

Regular Meeting of the
Board of Mayor and Council
May 11, 2010

The board of Mayor and Council met in regular session on May 11, 2010 at 7:00 p.m. in the Municipal Building.

Present and presiding: Mayor Norwood.

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

Council absent: James Yates.

Others present: Greg Edrington and C.J. Edrington, GMC, Thomas McCormick, David Lee, Duane Elliott, Stanton Lee, Zach McCarver, Chuck Walker, Tony Young, Lee Batson, Tim Adkins, Michael Armstrong, Paul Gupton, Kate Bunnelle, James Fenton, and Jennifer Noe.

Mayor Norwood called the meeting to order and began with a public hearing on Ordinance #364-amend Ord #179 parking for mini storage warehouse-2nd reading. He asked if anyone would like to approach Council regarding this ordinance. When no one came forward, Mayor Norwood proceeded to Ordinance #365-amend personnel policy-vacation time-2nd reading. After the ordinance was read and no one approached Council, Mayor then went on to Ordinance #366-zoning map change-Hwy 12 S-2nd reading. Mr. David Lee of 4133 Branch Road, Springfield, Tennessee approached Council and stated he is the guarantor of the property which his family owned in 1811. He said the house is a historic site and it is important to his family to preserve its history. Mr. Lee said his family had liked the Leeland Station layout because it kept the history of the house. He said as it is proposed now there are commercial buildings all around the house that obscure and isolate it. Mr. Lee said we are here pleading our case because it is very important to us. He told Council we had the Tennessee Historic Society come out and they would like to talk with you about preserving this historic site. Mr. Lee said the house has a lot to contribute to our history and that Ashland City has not done a lot to preserve their history.

Mayor said in the planning and zoning meeting we have voted on this change. He asked Mr. Lee if the developer had gotten in contact with him. Mr. Stanton Lee came forward and said this is my Dad. He told Council I live in the house and the developer has not contacted us. Mr. Stanton Lee said we are afraid the house will be lost and this is not the way to treat a historic monument. Mr. Stanton Lee gave Council a brief history of the house saying it was built in 1811 by Braxton Lee who married into the Hunter family. Mr. Stanton Lee said there are about 100 descendants to this family.

After more discussion, Mr. Stanton Lee said we don't know what we can do. He said we just want to plead our case. Mayor said, as far as the planning and zoning process we have gone over the conceptual plan, but nothing has been brought to us about the layout. He said tonight we are voting on changing the zoning. Mayor told them the next meeting of planning and zoning is the 1st Monday of June. Mr. Nicholson asked how many acres are with the house. Mr. Stanton Lee answered one acre. He said 56 acres were sold for the development. Mr. Gill asked do you own the house. Mr. Stanton Lee answered I own the house. Mr. Gill asked are you concerned with the development around it. Mr. Stanton Lee said I am concerned about the quality of the development not the development. Mayor suggested they come to the next zoning meeting. He asked is there any other issues on this ordinance. No one approached the Council.

Mayor continued with the public hearing on Ordinance #367-budget amendment 08/09 fiscal year-2nd reading by asking if anyone would like to approach Council. No one approached so Mayor closed the public hearing at 7:18 p.m. and opened the regular meeting. All present for the public hearing were present for the regular Council meeting.

A motion was made by Nicholson, seconded by Johnson to approve all three sets of minutes with noted changes. Motion passed unanimously by voice vote.

Public Forum: No comments.

City Attorney:

Ms. Noe asked to meet with Mayor and Council for an attorney/client privileged meeting.

Old Business:

The first order of business was the second reading of Ordinance #364-amends Ord 179 parking for mini storage warehouse. A motion was made by Nicholson, seconded by Johnson to approve Ordinance #364. Motion passed with a roll call vote of: Nicholson-yes, Johnson-yes, Allen-yes, Gill-yes, LaCrosse-yes, and Mayor-yes.

A motion was made by Johnson, seconded by Nicholson to approve Ordinance #365-amend personnel policy-vacation time-2nd reading. Motion passed with a roll call vote of: Johnson-yes, Nicholson-yes, Allen-yes, Gill-yes, LaCrosse-yes, and Mayor-yes.

