

Regular Meeting of the
Board of Mayor and Council
February 8, 2011

The Board of Mayor and Council met in a regular session on February 8, 2011 at 7:00 p.m. in the Municipal Building.

Present and presiding: Mayor Gary Norwood.

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

Others present: Zach McCarver, Fred Enters, Rick Nute, Dwyot Thornton, Michael Armstrong, Thomas McCormick, Marc Coulon, Chuck Walker, Tony Young, Randy Walker, Tim Adkins, Cindy Raymond, and Jennifer Noe.

Mayor called the meeting to order and started with the public hearing on ordinance's 377,378,379 and 380.

Mayor started with ordinance #377. If there is anyone that has concerns now is the time to approach the Council. No one came forward. Mayor Norwood went on to ordinance #378 and said if anyone had any concerns or issues regarding this ordinance please come forward. This ordinance deals with changing the square footage on minimum lot sizes. There were no comments. Mayor Norwood went to Ordinance #379 asking if anyone had any issues or concerns now was the time to come forward. Again, no one came forward. Mayor went on to the last ordinance stating this was just a cleanup ordinance to meet state requirements. If anyone had any concerns to voice now was the time to do so, if not the public hearing would close. There were no comments so Mayor Norwood closed the public hearing and commenced with the regular meeting.

Those present for the public hearing were in attendance for the regular meeting.

A motion was made by LaCrosse, seconded by Yates, to approve the January minutes. Motion passed unanimously by voice vote.

Public Forum:

Mr. Fred Enters approached and said he resides at 1001 Cumberland View Ashland City and he has a concern with the Lion's Club water bill. Mayor said it looked like a good size leak and understood it was from the ice machine. This was leaking from July through October. Mr. Enters said the city did give a credit for one month but he would like all of them be brought to an average bill. After much discussion a motion was made by Gill, seconded by Johnson, to give a credit of the 515 dollars that he is requesting. Mr. LaCrosse said he would like that amended to be bring bills to an average bill of \$42.45 Motion passed with a roll call vote of Gill-yes, Johnson-yes with a conflict, LaCrosse-yes with a conflict, Yates-yes with a conflict, Binkley-yes, Allen-yes, and Mayor-yes.

Mr. Rick Nute approached Council about his water bill. He said he had the leak fixed, than the next month he had a leak in an outside pipe which has also been repaired. Mr. Nute said the meter is stopped and is not running. He would like his current bill adjusted and has a concern about the upcoming bill as the reading is high just for the past 10 days. A motion was made by LaCrosse, seconded by Binkley, to pay an average bill this month and come back next month and we will adjust both bills at that time. Mr. Allen said he would like to see the motion amended to adjust both bill and have the front

office take care of it. Mr. LaCrosse and Ms. Binkley withdrew their motion and second and the motion was restated to have the front office adjust both of the bills. Motion passed with a roll call vote of: LaCrosse-yes, Binkley-yes, Allen-yes, Gill-yes, Yates-yes, Johnson-yes, and Mayor-yes.

Old Business:

A motion was made by Yates, seconded by Allen, to approve Ordinance #377-personnel policy-vacation time on 2nd reading. Motion passed with a roll call vote of: Yates-yes, Allen-yes, Binkley-yes, Gill-yes, Johnson-yes, LaCrosse-yes, and Mayor-yes.

A motion was made by LaCrosse, seconded by Yates to approve Ordinance #378-amend zoning ord. 179-minimum lot size on 2nd reading. Motion passed with a roll call vote of: LaCrosse-yes, Yates-yes, Johnson-yes, Gill-yes, Binkley-yes, Allen-yes, and Mayor-yes.

A motion was made by Allen, seconded by Binkley, to approve Ordinance #379-Standard Codes on 2nd reading. Motion failed with a roll call vote of: Allen-yes, Binkley-no, Gill-no, LaCrosse-no, Yates-no, Johnson-no, and Mayor-no.

A motion was made by Johnson, seconded by Allen, to approve ordinance #380-Intoxicating Liquors on 2nd reading. Motion passed with a roll call vote of: Johnson-yes, Allen-yes, Binkley-yes, Gill-yes, LaCrosse-yes, Yates-yes, and Mayor-yes.

Ms. Noe said on Resolution 2011-01-Fees; her research showed that TDOT charges 10-15 for their accident reports but most of the Municipalities stick with the .15 cents a page. The statute says you can charge more but then you have to justify the charge and provide documentation. Mayor Norwood said he would like to see this deferred to the workshop and have Marc come up with the actual cost to make a copy.

A motion was made by Yates, seconded by Johnson, to approve Resolution 2011-02-Support for the THDA HOME Grant. Motion passed unanimously by voice vote.

A motion was made by Gill, seconded by LaCrosse, to accept Barge and Cauthen to be the inspectors on this HOME Grant. Motion passed with a roll call vote of: Gill-yes, LaCrosse-yes, Binkley-yes, Allen-yes, Johnson-yes, Yates-yes, and Mayor-yes.

