

Regular Meeting of the
Board of Mayor and Council
Ashland City, Tennessee
November 9, 2010

The Board of Mayor and Council met in regular session on November 9, 2010 at 7:00 p.m. in the Municipal Building.

Present and presiding: Mayor Gary Norwood.

Council present: Steve Allen, Awilda Binkley, Jimmy Gill, Rick Johnson, and Chris LaCrosse.

Council absent: Jim Yates.

Others present: Thomas McCormick, Marc Coulon, Michael Armstrong, Donald Binkley, David McCullough, Wade Reed, Chuck Walker, Tony Young, Tim Adkins, Bill Stinnett, Paul R. Gupton, Anita Justice, Zach McCarver, Jennifer Noe, Mary Glasgow, and Phyllis Schaeffer.

Mayor Norwood advised before we start the meeting Judge Stinnett was here to swear in the new Council member, Awilda Binkley. After Ms. Binkley was sworn in the Mayor welcomed her to the Council.

Mayor began the meeting at 7:00 p.m. with the public hearing on Ordinance #375 – Flood Review Board Compensation. Mayor advised if anyone had any issues or concerns' regarding this ordinance now was the time to approach Council. There being no comments Mayor closed the public hearing at 7:08 p.m. and commenced with the regular meeting.

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

A motion was made by LaCrosse, seconded by Gill to approve the regular minutes for October 12th. Motion passed unanimously as typed.

A motion was made by Gill, seconded by Johnson, to approve the Special Called meeting for October 19th. Motion passed unanimously to approve as typed.

Public Forum:

Cheatham County Mayor David McCullough approached Council and said it has been a joy to work with Mayor Norwood and the city Attorney. He is willing to serve and work with the city.

Attorney:

Ms. Noe passed out some documents. This has been previously passed through a resolution to enter into negotiations with A O Smith but she has the contract to present to A O Smith tomorrow and wanted their blessing. Ms. Noe said Exhibit A was a legal description of the property this is the large tract. There is a smaller parcel that will also be included in this purchase as well. Ms. Noe said this contract sets forth this purchase from A O Smith. Ms. Noe pointed out this is a provision they would have right of first refusal. On page 7 #15 is a gas easement fro A O Smith to have access. Also, on page 7 # 12 is a plant closure provision that they will remain at least 7 years or we would recapture an amortized portion over

that period of time. Our portion is like 16.4% based upon what the county is paying on the total package. We will not know the total acreage until this is surveyed. Lee Davidson will do the phase 1 study. Mayor said he spoke with Lee Davidson and he is supposed to send another contract that will be less than the first one. Mr. Gill asked who pays for this. Ms. Noe said it will be divided by the 16.4% and the county will pay the rest. Mr. LaCrosse asked Ms. Noe if she was satisfied with this and she said yes. There was much discussion from Mr. Gill on the restriction for zoning he thought that would lower the value of the property by having a residential restriction. Mayor said he wants this property to be used for parks/recreational purposes. Ms. Noe was asked if there was any way to change this restriction in the future if it were needed. Ms. Noe replied yes, it would be very hard as this would be attached to the deed but you could go to court and attempt to have it changed.

Mr. Allen asked after the 7 years would A O Smith owe us any money back. Ms. Noe said after the 7 years no before that it would be pro-rated. Ms. Binkley asked if we had any plans for this property. Mayor said at this time no. Lee Davidson advised him that we could use the payment of this property as a match for a grant. You have up to one year. After much more discussion a motion was made by LaCrosse, seconded by Allen to approve the sales agreement. Motion passed with a roll call vote of: LaCrosse-yes, Allen-yes, Binkley-yes, Gill-yes, Johnson-yes, and Mayor-yes.

Ms. Noe then said she had another contract with A O Smith for an easement the city is requesting it is an old road that used to be the entrance to A O Smith this easement will give us access to the back side of the waste water treatment plant for trucks bringing in chemicals. We will have to have this surveyed; improvements and the gates will be at our expense. A motion was made by LaCrosse, seconded by Johnson, to approve the easement agreement with A O Smith. Motion passed with a roll call vote of: LaCrosse-yes, Johnson-yes, Gill-yes, Allen-yes, Binkley-yes, and Mayor-yes.