A motion was made by Gill, seconded by LaCrosse to approve Ordinance #366-zonig map change-Hwy 12S-2nd reading. Mr. Allen asked does it have anything to do with preserving the house or can that be done with this ordinance in effect. Mayor said the ordinance doesn't address that. He said instead of a conceptual plan it will change it to something planning and zoning can accept. Mr. Johnson said are you saying that changes can be made. Mayor answered yes, the site plan has not been approved. Mr. LaCrosse said I understand his concerns and would like to see if we can ask the developer to meet with the historical society and the Lee's. Motion passed with a roll call vote of: Gill-yes, LaCrosse-yes, Johnson-yes, Nicholson-yes, Allen-yes, and Mayor-yes.

A Motion was made by Johnson, seconded by Gill to approve Ordinance #367-budget amendment 08/09 fiscal year -2nd reading. Motion passed with a roll call vote of: Johnson-yes, Gill-yes, Nicholson-yes, Allen-yes, LaCrosse-yes, and Mayor-yes.

New Business:

Public works:

Mr. Fenton told Mayor and Council he had sent them a retail update this morning. He said AO Smith had gotten approval from the Department of Labor to get their employees unemployment. He said Roger Manufacturing was waiting to hear from insurance. Mr. Fenton said Homax is up and running and they donated cleaning supplies for flood victims. He said R E West is donating trucks, and Triton has donated a fork lift for the center at Fred's. Mr. Fenton said at this time he didn't know of any businesses that are not coming back. Mr. Fenton said they will be going forward with the Pleasant View portion of the market survey. He told Council that the census figures from the mail out had come back with Cheatham County having the highest number returned at 79%. He said that Mayor Norwood may have to buy lunch based on the mail in return. Mr. LaCrosse said he didn't receive a census form either in the first or second mailing.

Mr. McCormick said he would like to thank everyone involved with the flood clean up. He thanked Mayor Norwood for being by our sides the whole time, and Chuck for the use of the fire truck. Mr. McCormick said we started cataloging the flood damage today and the numbers are: Shop-\$800,000.00, waste/water treatment plant-\$1,000,000.00, and the office-\$100,000.00. Mayor said it will take \$510,000.00 to get the waste/water plant up and running. He said this is on the building and to bring all pumps up, change to a chlorine blend, and purchase glassware and lab equipment. Mayor said this is about \$300,000.00 less than guessed. Mr. McCormick said the shop figure is counting the bucket truck. He went on to say the water treatment plant is \$80,000.00 to \$90,000.00 as the intake pumps are damaged.

A discussion ensued on reimbursement from FEMA and other avenues for reimbursement. Mr. Edrington said he had gone with Mr. Fenton to the State to check on avenues for reimbursement and found their budgets are pretty much spent. Mr. Fenton stated Work Force Essentials is working on funds to help the unemployed to get back to work. He said their request was for about 100 people.

Mr. Edrington said we are going to get assistance through FEMA. He said FEMA's damage assessment team will be here tomorrow. He said we will want to put our assessment in separately. Mr. Edrington said they will put in GIS co-ordinates and go to all the sites with flood damage. Mr. Fenton told Council FEMA has three avenues of funds they are immediate needs funds, emergency work, and permanent work. He said the minimum amount of time is six months to get a check. Mr. Edrington said it is unknown about energy funds. He said I do not know if the State is going to do that or not. Mr. LaCrosse said with the urgency of the sewer plant wouldn't they want to fast track it. Mr. Edrington said we are not Nashville I don't know.

Mr. Edrington gave them reimbursement figures of 75% guaranteed, and if the State chips in it will be 12% but that hasn't passed legislature yet. He said this is to cover everything above normal services, such as overtime and equipment. Mr. Edrington said we need to stage projects from small to large because small projects are quicker to get funding.

Mr. LaCrosse said at the meeting last Thursday with Cooper and Johnson there was talk about loss revenue from water. Mr. Edrington said FEMA typically won't pay for loss revenue, but they would pay for water purchased from Pleasant View. Mr. Allen asked is this after they do their assessment of the damage? Mr. Edrington answered they will assess at \$3.00 per capita, and it is helpful to identify as much damage as possible. He said the biggest question I have is if we can get INF money. Mayor asked are the funds only available for a certain time frame. Mr. Edrington answered yes, for debris removal and mitigation it is six months and all other is eighteen months. Mr. Edrington said he gave Thomas an estimate of \$603,000.00 in emergency work for the water system's intake, and sewer system distribution. He told Council that roads, parks, and public works are all part of this, and they should identify as many projects as possible. Mr. Johnson asked are they applying tomorrow. Mr. Edrington answered no, they are assessing tomorrow and making sure everyone meets the threshold for assistance.

