

Regular Meeting of the
Board of Mayor and Council
Ashland City, Tennessee
April 10, 2012

The Board of Mayor and Council met in regular session on April 10, 2012 at 7:00 p.m. in the Municipal Building.

Present and presiding: Mayor Rick Johnson.

Council present: Steve Allen, Alwilda Binkley, Lisa Walker, Jimmy Gill, Jim Yates, and Chris LaCrosse.

Others present: Michael Armstrong, Melissa Womack, Tony Young, Phillip Johnson, Gary Norwood, Gary Binkley, Daniel Crone, Sharlene Crone, Pat Biggs, Samantha Childress, Casey Crone, Jessica Armstrong, Fred C. Biggs, Sr, Billy Harris, Dwayne Noe, Anita Justice, Marc Coulon, Chuck Walker, Jennifer Noe, Paul R. Gupton, Mary Glasgow and Phyllis Schaeffer.

Mayor Johnson said we will begin the meeting with a public hearing on ordinance #393. If anyone would like a copy of this please see Phyllis and she will give a copy to you. This ordinance puts us in compliance with state law. Is there anyone from the public that would like to address this ordinance? There being none the Mayor closed the public hearing.

All those present above were present for the regular meeting.

Mayor Johnson said before we get started he would like to make some changes to this agenda. He would like to bring G. FEMA – sewer plant to the top of new business and add a proclamation from MADD – Mothers against Drunk Driving to the agenda.

A motion was made by LaCrosse, seconded by Allen, to approve the March minutes as typed. Motion passed unanimously by voice vote.

Public Forum:

Mayor Johnson said we have several dignitaries in the house tonight but before we get started. Paul Robert would you do the invocation.

Mayor Johnson said he would like to recognize Representative Phillip Johnson and asked that he come up to the front. Representative Johnson said as in the prayer he would also like to share that God used ordinary people to do great things. He has a special situation tonight that he would like to share. Representative Johnson asked Casey Danielle Crone to join him at the podium. It is an honor to have Casey Crone here with us tonight. This young lady at 13 years old, riding home with her father outside of Atlanta, he had a heart attack, and at 13 Casey knew what to do, she grabbed the wheel and since she couldn't reach the gas pedal she turned off the ignition and steered the vehicle off to the side of the road where she was able to flag down a police officer. The Tennessee General Assembly and Senator Tim Barnes along with myself have presented a resolution #760 to recognize Casey for her heroism in doing the right thing. Representative Johnson asked Casey's parents to join him in recognizing Casey. Mr. Crone said thank you, she has always been a hero to me. Mr. Crone also wanted to thank the donors as he received a heart on January 6th. Mr. Crone thanked Case for her actions and for acting so

responsibly “but this is a special one for me”. Mr. Crone thanked Representative Johnson for recognizing Casey. Mrs. Crone said she just wanted to say “Thank you”.

Representative Johnson said now for the fun part. He has one more little gift. He asked Jennifer to escort former dignitary Gary Norwood, to the podium. Representative Johnson has this opportunity to present this resolution, along with Tim Barnes, for the astute services by Gary Norwood. I have served with many of you as well as Gary and I could not have asked for a better colleague to work with through local and state issues. I was very fortunate to get to know you during my political career. You have done a great job as Mayor; you were great at putting the right people together. I get that you put great people around you. Thank you for your service. I present this resolution honoring past Mayor Gary Norwood. Mr. Mayor and Council, thank you.

Mayor and Council my name is Gary Binkley, I would like to add a story about Casey; on her father’s birthday Casey hit a grand slam home run. Tonight I would like to officially announce my candidacy in running for the Tennessee House of Representatives in the 78th district. This will be a hard act to follow but I will work hard. I think we owe Representative Phillip Johnson a round of applause also. In closing I thank you for your vote, support, and time.

Mayor Johnson asked if there was anyone else that would like to approach the Council. Seeing none Mayor Johnson went on to the next order of business, Jennifer.

