

**TOWN OF ASHLAND CITY COUNCIL MEETING MINUTES**

**April 10, 2018**

**6:00 PM at Ashland City Municipal Building  
101 Court Street, Ashland City, Tennessee**

**CALL TO ORDER** at 6:00 PM by Mayor Johnson.

**ROLL CALL**

Present: Mayor Richard Johnson, Vice-Mayor Mr. Steve Allen, Ms. Lisa Walker, Mr. Tim Adkins, Mr. Roger Jackson and Mr. Daniel Anderson (came in late).

Absent: None.

**PLEDGE OF ALLEGIANCE AND PRAYER** – Led by Paul Robert Gupton.

**CONSIDERATION OF AGENDA**

A motion was made by Walker, seconded by Allen to approve the agenda. All approved by voice vote.

**CONSIDERATION OF MINUTES**

A motion was made by Adkins, seconded by Allen to approve the minutes. All approved by voice vote.

**PUBLIC FORUM**

- A. Komail Khalili Water Adjustment.** Mr. Khalili stepped forward and stated he had a high water bill and would like to request an adjustment. Mayor questioned what caused the problem. Mr. Khalili stated his pipes had frozen and he fixed the issue. Mr. Jackson asked if this is a business location. Mayor stated yes and Mr. Khalili's bill was \$1,723.60, but normally averages \$24.34. A motion was made by Adkins, seconded by Allen to adjust Mr. Khalili bill down to an average. Vote on motion: Adkins-yes, Allen-yes, Jackson-yes, Walker-yes, and Mayor-yes.
- B. Alwilda Binkley- Caldwell Property.** Ms. Binkley stepped forward and stated she is here tonight to ask the council to consider selling the Caldwell property and purchase the Leland Station property.
- C. Mary Weber- Leland Station Property.** Ms. Weber came forward and stated she has been involved with a group concerned about the preservation of the Leland Station property. She then went over the vision the group has for an event and welcome center. She stated they feel this would be an excellent location for weddings and other events and possibly a restaurant or coffee shop. She further stated she would like the council to consider selling the Caldwell property and match dollar for dollar what the group raises.
- D. Anna Hendrix for Mary or William Warrick Water Adjustment.** Ms. Hendrix stepped forward and stated she had a toilet leak which caused two high water bills and would like to request an adjustment. Mayor stated the bills are in the amount of \$103.76 and \$109.43, but normally averages \$24.34. A motion was made by Jackson, seconded by Allen to adjust the bills down to an average. Vote on motion: Jackson-yes, Allen-yes, Walker-yes, Adkins-yes, and Mayor-yes.
- E. Jerome Terrell Update.** Mr. Terrell stepped forward and stated he was there to give an update, as promised, on the projects he is currently working on. He stated there have been twenty-seven projects in which he has responded to; of those eighteen were not feasible due to lack of property and the remaining nine of them unfortunately he is under a non-disclosure agreement and cannot discuss them much; however, he is still working on those projects. He further stated he has been busy in the last few months and is available for any needs of the city.
- F. Gary Binkley County Commissioner.** Mr. Binkley stepped forward and stated four years have gone by really fast and he is running for county commission again. He further stated he would appreciate support and everyone's vote.
- G. Walter Jordan Water Adjustment.** Mr. Jordan stepped forward and stated he paid fifty dollars for failing to pay his bill on time and having a cut off fee last month, but this month the city cut off his water by mistake and he feels he should be reimbursed the fifty dollars. A motion was made by Jackson, seconded by Allen to reimburse Mr. Jordan the fifty dollars due to the mistake. Vote on

motion: Jackson-yes, Allen-yes, Walker-yes, Adkins-yes, and Mayor-yes.

- H. **Ashland City Parks Water Adjustment.** Mr. Tony Young stood and stated there was a leak in the bathroom at the park which caused a higher water bill than usual. Mayor stated the bill totaled \$616.63, and normally averages \$17.56. A motion was made by Adkins, seconded by Walker to adjust the bill down to an average. Vote on motion: Adkins-yes, Walker-yes, Allen-yes, Jackson-yes, and Mayor-yes.

## REPORTS

- A. **City Attorney.** Ms. Noe stated she has some things on the agenda, but nothing else to report. Mayor asked about the special election. Ms. Noe stated the changes to the charter have been presented and when returned it will allow for the special election. Mr. Daniel Anderson came in at this time and took his seat.

