

Regular Meeting of the
Board of Mayor and Council
Ashland City, Tennessee
October 12, 2010

The Board of Mayor and Council met in regular session on October 12, 2010 at 7:16 p.m. in the Municipal Building.

Present and presiding: Mayor Norwood.

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

Others present: Tommy Nicholson, Marc Coulon, Gerald Kelley, Dane Kelley, Dylan Kelley, Paul R. Gupton, Zach McCarver, Mysty Westfall, Lisa Buckley-Dollar General, Wade A. Reed, Michael Armstrong, Tim Adkins, Greg Edrington, Cindy Edrington, Carol Macha, Thomas McCormick, Josh Jackson, and Tony Young.

Mayor Norwood stated before we have the regular Council meeting we have a public hearing on Ordinance #374-Amend ord. 179 adding section 5.052.1 Central Business District. He said if anyone would like to approach Council with concerns or comments on this ordinance now is the time. There being no comments Mayor closed the public hearing and commenced with the regular Council meeting.

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

Public Forum: Mayor asked if anyone would like to approach Council with any concerns or comments. Mysty Westfall, 2121 Highway 12 S unit 44, came forward and said she would like to discuss her water billing. She said she had a leak in the water line close to the parking lot. Ms. Westfall said originally she thought her water heater was leaking and had contacted the Water Department. She said her account had been adjusted for the September bill. Ms. Westfall said her bill for October is \$1,012.50 and asked if there was anything that could be done since the leak was actually found to be in the water line. Mayor asked was the bill adjusted in September. Ms. Macha stated that it was adjusted in September for sewer and the October bill was adjusted for water and sewer according to our guidelines leaving Ms. Westfall with a balance of \$642.88. Mr. LaCrosse asked what a normal bill is for her. Ms. Macha answered \$25.00 to \$35.00. Mayor asked Ms. Westfall what kind of leak did you have. Ms. Westfall said in the line outside the apartment past the sidewalk. A motion was made by Yates, seconded by Johnson to adjust to an average bill for four months. Ms. Macha asked if the adjustment is for July forward for four bills. Mayor asked her to get the figure for Council. Ms. Westfall said I had originally thought my watering was causing the large bills, but it wasn't. She said it took three different people coming out to my house before the leak was located.

Mayor said while Carol is getting the figures for us we have a plaque for Tommy Nicholson. He said Tommy had to give up his seat on the Council because he had moved outside the City. Mayor said Council would like to recognize him for his hard work and outstanding service as a Council member by presenting him this plaque. Mayor said, Tommy, we appreciate all your hard work and we enjoyed working with you. Mr. Nicholson said thank you all I appreciate it.

Mayor said the City attorney is on vacation so there will be no report from her. Ms. Macha returned and told Council that the adjustment amount for Ms. Westfall would be to \$31.90 a month or a total of \$127.60 for the four bills. Motion passed with a roll call vote of: Yates-yes, Johnson-yes, LaCrosse-yes, Gill-yes, Allen-yes, and Mayor-yes.

Old Business:

A motion was made by Yates, seconded by LaCrosse to approve Ordinance #374-Amend ord. 179 adding section 5.052.1 Central Business District on 2nd reading. Mr. LaCrosse asked did Franklin contact the applicant. Then he asked if all requirements had been met. Mr. Armstrong told Council that Franklin had contacted the applicant. Mr. LaCrosse said this ordinance is to be used only as a special exception and on a case by case scenario. Mr. Allen said he had a question on the noise ordinance. He asked what determines what is too loud. Mayor said I can't tell you off the top of my head. Mr. Allen said if there are no complaints to the PD then no problem. Chief Coulon said it is a common sense issue and at the officer's discretion. Mr. LaCrosse said he hopes they run a microphone test because he is concerned about the radio station next door, and they need to be sensitive to setting the volume. He said they need to be aware of this and address the issue before they get in the building. Mayor said we need to revisit the sound ordinance again. Mr. Allen said they mentioned doing auctions outside. Mr. LaCrosse said the Planning Commission vetoed that, and should it be done it would be done as a special event requiring an event permit. Mr. Allen asked is there a fee. Mayor answered \$50.00 and proof of insurance. Mr. Johnson said the time of day plays into it. He went on to say they could sound proof the part of the wall beside the station. Mayor asked are there any other comments. He then called for a vote. Motion passed with a roll call vote of: Yates-yes, LaCrosse-yes, Johnson-yes, Allen-yes, Gill-yes, and Mayor-yes.

