

The Mayor and Board of Aldermen met in regular session at 7:00 P.M. in Selmer City Hall April 10th, 2007 immediately following a 6:45 P.M. public hearing for the development of a Fair Housing Plan in connection with the Community Development Block Grant funds awarded for a Water System Improvement project. Lynn Manning of Community Development Partners, LLC conducted the hearing. There were no complaints, comments, or questions regarding discrimination and or impediments of housing. Mayor David Robinson and all Aldermen were present as well as interested citizens in the audience.

Mayor David Robinson called the regular meeting to order. Aldermen present were: John Finlayson, Maurice Hamm, Paul Simpson, John Smith, Harry Smith.

Rev. Greg Worthy of Eastside Church of Christ opened with prayer. His prayer included a request for guidance and strength during this week's heavy news media turn out while attorneys attempt to select jurors for the traumatic Mary Winkler murder trial.

Chelsea Rhodes of Selmer Middle School led everyone in the Pledge of Allegiance to the United States flag.

There were no deletions or additions to the minutes.

Motion by Harry Smith and seconded by Paul Simpson to accept the financial statement. All five voted yes. Motion carried.

The Public Hearing was held as advertised on the adoption of the Official Zoning Map. Motion by John Smith and seconded by Harry Smith to pass on 2nd reading an ordinance to adopt the Official Zoning Map of the Town of Selmer Tennessee. John Finlayson—yes, Maurice Hamm—yes, Paul Simpson—yes, John Smith—yes, Harry Smith—yes. Motion carried. Ordinance 551 passed.

Motion by Paul Simpson and seconded by John Smith to pass on 2nd reading an ordinance to amend Title 8, Section 8-208 of the Municipal code of the Town of Selmer, relative to the issuance of a Beer License by deleting Section 8-208 entirely and replacing it with Section 8-208. No permit to engage in the Beer Business shall be granted to any person not a Citizen of the United States or a Resident Alien who has legal status in the United States. John Finlayson—yes, Maurice Hamm—yes, Paul Simpson—yes, John Smith—yes, Harry Smith—yes, Motion carried. Ordinance 552 passed.

Motion by Harry Smith to pass on 2nd reading an ordinance to add Title 8, Section 8-217 to the Municipal Code of the Town of Selmer, relative to the Duties of the Selmer Police Department which states that it shall be the duty of the Selmer Police Department to enforce all provisions of this ordinance, State Laws, and other rules or regulations set forth for permit holders and that Officers may enter upon the premises of a permit holder any time during the normal operating hours for the purpose of enforcement. Motion seconded by Paul Simpson. John Finlayson—yes, Maurice Hamm—yes, Paul Simpson—yes, John Smith—yes, Harry Smith—yes. Motion carried. Ordinance 553 Passed.

Ms. Janna Hellum presented a report concerning activities within her job as Economic Development Industrial Coordinator toward securing industry and keeping the existing industries in Selmer and the surrounding area. Ms. Hellum was asked to come and give a report each quarter.

Motion by Maurice Hamm to approve the 2006-2007 Audit Contract in the estimated gross fee of \$23,000 with Williams, Jerrolds, Godwin and Nichols, PLLC. Motion seconded by Harry Smith. All five voted yes. Motion carried.

Motion by Maurice Hamm to approve the recommendation of Public Works Director Floyd Hawkins and engage the services of Joel B. Spaulding & Co., Consulting Engineers, for a study of the Water System for the Town of Selmer, to include the Urban Growth Boundary. Motion seconded by Harry Smith. All five voted yes. Motion carried.

Motion by John Finlayson to approve the TDOT agreement for a five (5) year lease on the property where the present Gazebo exists in the park. Motion seconded by Harry Smith. The agreement is to be renewable every five years. All five present voted yes. Motion carried.

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Motion by Harry Smith to approve and award contracts for Water Tank and Pumping Station on Hwy 64 Project and Sign Contract. Motion seconded by John Finlayson. All five voted yes. Motion carried.

Motion by Maurice Hamm to approve and sign a maintenance agreement with TDOT for maintaining State Right of Ways within the city limits. Motion seconded by Paul Simpson. All five voted yes. Motion carried.

Motion by John Smith to award the maintenance agreement to Outdoors Unlimited for maintaining the state right of ways within the city for the period of July 1, 2006 through June 30th, 2008. Motion seconded by Harry Smith. All five voted yes. Motion carried.

Motion by Harry Smith to approve and sign an agreement with TDOT for a grant to install Flashing School Speed Limit Signs on Hwy 64 at the Middle School. Motion second by Paul Simpson. All five voted yes. Motion carried.