Mayor said you talked about roads, bridges, and the building on the by-pass would that be a different program. Mr. Edrington said no, but we need to be sure there is no conflict with insurance. Chief Walker said Joe Kennedy with TEMA said the building will qualify. Mr. Edrington said you will need to assign a point of contact as coordinator to work with FEMA.

Mayor said our biggest issues are the waste-water treatment plant, office space, and raw intake. He said we are building a very sizable debt. Mayor went on to say we need that building. He said we are renting office space that is not adequate. Mayor asked if they call it immediate needs how does it take six months to get a check. Mr. Edrington answered FEMA calls it INF and the State has to put together the request for the funds so it's up to the State. Mayor said there is a lot of money going out and not a lot coming in.

Mr. Fenton said there is a meeting Friday of the ECD to see how the emergency funds will be handled. Mr. Edrington said there is a way to put these projects together in the right way, and the sooner you get them in the better. Mr. LaCrosse asked Greg, do you feel adequately prepared for the meeting with FEMA. Mr. Edrington answered as well as I can be. Mr. LaCrosse said we can't spend money we don't have to. He said we need to have our fund balances where they need to be to meet our bond payments. Mr. LaCrosse said Phyllis needs to prepare a revenue estimate backing out AO Smith for six months to see how we will get through this. He said we need to keep in mind 25% or 12% will have to come from local agencies. Mr. Edrington said the 12% is your part, and it has to be spent first. Mr. LaCrosse said we can't spend if we have a bond payment that needs to be paid so we have to be careful to make this thing work.

Mr. McCormick said I met with an EPA representative today and one from the State Pollution agency. He said they have been understanding about the waste water treatment Plant. Mr. Edrington said there are eight plants totally under water.

Mr. Edrington complimented Thomas, Public Works employees, and everyone for their hard work. He said Pleasant View helped us and he wished the connection had been larger than 6", but we got water.

A motion was made by Johnson, seconded by Gill to approve Ordinance #368-10/11 budget on 1st reading. Motion passed with a roll call vote of: Johnson,-yes, Gill-yes, LaCrosse-yes, Allen-yes, Nicholson-yes, and Mayor-yes.

Mayor said next on the agenda is the Andrea Lane- exercise instructor-Senior Center-contract. Ms. Noe said this is the same contract just with the dates changed. A motion was made by Johnson, seconded by Gill to approve the Andrea Lane-Senior Center-contract. Motion passed with a roll call vote of: Johnson-yes, Gill-yes, Nicholson-yes, Allen-yes, LaCrosse-yes, and Mayor-yes.

Ms. Noe said the TDOT contract is for the downtown project amended with new funds, otherwise, it is the exact same contract. She said the funds are \$885,566.56 for construction of the entire project. Mayor said that figure is not accurate. Ms. Schaeffer said she would have to check the figures. Mr. Young said the contract is for the downtown project and it is adding the trail into it. Ms. Noe said she would check the figures with Phyllis. A motion was made by Johnson, seconded by Nicholson to approve the TDOT contract-downtown project contingent on correct figures. Motion passed with a roll call vote of: Johnson-yes, Nicholson-yes, Allen-yes, Gill-yes, LaCrosse-yes, and Mayor-yes.

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

A motion was made by LaCrosse, seconded by Johnson to defer Parks skateboard area. Motion passed unanimously by voice vote.

Mayor recessed the meeting at 8:05 p.m. for an attorney/client privileged meeting. Mayor reconvened the meeting at 8:37 p.m.

Other:

A motion was made by Johnson, seconded by Gill to give Mayor the authority to negotiate with Mr. Radford to terminate the Radford contract. Motion passed with a roll call vote of: Johnson-yes, Gill-yes, Nicholson-yes, Allen-yes, LaCrosse-yes, and Mayor-yes.

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

A motion was made by Johnson, seconded by Gill to adjourn. Motion passed unanimously by voice vote. The meeting adjourned at 8:39 p.m.

Gary Norwood, Mayor

Phyllis Schaeffer, City Recorder