

Town of Ashland City
Board of Mayor and Council
July 12, 2016

The Board of Mayor and Council of the Town of Ashland City met in regular session on July 12, 2016 at 6:00 p.m. in the Municipal Building.

Present and presiding: Mayor Rick Johnson.

Council present: Vice-Mayor Steve Allen, Alwilda Binkley, Lisa Walker, Jimmy Gill and Roger Jackson.

Others present: Chris Cherry, Misty Keenan, Bassem Amin, Fred Biggs, Sr. Pat Biggs, Derek Wright, Bradly Ferrell, Linda Marable, Ron Barnes, Dwight Marable, Valerie Kemp Dreier, Sandy Cannon, Adam Carter, Trent Newland, DeWayne Barnes, Wade Reed, Melissa Womack, Tim Adkins, Steven Field, Tony Young, Kellie Reed and Phyllis Schaeffer.

Mayor called the meeting to order at 6:07 p.m. and declared a quorum.

After the invocation; Chief Coulon requested a minute of silence for the police officers in Dallas.

A motion was made by Gill, seconded by Walker to approve both sets of minutes from June 14th and June 28th, 2016 as typed. Motion passed unanimously by voice vote.

Public Forum:

Mr. Dwight Marable approached Council with a request to adjust his water bill. Mr. Marable explained what happened and that the leak was out in the pump house. The leak has been fixed. Mr. Marable turned in an invoice for the repairs and signed the affidavit. A motion was made by Gill, seconded by Allen to adjust his bill to an average. Since this came out of his bank through the ACH Mr. Marable would like a refund. And this also was approved. Motion passed with a roll call vote of: Gill-yes, Allen-yes, Binkley-yes, Walker-yes, Jackson-yes, and Mayor-yes.

Mr. Derek Wright approached from Unity Church he advised they purchased the skating rink and found that the water line is too small and is requesting the city to upgrade the line to a 6" line and to also get a break on the requirement for a sprinkler system as they have a contractor that is ready to get to work. Chief Walker advised that the State Fire Marshall is requiring the building to be sprinkled they would have to be the ones to waive the requirement. The state is involved as it is considered a large occupancy over 300 people. The state goes by the square footage. Mayor asked what does the city need to do to make the water line. Mr. Cherry said the closest line is at Balthrop Perry and Noe on Frey Street and there is also one on Oak street. Mayor said this should be put on the budget agenda for next week. Chief Walker said the Fire Marshall wants to see the pressure go up. Our original line is from the late 30's early 40's. Chief said they would have to look to the state. The only other thing they could do is lower their square footage to get the large occupancy and sprinkler requirements. But they would have to prove they built a wall to cut off the additional footage; then it would be out of the state's hands. Mr. Wright said they had budgeted for the sprinkler system but didn't know it was a 2" line. Chief said they could also put in a tank and line but it would be cheaper for them to put in the water line. Mr. Wright said they are a non-traditional Baptist church and they can be a bright spot to the area. Mr. Cherry said the code says all new lines should be paid for by the developer. Mayor said we can discuss further in the budget meeting next week.

Christy Vanbuskirk approached Council about her water bill. She lives in the Sycamore Place apartments. It is just her and her small child and she is at work all day. The maintenance person for the apartments said there is not a leak and the meter is not running, but her bill was \$513.00. Mayor said that a \$513 water bill was outrageous and we would need to investigate. Mr. Cherry said they would check into it. A motion was made by Gill, seconded by Jackson to reduce the bill to an average, not to exceed \$50. Motion passed with a roll call vote of: Gill-yes, Jackson-yes, Walker-yes, Binkley-yes, Allen-yes, and Mayor-yes.

Trent Newland approached about his water bill at 145 Elizabeth Street his bill was \$224 and he was told he would have to come to Council. He said he has checked for a leak and had checked the meter and he does not have a leak. Mayor asked Mr. Newland if he could sit a minute to give us time to pull his paperwork.

Ms. Valerie Dreier said she missed Mr. LaCrosse and appreciated his service. Ms. Dreier said she was here to talk about the Farmers Market. No one knows what's going on in our little town, no one markets our community. She would like to encourage the city to find someone to manage our website, twitter, facebook, etc. even people downtown don't know what is going on. Sandy has done ok, but she is the Mayor's assistant someone needs to manage the sites.

City Attorney:

Ms. Noe said she was in court Friday on Hidden Lakes the Judge has taken it under advisement and it will be 10-15 days before they know anything.

Ms. Noe said at some point during the meeting the Council would have to accept Chris' resignation and discuss his position.