Old Business:

A motion was made by LaCrosse, seconded by Johnson, to approve Ordinance #375- Flood Review Board Compensation on 2nd reading. Motion passed with a roll call vote of: LaCrosse-yes, Johnson-yes, Binkley-yes, Allen-yes, Gill-yes, and Mayor-yes.

New Business:

A motion was made by LaCrosse, seconded by Gill to approve Ordinance #376 – amend Article III Section 3.120 adding item H. Site plan exception and 3.140 landscape treatment regulation Section G-2. Adding section A. Exceptions – on 1st reading. Mr. Armstrong said that this ordinance is for those that need a minor change upgrading up to 25% they would have the flexibility to do that change and have the codes dept do the review if it is over 25% then it would have to be brought before the planning commission. This just gives them more flexibility. Mr. LaCrosse said it is designed to make it user friendly for small businesses and not so expensive for minor changes. Motion passed with a roll call vote of: LaCrosse-yes, Gill-yes, Binkley-yes, Allen-yes, Johnson-yes, and Mayor-yes.

A motion was made by Johnson, seconded by LaCrosse to pass Resolution 2010-06. Motion passed unanimously by voice vote. Mr. LaCrosse said this was just for approval and support they were not asking for any funds.

A motion was made by Johnson, seconded by Allen to approve the Industrial Electric Services Contract in the amount of \$189,850. Ms. Noe said this had already been awarded through the bid process but due to the large amount she thought it would be a good idea to have a contract. Motion passed with a roll call vote of: Johnson-yes, Allen-yes, LaCrosse-yes, Gill-yes, Binkley-yes, and Mayor-yes.

Mr. McCormick said he recommends Nalco for the chemical re-bid – Coagulant Delta Flocc. A motion was made by Gill, seconded by Binkley to award the bid to Nalco Company. Motion passed by roll call vote: Gill-yes, Binkley-yes, Allen-yes, LaCrosse-yes, Johnson-yes, and Mayor-yes.

On the generator repair re-bid Mr. McCormick recommended Nixon Power Services in the amount of \$14,653.70. A motion was made by Johnson, seconded by Gill, to award the bid to Nixon Power Services. Motion passed with a roll call vote of: Johnson-yes, Gill-yes, Binkley-yes, Allen-yes, LaCrosse-yes, and Mayor-yes. Mayor asked if this was only for a rebuild. Mr. McCormick replied yes, FEMA said they would only approve a re-build.

Mr. McCormick said he has received some prices on a bucket truck and just wanted the Council to be aware he would be putting the purchase of a bucket truck out for bid.

A motion was made by Gill, seconded by LaCrosse to approve payment on the Chandler Surveying invoice in the amount of \$3,500. Mr. Allen declared that this was his nephew. Motion passed with a roll call vote of: Gill-yes, LaCrosse-yes, Johnson-yes, Binkley-yes, Allen-yes, and Mayor-yes.

A motion was made by Johnson, seconded by Binkley to approve both invoices from Goodwyn Mills and Cawood in the amounts of \$2,309 and \$190. Motion passed with a roll call vote of: Johnson-yes, Binkley-yes, Allen-yes, Gill-yes, LaCrosse-yes, and Mayor-yes.

Other:

Mayor asked Chief Walker about the budget meeting on the 16th. Chief said yes, he would be there on the fire tax. Mayor asked Mayor McCullough if he would attend, and advised that Mayor McCullough had already met with them on the fire tax and he certainly appreciated that. After some thought they said Mayor McCullough would not need to attend this meeting.

Mr. Allen asked about having Children at play signs put up on Eisenhower Dr. Mr. McCormick said TML frowned on that as it creates a liability for the city. Mayor said that it gives parents a false sense of security allowing their children to play in the street. Mayor said you can request a lower speed limit on the road.

Mr. LaCrosse asked Thomas about the water loss report and asked him to refigure it.

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, Allen-yes, Binkley-yes, and Mayor-yes.

Mr. LaCrosse said before we leave he would like to say unfortunately there was an incident in our community that shook up the community and he wanted to thank the police dept for their quick response and a job well done.

A motion was made by Johnson, seconded by Gill to adjourn. Motion passed unanimously by voice vote. Meeting adjourned at 8:14 p.m.