## OLD BUSINESS

- A. **Ordinance 495: Allowance for Caretaker Apartments.** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE TOWN OF ASHLAND CITY, BY DELETING SECTION 5.052.1.C.3 UPPER STORY RESIDENTIAL DWELLING AND ADDING A PROVISION FOR CARETAKER RESIDENCES IN COMMERCIAL DISTRICTS IN ASHLAND CITY, TENNESSEE. Chief Walker stated this is to add caretaker apartments to the C-1 district in order to be consistent within the code. A motion was made by Allen, seconded by Walker to approve the Caretaker Apartment Ordinance. Vote on motion: Allen-yes, Walker-yes, Adkins-yes, Jackson-yes, Anderson-yes, and Mayor-yes. **2<sup>nd</sup> Reading**
- B. **Ordinance 496: Budget Amendment.** AN ORDINANCE TO ACCEPT A BUDGET AMENDMENT FOR THE 17/18 FISCAL YEAR. Mayor stated this is for the training tower and the accident from the water department. A motion was made by Jackson, seconded by Allen to approve the budget amendment. Vote on motion: Jackson-yes, Allen-yes, Anderson-yes, Walker-yes, Adkins-yes, and Mayor-yes. **2<sup>nd</sup> Reading**
- C. **Comcast Franchise Agreement.** Ms. Noe stated she has reached out to Comcast with the changes she has proposed and she hates to approve this without the confirmation to change the agreement. A motion was made by Jackson, seconded by Adkins to defer the agreement until next month. All approved by voice vote.

## NEW BUSINESS

- A. **Community Bank and Trust ACH Agreement.** Ms. Noe stated in addition to changing the date, section 4 will need to be marked through being it discusses borrowing money on behalf of the city and the council would be required to approve such. A motion was made by Allen, seconded by Adkins to approve the agreement with the proposed changes. Vote on motion: Allen-yes, Adkins-yes, Jackson-yes, Anderson-yes, Walker-yes, and Mayor-yes.
- B. **Lindy Murff Contract.** A motion was made by Jackson, seconded by Walker to approve the contract. Vote on motion: Jackson-yes, Walker-yes, Adkins-yes, Allen-yes, Anderson-yes, and Mayor-yes.
- C. **TCRS Agreement.** Ms. Reed stated this was discussed last week and the minimum employer match is for 5.7%; however, we currently match 6.5% in order to reduce our liability. A motion was made by Allen, seconded by Walker to approve staying with the 6.5% employer rate. Vote on motion: Allen-yes, Walker-yes, Adkins-yes, Jackson-yes, Anderson-yes, and Mayor-yes.
- D. **Blue Heron Agreement.** Ms. Noe stated she has reviewed the agreement and everything looks good. Further, the amount is for \$800 a year. Mr. Allen asked if something can be provided showing they have the sewer pumped. Mr. Young stated they do have that serviced and he will get a copy. Ms. Noe stated it is in the contract to have it provided to the city. A motion was made by Adkins, seconded by Walker to approve the agreement. Vote on motion: Adkins-yes, Walker-yes, Allen-yes, Jackson-yes, Anderson-yes, and Mayor-yes.
- E. **Amusement Attractions Agreement.** Ms. Noe stated there is some current litigation with Amusement Attractions; however, it is getting a little late and it will be an issue to find a company to do the attractions this late. Mr. Young stated he has left messages with three companies and has not received a call back. Mayor asked if there is a way to make us less liable. Ms. Noe

stated we could add a clause where they are responsible for any attorney fees that may arise and it would be up to them if they choose to accept it. Mr. Jackson stated we have insurance and he does not see them agreeing to that. A motion was made by Jackson, seconded by Allen to approve the agreement. Vote on motion: Jackson-yes, Allen-yes, Anderson-yes, Walker-yes, Adkins-yes, and Mayor-yes.

