

Regular Meeting of the
Board of Mayor and Council
July 12, 2011

The Board of Mayor and Council met in regular session on July 12, 2011 at 7:00 p.m. in the Municipal Building.

Present and presiding: Mayor Gary Norwood.

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

Council absent: Steve Allen.

Others present: Michael Armstrong, Harold Rediker, Clemmon Rediker, Sue J. Smith, Ted Stevenson, Derek Noe, Marc Coulon, Zach McCarver, Dwayne Noe, John Lawrence, Janice Lawrence, Kay Steele, James Fenton, Billy Harris, Penny Brooks, Holly Spann, Bobbie Cooper, Michael Cooper, Tim Adkins, Wade A. Reed, Paul Gupton, Katherine Williams, Tony Young, Mary Glasgow and Phyllis Schaeffer.

Mayor Norwood called the meeting to order and started with the public hearing on Ordinance #384-Fund Balance. Mayor Norwood asked if anyone had any issues or concerns now was the time to approach the Council to talk about Ordinance #384. As no one came forward Mayor Norwood closed the public hearing and commenced with the regular meeting.

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

Public Forum:

Mr. James Fenton gave an update on the triathlon saying that they have USA Triathlon Insurance and they have Ashland City down as an additional insured. Once they have gone over this it will be directly sent to Ashland City. They are going to be looking for help from local law enforcement, fire and EMS. If need be they have a private company out of Nashville they will use. These are paid positions and wanted to use local people first. There are approximately 75 people signed up right now but they are still expecting 400 participants. There will also be vendors that will come to the city for permits. Mayor asked what the economic impact will be for the city. Mr. Fenton replied there usually will be approximately 1.7 people in addition to the participants. Average spent is \$58 per person but we will not see that here as we do not have the hotels and facilities to accommodate them. At a later date he will have better figures.

Ms. Alwilda Binkley said she is requesting help for Rebecca Stewart. Ms. Stewart is in a nursing home and has one side of her place rented and storage in the other side. Ms. Stewart had a leak on the side not rented and she is requesting help with the water bill. A motion was made by LaCrosse, seconded by Johnson, to adjust Ms. Stewart's bill to a normal 6 month average. Motion passed unanimously by voice vote.

Ms. Sue Smith came before the Council to discuss Resolution 2011-04 Ms. Smith said they have 5.7 acres and the back of her property behind one of her neighbors is in Ashland City her house is on Ed Harris Road. Ms. Smith is requesting her house be exempted from the annexation. Mayor said okay.

Mr. Harold Rediker came forward and said he had the same situation his house is on Ed Harris Road and it is a small portion on the back of his property and would also like to be exempted from the annexation.

Ms. Kay Steele came before the Council and said her husband Captain Jim was doing a cruise this evening and could not attend but they would really appreciate continuing to operate while the Council considers the options.

Michael Cooper came forward and said he resides in Hidden Lakes lot 4 and asked what would he be benefitting by being annexed into the city he has Pleasant View water, no sewer and they have to take care of their own streets and lighting and the county gives them protection. Mayor replied you are correct with a PUD you do take care of your own roads. These lots in Hidden Lakes to be annexed were at the request of Hal Spears to clean up the confusion. When there were calls for police and EMS there was a question if it was city or county same with fire protection it has been a mess. This annexation is basically a cleanup effort there are no new lots with the property being split the owners would have to go to 2 different zoning boards and they were trying to simplify and make it easier for the owner. Mayor asked Mr. Cooper what his address is and MR. Cooper replied 151 Alec Court. Ms Cooper spoke up and said her taxes would be \$400 for the city at \$3.75 and they wanted to know what they would be getting. It was explained that was the county and our tax rate was .46 assessments were done by the county property assessor not the city. Mayor replied Mr. Spears negotiated the PUD development and requested the annexation. Mr. Armstrong explained that when this began Mr. Spears wanted both entries inside the city limits. There was 20 acres not in the city and his request was to put all this property into the city. Mr. LaCrosse explained that when this started first it had to be put in the growth plan than had to go through the 1101 process. They have it worked out with the county that police, fire and EMS that the city would be the 1st responder. The concern was public safety and it was envisioned that it would be better served by putting the property in the city. Mayor said let us look into it not sure if we can take a lot out since it is in the PUD.

Mr. Ted Stevenson approached and said his property is located at 371 Frey St his question is the public sewer system would he be required to tie into it. Mayor replied no, he would not be required to tie into the city sewer system. The city has a rule that says if you are within 100 feet of the system you would be required to tie in if your septic system fails. Mr. Stevenson said he was okay with it then.

Mr. Doyle Moore he had 15 acres on Hwy 49 and Ed Harris actually powder Mill Rd. his son built a house and has 10 acres of the property and he is going to have to sell. They are putting the 15 acres back together to sell. His situation is that the small portion of the 10 acres would be in the city and 5 acres would not be how would this be handled could all of it be annexed if it would help his property sell he wouldn't mind all of it being in the city. Ms. Noe advised that the county sets the assessments. Mayor asked if he was asking to keep that sliver out of the annexation. Mr. Moore replied yes, that is exactly what he wants, let it stay out.

Old Business:

A motion was made by Johnson, seconded by LaCrosse, to accept ordinance #384-Fund Balance- on 2nd reading. Motion passed with a roll call vote of: Johnson-yes, LaCrosse-yes, Yates-yes, Binkley-yes, Gill-yes, and Mayor-yes.