New Business:

Mayor said we talked about the FEMA contract at workshop. He said we can't change anything in this contract it is what it is. Mayor asked how does Council feel about it. Mr. Gill asked does this mean they will monitor the money. Mayor said they have a right to do that. A motion was made by Gill, seconded by Allen to accept the FEMA contract. Mr. LaCrosse asked, Mayor, how do you feel about it. Mayor answered the Federal Government can do certain things that others can't and this leaves me uncomfortable. After additional discussion, Mayor said the auditing concerns me. He asked if there are any other concerns then he called for a vote. Motion passed with a roll call vote of: Gill-yes, Allen-yes, Johnson-yes, Yates-yes, LaCrosse-yes, and Mayor-yes.

Mayor advised Council that nothing had been received back from Jackson Denny and Davis on the flood insurance quotes. He said we have received a document from Greg with estimates for replacement cost on two structures at the Waste Water Treatment Plant. He said they are \$75,000.00 for the filter press building and \$225,000.00 for the blower building. Mayor asked Thomas what are the figures on the contents. Mr. McCormick answered \$303,800.00 for the filter press building and \$175,000.00 for the control room. Mr. LaCrosse asked do we still want to get the figure to \$500,000.00. He said we don't have that. Mayor said we need to get back with Jennifer for the figures she turned into Jackson Denny and Davis. Mr. LaCrosse asked is the whole point of this to have insurance in place for TML and then FEMA to pick up. Mayor answered yes. Mayor asked Greg if he had anything he wanted to discuss. Mr. Edrington answered no. Mr. Allen asked are we insured on our buildings now, say if they were to catch fire. Mayor answered yes, absolutely.

A motion was made by LaCrosse, seconded by Gill to pass Ordinance #375-Flood Review Board on 1st reading. Motion passed with a roll call vote of: LaCrosse-yes, Gill-yes, Allen-yes, Johnson-yes, Yates-yes, and Mayor-yes.

Mayor said the next item of business is the Chemicals bid. He asked Thomas to give his recommendations. Mr. McCormick said I recommend for Hydrofluorosilicic Acid to award the bid to Brentag, for Ortho Poly Blended Phosphate to the Carus Corp., Sodium Hydroxide to Univar USA, Inc., Sodium Permanganate to Brentag, and Sodium Hypochlorite to Brentag. A motion was made by LaCrosse, seconded by Johnson to accept the chemical bids. Motion passed by roll call vote of: LaCrosse-yes, Johnson-yes, Yates-yes, Allen-yes, Gill-yes, and Mayor-yes.

Mayor said the Smith & Loveless lift station bid is the next item of business. Mr. McCormick said a bid was received from B.A.M.2, Inc. for \$33,700.00 or an alternate bid of \$19,800.00 to rebuild the electrical control panel and motors on the lift station. He said he recommends accepting the bid to rebuild the lift station. Mr. LaCrosse asked Mayor do you agree. Mayor answered yes. A motion was made by Johnson, seconded by Allen to accept the B.A.M.2 bid to rebuild the Smith & Loveless lift station. Motion passed with a roll call vote of: Johnson-yes, Allen-yes, Gill-yes, LaCrosse-yes, Yates-yes, and Mayor-yes.