Motion by Harry Smith to pass on first reading an ordinance to amend and clarify Title 8, Chapter 2, Section 8, Section 211 (Ordinance No.8-211), of the Selmer Beer Ordinance relating to clearing business of customers by 12:15 A.M. with an on-premises consumption Beer Permit. Motion seconded by John Finlayson. John Finlayson—yes, Maurice Hamm—yes, Paul Simpson—No, John Smith—yes, Harry Smith--yes. Motion carried. 1st reading Passed.

Motion by Paul Simpson to pass on first reading an ordinance to amend Title 8, Chapter 2, Section 8, Part 212 (Ordinance No. 8-212) as it relates to suspension and revocation of a Beer Permit when found guilty of a violation by raising the mandatory minimum penalty. Motion seconded by John Smith. John Finlayson—yes, Maurice Hamm---yes, Paul Simpson—yes, John Smith—yes, Harry Smith—yes, Motion carried. 1st reading Passed.

Motion by John Finlayson to approve the request of Public Works Director Floyd Hawkins in opening at Regions Bank a new non-interest bearing account as necessary for the up coming Water System Rural Development Project referred to as a RUS / Grant. Motion seconded by Harry Smith. All five voted yes. Motion carried.

Motion by Paul Simpson to approve an additional request to allow the opening of an account at Community South Bank in the event that the highest interest rate can be negotiated. Motion seconded by Maurice Hamm. All five voted yes. Motion carried.

Brian Massengil requesting water and a fire hydrant within the perimeter of being necessary for approval to construct a house on his eighteen acres on Dowty Rd., Selmer, Tennessee. Mr. Massengil had met with officials during the past month and related that he could not get water or the fire hydrant due to the water department's stand that this was not feasible at this time. The house could not meet approval for construction within the city limits unless a fire hydrant was within 750 feet according to the most recent fire code. A lengthy discussion began.

Public Works Director Floyd Hawkins stated that Mr. Massengil could get water by coming off of Fire Tower Rd. and going up Dowty Rd. It was at that point that Alderman John Smith requested that the Water Department extend the water from Fire Tower Rd. and Dowty Rd. to get within 750 feet of Mr. Massengil so that he could build his house. Paul Simpson seconded the request. Alderman Simpson referred to the plan of services presented with the annexation of the area. Alderman John Finlayson and also Mr. Johnny Hollis from the audience expressed views in behalf of Mr. Massengil and the necessity to provide these services. . Floyd Hawkins further addressed the issue by saying that the Utilities Department was not in the business of funding Fire Protection and could not afford it. A motion was made again by John Smith for the Town of Selmer to extend water from Fire Tower Rd. and up Dowty Rd to get the fire hydrant within 750 feet of

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Brian Massengil to be paid for by the Town of Selmer. Motion seconded by Paul Simpson. A lengthy discussion began. Alderman Simpson asked for the roll call. Time continued to lapse with more discussion. Prior to calling the roll Alderman Harry Smith moved to table the action until the distance and exact cost could be calculated. The motion was seconded to table by Maurice Hamm. John Finlayson—No, Maurice Hamm—yes, Paul Simpson—No, John Smith—No, Harry Smith—yes. Motion to table action failed.

More time passed and Mayor Robinson called for time out to research. Chris Tull from the audience questioned if someone outside the city asked for the same where would the line be drawn as far as the length that the city would run the line and incur the cost. Alderman Paul Simpson immediately answered that this in no way related to anyone outside the city limits of Selmer that he, Massengil, was in the city and due the services. Alderman John Smith earlier referring to Massengil's eighteen acres in the city, the nice house that would be built and taxed, and again explained that the issue was not concerning people outside the city limits and that this man is in the city and is due this. Attorney Terry Abernathy reviewed the code with Fire Chief Dillingham. Attorney Abernathy read from Ordinance 18-109 and advised that the motion be made in accordance with this section. John Smith and Paul Simpson were in agreement and the following action was: Motion by John Smith made in accordance with the Ordinance Section 18-109 to extend water off the Fire Tower Rd on to Dowty Rd. to get within the required 750 feet for Brian Massingill's house to include a fire hydrant necessary for construction to allow for fire protection at the cities expense. Motion second by Paul Simpson. The Roll was called as follows:
John Finlayson—yes, Maurice Hamm—yes, Paul Simpson—yes, John Smith—yes, Harry Smith--yes. Motion carried.

Meeting Adjourned.