

Regular Meeting of the
Board of Mayor and Council
December 12, 2006

The Board of Mayor and Council met in regular session on December 12, 2006 at 7:00 p.m. in the Municipal Building.

Present and presiding: Mayor Gary Norwood.

Council present: Steve Allen, Dwayne Noe, Carol Macha and Chris LaCrosse.

Council absent: Rick Johnson and Tommy Nicholson.

Others present: Anita Justice, Tony Young, Allen Nicholson, Daniel Greer, Chris Cherry, Glen N. Dodson, Eddie Nichols, Tonya Blades, John Holder, Wilda Holder, Wade A Reed, Darryl R Carroll, Jason and Stephanie Laws, Ray Crouch, Jr., Michael Morris, Tom Salter, Jack McCarver, Michael Armstrong, Sharon Caton, Lisa R Cantrell, Mary P Glasgow, Chuck Walker, Kenny Ray, J.L Rankin, Sims Hill and Phyllis Schaeffer.

Mayor Norwood called the meeting to order at 7:05 p.m. and started with the public hearing on Ordinance #327.

Sheriff John Holder approached the Council and said he wanted to speak about what was going on. If nice homes are built there's no problem with it but if it is going to be something else like across the street from him it lowers his property value; the police are always out there. He wants something good for our county Sheriff Holder said if good people are coming in he is not against it He requested the Council think about it before they make a decision.

There were no other comments. Mayor Norwood closed the Public hearing at 7:12 p.m.

A motion was made by Noe, seconded by LaCrosse, to approve the November minutes. Motion passed unanimously by voice vote.

Public Forum:

Mr. Jason Laws from 1049 Little Marrowbone Rd approached the Council requesting their advice on what his next step should be about the abandoned car behind his property and the junk in front of him at a neighbors' property. Mr. Law advised he has gone to codes and some things have been done but this has been going on since June. He is at his wits end about what to do and does not want to have to sell his property.

Mayor Norwood asked Mr. Armstrong to get it taken care of or site the offender into court.

Attorney:

Ms. Noe stated she had a couple of things to address with the Council.

Ms. Noe handed out some papers to the Council and said this has been discussed in workshop it is a draft of an ordinance out of Metro Davidson County this has not passed

the third reading yet. Ms. Noe cited TCA 4-1-404 which states that English is the official language in Tennessee this law was done in 1984. So we are already under this law to follow.

The next item had to do with collections on water bills Ms. Noe looked into the credit reports and deposits. Basically when dealing with an individual and credit the Federal Gov't Fair Credit Report Act regulates what you can and can't do. Ms. Noe said legally the city can do it but logistically it might not be so you would have to put them on notice sending it in writing and it will probably be a nightmare to keep up with. Mr. Hawkins said MTAS said yes you can do it BUT...

Old Business:

A motion was made by Macha, seconded by Noe, to approve Ordinance #327 – Rezone portion of Hwy 12S from R-1 to R-4 – on 2nd reading.

Mr. LaCrosse said like all of us, like the Sheriff it comes up regularly what a nightmare Sycamore is but 2 Council members are out tonight the goal to build 400 apartments increasing by 40% he is not sure that is the way we should go and would like to give it a little more thought. Mr. LaCrosse would like to table it to the next workshop and give them more time to think about it.

Mr. Rankin asked if he could respond. Sheriff I will answer your question and hope Council sees his dilemma. He has got the same problem at least the Sheriff is across the street and not the next door neighbor. Given the current zoning he could build 180 apartments on it. He has never built anything like that his problem is important if he were to build nice single homes no one would buy them it has got to be apartments but a grade above but not so far above they still won't be bought.

Mr. LaCrosse said he sees the problem it's not against apartments per se but at this time do we really need that many.

Mr. Rankin said this piece of property is not suitable for commercial zoning. Mr. Rankin also said he does not disagree with anything the Sheriff said it is his problem too.

Mr. Allen said Mr. Johnson said he would have to miss this meeting but he wanted to be a part of it.

The second and motion was rescinded. A new motion was stated by LaCrosse, seconded by Noe, to defer Ordinance #327 to next month. Motion passed unanimously by voice vote.

A motion was made by LaCrosse, seconded by Macha, to defer Ordinance #328 to next month.

Ms. Macha asked about the ordinance saying she thought the planning commission had issues with this ordinance. Mr. Rankin said they had a really good meeting yesterday with the planners and engineer. He said there would be a total of 150 units he is not asking for additional units. It will take about 3-4 months but he would like to bring a plan, with all staff comments addressed before the Council.

Motion passed unanimously by voice vote.

A motion was made by Noe, seconded by LaCrosse, to approve Ordinance #329 deleting floodplain and floodways and adding section VIII Governing Floodplain Districts – on 1st

reading. Motion passed with a roll call vote of: Noe-yes, LaCrosse-yes, Macha-yes, Allen-yes, and Mayor-yes.