Mayor said I met with Thomas, Greg, and Mr. Potts from Industrial Electric Services tonight before this meeting to go over the electrical repairs bid for the Waste Water Treatment Plant. He said the electrical repairs bid came in at \$189,850.00. Mayor told Council there is another \$134,331.00 for Southern Electric left to be done under the emergency ordinance, \$150,00.00 allotted for the building, and \$45,000.00 for miscellaneous. He asked Thomas to get the total spent on everything at the WWTP for next week's Budget meeting. Mr. LaCrosse asked what does the \$189,850.00 represent. Mr. McCormick answered electric panels, the scada system, and anything else that was not under the emergency repairs. Mayor said this is a formality we are following because FEMA wants it. He asked Mr. Potts if this bid is a not to exceed price. Mr. Potts answered, yes sir. A motion was made by Yates, seconded by Gill to accept Industrial Electric Services' bid for electrical repairs. Mayor told Council it may be several months out before the sewer plant is finished due to the items we have to get. Motion passed with a roll call vote of: Yates-yes, Gill-yes, Allen-yes, Johnson-yes, LaCrosse-yes, and Mayor-yes.

Mayor advised Council that the speed limit change on Tennessee Waltz Parkway was discussed at workshop. He said the request is to change the speed limit to 45 miles per hour at Highway 49 and the Cumberland River Bridge. Mayor said it would be at the bridge as you leave the parkway going across the bridge. A motion was made by Yates, seconded by Johnson to change the speed limit to 45 miles per hour. Motion passed unanimously by voice vote.

Mayor said Greg this might be the time to discuss the bridge issue at the Waste Water Treatment Plant. Mr. Edrington said the bridge needs to be certified for load. He said chemical companies will not cross over it. Mr. Edrington said I looked at it and the problem is the alignment. He said Mayor and I are looking at options to correct this problem. Mr. Jackson said Brentag who delivers bleach will not come across the bridge. Mr. McCormick stated that a new bridge costing \$50,000.00 would pay for itself in six years. Mr. Edrington said in a short time I can evaluate the bridge. He said it looks stout enough to handle anything. Mr. Jackson said it is not a weight issue. He said it is the width of the bridge and the angle of the turn that is the issue. Mr. Edrington said he would look at it and report later.

A motion was made by Gill, seconded by LaCrosse to pay the two invoices from Goodwyn, Mills, & Cawood in the amounts of \$593.00 and \$143.00. Motion passed with a roll call vote of: Gill-yes, LaCrosse-yes, Yates-yes, Allen-yes, Johnson-yes, and Mayor-yes.

Other:

Mayor told Council we have a couple of boy scouts here as guest tonight. He asked them if they were here to earn a merit badge. Mr. Dylan Kelley said we are here to earn our citizenship badge. Mr. Young informed Council that they have volunteered in parks for years. Mayor thanked them for coming.

A motion was made by LaCrosse, seconded by Gill to pay the bills. Mayor asked are there any questions. Mr. Allen asked what is non-routine planning. Mr. Armstrong said anything outside the norm or anything with the board of Zoning Appeals. Mr. Allen asked is it paid by the hour. Mr. Armstrong answered yes. Motion passed with a roll call vote of: LaCrosse-yes, Gill-yes, Allen-yes, Johnson-yes, Yates-yes, and Mayor-yes.

Mr. Young advised Council he had sent them an email with next year's Summerfest dates. He said the carnival had requested the dates of 6-28-2011 through 7-2-2011. Mayor asked why are we getting off our regular schedule. Mr. Young said this year was due to the flood and next year July 4th is on Monday. After a brief discussion, Mr. Allen asked Tony to negotiate with the carnival for the first of June. Mr. Young said they wanted to schedule around us. Mayor said the end of June through the first of July is usually exceptionally hot.

Mr. Gill stated on the dredging of the lake there isn't anything we can do is that right. Mayor answered no. Mr. Allen said the answer was no five years ago.

A motion was made by Johnson, seconded by Allen to adjourn. Motion passed unanimously by voice vote. Meeting adjourned at 8:08 p.m.

Gary Norwood, Mayor

Phyllis Schaeffer, City Recorder