

Regular Meeting of the
Board of Mayor and Council
March 10, 2009

The Board of Mayor and Council of the Town of Ashland City met in regular session on March 10, 2009 at 7:00 p.m. in the Municipal Building.

Present and presiding: Mayor Gary Norwood.

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

Others present: Mary Glasgow, Marc Coulon, Darryl E. Carroll, Thomas McCormick, Tom Salter, Sharon Caton, Alan M. Armstrong, Ben Gasser, Chuck Walker, Zach McCarver, Sally Andrews, Tim Adkins, Michael Armstrong, Jason Bell, Tony Young, and Phyllis Schaeffer.

Mayor Norwood advised everyone that Paul Robert had surgery on his leg and was recovering that maybe next month he will be back with us.

A motion was made by Nicholson, seconded by Johnson, to approve the February minutes. Motion passed unanimously by voice vote.

Attorney:

Ms. Noe replied she didn't have anything that wasn't on the agenda.

New Business:

RAC update. Thomas McCormick met with Chris Camp and the contractor, Lafferty & Sons, and the people that did the lights. The loop is not hooked up correctly to the actuator. Mr. Midley with Lafferty & Sons said he would have them correct it and set it up properly.

Mayor Norwood said he sent Chris an email about the benches but has not heard anything on it yet. Mr. Johnson asked Thomas if he talked with CEMC. Mr. McCormick replied he heard they are waiting on Bell south but they have not given him a concrete time to complete the work. Mayor said that Chris was also going to be checking on this. Ms. Macha said she was concerned about the overtime amount given by CEMC have we heard anything about what that figure will be? Mr. McCormick said the bulk of the overtime was Shinbone Alley where the work was done over the weekend. Mayor told Mr. McCormick to get in touch with Chris tomorrow on this for him to get with Josh. Ms. Macha replied so they said they would have no more overtime. Mr. McCormick replied that they didn't say that. Ms. Macha asked that this be checked on. Mayor Norwood would like something in writing.

Ms. Noe said she has gone over the contract on Sharon Caton, she did not make many change; the fee per month she believes is \$500 would need to be filled in. Ms. Noe discussed the indemnification clause, also the provision for insurance. Ms. Caton said right now she carries a million dollar policy. They require \$350,000. Ms. Noe said her concern is about FEMA issues. Ms. Noe thinks a million is certainly sufficient. Ms. Noe said under the scope of work it is not in contract but thinks it should be added is to provide any services needed including services needed for pending litigation including testifying in court. Ms. Noe said realistically any other changes made were with wording.

After more discussion on the contract a motion was made by LaCrosse, seconded by Nicholson, to approve the contract with changes made. Motion passed with a roll call vote of: LaCrosse-yes, Nicholson-yes, Allen-yes, Gill-yes, Johnson-yes, Macha-yes, and Mayor-yes.

A motion was made by Macha, seconded by Johnson, to approve Ordinance #354-Amending Article V MDR_PUD establishing a commercial Overlay and re-zoning- on 1st reading. Motion passed with a roll call vote of: Macha-yes, Johnson-yes, LaCrosse-yes, Allen-yes, Nicholson-yes Gill-yes, and Mayor-yes.

A motion was made by LaCrosse, seconded by Gill to approve Ordinance #355- Amend Section 18-107(1) on 1st reading. Motion passed with a roll call vote of: LaCrosse-yes, Gill-yes, Nicholson-yes, Allen-yes, Macha-yes, Johnson-yes, and Mayor-yes.

A motion was made by Gill, seconded by Macha, to approve Ordinance #356-Amend Personnel Policy on 1st reading. Motion passed with a roll call vote of: Gill-yes, Macha-yes, LaCrosse-yes, Johnson-yes, Nicholson-yes, Allen-yes, and Mayor-yes.

A motion was made by Macha, seconded by Gill, to approve Resolution 2009-03 Amending water rules and regulations. Motion passed with a roll call vote of: Macha-yes, Gill-yes, Nicholson-yes, Allen-yes, LaCrosse-yes, Johnson-yes, and Mayor-yes.

A motion was made by Macha, seconded by Gill, to approve the Yeary Howell and Associates Audit Contract. Ms. Noe said she needed to look at least years contract she thinks that we need to take out the wording "required" and replace it with 20 copies of the audit. Motion passed with a roll call vote of: Macha-yes, Gill-yes, Johnson-yes, LaCrosse-yes, Allen-yes, Nicholson-yes, and Mayor-yes.

A motion was made by LaCrosse, seconded by Gill, to award the mowing bid to LCJW Lawn Service. Mr. Young said they had 3 bids and he recommends going with the low bidder. Mayor asked Mr. Young to call Moore's Lawn Service with the results. Motion passed with a roll call vote of: LaCrosse-yes, Gill-yes, Macha-yes, Johnson-yes, Allen-yes, Nicholson-yes, and Mayor-yes.

Mayor Norwood said as you can see I received a letter today from Rodney regarding pay request#26. Mr. Gill said he thinks we should pay \$10,000 and hold back \$10,000 enough to fix the problem. Mayor Norwood said the biggest issue is they didn't do the work but they were the contractor. Mr. Armstrong said this summer that unit is not going to work. Mr. McCormick said Denney Mechanical said it is \$3,000 for the ductwork and about \$6,000 for the bigger unit. Ms. Noe said she thinks we need something more than what this letter states. Mr. Nicholson said once they are paid they are gone. Ms. Macha said she is against paying them. Mr. Gill said just to cover our costs. The estimate given us is only good for 30 days. Ms. Macha asked why don't we fix it and then we will know the cost. Ms. Noe advised when she talked with Derek Denney he doesn't really know the exact cost. After much more discussion Ms. Macha said we need to respond to Rodney telling him we are going to have it fixed. Ms. Noe said she thinks it would be good to write Rodney and say here are the estimates. Mr. LaCrosse said to write a letter with a written request to have them here at our next meeting to answer to this. Mr. Allen asked about a performance bond. Ms. Noe replied she would have to look at the contract. A motion was made by Nicholson, seconded by Macha, to defer to next month. Motion passed unanimously by voice vote.

Other:

Mayor Norwood said at the workshop we discussed cutting the building permit fees by 50% if Council is in favor of it, that's what he'll do. A motion was made by Gill, seconded by Macha, to cut the building permit fees by 50% for everyone to the end of the 2009 year.

After a lengthy discussion ensued over this applying to everyone as well as budget concerns and a concern for this project being completed as stated, the motion passed with a roll call vote of: Gill-yes, Macha-yes, LaCrosse-yes, Johnson-yes, Allen-no, Nicholson-yes, and Mayor-yes.

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

A motion was made by Johnson, seconded by Macha, to adjourn. Motion passed unanimously by voice vote. Meeting adjourned at 8:01 p.m.

Gary Norwood, Mayor

Phyllis Schaeffer, City Recorder