

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

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

Present and presiding: Mayor Gary Norwood.

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

Others present: Darryl R, Carroll, James Fenton, Wade A. Reed, Tony Young, Lisa R. Cantrell, Mary Glasgow, Michael Armstrong, Chris Camp, Zach McCarver, Anita Justice, Greg Edrington, and Phyllis Schaeffer.

Mayor Norwood called the meeting to order and started with the public hearing on Ordinance #338 Yard Sales. After ordinance was read there were no comments. Mayor Norwood closed the public hearing and commenced with the regular meeting. Those present for the public hearing are the same for the meeting.

A motion was made by Macha, seconded by LaCrosse, to approve the October 9, 2007 minutes. Motion passed unanimously by voice vote.

Public Forum:

Mr. James Fenton approached the Council first to thank the Council for the flags (banners) in the city. The second item he said was a pleasure to "give to you" and presented the Council with the Marshall Stewart Award, given by Greater Nashville Regional Council, as all of the cities and county have worked so well together all have received this award.

Attorney:

Ms. Noe advised that some issues have come up requesting access through city property to go to corp property to hunt. This would mean they would have weapons on city park property. There is a state statute no one can come on property for recreational purposes with arms. This session the law changed. The ordinance regulating firearms in the city is the same as the state. The change requires posting of signs advising consequences. This is an automatic change since it is a state statute. Mayor Norwood said his biggest concern not only bringing weapons on park property but how close can they hunt near our parks. Ms. Noe further stated that the only way they can come on city recreational properties with a weapon was if they were unloaded and if they were going to another property for hunting purposes only. The new law says it needs to be posted or Council must vote on not posting allowing to cross city recreational property with an unloaded weapon. Mr. Nicholson said why not call Larry Nash and ask him to make that area a safety zone. A motion was made by Noe, seconded by Macha, to allow persons to

come on city property with an unloaded weapon for purposes of going to other property for hunting purposes only and further exempting from state law for all city properties. After more discussion the 2nd and motion was withdrawn. A motion was made by Allen, seconded by LaCrosse, to bring this up at the next workshop. Motion passed unanimously by voice vote.

Ms. Noe also brought up the fact that we need more security during court.

Old Business:

A motion was made by Johnson, seconded by LaCrosse, to approve Ordinance #338 Yard Sales on 2nd reading. Mr. Allen asked if this applies to a business outside city limits. A motion was made by LaCrosse, seconded by Macha, to strike the word "not" in section 9-903. Motion passed with a roll call vote of: LaCrosse-yes, Macha-yes, Johnson-yes, Nicholson-yes, Allen-yes, Noe-yes, and Mayor-yes. Motion to approve Ordinance #338 passed with a roll call vote of: Johnson-yes, LaCrosse-yes, Macha-yes, Nicholson-yes, Allen-yes, Noe-yes, and Mayor-yes.

New Business:

Mr. Camp talked with TDOT and contract would have to go to the low bidder. Lafferty has found more DBE's and is up to 10% and has documented all his calls. The price is double and triple the costs then non DBE costs. This bid has gone to the construction phase with TDOT and if they certify the contractor we are getting close. They will need a concurrence letter from the construction section to the enhancement section. His recommendation is with Lafferty and Sons, prices are lower with more work than the original higher bids. They are on the pre-qualified list and bonded. Mr. Camp has not done reference checks since they were on TDOT's list. If the city went with Goodwin they had an 18% DBE but he will have to check he does not think it stipulates having to go with the lowest bidder.

Mayor said he wants the best bang for our bucks but he wants the smoothest job especially on Phase I. After much discussion on bidders and comparisons Chris Camp will check on references and if TDOT approved bid we will possibly need a called session of Council.

State law changed and we are no longer allowed to hold retainage above 5%. TDOT won't even allow any retainage wording in the contract.

Chris Camp will get 3-5 references on comparable jobs.

A motion was made by Johnson, seconded by LaCrosse, to approve Resolution 07-09 – personnel policy. Motion passed unanimously by voice vote.

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

Chief Coulon talked to the Council about the grant for the police dept. this will be for a vehicle. If we receive the grant their portion would give \$17,307. And our matching part would be \$5,069. A motion was made by Johnson, seconded by LaCrosse, to add these funds to the police budget. Motion passed with a roll call vote of: Johnson-yes, LaCrosse-yes, Macha-yes, Noe-yes, Nicholson-yes, Allen-yes, and Mayor-yes.

Mayor Norwood spoke with the sales person on the police modular building. This is her last week and the new person was supposed to contact the Mayor has not spoken to anyone yet. We will postpone this until next month.

When we have the called session for RAC we can put this on the agenda also. Ms. Noe said we need to have the page on the disclaimer which was not sent.

Mr. Chris Cherry asked to bid out the effluent sampler. A motion was made by Johnson, seconded by Noe, to put the effluent sampler out for bid. Motion passed unanimously by voice vote.

Chief Walker asked the bid for the city hall roof be passed over to the workshop. Chief said he would like to bid for new air units at this time also and thinks the bid will come under budget. They are working on several things and would like to present it next month. To replace part of the roof and just fix a portion, replace gutters and seal a portion of the block wall maybe will come in under \$55,000. We budgeted \$150,000 for roof and becoming ADA compliant. Michael Armstrong said the ADA portion would be approx. \$5-7,000. Also, Chief Walker said since we will be staying in this building for a while we need to look at security card door entries. He will get the information and bring it before the Council next month.

A motion was made by Macha, seconded by Johnson, to approve Higher's and Koonces's pay request in the amount of \$552. Motion passed with a roll call vote of: Macha-yes, Johnson-yes, Noe-yes, LaCrosse-yes, Nicholson-yes, Allen-yes, and Mayor-yes.

A motion was made by Macha, seconded by Johnson, to approve Hart Freeland Robert's pay request in the amount of \$1,148.60. Motion passed with a roll call vote of: Macha-yes, Johnson-yes, Allen-yes, Nicholson-yes, Noe-yes, LaCrosse-yes, and Mayor-yes.

Other:

Tony Young gave the Council a contract and said this had already been approved for Terry's Rides but they have had a name change to Dixieland Carnival Company everything is the same but the name. A motion was made by Noe, seconded by Nicholson, to approve the contract name change. Motion passed unanimously by voice vote.

Mayor Norwood advised the Council that the Thanksgiving luncheon would be November 20, at 11:30 a.m. at Fire Station II.

Gary Binkley with the Chamber said AT HOME Realty was having their grand opening on November 30 if anyone could be there.

The Christmas Parade will be December 9th.

The Chamber of Commerce is having their party on December 14th from 6-11 p.m. at the armory. The price is \$25. Per person.

Mr. Johnson asked about the log house. Mr. Young replied that he has talked with Ms. Hardy and he doesn't know where we stand yet.

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

Mayor Norwood said he would like any old pictures of buildings or Council or people of the city he would like to display them to preserve our history.

This Friday Rep. Phillip Johnson will be here for a mentoring program and lunch would be provided.

Mr. Noe said this will be his last meeting as he has moved into his new house. He thinks Jimmy Gill would do a good job. He has enjoyed his time on the Council. Mr. Noe told the Council to carry on with the things they are doing he thinks they are headed in the right direction.

A motion was made by Noe, seconded by Johnson, to adjourn. Motion passed with one no from Noe. Meeting adjourned at 8:41 p.m.

Gary Norwood, Mayor

Phyllis Schaeffer, City recorder