Attorney:

Ms. Noe said she would like to discuss their meeting with the other cities Kingston Springs and Pegram, Pleasant View City doesn’t have a contract. Ms. Noe asked if they wanted her to discuss this now as it is on the agenda. Mayor replied she could discuss it now. Ms. Noe said they discussed a 5 year contract with the provision if there is any substantial change in a rural district it would allow for re-negotiations. Also discussed the increase in funds each year, and to change the \$200,000 being donated going to the firefighters association instead of being held by the county EMA office. The increase will be 3% as in previous contract. There is an agreement with the emergency medical services and they would like to incorporate this into the contract. MS. Noe would like to propose by May 1st so county budget can vote, it seems to be the consensus of everyone and all would like to move forward to have in place by July 1st. Chief Walker said if not in place by July 1st our current contract expires. Our TML insurance co advised that we would be liable if not under contract we don’t fall under the tort liability limit; the sky would be the limit. TML advised if not under contract not to go as a first out but we could go as mutual aid. If we do not have a new contract in place 7/1 we will not be covered under tort liability. The rural areas think it is only fire protection they do not realize 80% of the calls are for wrecks, medical calls and other services. This needs to get passed. Hopefully the county will vote this coming Monday. Ms. Noe said as far as budget goes it will be the same amount as previously shown with the 3% increase. Mayor Johnson said Jennifer, you are asking for permission to draft a letter and contract for me to sign. Ms Noe replied essentially yes, if Council would give approval to move forward. We need to get this done so we have our budget passed by July 1st. Mr. LaCrosse said you need this ASAP to give the county time to look it over. Ms. Noe replied she needs the authority to send a contract with a letter to the county. A motion was made by Yates, seconded by LaCrosse to authorize Ms. Noe to draw up a contract and letter to the county. Motion passed with a roll call vote of: Yates-yes, LaCrosse-yes, Gill-yes, Walker-yes, Binkley-yes, Allen-yes, and Mayor-yes.

Chief Walker said they did not purposely leave out Two Rivers, Pleasant View, and Henrietta they don’t fall under the budget, they need the money to run, but they are 501C3 and that is why we met without

them. Mr. Gill asked if they came off of the ISO rating. Ms. Noe said that is not our responsibility. Chief Walker replied he thinks they are coming off of that some.

A motion was made by Yates, seconded by Binkley to approve Ordinance #393 – amend ord 179 zoning ord – Non-conforming use – on 2nd reading. Motion passed with a roll call vote of: Yates-yes, Binkley-yes, Walker-yes, Allen-yes, Gill-yes, LaCrosse-yes, and Mayor-yes.

The next item on the agenda is FEMA – sewer plant – Ms. Noe said they have been approved for the grant possibly in the amount of \$250,000 the Mayor said with the money we have to work with we are getting things done at the plant. Mr. Harris said they have some things left to do Rick Greer is coming to finish up his work and the figures he gave us are still the same.

Mr. LaCrosse asked if we heard anything new. Ms. Schaeffer replied she heard from Corey Spaulding and 2 of our projects that were in the easement issue have been reversed and they are on his desk to a lot the proper amount of money as approved. Mr. Spaulding asked when Turkey Junction had been built. Tony Young replied in 2001.

Ms. Noe replied the contract with the railroad for our use on the railroad bed (down by Water St) she thinks the contract is fine. They will be charging \$250 annually and we have to maintain the property. Mr. Young said his big issue was if our name is on it then we should be able to say how it is to be used; he doesn't mind paying but right now trash is being dumped on it and this would be a way to say how it will be used. Mr. LaCrosse said he is ok with paying the \$250 so we will have the property for parking if needed as the property being used now could be sold.

Dwayne Noe said they are coming to clear the property; Wednesday afternoon they will bring in the equipment and begin clearing Thursday and Friday. A motion was made by LaCrosse, seconded by Gill to enter into the contract. Ms. Noe said the contract is fine and is with us and Western Railroad; she wants to make sure that Cheatham Rail Authority has no issues with us sub-leasing it. Ms. Binkley said there are no issues they are in complete control of it. Motion passed with a roll call vote of: LaCrosse-yes, Gill-yes, Yates-yes, Allen-yes, Binkley-yes after declaring a conflict, Walker-yes, and Mayor-yes.

