

Regular Meeting of the
Board of Mayor and Council
February 13, 2007

The Board of Mayor and Council met in regular session on February 13, 2007 at 7:00 p.m. in the Municipal Building.

Present and presiding: Mayor Gary Norwood.

Council present: Tommy Nicholson, Dwayne Noe, Rick Johnson, Carol Macha, and Chris LaCrosse.

Council absent: Steve Allen.

Others present: Greg Edrington, C. J. Groulx, Zach McCarver, Eddie Nichols, Lisa Cantrell, Mary Glasgow, Cory Gossett, Gossett Investments, Inc., Tom Salter, Michael Armstrong, Tony Young, Marc Coulon, Chuck Walker, Paul Gupton, Chris Cherry, Murry Hawkins, and Phyllis Schaeffer.

Mayor Norwood called the meeting to order and began with a public hearing on ordinance #328. He asked for anyone to address the council. No one responded so Mayor Norwood closed the public hearing and continued with the regular meeting.

All those present for the public hearing were in attendance for the regular meeting.

A motion was made by Noe, seconded by Nicholson to approve the January 2007 regular minutes and the special called meeting minutes on 1/18/07 with a typographical error correction on bottom of first page of the regular minutes from "bed" to "bad". The motion passed unanimously by voice vote.

Public Forum:

Jason Laws addressed the council questioning the status of the cleanup for property located at 1047 Little Marrowbone. Mayor Norwood said based on Mr. Law's homeowner's agreement he should take the matter to General Sessions Court. As far as the code violation regarding removal of the car, the Mayor told Mr. Laws the city would take care of that. No time line was given.

Penny Brooks, homeowner on River View Lane, approached the council with several questions. She asked if the water line put in across the county property to Mr. Adcock's property on Thompson Lane was done at the city's expense and was this illegal. Mayor Norwood responded that the line went across a 50 ft. easement and was not illegal and that the city was obligated to put water to the property line. Ms. Brook's second question was where was the debris taken when the water plant was destroyed. Per Mayor Norwood, it was taken to Bowman's at city expense and approved by the state.

Kim Wilkerson of 122 Stratton Blvd. approached the council requesting help on her water bill from January 2007. The leak was a water line on her property in January. She had been to city hall for an adjustment and was told her bill was only 3 times greater not 5 times greater. She asked the council for help as her January bill was \$297.00. The council agreed to make an adjustment to her bill.

Attorney:

Ms. Noe had nothing to bring before the council.

Old Business:

Discussion on rezoning Ordinance #328.

A motion was made by Macha, seconded by LaCrosse to approve Ordinance #328- rezoning a portion of Hwy 12S from R-1PUD to R-3PUD on second reading.

Mayor Norwood said he had 4 conditions he wanted to see done.

1. Application submitted for concept review to the county planner.
2. Any changes received from staff will be incorporated before submitting master plan to the planning commission.
3. An agreement to be in place before final approval.
4. If this ordinance is approved and conditions 1-3 not met within a year from 12/17/06, the rezoning would revert back to R-1 PUD.

Mr. Rankin was concerned with staff comments and asked for condition 2 to be restated.

Ms. Caton said she has seen 3 different plans and he needs to formally submit a plan to her office. She doesn't have anything in particular against the project but feels this needs to go through normal routine.

Mr. Rankin said these rules weren't in place when he started the project and doesn't think it fair to change in the middle.

After much discussion, Mr. Rankin agreed staff comments need to be addressed.

Mayor Norwood agreed to change condition 2 by saying staff comments must be complied with but if there is a problem he can approach the planning commission and then comply with the planning commission's comments or not go forward with the project.

Ms. Caton said plans would have to be submitted at least 10 days before meeting.

Mr. Rankin was concerned that if there were problems it wouldn't go before planning commission.

Ms. Caton said whether comments are addressed or not it will go to the planning commission with those comments noted.

Mayor said staff comments are a concern to the Council as the staff are professionals and should be listened to.

The motion passed with a roll call vote of: Macha-yes, LaCrosse-yes, Johnson-yes, Nicholson-yes, Noe-abstain, and Mayor-yes.

New Business:

R.A.C. update.

Mr. Hawkins gave an update.

A motion was made by Johnson, seconded by Noe to adjust Ms. Wilkerson's bill to normal sewer and the water as per rules. The motion passed with a roll call vote of: Johnson-yes, Noe-yes, Nicholson-yes, LaCrosse-yes, Macha-yes, and Mayor-yes.