Also, the fire contract needed to be addressed.

Old Business:

A motion was made by Jackson, seconded by Gill to approve Ordinance #448 – water rates on 2nd reading. Motion passed with a roll call vote of: Jackson-yes, Gill-yes, Walker-yes, Binkley-yes, Allen-yes, and Mayor-yes.

Mayor said A O Smith was not here tonight but our engineer with Stantec is and Mr. Steve Field introduced himself. Mr. Field said he met with CEC the engineers for A O Smith today there has not been much movement since he reviewed the plans earlier. A O Smith's concern is about the borrow site. They would like to do some Geo tech work but they are interested in knowing if the city is in favor of letting them use the borrow site. Mr. Field said they are not diverting the water to the creek; they have not evaluated that yet. There is nothing at this time that would have an adverse effect on the city; not taking all that flow to Puzzle Fool Creek is better using the Tennessee Waltz and then their parking lot is going to be used to hold the water. Mr. Field discussed the removal of the bridge by the wastewater plant if done correctly will help with any flooding in that area it will have a positive impact but he needs to see the plans first. He has yet to see the engineering plans. It is still in the concept stage. Mayor said he has asked them to give us a set of plans and to put request in writing. But we don't have that yet so it will be another month. We will bring it up next month.

Next on the agenda is the certification for wine sales. Ms. Noe said the only thing the Council is doing is checking to make sure there are no felonies in last 10 years and make sure they meet codes. This then goes before the Alcohol beverage commission. Ms. Noe said Marc has done a background check. Chief

Coulon said there are no issues. Mr. Bassem Amin said that he is asking for the certificate for the wine sales. A motion was made by Gill, seconded by Binkley to approve the certification. Motion passed with a roll call vote of: Gill-yes, Binkley-yes, Walker-yes, Allen-yes, Jackson-yes, and Mayor-yes.

A motion was made by Gill, seconded by Allen to approve the Local Government agreement for hardware and software. Ms. Schaeffer said this is our yearly contract and even though we are getting Tyler we need to keep them for now so we need this contract. We just need to remember when we are ready to stop using them we have to give them a 60-day written notice. Ms. Noe said that at the bottom of the page she has marked through 2 sentences on limiting their liability. Mr. Gill said his motion is to approve contract with Ms. Noe's recommendations, Mr. Allen seconded it. Motion passed with a roll call vote of: Gill-yes, Allen-yes, Binkley-yes, Jackson-yes, Walker-yes, and Mayor-yes.

A motion was made by Gill, seconded by Binkley to approve the internal control manual. Mayor asked Ms. Noe if she has read it. Ms. Noe replied she has and it is pretty standard and uses the MTAS guidelines. Motion passed with a roll call vote of: Gill-yes, Binkley-yes, Allen-yes, Jackson-yes, Walker-yes, and Mayor-yes.

The next item is to amend the paving bid to add Ashton Lane and the ADA parking spot at Riverbluff. Mr. Cherry said there is 449,000 in the budget and the original bid was for \$389,000. Mr. Young said that will be enough to give 2 parking spaces. A motion was made by Jackson, seconded by Gill to add both to the bid. 22,846 and 14,670. Motion passed with a roll call vote of: Jackson-yes, Gill-yes, Walker-yes, Binkley-yes, Allen-yes and Mayor-yes.

Ms. Cannon said she is requesting that a part time seasonal position is created for the Farmers Market. She has had to go down there every Saturday morning to open the market, turn on the electric, put out the signs and take care of anything that might come up to help the vendors. She believes maybe a \$100 a week. Also, Ms. Cannon said there was money set aside for the website and we might hire someone to address our social media. There is \$2,500. In the line item she is thinking maybe a \$100 a week for the seasonal market. She can get someone but the position has to be created first and wouldn't start this year until August. Mr. Allen asked if they had to stay there all day it might be hard to get someone for that. The reply was no. Mayor said it could even be one of the vendors. A motion was made by Gill, seconded by Binkley to approve the seasonal position for the market. Motion passed with a roll call vote of: Gill-yes, Binkley-yes, Allen-yes, Walker-yes, Jackson-yes, and Mayor-yes.

Mayor Johnson called Mr. Newland up front to discuss his water problem. Mr. Gill asked if he had found a leak. Mr. Newland replied no, there was not a leak and his meter is not running. A motion was made by Gill, seconded by Allen to reduce his bill to an average. Mr. Jackson told Mr. Newland that his bill can only be adjusted once; one time a year. Motion passed with a roll call vote of: Gill-yes, Allen-yes, Jackson-yes, Walker-yes, Binkley-yes, and Mayor-yes.

