

Regular Meeting of the  
Board of Mayor and Council  
September 8, 2009

The Board of Mayor and Council met in regular session on September 8, 2009 at 7:00 p.m. in the Municipal Building.

Present and presiding: Mayor Gary Norwood.

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

Others present: Mary P. Glasgow, George and Dana Hill, Zach McCarver, Sharon Caton, Alan M. Armstrong, Joe Guyton, Jan Waltman, Ray Crouch, Jr., Donna Stock, Anthony Stock, Thomas McCormick, Tim Adkins, Michael W. Armstrong, Wade A. Reed, Marc Coulon, Chuck Walker, and Phyllis Schaeffer.

Mayor called the meeting to order and said we have a public hearing on Ordinance # 362. The Mayor said to see the young ladies if anyone wanted a copy of the Ordinance. After the Ordinance caption was read Mayor asked if anyone wanted to comment now was the time to do so. No one came forward so the Mayor closed the public hearing and commenced with the regular meeting. All those present for the Public Hearing were present for the regular meeting.

Mayor asked if the Council had time to look over the minutes. A motion was made by Macha, seconded by Johnson, to approve the August 2009 minutes as typed. Motion passed unanimously by voice vote.

Public Forum:

Mr. Waltman approached Council and said he had appeared last month requesting his road be paved. He said it has been a month and he thought someone would have contacted him by now. Mayor replied they have received a packet from the attorney that they have not read yet and that he is on the agenda would he please wait until they come up to that item on the agenda.

Mr. George Hill approached next and said he lived at 1194 Valley View Rd. He informed the Council he had a very large water leak and would like help with his bill. Mayor asked Mr. Hill how many leaks did he have and were they fixed. Mr. Hill said it was a large leak and yes it was repaired. He said his bill was \$637.15. The Recorder said after following the formula his bill would still be over \$300 Mayor Norwood said an average bill for him would be 67.64. A motion was made by Macha, seconded by Johnson, to adjust his bill to an average of \$67.64. Motion passed with a roll call vote of: Macha-yes, Johnson-yes, LaCrosse-yes, Allen-yes, Nicholson-yes, Gill-yes, and Mayor-no.

Ms. Donna Stock approached saying she had a similar situation. Mayor asked where she lived. Ms. Stock replied 108 Katye Ct. and that her leak was in the toilet and has been repaired. The Recorder replied they were unaware that Ms. Stock was coming tonight and Mary was in the office getting her information. Ms. Macha asked Ms. Stock if she would mind waiting until they received the information. Ms. Glasgow returned with the information. Mayor said her average bill was \$69.60. A motion was made by Johnson, seconded by Macha, to adjust her bill to an average bill of \$69.60. Motion passed with a roll call vote of: Johnson-yes, Macha-yes, LaCrosse-yes, Gill-yes, Nicholson-yes, Allen-yes, and Mayor-no.

Old Business:

A motion was made by Macha, seconded by Nicholson, to approve Ordinance #362 Water-Sewer rates on 2<sup>nd</sup> reading. Motion passed with a roll call vote of: Macha-yes, Nicholson-yes, Allen-yes, Gill-yes, LaCrosse-yes, Johnson-yes, and Mayor-yes.

#### New Business:

Mayor said that there was no engineer to discuss the downtown beautification project, but the committee had discussed the project in the budget meeting. Ms. Macha said she would like to see the project completed. A motion was made by Macha, seconded by Johnson, to finish the project using CEMC's figure not to exceed \$135,535.47 for all 3 poles. Mr. LaCrosse asked the Mayor how are we going to achieve that – not to exceed, put them on report for hard numbers for all 3 or none for that price?

Ms. Macha replied yes, and then I think we can back up and decide to do 2 poles but it is on the table for all 3 or none. Mr. Allen said the motion holds us to that figure, what was the cost for the pole at El Rey. Ms. Macha replied \$26,290. Mr. LaCrosse said lets think about it for a minute this figure is for the whole project. Mr. LaCrosse asked Phyllis if she had the latest version from CEMC. Phyllis brought out the letter from CEMC dated April 28, 2009. Mr. LaCrosse said we need to nail down the pole work with this motion. Mr. Johnson withdrew his second and Ms. Macha withdrew her motion. Mr. LaCrosse said he thinks the figure is \$110, 530. A couple of versions ago it was 113-114,000 but through the negotiations with CEMC it was lowered, he believes to \$110,530. Let's go forward with a motion and we can look at it in budget next week. A motion was made by Macha, seconded by Johnson to proceed with CEMC to set the poles including labor and all work for \$110,530. Motion passed with a roll call vote of: Macha-yes, Johnson-yes, LaCrosse-yes, Allen-no, Nicholson-yes, Gill-yes, and Mayor-yes.

A motion was made by Macha, seconded by Nicholson, to approve Resolution 2009-06 – Support for Census 2010. Motion passed unanimously by voice vote.

Next on the agenda was the Dixieland Carnival agreement. Mayor said that Tony was not with us due to the passing of his step father. He thinks Jennifer has looked at this and was ok with it, it is pretty standard. A motion was made by Macha, seconded by Gill to approve the Dixieland Amusement Agreement. Motion passed with a roll call vote of: Macha-yes, Gill-yes, Nicholson-yes, Allen-yes, LaCrosse-yes, Johnson-yes, and Mayor-yes.