Mr. Salter approached the council requesting they apply for a grant of \$25,000.00 from Tennessee Department of Agriculture to develop the Farmer's Market. This is an unmatched grant. He said the grant had to be applied for this week. If awarded, the funds received could be used for a roofed shed for the vendors to pull into as the grant is an infrastructure grant. The grant would be a contract with the city as the property belongs to the city. Any structure built could either be temporary or permanent. Michael Armstrong was asked if the structure was temporary would it violate the city's codes. Per Mr. Armstrong, it would need to be treated as a park pavilion and the Mayor said the parking lot must be dust free, also. Mayor was very impressed with the written grant and asked Mr. Salter if he had written it. Mr. Salter replied yes. Mayor said he had done excellent job. After additional discussion, a motion was made by Johnson, seconded by LaCrosse to apply for the grant. The motion passed with a roll call vote of; Johnson-yes, LaCrosse-yes, Macha-yes, Nicholson-yes, Noe-yes, and May-yes.

Mr. Salter was asked to add the cost of the asphalt to the grant and was thanked for his time and effort.

Jennifer Noe spoke to Council about ordinance #330. If you have a master meter each unit must have a paid tap fee. Ms. Noe went over ordinance 18-105 and ordinance 18-106. She changed some wording for clarification.

A motion was made by Noe; seconded by LaCrosse to approve Resolution 2007-01- fee schedule for City Documents. The motion passed unanimously by voice vote.

A motion was made by Johnson; seconded by LaCrosse to approve Resolution 2007-02- Personnel Policies-adding a Workplace Harassment Policy. The motion passed unanimously by voice vote.

A motion was made by Johnson, seconded by Noe to accept Yeary Howell & Associates audit contract. The motion passed by roll call vote of: Johnson-yes, Noe-yes, Nicholson-yes, LaCrosse-yes, Macha-yes, and Mayor-yes.

Tony Young recommended the city accept the low bid from LCJW for mowing. A motion was made by Johnson, seconded by LaCrosse to award the mowing bid to LCJW. The motion passed by a roll call vote of: Johnson-yes, LaCrosse-yes, Macha-yes, Noe-yes, Nicholson-yes, and Mayor-yes.

Chief Walker recommended the city award the miscellaneous item bid for the fire truck to G & C for hose at \$7,069.22 and for air paks and the thermal imagers to Municipal Emergency Services for \$32,166.70. Chief Walker stated on the other items no one item was over the required bid amount and all of it came in under \$60,000.00. Per Ms. Schaeffer the \$60,000.00 was not in Chief Walker's budget and would need to be moved from reserve fund. A motion was made by Noe, seconded by Nicholson to accept low bids on all three items in the amount of \$39,235.92. The motion passed by a roll call vote of: Noe-yes, Nicholson-yes, LaCrosse-yes, Macha-yes, Johnson-yes, and Mayor-yes.

Jennifer Noe went back to ordinance #330 stating she had made some changes and to save from confusion we, also, need to add that the contractor is to pay for the master meter. A motion was made by Noe, seconded by Macha to accept ordinance #330- tap fees- with changes made by Ms. Noe on first reading. The motion passed with a roll call vote of: Noe-yes, Macha-yes, Johnson-yes, LaCrosse-yes, Nicholson-yes, and Mayor-yes.

Ms. Noe provided a handout for council of the old plat of Ashland City and current tax map. The city will need 600 sq. feet of Ms. McMahan's property in order to straighten the curve on Brinkley Street. The city has agreed to pay Ms. McMahan \$2,000.00 for 600 square feet of her property and will also close a portion of Park Street and the alley. Park Street has never been used per her knowledge and the alley has never been named. Ms. McMahan wants to convey the property to the city to straighten the street for the \$2,000.00 and to abandoning Park Street and the alley. If the council approves this agreement, a notice will have to be given to neighboring property owners before anything can be done. A motion was made by Noe, seconded by Macha to approve payment of \$2,000.00 for 600 square feet of property to Ms. McMahan and also close a portion of Park Street from Valley View to Sycamore and the unnamed alley being abandoned. The motion passed with a roll call vote of: Noe-yes, Macha-yes, Nicholson-yes, Johnson-yes, LaCrosse-abstain, and Mayor-yes.