Mayor Johnson said the only person to discuss on water billing was Ms. Josephine McMahan, she has lived here for years and her water was cut off while she was in the hospital, he would like to reimburse her for the re-connection fee. A motion was made by LaCrosse, seconded by Binkley to reimburse the cut off fee. Motion passed with a roll call vote of: LaCrosse-yes, Binkley-yes, Allen-yes, Walker-yes, Gill-yes, Yates-yes, and Mayor-yes.

A motion was made by Yates, seconded by Allen, to accept the audit contract with Yeary Howell and Associates. Motion passed with a roll call vote of: Yates-yes, Allen-yes, Binkley-yes, Walker-yes, LaCrosse-yes, Gill-yes, and Mayor-yes. Ms. Schaeffer said the amount was the same as last year.

Chief Coulon said he had a surplus list of items to put out to auction on the 1st page the 2nd page was items to donate to other departments and the 3rd page is the list of radar units to be donated. The other departments have their items listed to be surplussed. A motion was made by Yates, seconded by Binkley to approve the lists to surplus. Mayor Johnson said the county wants to go in with us and surplus their items at the same time maybe more people will attend. If we can work out a date we will. Motion passed with a roll call vote of: Yates-yes, Binkley-yes, Walker-yes, Allen-yes, Gill-yes, LaCrosse-yes, and Mayor -yes.

Chief Coulon said he would like to have the bid approved to Dickson Office Supply. A motion was made by LaCrosse, seconded by Gill to award the furniture bid to Dickson Office Supply. Motion passed with a roll call vote of: LaCrosse-yes, Gill-yes, Yates-yes, Allen-yes, Binkley-yes, Walker-yes, and Mayor-yes.

On the Lafferty invoice Mayor said he sent an email saying the color of the concrete doesn't match and they said it did. Mr. Noe said he wants to seal it from Sycamore St. to the Shell Station but would like for it to be the right color. He thinks a meeting should be held with the Mayor, Jennifer and Chris Camp without Mr. Cherry being present. Mayor said he would work on that. Mr. LaCrosse asked if was all supposed to be one color. Gary Norwood replied yes, all but the crosswalks. Mr. Noe said the only problem was with the color.

Mr. Noe asked for permission to put street paving out to bid. This will be for Bell St, Stratton Blvd, and Caldwell Rd from Hwy 12S to Ross Hollow, the public works parking lot and Fire Station II if Chief Walker wants to include it; this will come out of his budget. We will get a better price if we do it all together. Mr. LaCrosse said the reason we were holding off is to mill Stratton Blvd. Mr. Noe replied yes, it will be expensive to mill down Stratton Blvd.

A motion was made by LaCrosse, seconded by Binkley to give permission to advertise for a paving bid. Motion passed unanimously by voice vote.

Mayor said we have had success on the water issue as the ballpark. Mr. Noe said they have cleaned out ditches and put culverts in at the ball park. Culverts have been placed at the Bradley property and the Kemp property. They, along with Tony's dept have cleaned out the weeds at Mulberry; they have placed creek rock down and will put limestone on top of that. There will be 20-25 parking spaces. They have also helped softball haul off concrete. Tony said they had a grant that needed to be finished by the 20th.

Mr. Noe said they found a leak that we are losing 150,000 gallons a day; the leak is under the bridge. They found the leak on the 24th or 25th and have valved it off until they can repair it. This will help with our water loss. They also have found a couple of hydrants that are not shutting down.

Mayor Johnson asked if everyone had time to look over the MADD proclamation. A motion was made by Binkley, seconded by Allen to authorize the Mayor to sign the proclamation upon Jennifer's approval. Motion passed unanimously by voice vote.

Mr. Allen said he had asked a question last week on Caldwell Road – does the city stop on the city side or in the middle of the road. Gary Norwood replied they went 50/50 in the middle of the road. In the past if it was repaired we coordinated with the county.

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

A motion was made by LaCrosse, seconded by Gill to adjourn. Motion passed unanimously by voice vote. Meeting adjourned at 7:55 p.m.

