

**Westmoreland Town Council**

**Regular Meeting**

**Monday, September 17, 2007 7 p.m.**

**Westmoreland Community Room**

Mayor Ricky Woodard called the meeting to order at 7 p.m. Council members in attendance were Cynthia Templeton, Brian Smalling, Brad Penick, Mike Carter, and Frank Ruckman.

The Invocation was given by Leroy Crouch, Pastor of the Jubilee Worship Center.

Motion by Brian Smalling, seconded by Brad Penick, to approve the minutes of the August 6, 2007 Special Called Meeting as written. Motion carried unanimously.

Motion by Brad Penick, seconded by Brian Smalling, to approve the minutes as written of the August 20, 2007 Regular Meeting of the Westmoreland Town Council. Motion carried 4:1 with Cynthia Templeton abstaining.

Tony Bentle gave a report to the council about attending the Governor's Conference on Industrial and Economic and Community Development. He presented information about networking and Westmoreland's development of a strategic plan. He requested funding to distribute survey to citizens and businesses in Westmoreland to obtain information for the plan.

Motion by Cynthia Templeton, seconded by Frank Ruckman to fund \$1000.00 for the printing and postage for the survey. Motion carried unanimously.

Kimberly York requested a change in Ordinance 238 to reduce the distance from 1000 to 500 feet for beer sales.

Motion by Frank Ruckman, seconded by Brian Smalling to table the distance change ordinance for a period of 12 months for study. Motion failed 2:3, with Frank Ruckman and Brian Smalling voting for the motion. Voting against the motion was: Cynthia Templeton, Brad Penick, and Mike Carter.

Motion by Cynthia Templeton, seconded by Frank Ruckman, to add an additional question to the survey to find the opinion of citizens and businesses about the beer ordinance distance change. Motion carried unanimously

No one was present to represent Shalom Zone so it was moved to the end of the agenda.

No one was present to represent CASA.

Motion by Cynthia Templeton, seconded by Frank Ruckman to defer until the next work study session. Motion carried unanimously.

Motion by Frank Ruckman, seconded by Cynthia Templeton to donate \$1000.00 to Forward Sumner to assist in economic development. Motion carried 4:1. Voting for the motion was: Frank Ruckman, Cynthia Templeton, Brian Smalling, and Brad Penick. Voting against the motion: Mike Carter.

Jon Pullen, Director of Public works discussed the C&C Building on Park Street. He requested the council advise their wishes about the future of the building. Councilman Brad Penick suggested as many members of the council that were available, meet at 5:30 pm on Oct. 1<sup>st</sup> before the scheduled work study session. This would be to survey the building so that it could be discussed at the work study meeting. (David Harrison will take care of publishing the notice in the local paper).

Buddy Koonce addressed the council about the Rural Development water line extensions. The low bid for the lines for New Hwy 31E & New Hwy 52 was \$146,900.00 from Kemp Bros. Construction. It was noted that the bid was good for 90 days as Councilman Mike Carter expressed concern the lines should be a larger size for future growth. Mr. Koonce to investigate and send pricing quotes on upsizing the line before the Oct. 28<sup>th</sup> deadline. He will also check with Ralph Elam on the possibility of using funds to refund HomePro owner Terry Garrison for the water line that was installed at his expense in the proposed area.

Motion by Cynthia Templeton, Seconded by Mike Carter to defer the bid on the water line until next month's meeting. Motion carried unanimously.

Chester Darden from the TML Risk Management Pool stated to the council that it had been suggested that a personnel policy manual was needed for the Town of Westmoreland.

He stated TML had made this recommendation several times in the past and that it was required by the TCA. He advised that each department of the town may require their own standard operating procedure but one personnel policy for the town should include items such as the FMLA policy. He also noted the sexual harassment policy should include two contact people listed in the policy. He stated that MTAS' Richard Stokes would be a resource for the policies and they could be tailored to Westmoreland's needs.

Jon Pullen addressed the council about the sanitation needs of the town as he is working day by day to obtain a vehicle. It has not yet been determined if Westmoreland's truck has been declared a total loss from the accident. Don Wood of ATFAB Industries offered assistance to contract the pickup for one year.

Motion by Mike Carter, seconded by Cynthia Templeton to repair the old truck (that was to be listed on GovDeals), and continue using Gallatin and Portland if necessary. Motion failed to carry 2:3, with Mike Carter and Cynthia Templeton for the motion. Brian Smalling, Brad Penick, and Frank Ruckman voting against the motion.

The council took a recess at 9:00 p.m.

Council reconvened at 9:10 p.m.

After much discussion about the repairs and unanswered questions the council conferred with the attorney about any contract services not being bid. Mayor Woodard stated that other companies had contacted his office about the service and he had invited them to the work study and council meetings. Mr. Bradley told the council that this was considered an "emergency" situation and the mayor and council could consider emergency measures to keep the Town of Westmoreland providing services as needed. The council asked the attorney if a 1 year contract was acceptable as an emergency. Mr. Bradley stated 3-6 months would be more in line with what would be considered an emergency. This would give the council time to settle with the insurance company and obtain another vehicle if necessary or publish for bids if deciding to contract the service.

After more discussion, the council asked Mr. Wood if he would consider a 6 month agreement to provide sanitation pick up at the current level of service and the current price of the city. He noted that he considered "household trash" was something that was purchased on a regular basis from the store. He did not considered items like mattresses and refrigerators, etc. for regular pick up.

Motion by Cynthia Templeton, seconded by Frank Ruckman, due to the factors involved and the emergency situation of the Town of Westmoreland, to use ATFAB Industries for 6 months with any future plans being contingent on the sanitation truck lease and outcomes from the accident. Motion carried 4:1 with Mike Carter voting against the motion.

Monthly report presented by Public Works Director Jon Pullen.

Monthly report presented by Interim Police Chief Etheridge.

Monthly report presented by Town Recorder Jerry Kirkman

Mayor Ricky Woodard advised the council he was making the appointment of Ms. Kim Farley to fill the open position on the Westmoreland Zoning Board of Appeals.

Motion by Cynthia Templeton, seconded by Mike Carter to table the request for Shalom Zone with no donation. Motion carried unanimously.

Motion to adjourn by Cynthia Templeton, seconded by Mike Carter. Motion carried unanimously. Meeting adjourned at 10:30 p.m.

Respectfully submitted by Jerry Kirkman

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Mayor Ricky W. Woodard

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Town Recorder, Jerry Kirkman