Mr. Hawkins met with Kevin Barnett with TML concerning borrowing the extra \$92,000.00. Mr. Barnett advised that we can't draw anymore money from the bond pool, as the federal law states no funds can be withdrawn after five years. However, Mr. Barnett said we can control our principal payment on the amortization schedule closing the bond.

Chris Cherry spoke to the council about the CMOM program. Mr. Cherry explained that EPA wanted the document approved before sending it to them that way the city is bound to it with no funding from them. The Mayor said this is a federal mandate with no funding. A motion was made by Noe, seconded by Johnson to approve the CMOM Program. The motion passed by roll call vote of: Noe-yes, Johnson-yes, Nicholson-yes, Macha-yes, LaCrosse-yes, and Mayor-yes.

Mr. Edrington returned to Council with his findings after looking at locations to be used when applying for a School Safety grant. He looked at two locations-one from Main to Stratton and another from the school to Riverbluff Park. He did a mock score and said it looked better for a trail from the school to Riverbluff Park. Mr. Edrington said the grant need to be in by March 2nd and he recommends a trail behind the school. Mr. Johnson stated he would rather have sidewalks tied to school not part of parks. Mr. LaCrosse said the proposal was an excellent way to connect parks but failed to see how it got kids from home to school by using this trail and he felt there might be a safety issue. Mr. Noe agreed he doesn't want to build a trail with a sidewalk grant. Mr. Salter said with this grant we would have to ensure ADA compliance. Discussion continued about an appropriate place to apply the grant. A motion was made by Johnson, seconded by Noe to apply for the grant for safe routes to school by sidewalks using Elizabeth Street where feasible and on Lowe Street. The motion passed by roll call vote of: Johnson-yes, Noe-yes, Nicholson-yes, LaCrosse-yes, Macha-yes, and Mayor-yes. Mr. Young and Mr. Edrington are to meet with the school to get letters of support for the grant.

A motion was made by Noe, seconded by Macha to approve W & O Construction pay request #15 in the amount of \$148,042.80. The motion passed by roll call vote of: Noe-yes, Macha-yes, LaCrosse-yes, Johnson-yes, Nicholson-yes, and Mayor-yes.

A motion was made by Macha, seconded by Johnson to pay the GeoScience invoice in the amount of \$276.75. The motion passed by roll call vote of; Macha-yes, Johnson-yes, LaCrosse-yes, Nicholson-yes, Noe-yes, and Mayor-yes.

A motion was made by Johnson, seconded by Macha to pay Hart Freeland Roberts pay request in amount of \$5,411.70. The motion passed by roll call vote of; Johnson-yes, Macha-yes, LaCrosse-yes, Nicholson-yes, Noe-yes, and Mayor-yes.

A motion was made by Johnson, seconded by Macha to pay Highers and Koonce pay requests in the amount of \$1,128.14 and \$85.00. The motion passed by roll call vote of: Johnson-yes, Macha-yes, Noe-yes, Nicholson-yes, LaCrosse-yes, and Mayor-yes.

Chief Coulon requested to be given approval to surplus police radios.

A motion was made by Macha, seconded by Johnson to surplus the radios. The motion passed unanimously by voice vote.

Gary Binkley, Chamber of Commerce, addressed the council provided upcoming chamber events: February 20th meeting with the Corps of Engineers and Emergency Management on Wolfe Creek at Cheatham Middle School at 7:00pm, March 30th Chamber's Golf tournament, and April 27th the Mickey Golf tournament. Curtis Bennett said don't forget golf tournament for parks on June 8th.

Chief Walker advised council of a meeting on Wolfe Creek issue for 2:00pm, February 20th for all businesses and industries at the public works building and a homeowners meeting the same day at 7:00pm.

Mr. Hawkins advised everyone on February 28th there was a meeting with the Corps of Engineers and the Congressman concerning dredging the lake. He invited the council to the meeting.

A motion was made by Johnson, seconded by Noe to pay the bills. The motion passed by roll call vote of: Johnson-yes, Noe-yes, Nicholson-yes, LaCrosse-yes, Macha-yes, and Mayor-yes.

Rick Johnson said next Tuesday will be the first preliminary budget meeting at 6:00pm.

A question was asked on the status of fixing the traffic light on Main Street. Chris Cherry replied the pole is to be shipped on February 16th.

A motion was made by Johnson, seconded by Macha to adjourn. The motion passed with 5 ayes and 1 nay. The meeting adjourned at 9:00pm.

Gary Norwood, Mayor

Phyllis Schaeffer, City Recorder