- F. Certificate of Compliance- Wine for Wal-Mart.** Ms. Reed stated this is for the renewal of the certification to sell wine. Further, Chief Coulon has completed the background check and it has come back fine. In addition, Ms. Noe has reviewed the application and didn't find any issues. A motion was made by Walker, seconded by Allen to approve the certificate of compliance. Vote on motion: Walker-yes, Allen-yes, Jackson-yes, Anderson-yes, Adkins-yes, and Mayor-yes.
- G. Board of Equalization Appointment.** Mayor stated he would like to recommend reappointing Ms. Yvonne Stinnett for the Board of Equalization. Mr. Jackson asked what this appointment is for. Mayor stated for the tax assessor board for property taxes. A motion was made by Allen, seconded by Anderson to reappoint Ms. Stinnett. All approved by voice vote.
- H. Budget Transfers.** Ms. Reed stated this is to move money within each departmental budget as shown in the spreadsheet she provided. A motion was made by Adkins, seconded by Allen to approve the budget transfers. All approved by voice vote.
- I. Resolution 2018-17: Safer Grant.** A RESOLUTION OF THE TOWN OF ASHLAND CITY, TENNESSEE AUTHORIZING THE MAYOR TO APPLY FOR THE STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE GRANT. Chief Walker stated this is a grant that is due at the end of the month and will help staff the fire department with three more employees. Further, this grant will pay for 75% of their salaries for the first two years of employment then will pay for 35% for the third year. He further stated he understands that if approved for the grant three years after completion of the grant if the money is not in the budget they will have to lay off those employees. A motion was made by Jackson, seconded by Anderson to approve the Safer Grant Resolution. Vote on motion: Jackson-yes, Allen- yes, Anderson-yes, Adkins-yes, Walker-yes, and Mayor-yes.
- J. Ordinance: Budget Amendment.** AN ORDINANCE TO ACCEPT A BUDGET AMENDMENT FOR THE 17/18 FISCAL YEAR. Mr. Biggers stated the plan is to complete the t.v. and line cleaning first then when it dries out a little more complete the smoke testing. A motion was made by Walker, seconded by Allen to approve the Budget Amendment Ordinance. Vote on motion: Walker-yes, Allen-yes, Jackson-yes, Anderson-yes, Adkins-yes, and Mayor-yes.
- K. Ordinance: Rezone of nine lots on Arbor Loop R-2 to R-3.** AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF ASHLAND CITY, TENNESEE, BY REZONING PARCEL 6.00, 7.00, 9.00, 10.00, 11.00, 12.00, 13.00, 14.00 AND 15.00 OF CHEATHAM COUNTY TAX MAP 49J, GROUP D, LOCATED ON ARBOR LOOP. Mr. Reigle stepped forward and stated this is to rezone several lots on Arbor Loop from R-2 to R-3. He further stated his plan is to redevelop the lots and place duplexes on several of the properties; however, one of the issues he is facing is steep slope so that may not be possible, but he envisions twelve to thirteen houses in the development. He added he will ensure each residence has three parking spots. A motion was made by Jackson, seconded by Anderson to approve the Rezone of the nine lots on Arbor Loop Ordinance. Vote on motion: Jackson-yes, Anderson-yes, Walker-yes, Adkins-yes, Allen-yes, and Mayor-yes.
- L. Ordinance: Rezone Orchard Lane R-2 to R-3.** AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF ASHLAND CITY, TENNESEE, BY REZONING PARCEL 1.00 OF CHEATHAM COUNTY TAX MAP 49J, GROUP B, LOCATED AT 218 ORCHARD LANE. Chief Walker stated this is another rezone close to the prior one and will correct a mistake in which a building permit was issued. A motion was made by Anderson, seconded by Allen to approve the Rezone Orchard Lane Ordinance. Vote on motion: Anderson-yes, Allen-yes, Jackson-yes, Walker-yes, Adkins-yes, and Mayor-yes.
- M. Ordinance: Amend Title 12: Chapter 2: Automatic Sprinkler Systems.** AN ORDINANCE BY THE CITY MAYOR AND COUNCIL OF THE TOWN OF ASHLAND CITY, TENNESSEE TO AMEND TITLE 12, CHAPTER 2 OF THE MUNICIPAL CODE REGULATING AUTOMATIC SPRINKLER SYSTEMS. Chief Walker stated this is to clean up the code and make it easier for remodeling. Mr. Anderson asked if the percentage of the remodel is standard or in the code. Chief Walker stated this will change it from twenty-five percent to fifty percent and the sprinklers

will not be required to be added unless they are adding fifty percent to the square footage. A motion was made by Adkins, seconded by Allen to approve the Sprinkler Ordinance. Vote on motion: Adkins-yes, Allen-yes, Jackson-yes, Anderson-yes, Walker-yes, and Mayor-yes.