New Business:

A motion was made by LaCrosse, seconded by Yates, to approve Ordinance #385 – Annexation – on 1st reading. Mr. Johnson said he would like to make a motion to amend the above motion to exclude Map

43 parcel 17.00, Map 43 parcel 112.01 and Map 43 parcel 113.01 taking them out of the annexation. This was seconded by Gill. Mayor said this would be the Rediker property, Marvin Smith property and the Doyle Moore property, correct? Mr. Johnson said yes.

Mayor called for the vote on the amended motion. The amended motion passed with a roll call vote of: Johnson-yes, Gill-yes, Binkley-yes, LaCrosse-yes, Yates-yes, and Mayor-yes. Mayor then called for the vote on the original motion on ordinance #385. Motion passed on a roll call vote of: LaCrosse-yes, Yates-yes, Johnson-yes, Gill-yes, Binkley-yes, and Mayor-yes.

Mayor said the ordinance will be changed to reflect the requested changes by the time this comes up for second reading next month.

Mayor said the next item to discuss was the Blue Heron and called Ms. Kay Steele to the front. Mayor said they have been inundated with emails and calls most have been good some had concerns and asked if she could tell the Council the resolution we had. Mr. LaCrosse asked if he could have a moment to clear up some things from the beginning he would like those people from emails and face book to know that after the flood Captain Jim approached us and asked if he could have his boat at the park until Walt was back in business. There was no policy for park use and there was a lot of concern over using the park land. Mr. LaCrosse read apportion of the minutes from the fall after which he said there was a lot of concern with the Council about using the park and the liability to the city. They wanted to help him stay in business but agreed at the time that the understanding he would go back to Riverview. There is no lease we agreed to let him use the park temporarily until Walt was back in business. Mr. LaCrosse said he would like the people to understand the city was trying to help Captain Jim out it was always a good will gesture until Walt re-built.

Mayor said with that being said Ms. Steele where is Captain Jim in the process of going back? Ms. Steele replied that Riverview insurance will not allow another commercial business to operate from there. There insurance said no. We have given them information showing that the Blue Heron has a million dollar policy to cover the ramp, dock, boat; anyone approaching the boat for a cruise is covered by Blue Heron Cruises. There are many hoops to jump through; the corp requires a commercial lease not a residential lease. There are only 3 commercial areas Riverview, Harpeth Shoals, and Riverbluff Park. You are allowed to sub lease with the Corp. they have to go through Homeland Security, TWRA, and the Coastguard. The Blue Heron Cruises pays property taxes not owning any property. They need somewhere to dock. They appreciate the graciousness of the Council allowing them to operate.

Tony Young said we have a lease with the corp anything we do we have to get approval by the corp. After more conversation Mr. Johnson said he has a bunch of questions such as what do the people do with solid waste, restroom, where do they park – he is requesting they table this to gather information. Ms. Steele was asked if they had contacted the marina she replied no, they don't know who to contact with the marina. Ms. Noe replied that she should contact Pam Jenkins with Chancery Court at 792-4620. After more discussion the Mayor asked that this be put on next month's workshop agenda.

A motion was made by LaCrosse, seconded by Johnson, to accept the \$375,000 THDA Home grant Contract. Motion passed with a roll call vote of: LaCrosse-yes, Johnson-yes, Yates-yes, Binkley-yes, Gill-yes, and Mayor-yes.

The Mid Cumberland Transportation Contract was next on the order of business. Ms. Noe said the only thing she saw that we might need to address was on page 3 section 4 on the payment of services we might want to put a date to have the invoice in by so it can be paid as requested. Mr. Johnson said he thought this was a good service and all agreed. A motion was made by LaCrosse, seconded by Johnson, to accept the transportation contract. Motion passed with a roll call vote of: LaCrosse-yes, Johnson-yes, Yates-yes, Gill-yes, Binkley-yes, and Mayor-yes.

A motion was made by LaCrosse, seconded by Yates to accept the GNRC Contract for a planner. Motion passed with a roll call vote of: LaCrosse-yes, Yates-yes, Binkley-yes, Gill-yes, Johnson-yes, and Mayor-yes. Mayor said hopefully they will have someone in place by the 1st of next month.

Mayor asked Dwayne Noe to address the Lafferty invoice. Mr. Noe said that they are asking for their last invoice but we have not received the as builts and he still has several issues that need to be addressed. A motion was made by Johnson, seconded by Yates, to defer to next month. Motion passed unanimously by voice vote.

Other:

Mayor asked Ms. Schaeffer if she would get an exit sign for the door into meeting room that can be taken off and on to cut down on the confusion of which door to use.

Ms. Schaeffer said that Ms. Raymond with the Home Grant has to have a public hearing informing the public about the grant and requirements to apply. Ms. Raymond wanted to know if this could be done any time or did the Council want it during a meeting. The Mayor replied no, she could have the meeting when she wanted to but to let him know so that the meeting room could be put on the schedule.

Mr. Harris explained the water loss and advised the Council that we had a large leak for 20 days that they found on Sunday June 12th so the loss was really 13%. Also, they found another leak on Stratton Blvd. and that during this same time. Mr. LaCrosse said he appreciates the explanation and also said that water sales were up this past month.

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

A motion was made by Johnson, seconded by LaCrosse to adjourn. Motion passed unanimously by voice vote. Meeting adjourned at 8:18 p.m.

Gary Norwood, Mayor

Phyllis Schaeffer, City Recorder