Mayor Norwood said there are several different contracts for Sharon Caton and he wanted to make sure we had the right one. The Recorder said the one Jennifer emailed this afternoon has been given to the Council. Ms. Caton said the one Jennifer emailed her today had all the changes made. Mayor said the routine and non-routine has been cleared up and Ms. Caton said yes, the routine and non-routine was amended and the conflict of interest wording was added as Council requested. A motion was made by Gill, seconded by Macha, to approve the contract. Mayor asked if there was any more discussion and called for the vote. Motion passed with a roll call vote of: Gill-yes, Macha-yes, Johnson-yes, LaCrosse-yes, Allen-yes, Nicholson-yes, and Mayor-yes.

Ms Caton said any changes after approval will be at the contractors cost.

Mayor told Council that Jennifer was going to be here but had to attend something with her daughter that she may be in later. Mayor read the letter Ms. Noe sent regarding the paving of Forrest Court. There was much discussion on the location, length and width of the easement. Ms. Noe, in the letter said she did not think it was ever adopted as a road by the city. Mr. McCormick had given the Council pictures of this area. Mr. Gill made a motion to pave their road. Mayor asked do we have a second. Mayor said motion fails due to a lack of a second.

Mr. Johnson advised the residents that they had not had time to read the letter or have enough information to take action. He would like to discuss this with the attorney. According to the letter it was never established as a road. He would like to talk with the attorney and find out what kind of a precedent they are setting they don't know how many other roads might be like this. Mr. Johnson told them he was sorry to put them off but really would like to talk to Ms. Noe. Mr. Waltman said he didn't have a problem with that as long as someone stayed in contact with them. Mayor asked the Council if they had anything else to say on this he would like to defer it to next month. Ms. Macha made a motion, seconded by Johnson to defer to next month. Motion passed unanimously by voice vote.

Mayor asked the Council how they would like to proceed with the right off request. A motion was made by Gill, seconded by Johnson, to take it off the books to write off the \$30,111.22. Motion passed with a roll call vote of: Gill-yes, Johnson-yes, Macha-yes, LaCrosse-yes, Allen-yes, Nicholson-yes, and Mayor-yes.

Ms. Macha made a motion to pay the bills, Mr. Nicholson said wait a minute, he had a call from a concerned citizen asking for a speed sign on Oliver Street. Mr. McCormick said he would get it for 30 mph. Chief Coulon said 20 mph. Mayor said did that go through Council that if it didn't all city roads were 30 mph unless it goes to Council and was noted, but if Chief thinks it should be 20 we can put it to the Council. A motion was made by Nicholson, seconded by LaCrosse, to put up a sign at 20 mph on Oliver Street. Motion passed unanimously by voice vote.

Mr. Johnson said Jimmy recently had a diversion bump put up on his street he thinks it is a good idea. Mayor said that speed bumps all the way across a street was a not the thing to do that MTAS was strongly against it. The city would be liable if anything happened. There was a discussion about slowing people down on Stratton Blvd and if it could be done he would have one at Gloria Circle and Stratton Blvd. Ms. Macha said they were calming devices. Mr. Johnson said anything that can be done would be appreciated.

Mr. LaCrosse asked Thomas about the 6% water loss reported asking if that was accurate and not a typo. Mr. McCormick said yes that was correct.

Mr. Johnson asked Commissioner Crouch if he had anything he wanted to say to Council. Commissioner Crouch said no, he was there to observe. Mayor Norwood said he had a letter for Mayor Orange and asked if he would like it. Commissioner Crouch replied no he wouldn't. Mayor said the letter was in regard to animal control. Commissioner Crouch said he heard they were still looking for those same records and he doesn't think they are going to find them.

Mr. LaCrosse said he had a question that it had come out in the I-24 that he thinks they were asking .19 for all districts, there is some confusion on this we did not ask for that – Mayor said let's be clear we are asking for the \$101,104 thousand whatever it is, not how the county is going to achieve this the .19 won't raise that amount of money. Commissioner Crouch said his concern is the \$104,000 for Ashland City.

Chief Walker said he had a conversation this afternoon with Mayor Orange. He believes the confusion came in with the .19 when a conversation was heard and that is what Pegram and Kingston Spring pays ours wouldn't be .19 Mayor said the city would get something from Pleasant View, Henrietta and the others to make up to the \$140,000. After his conversation with Mayor Orange and informing him the .19 wasn't going to do it Mayor Orange said it would be about .28 he is going to proceed to ask for a fire tax for the other districts also. Chief Walker said they don't want to contract with the volunteer organizations but with the county. Mr. LaCrosse said thank you it makes it clear... clearer.

A general conversation began about animals, animal control and roads and easements. Mr. Allen said he felt for the gentleman, when he lived on Annette Dr they wouldn't pave or put lights on it. At this point Ms. Noe arrived. Mayor asked if the Council wanted Jennifer to address the road situation. Mr. Gill said he would like to hear what she had to say. Ms. Noe said she would be glad to explain. Mayor then said it was already deferred to next month.

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

A motion was made by Johnson, seconded by Macha, to adjourn. Motion passed unanimously by voice vote. Meeting adjourned at 7:58 p.m.

---

Gary Norwood, Mayor

Phyllis Schaeffer, City Recorder