-09 which changes the text of the Municipal Flood Ordinance in regards to unnumbered A zones. A motion was made by Alderman Hart to dispense with the reading and was seconded by Alderman Parks. All voted aye and the motion carried.

ORDINANCE 10-10

Recorder Roberts addressed the board and explained Ordinance 10-09 which changes the text of the Regional Flood Ordinance in regards to unnumbered A zones. A motion was made by Alderman Hart to dispense with the reading and was seconded by Alderman Parks. All voted aye and the motion carried.

ADJOURNMENT

With no further discussion, the meeting was adjourned at approximately 7:00pm.

**REGULAR MEETING
NEWBERN BOARD OF MAYOR AND ALDERMEN
MARCH 16, 2009
7:00 PM**

CALL TO ORDER AND APPROVAL OF MINUTES

Mayor Dennison called the meeting to order at 7:00 pm and opened with a prayer. Mayor Dennison asked if the Board of Mayor and Aldermen had reviewed the minutes from last months meeting. Alderman Fesmire made a motion to accept the minutes and was seconded by Alderman Greene. All voted aye and the minutes were approved.

VISITORS AND VISITOR BUSINESS

Mayor Dennison welcomed all visitors and requested anyone with items not on the agenda to approach the board with these items.

- A. Pete Carpenter addressed the board concerning Ordinance 10-16 which is scheduled to be discussed on this agenda. Mr. Carpenter stated that he and the residents of the affected area are opposed to the rezoning of the property adjacent to Nora Dr. and Biffle Rd. Mr. Carpenter stated that he had been selected to speak on behalf of those in attendance and in their

opinion the construction of multiple family dwellings would negatively affect their property values. Mr. Carpenter stated that he hoped the board would deny the rezoning request.

B. Ricky Gatlin addressed the board and stated that he was the director of the Dyer County Rescue Squad. Mr. Gatlin stated that the rescue squad was proud to be a member of the Newbern community. Mr. Gatlin addressed hardships in the construction of their building. Mr. Gatlin stated that property had to be acquired in order to facilitate the construction. Mr. Gatlin stated that he had learned about a proposed plan to annex property adjacent to the Rescue Squad. Mr. Gatlin expressed that he was against the annexation. When pressed for a reason as to why Mr. Gatlin stated that the city would not let Philip Pinion develop the property so no one else should either. Gerald Tidwell came to the podium and stated five years ago Philip Pinion attempted to subdivide the property and was denied. Mr. Tidwell stated that if he(Philip) could not do it no one else should either. Perry Grills, the owner and developer of the property, addressed the board and stated that he was not trying to offend anyone through this development. Mr. Grills stated that he was trying to do something nice to benefit the City of Newbern and his family.

OLD BUSINESS

ORDINANCE 10-09

A motion was made by Alderman Clements to approve the ordinance and was seconded by Alderman Hart. All voted aye and the motion carried.

ORDINANCE 10-10

A motion was made by Alderman Clements to approve the ordinance and was seconded by Alderman Hart. All voted aye and the motion carried.

NEW BUSINESS

ORDINANCE 10-12

Mayor Dennison presented the Board with Ordinance 10-12 and asked if the members had reviewed the Ordinance prior to the meeting. A motion was made by Alderman Parks to dispense with the first reading and was seconded by Alderman Hart. All voted aye and the motion carried. City Recorder Roberts stated that the ordinance added Kennels as a use on appeal in the FAR region. Mr. Roberts stated that if a person wanted to create a Kennel said person would have to go before the Board of Zoning Appeals for approval. Mr. Roberts also stated that this change would require a public hearing and second reading. A motion was made by Alderman Parks to approve the first reading and was seconded by Alderman Odom. All voted aye and the motion carried.

RESOLUTION 10-13

City Recorder Roberts read a resolution which allows the City of Newbern to participate in the Tennessee Municipal League insurance pool. Mr. Roberts stated that the resolution renewed the interlocal agreement with TML. A motion was made by Alderman Fesmire to approve Resolution 10-13 and was seconded by Alderman Greene. All voted aye and the motion carried.

BASEBALL TOMORROW GRANT

City Recorder Roberts addressed the board and asked permission to apply for a grant to build a new ball field in the Oakview park. Mr. Roberts stated that YMCA Randy Butler had requested this field and suggested this grant as a way to fund the project. Mr. Roberts stated that the grant was a 50/50 match and would require the city to appropriate funds to pay for its share. A motion was made by Alderman Parks to approve the application and was seconded by Alderman Clements. All voted aye and the motion carried.

GEORGE CLARK

George Clark did not appear to speak on his behalf. Rosalind Green presented Mr. Clark's request to have the CMOM sewer charge relieved on the McCullough Apts. Mrs. Green stated that Mr. Clark felt that he should not have to pay the charge on each unit. A motion was made by Alderman Parks to table the discussion and was seconded by Alderman Fesmire. Alderman Hart and Odom requested the matter not be tabled. Alderman Parks and Fesmire rescinded their motions. After much discussion a motion was made by Alderman Parks to leave the charges as they are currently and was seconded by Alderman Fesmire. All voted aye and the motion carried.

ANNEXATION PACKET

City Recorder Roberts read Ordinance 10-14 and 10-15 which were included in the annexation packet for property located behind the Dyer Co. Rescue Squad. Mr. Roberts stated that the ordinances would require a public hearing and a second reading. A motion was made by Alderman Parks to approve the first reading of Ordinance 10-14 and was seconded Alderman Hart. All voted aye and the motion carried. A motion was made by Alderman Parks to approve Ordinance 10-15 and was seconded by Alderman Odom. All voted aye and the motion carried.

ORDINANCE 10-16

Mayor Dennison presented the Board with Ordinance 10-16 and asked if the members had reviewed the Ordinance prior to the meeting. Mr. Roberts explained that this was a request to rezone properties on the corner of Newbern Roellen Rd and Nora Ave to an R-4 designation. A motion was made by Alderman Hart to dispense with the first reading and to deny the request and was seconded by Alderman Fesmire. All voted aye and the request died.

VMS

Gary Grimes addressed the board and stated that March was a busy month but no infractions incurred.

POLICE DEPARTMENT REPORT

Police Chief Harold Dumivant addressed the board and stated that he had received complaints on Fryer Street and he recommended that the street be changed to a one way street. City Recorder Roberts stated that the change in use would require planning commission review before presentation to the board. This opinion was challenged so Mr. Roberts read the TCA Code which states the requirement. The item will be placed on the planning commission agenda and presented at next month's meeting.

PUBLIC WORKS

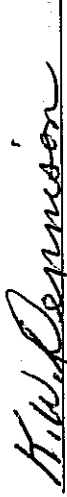
Public Works Director Sandy Hill presented the board with monthly status reports. Mr. Hill stated near completion on the electrical upgrade at the plant.

MAYOR'S REPORT

Mayor Dennison addressed the board and stated that he had received a invitation for the board to attend training sessions presented by MTAS at the Lannom Center April 23 and 24th. Mayor Dennison asked all board members available to attend to do so.

ADJOURNMENT

At 7:55 p.m., there being no further business to discuss Alderman Fesmire made a motion to adjourn with Alderman Fesmire second. All voted aye and the meeting was adjourned.



K.W. Dennison, Mayor



Jason Roberts, City Recorder