A motion was made by LaCrosse, seconded by Johnson to accept Raymond Associates to be the administrators of the HOME Grant. Motion passed with a roll call vote of: LaCrosse-yes, Johnson-yes, Yates-yes, Gill-yes, Allen-yes, Binkley-yes, and Mayor-yes.

A motion was made by Yates, seconded by Johnson, to approve Resolution 2011-03-amend cafeteria plan under Section 125-PPACA. Motion and second were withdrawn. Resolution deferred to next month.

After a discussion on the Pyroshows contract and Summerfest a motion was made by Yates, seconded by Gill, to accept the Pyroshow Contract in the amount of \$10,000. Motion passed with a roll call vote of: Yates-yes, Gill-yes, Binkley-yes, Allen-yes, LaCrosse-yes, Johnson-yes, and Mayor-yes.

The next item was the contract between the Senior Center and MCHRA. Ms. Noe said there were changes she felt were needed. Mayor advised that Ms. Noe should make the changes and highlight

them and bring this back up at the workshop so everyone will have a chance to look over the changes. Everyone was in agreement.

Ms. Noe said the contract with Stantec should be amended in that this contract involved the expansions at Trinity and the repairs involving flood/FEMA. The contract was for \$5,000 this amount has been gone through. Ms. Noe is asking that we extend the contract for another 5,000. This is a pass through to Trinity. Ms. Noe said Stantec said we did not have to do another contract but just an email stating that another 5,000 was approved. A motion was made by LaCrosse, seconded by Yates, to approve an additional \$5,000 to Stantec. Motion passed with a roll call vote of: LaCrosse-yes, Yates-yes, Johnson-yes, Allen-yes, Gill-yes, Binkley-yes, and Mayor-yes.

The next item was the liquor store license renewals. Chief Coulon said that he just wanted to clarify that he did a criminal history check statewide, that you could not run NCIC-which is nationwide. So if they went out of state and got into any trouble there is no way to find out. Ms. Noe also advised that the store on Mulberry still had 2 more people that had to come in and have their histories run. A motion was made by Gill, seconded by Yates, to approve all the licenses but contingent on the 2 others coming in on the Mulberry store. Motion passed with a roll call vote of: Gill-yes, Yates-yes, Johnson-yes, Binkley-yes, Allen-yes, LaCrosse-yes, and Mayor-yes.

A motion was made by Yates, seconded by Gill to approve the request to bid out the mowing for the parks. Motion passed unanimously by voice vote.

Other:

Mayor Norwood wanted to let everyone know that Phyllis took her exam through the state and is certified. This was important and congratulations.

A thank you note was received from Adrian and Rick on the passing of her father. We will keep them in our thoughts and prayers.

Also, Mayor said he sent out an email stating that in 2 weeks will be Thomas's last day with the city as he is seeking and opportunity in Portland, TN. Mayor wished him the best.

Mr. LaCrosse said he knows Thomas is leaving but every month he asks about the monthly report. Mr. LaCrosse said the water treated looks in line, the water sold looks low and the water loss at 23.8% is high. Mr. McCormick said yes, there have been a lot of leaks and they are still looking for more. Mr. LaCrosse asked if it would be possible to have the water billing report at the budget meeting.

Mayor Norwood also advised that he has called Buddy Wright twice to get a quote for a survey on the Caldwell property.

A motion was made by Allen, seconded by Johnson to annex all of the Caldwell Park into the city. Ms. Noe said she would get with the county attorney and make sure all paper work has been signed and said we would probably be fine if it is inside the urban growth plan. Motion passed with a roll call vote of: Allen-yes, Johnson-yes, Binkley-yes, Gill-yes, LaCrosse-yes, Yates-yes, and Mayor-yes.

Chief Walker said he went to the county to get the check for this year on the fire protection and they only gave him \$100,000 and said they would pay \$100,000 for the next five months.

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

Mr. LaCrosse asked Ms. Noe if she had any good news. Ms. Noe replied she has spoken with Jim Coopers office and provided them with more information and they are going to look into it. She has also drafted a letter to Senator Lamar Alexander's office. Word is beginning to get out.

Mr. LaCrosse asked if she had any clarification of the easements. Ms. Noe replied back in 52-53 when the Dam was put in there were some easements. According to Mike Armstrong Larry Nash said there were no easements. Ms. Noe said she has sent some of the paper work to Stantec for clarification. The biggest thing is the hold harmless but this was monies the Federal government appropriated. So it is like comparing apples to oranges.

Mr. Thornton came forward and said there is a new state swimming pool law that says there has to be an alarm on swimming pools but at 15 pounds the wind and birds can set it off. Before a final electrical permit can be approved the alarm will have to be on the pool. This is not for existing pools but on new pools. Mayor thanked Mr. Thornton.

A motion was made by Johnson, seconded by LaCrosse, to adjourn. Motion passed unanimously by voice vote. Meeting adjourned at 8:38 p.m.

Gary Norwood, Mayor

Phyllis Schaeffer, City Recorder