- N. Property Tax Write-off.** Ms. Reed pointed out section forty-two of the charter stated council may approve write-offs for errors. She further explained the error that was posted in 2014 and requested a write-off for the error. A motion was made by Anderson, seconded by Walker to write-off the error. Vote on motion: Anderson-yes, Walker-yes, Adkins-yes, Allen-yes, Jackson-yes, and Mayor-yes.
- O. Employee Manual Discussion.** Ms. Noe stated one of the changes is for the employer to pay a portion of employee's insurance after retirement. She further discussed the sick and vacation leave policy and the cost associated with allowing the employee to accumulate all sick leave on January first. She stated this year we have had two employees leave which cost almost ten thousand due to the current vacation accumulation. Mr. Jackson stated he does not see a problem with the current policy. Ms. Noe stated we can look at this next month in order to allow the council opportunity to review.
- P. Schedule Budget Committee Meetings.** Ms. Reed stated the meetings were discussed at workshop and this will serve as a reminder the budget committee meetings are scheduled for April 17 and 24.
- Q. Trail Grant Bid.** Mr. Lee Davidson stepped forward and went over the bids stating Adams Construction was the low bidder and there is an overage from the original projections, which will require the city's match of an additional \$41,702 toward the 20% required for the grant. In addition, this will be an extra \$166,809.72 from the state's 80% match. Mr. Davidson stated he has received confirmation from the state they will match the overage and the council will need to approve two formal letters for the overage to the state and approve to accept Adams Construction bid. After some discussion a motion was made by Adkins, seconded by Allen to approve both letters and the bid from Adams Construction. Vote on motion: Adkins-yes, Allen-yes, Jackson-yes, Anderson-yes, Walker-yes, and Mayor-yes.
- R. Surplus Property Nomination.** Chief Coulon stated there are several items on the listing and this will allow him to place the items on Gov Deals. A motion was made by Anderson, seconded by Jackson to approve the surplus. Vote on motion: Anderson-yes, Jackson-yes, Allen-yes, Adkins-yes, Walker-yes, and Mayor-yes.
- S. Ordinance: Amend Title 20: Sign Ordinance.** AN ORDINANCE TO REPLACE IN ITS ENTIRETY SIGN ORDINANCE NUMBER 291, TITLE 20, OF THE ASHLAND CITY MUNICIPAL CODE, TO REGULATE THE USE, LOCATION, TYPE, NUMBER, CONSTRUCTION, MAINTENANCE, AND SIZE OF ALL SIGNS; TO PROVIDE FOR A PERMIT, FEE, AND ENFORCEMENT SYSTEM; TO PROVIDE FOR APPEALS AND VARIANCES WITH LIMITATIONS. Chief Walker stated this has been gone through and passed in planning commission and Ms. Noe and Mr. Rick Gregory have been discussing this. Ms. Noe stated she has made a couple of changes and directed the attention of the council to page twenty-three. She stated she has deleted that section in its entirety. A motion was made by Walker, seconded by Anderson to approve the amendment of Title 20. Vote on motion: Walker-yes, Anderson-yes, Adkins-yes, Allen-yes, Jackson-yes, and Mayor-yes.
- T. Resolution 2018-18: Safer Grant.** A RESOLUTION OF THE TOWN OF ASHLAND CITY, TENNESSEE AUTHORIZING THE MAYOR TO APPLY FOR THE STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE GRANT. A motion was made by Jackson, seconded by Anderson to approve the Safer Grant Resolution. Vote on motion: Jackson-yes, Anderson-yes, Walker-yes, Adkins-yes, Allen-yes, and Mayor-yes.
- U. Neal Westerman- TV and Smoke Contract.** Mr. Westerman stepped forward and reviewed his bidding process for the work proposed. Mr. Jackson asked who guarantees the work gets done. Mr. Westerman stated he will either be there or he will have it inspected and a video of each line will be provided. Mayor asked if problems will be identified while working through the listing. Mr. Westerman responded a video with audio will be provided and this will encompass doing the entire downtown area where there is a gravity sewer system. In addition, prioritization will be done by problem zones. A motion was made by Walker, seconded by Adkins to approve the contract. Vote on motion: Walker-yes, Adkins-yes, Allen-yes, Jackson-yes, Anderson-yes, and Mayor-yes.

**OTHER BUSINESS**

- A. **Property Appraisals.** Mayor asked about the status of having the property appraisals. Chief Walker stated he will call again tomorrow to see about getting that scheduled.

**ADJOURNMENT**

A motion was made by Anderson, seconded by Jackson to adjourn. Motion passed unanimously by voice vote. Meeting adjourned at 7:24 p.m.

  
RICHARD JOHNSON, MAYOR

  
KELLIE REED, CITY RECORDER