A motion was made by Macha, seconded by LaCrosse, to approve the banner bid for fall in the amount of \$17,216. Motion passed with a roll call vote of: Macha-yes, LaCrosse-yes, Noe-yes, Allen-yes, and Mayor-yes.
This will be for next year's budget.

Mr. Cherry advised the Council that we received 2 bids for Odor Control, one from Crowder Construction for \$140,567. and the other from W & O Construction in the amount of \$66,700. A motion was made by LaCrosse, seconded by Macha, to award the bid to W & O Construction. Ms. Macha asked how we are going to pay for this project as it is not a budgeted item. Mr. Hawkins said we might use the 8 mil. Bond before closing it.

Mayor Norwood said this really needs to get done, Ms. Macha agreed.
Council said we only have one option and that is to use the 8 million bond to pay for this project.

Motion passed with a roll call vote of: LaCrosse-yes, Macha-yes, Allen-yes, Noe-yes, and Mayor-yes.

Mr. Cherry spoke to the Council about "CMOM" the report is not ready and he would like to discuss at next month's workshop.

A motion was made by Allen, seconded by Noe, to defer the USA Mobility Contract to next month. Motion passed unanimously by voice vote.

Ms. Noe stated she looked at the Collection Agency Contract and it looks ok. They will receive a 35% commission on this (.35cents on the dollar of collected funds). They will receive %0% if litigation is needed but they can't go to litigation without our request. There is a provision that the contract can be terminated with a 30 day notice. They will have insurance for errors and omissions. There was a discussion of what point to start collections.

A motion was made by Noe, seconded by Macha, to approve the collection contract.
Motion passed with a roll call vote of: Noe-yes, Macha-yes, Allen-yes, LaCrosse-yes, and Mayor-yes.

A motion was made by Macha, seconded by LaCrosse that all delinquent water and sewer accounts would be turned over to collections 60 days after they are cut off. Motion passed with a roll call vote of: Macha-yes, LaCrosse-yes, Noe-yes, Allen-yes, and Mayor-yes.
All overdue account will be turned over to the collection agency. A notification is to be put on the water bills.

A motion was made by Noe, seconded by Macha, to approve W & O Construction Company change order #4 in the amount of \$30,541.55 Motion passed with a roll call vote of: Noe-yes, Macha-yes, LaCrosse-yes, Allen-yes, and Mayor-yes.

Mr. Cherry and Mr. Dodson said we are looking at the end of February for a completion date for the water plant. They discussed the program and what was left to be done.

A motion was made by Macha, seconded by Noe, to approve W & O Construction Co. pay request in the amount of \$183,843.30 Motion passed with a roll call vote of: Macha-yes, Noe-yes, Allen-yes, LaCrosse-yes, and Mayor-yes.

A motion was made by Noe, seconded by LaCrosse, to approve Hart Freeland Roberts' pay request in the amount of \$4,969.06 Motion passed with a roll call vote of: Noe-yes, LaCrosse-yes, Allen-yes, Macha-yes, and Mayor-yes.

A motion was made by Noe, seconded by Macha, to pay all 3 pay requests from Higher's and Koonce in the amounts of \$238.90, \$7,102.00 and \$1,026.70. Motion passed with a roll call vote of: Noe-yes, Macha-yes, LaCrosse-yes, Allen-yes, and Mayor-yes.

A motion was made by Noe, seconded by Macha, to defer Lose & Associates pay request in the amount of \$299.84. Motion passed unanimously by voice vote.

A motion was made by Noe, seconded by Macha to defer Lose & Associates pay request in the amount of \$344.52. Motion passed unanimously by voice vote.

Other:

Mayor Norwood thanked all of those that were able to come to the Christmas dinner.

Chief Walker requested permission to bid out the equipment for the fire truck. A motion was made by LaCrosse, seconded by Noe, to bid out equipment for fire truck. Motion passed unanimously by voice vote.

Tonya Blades with GNRC was present to talk to the Council about a safety grant for safe schools for walking such as sidewalks to improve safety. It is a \$250,000. grant that is 100% reimbursable. This would be a partnership between a city and school grades K thru 8th grade. After explaining more about the grant Ms. Blades let the Council know it has a deadline date of March 15, 2007. This will be placed on the next workshop agenda.

Mr. Allen said the ordinance he had been referring to last week was from a town in Pennsylvania.

Mr. LaCrosse asked if 18-104-106 sewer fees could be put on the next workshop agenda.

Mr. Gary Binkley thanked Ashland City for its support with Christmas on the Cumberland.

A motion was made by LaCrosse, seconded by Macha, to pay the bills. Motion passed with a roll call vote of: LaCrosse-yes, Macha-yes, Allen-yes, Noe-yes, and Mayor-yes.

A motion was made by Macha, seconded by LaCrosse, to adjourn. Motion passed unanimously by voice vote. Meeting adjourned at 8:43 p.m.

Gary Norwood, Mayor

Phyllis Schaeffer, City Recorder