

Minutes
Special Called Meeting
Bluff City Board of Mayor & Aldermen
November 12, 2010

Vice Mayor Gentry called the meeting to order at 7:00 p.m.

Members present were Melvin Carrier, Robert Miller, J.C. Gentry, Mark Weaver and Irene Wells.

Prayer was by Vice-Mayor Gentry followed by the Pledge of Allegiance.

Vice-Mayor Gentry opened the floor for discussion/action on the resignation of Mayor Todd Malone.

Alderman Wells made a motion to accept Todd Malone's resignation as Mayor. Second by Alderman Weaver.

Roll Call Vote:	Alderman Carrier	Abstained
	Alderman Miller	yes
	Vice-Mayor Gentry	yes
	Alderman Weaver	yes
	Alderman Wells	yes

Motion carried with a majority vote to accept Todd Malone's resignation as Mayor.

Vice-Mayor Gentry opened the floor for discussion/action on the appointment of a city attorney.

Alderman Carrier made a motion to appoint Paul Frye as the city attorney. Second by Alderman Miller.

Roll Call Vote:	Alderman Carrier	yes
	Vice-Mayor Gentry	no
	Alderman Miller	yes
	Alderman Weaver	no
	Alderman Wells	no

Motion to appoint Paul Frye as city attorney failed.

Alderman Weaver made a motion to appoint Keith Bowers as the city attorney. Second by Alderman Wells.

Roll Call Vote:	Alderman Carrier	Abstained
	Vice-Mayor Gentry	yes
	Alderman Miller	no
	Alderman Weaver	yes
	Alderman Wells	yes

Motion carried with a majority vote to appoint Keith Bowers as the city attorney.

Keith Bowers was sworn in by the City Recorder and took his seat on the podium as the new city attorney.

Vice-Mayor Gentry opened the floor for discussion/action on the appointment of a Mayor.

Alderman Carrier made a motion to appoint J.C. Gentry to fill the vacant Mayor position. Motion failed due to lack of a second.

Vice-Mayor Gentry asked Keith Bowers if the city could function until the election in May without a Mayor. Vice-Mayor Gentry said that they would have three (3) aldermen position open and can the city add the Mayor on the May election and he could just fill in as Vice-Mayor until the election. Mr. Bowers said that he would research this and get back to the board at the December meeting.

Vice-Mayor Gentry said that they would skip the appointment of an alderman as there was no vacancy.

Vice-Mayor Gentry opened the Public Hearing for Ordinance No. 2010-006 at 7:10 p.m. City Attorney Bowers read Ordinance No. 2010-006 which was an ordinance for the purpose of amending the Town of Bluff City Municipal Zoning Ordinance regulating development within the corporate limits of the Town of Bluff City to minimize danger to life and property due to flooding and to maintain eligibility for participation to the National Flood Insurance Program. There were no public comments. Vice-Mayor Gentry closed the Public Hearing at 7:12 p.m.

Vice-Mayor Gentry presented Ordinance No. 2010-006 to the board for consideration on second reading. Alderman Carrier made a motion to approve Ordinance No. 2010-006 on second reading. Second was by Alderman Weaver.

Roll Call Vote:	Alderman Carrier	yes
	Vice-Mayor Gentry	yes
	Alderman Miller	yes
	Alderman Weaver	yes
	Alderwoman Wells	yes

Vice-Mayor Gentry opened the Public Hearing on Ordinance No. 2010-010 at 7:14 p.m. City Attorney, Keith Bowers read Ordinance No. 2010-010, an ordinance to amend Ordinance No. 95-012 to rezone parcel number 26.00 as shown on Sullivan County Tax Map 111H, Group A from R2 to B3.

Ricky Plank presented copies of a list of all the surrounding properties in the Hillcrest area, none of them are a B-3 zone in the area that was requesting rezoning to the board.

Ricky Plank, Richard Nichols, Jack Shepherd, Dennis Scott, Lisa Shuttle and Retha Golf commented that they were against the rezoning of this property as they were concerned about the pollution that the

business would release and the health risks, as it is a paint and body shop and this was spot zoning. Lon Gene Leonard commented that the business was not a full time paint and body shop but was a detail shop.

Vice Mayor Gentry closed the Public Hearing for Ordinance No. 2010-0010 at 7:28 p.m.

Alderman Miller stated that Mr. Alley said the residential neighborhood pre-dated the Planning/Zoning Ordinances and it would be consistent with the other businesses in the area if it was rezoned as B3. Alderman Miller said that spot zoning was discussed by the Planning/Zoning Board and Mr. Alley said that because of the types of businesses along the Bluff City Highway this would not be considered spot zoning. Alderman Miller said that it is not a full time paint and body shop as it is a detail shop and he details cars for used car lots. Alderman Miller said that there was a much larger and much more active paint and body shop less than half a mile away. Jack Shepherd said that he talked to Mr. Alley after the last Planning/Zoning Meeting and Mr. Alley said that he wanted to take another look at the map. Alderman Miller said that Mr. Alley's commitments to him were consistent with his previous statements.

Vice Mayor Gentry closed the Public Hearing for Ordinance No. 2010-0010 at 7:28 p.m.

Vice-Mayor Gentry presented Ordinance No. 2010-010 to the Board for consideration on second reading.

Alderman Carrier made a motion to approve Ordinance No. 2010-010 on second reading. Second was by Alderman Miller.

Roll Call Vote:	Alderman Carrier	yes
	Vice-Mayor Gentry	no
	Alderman Miller	yes
	Alderman Weaver	no
	Alderman Wells	no

Motion to approve Ordinance No. 2010-010 failed.

Vice-Mayor Gentry presented Resolution No. 2010-011 to the board for consideration. City Attorney Bowers read Resolution No. 2010-011, a resolution for budget amendments for the Fiscal Year ending June 30, 2011.

Alderman Carrier made a motion to approve Resolution No. 2010-011. Second was by Alderman Miller.

Roll Call Vote:	Alderman Carrier	yes
	Vice-Mayor Gentry	no
	Alderman Miller	yes

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Alderman Weaver	no- wanted a workshop
Alderswoman Wells	no- wanted a workshop

Motion failed to approve Resolution No. 2010-011.

Vice-Mayor Gentry scheduled a workshop on December 9, 2010 at 6:00 p.m. before the regular BMA meeting to discuss Resolution No. 2010-011, Resolution No. 2010-012 and Resolution No. 2010-013.

Vice-Mayor Gentry adjourned the meeting at 7:45 p.m.

J.C. Gentry, Vice-Mayor

ATTEST:

This 12th Day of November, 2010

Judy Dulaney, City Recorder