

Regular Meeting of the
Board of Mayor and Council
January 13, 2009

The Board of Mayor and Council met in regular session on January 13, 2009 at 7:00p.m. in the Municipal Building.

Present and presiding: Mayor Gary Norwood.

Council members present: Steve Allen, Tommy Nicholson, Jimmy Gill, Carol Macha, Rick Johnson, and Chris LaCrosse.

Others present: Carl Lambert, Marc Coulon, Michael Armstrong, Daniel Greer, Dustin Dunn, Bill Powers, Anita Justice, Jennifer Noe, Chuck Walker, Paul Gupton, Ed Day, Ken Tarkington, Thomas McCormick, Zach McCarver, Tony Young, Tim Adkins, Josh Gill, Chris Davis, Nicky Roberts, Kevin Davis, and Phyllis Schaeffer.

Mayor Norwood called the meeting to order.

The first order of business is the public hearing on Ordinance #353 a zoning change from I-2 to I-1 on Hwy 12S the Binkley property. After the caption read Mayor Norwood asked if anyone had any issues or concerns. There being none the public hearing was closed.

The same persons present for the public hearing were here for the Council meeting.

A motion was made by Macha, seconded by Nicholson, to approve the December minutes as typed. Motion passed unanimously by voice vote.

Attorney:

Ms. Noe advised Council that the case has gone to the Court of Appeals in the next 12 months we should have an answer.

Public Forum:

Mr. Carl Lambert with a Division of the Dept. of Defense – Employer Support of the Guard and Reserve- his office talks to employers gaining their support, inform of the laws, and do mitigation. They recognize employers that do an outstanding job. An employee of the Fire Dept. Daniel Greer, put this city in for this award and he is here to present to the Fire Dept. this award thanking them and the city as a whole for their patriotic support. Chief Walker thanked the young men for the fine job they are doing in the military as well as their job with the city. This goes to the Fire Dept. and the whole city as they step up and cover for those when they leave. A plaque was also presented to Mayor Norwood awarding the city as a whole.

A motion was made by LaCrosse, seconded by Nicholson, to approve Ordinance #353 – Zoning change from I-2 to I-1 on a portion of Hwy 12S- the Binkley property - on 2nd reading. Motion passed with a roll call vote of: LaCrosse-yes, Nicholson-yes, Macha-yes, Johnson-yes, Allen-yes, Gill-yes, and Mayor-yes.

A motion was made by Johnson, seconded by Nicholson, to approve Resolution 2009-01 – Water and Sewer Rules and Regulations. Motion passed unanimously on voice vote.

A motion was made by Johnson, seconded by LaCrosse, to approve Resolution 2009-02 – City Fee Schedule. Motion passed unanimously by voice vote.

The Mid-Cumberland Transportation will be discussed next month.

Mr. Josh Gill was here to explain the CEMC invoice. Mr. Gill explained the \$19,000 quote had only included the intersection of Hwy 49 and Hwy 12 It did not include Shinbone Alley. That is why the invoice went to \$27,000. The metal poles were discussed and asked if that wasn't in the design. Mayor Norwood said yes, they talked about several ways of doing it. It was not in the plan. Mr. Gill was asked when the project will be completed. Mr. Gill replied they are in the process of the doing the core drilling and it should be done later this week when they get the results they will be able to proceed. There was no cushion in the estimate. The past overtime or future overtime is not included in the invoice. Mr. Gill does not know how much more overtime will be used. Mayor Norwood asked what is lacking to complete. The reply was they had to set the 3 self supporting structures and the one replacement. The \$27,000 figure is labor and material not the overtime rate. Mr. LaCrosse said they just needed an explanation to be accountable. Ms. Macha asked can we get a figure for what is already worked to give us an idea on how much is left to give us an idea. Mr. Johnson said also an estimate on what will come. Mayor said last month he received a ton of calls on the increase in the rates and the extra fee being charged and asked what is going to happen as far as the rates. Mr. Davis said he thought that might be brought up. The rate has been increased due to a federal rate adjustment CEMC has not had a rate action since April of 08. Mr. Johnson said the fuel charge prices have decreased and NES is lowering their rates will CEMC do any reductions. Mr. Davis said yes, about 6% not until January.

A motion was made by Johnson, seconded by Nicholson, to pay the CEMC invoice in the amount of \$27,892.67. Motion passed with a roll call vote of: Johnson-yes, Nicholson-yes, Allen-yes, Gill-yes, Macha-yes, LaCrosse-yes, and Mayor-yes.

A motion was made by Macha, seconded by Allen, to pay the Lose and Associates pay requests in the amounts of \$3,76.60, \$300.00 and \$3,960.26. Motion passed with a roll call vote of: Macha-yes, Allen-yes, Nicholson-yes, Gill-yes, Johnson-yes, LaCrosse-yes, and Mayor-yes.

There was much discussion on the payment for W & O Construction. Who would be responsible for fixing the air conditioning if it doesn't work? If Hart Freeland Roberts will give us a letter that they will be financially responsible then payment would be ok. Contingent upon receiving as-builts and a letter from Rodney then we could approve. Council asked Ms. Noe if they would need something more than an email. Ms. Noe replied there have been issues before so she feels you would need something more than an email. Mayor asked Michael to inspect and look at the system and report back to him and then he and Jennifer would get with Rodney. Invoice will be deferred to next month.

Other:

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

Tony Young asked permission to advertise for mowing bids. Council agreed.

A motion was made by Johnson, seconded by LaCrosse to adjourn. Motion passed unanimously by voice vote. Meeting adjourned at 7:37 p.m.

Gary Norwood, Mayor

Phyllis Schaeffer, City Recorder