Ms. Noe said Council needs to accept Mr. LaCrosse's resignation. Ms. Noe also informed Council that Mr. Blythe, County Attorney sent her the final contract on the fire tax and she has just emailed to Phyllis. Chief Walker informed Council they he knew they wanted to be around \$250,000 on the fire tax contract he went to them with the figure of \$260,000. Every year the contract increases; this is a four (4) year contract. The contract will start at \$255,367. With the 2% increase each year it will bring it at the end to \$267,631. He arrived at this figure by using ½ operational cost and then wear and tear on the trucks. Chief Walker said he is happy with this agreement. A motion was made Gill, seconded by Allen

to approve the county fire tax agreement. Motion passed with a roll call vote of: Gill-yes, Allen-yes, Binkley-yes, Walker-yes, Jackson-yes, and Mayor-yes.

A motion was made by Gill, seconded by Jackson to accept Mr. LaCrosse's resignation with regrets. Motion passed with a roll call vote of: Gill-yes, Jackson-yes, Walker-yes, Binkley-yes, Allen-yes, and Mayor-yes.

Mayor said the city needs to recognize him. Ms. Noe said the Charter sets out that a replacement is done by appointment. That person will have to be a resident of the city for 2 years, live in Ward and can't be a felon. We will need to advertise and they can send their application to City Hall. Mayor asked if it could be part of an election. Ms. Noe advised that it was too late as the deadline has passed to have on this election. If waited until November the city would have to pay this cost. Ms. Noe said that it should be done by appointment to fill out the remainder of the term. The Charter is clear about an appointment by the Board. Mr. Allen said we may interview 2-3 individuals does it have to be that way? Ms. Noe said you could interview them one at a time, you can have a special called meeting. The meeting will be open to the public; you could limit the question and answer period. Council discussed when to have a special called meeting. A motion was made by Gill, seconded by Walker to have a special called meeting on August 16, 2016 at 6:00 pm before the budget meeting.

The last item on the agenda is the position of the Finance Director/City Recorder. Mayor said he met with Gary Jaeckel from MTAS who advised you do not have to be in a hurry to appoint an interim Finance Director/Recorder you can wait maybe hire an interim in 3 months and secondly you have up to 2 years to fill the position. Mayor said he did not want to wait that long. If hiring someone Mr. Jaeckel advised, we need to take the job description we have now; he said you wouldn't want to burden the new person there is enough for 2 or more people. Let one be the Chief Financial Officer. Ms. Noe said there are certain things defined in our Charter. Ms. Noe read the duties that are in the Charter. Those things by Charter have to be done by the City Recorder – attend meetings, maintains the city seal, minutes, holder of the official records of the city, Charter, codes, ordinances, resolutions, specifically prepares the financial records, open records requests, agenda's and other duties; they can do other things but as discussed last week now is a good time to look at having other positions. One thing to be addressed is Phyllis is a signer on the checks you will need another person so that if the Mayor is out of town it won't hold up the bills going out. This is a very important position you need to look outside the box. The City Recorder is hired by the Board and overseen by the Mayor. Ms. Schaeffer advised the auditor would be at the office next week and she will be off all the city accounts by next week. Mayor said he would like to have his assistant be the 3rd signer on checks. A motion was made by Gill, seconded by Binkley to have Sandy be the 3rd signer. Motion passed with a roll call vote of: Gill-yes, Binkley-yes, Walker-yes, Jackson-yes, Allen-yes, and Mayor-yes.

If the Mayor is gone Kellie and Sandy can sign the checks. Mayor said to put this on the agenda next month. He would like Kellie to do the things by Charter. We can talk about money and discuss but for the time being Kellie can do the vendors and payroll at least for the next month. A motion was made by Gill, seconded by Binkley to have Kellie fill in for the time being; at least the next 30 days. Ms. Noe said with the upgraded position she should be paid from the start. Mayor said he would like to appoint an internal committee of Phyllis, Kellie, Becky and himself to look at the job description and to have a second person do the Human Resources. Motion passed with a roll call vote of: Gill-yes, Binkley-yes, Allen-yes, Walker-yes, Jackson-yes, and Mayor-yes. Mayor advised Kellie that in the meantime if she needs any guidance for her to call him.

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

A motion was made by Gill, seconded by Walker to adjourn. Motion passed unanimously by voice vote. Meeting adjourned at 7:29 p.m.

Rick Johnson, Mayor

Phyllis Schaeffer, City Recorder