

TOWN OF ASHLAND CITY COUNCIL MEETING MINUTES
November 13, 2018
6:00 PM at Ashland City Municipal Building
101 Court Street, Ashland City, Tennessee

CALL TO ORDER at 6:02 PM by Mr. Mayor Johnson.

ROLL CALL

Present: Mayor Richard Johnson, Vice-Mayor Mr. Steve Allen, Mr. Roger Jackson, Ms. Lisa Walker, Mr. Tim Adkins, Mr. Chris Kerrigan, and Mr. Daniel Anderson.

Absent: None

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

CONSIDERATION OF AGENDA

Ms. Reed requested adding the Neal Westerman Contract – Sewer Treatment and Certificate of Compliance – Mulberry Liquors. A motion was made by Adkins, seconded by Walker to approve the agenda with the mentioned changes. All approved by voice vote.

CONSIDERATION OF MINUTES

A motion made by Adkins, seconded by Kerrigan, to approve October 2018 meeting minutes. All approved by voice vote.

PUBLIC FORUM

- A. Gary Binkley – Thank you.** Mr. Binkley addressed Mayor Johnson by thanking him for his service to the city, knowledge shared, and sacrifice to the family. Mr. Binkley stated he appreciates all of his help.
- B. Jerome Terrell- Ground Breaking.** Mr. Terrell invited everyone to the old Homax building next Monday at 9:30 am for a ground breaking for a Center of Excellence that will create 280 new jobs. He also stated it has been great working with Mayor Johnson.
- C. Roger Jackson for Paul Gupton - Water Adjustment.** Mr. Jackson stepped forward and stated Mr. Gupton had a pipeline break, has since repaired the line, and would like to request an adjustment for water bill. Mayor Johnson stated the bill in question totaled \$318.53 and normally averages \$41.35. A motion made by Allen, seconded by Kerrigan to adjust the bill down to an average. Vote on motion: Allen-yes, Kerrigan-yes, Anderson-yes, Walker-yes, Adkins-yes, Jackson-yes, and Mayor-yes.
- D. Marian Fordyce - Water Adjustment.** Ms. Fordyce stepped forward and stated she is here tonight to ask the council for a water adjustment due to a main water line busting which caused two high water bills. Further, the leak has been repaired. Mayor Johnson stated the bill was \$229.86 and \$101.48, but normally averages \$45.47. A motion made by Allen, seconded by Anderson to adjust both bills down to an average. Vote on motion: Allen-yes, Anderson-yes, Walker-yes, Adkins-yes, Kerrigan-yes, Jackson-yes, and Mayor-yes.
- E. Dwight Marable- Water Adjustment.** Mr. Marable stepped forward and stated he is here tonight to ask the council for a water adjustment due to a pump house pipe leak, which caused two high water bills and has been repaired. Mayor Johnson stated the bills totaled \$1,116.39 and \$126.63 and normally averages \$61.35. A motion made by Allen, seconded by Adkins to adjust both of the bills down to an average. Vote on motion: Allen-yes, Adkins-yes, Kerrigan-yes, Jackson-yes, Anderson-yes, Walker-yes, and Mayor-yes.
- F. Evelyn Stewart for Maxey Gilleland- Water Adjustment.** Ms. Stewart stated Ms. Gilleland had a leak in her yard that has been repaired. Mayor Johnson stated the affected water bills are in the amount of \$230.93, \$125.83, and \$118.53. He further stated Ms. Gilleland's bill normally averages \$60.65. A motion was made by Jackson, seconded by Allen, to adjust the bills down to an average. Vote on motion: Jackson-yes, Allen-yes, Kerrigan-yes, Anderson-yes, Walker-yes, Adkins-yes and Mayor-yes.
- G. Chris Johnson - Water Adjustment.** Ms. Johnson stated she had a water heater leak that has

been repaired. Mayor Johnson stated the affected water bills are in the amount of \$308.31 and \$160.86. He further stated Ms. Johnson's bill normally averages \$64.17. A motion made by Allen, seconded by Walker, to adjust the bills down to an average. Vote on motion: Allen-yes, Walker-yes, Adkins-yes, Kerrigan-yes, Jackson-yes, Anderson-yes, and Mayor-yes.

- H. **Andrea Henry - Water Tap.** Ms. Henry stated when lines came through she was supposed to get a free tap. Mayor Johnson suggested she speak with the Public Works Director to get on the right track.

REPORTS

- A. **City Attorney.** Ms. Noe stated she needed to address a couple of things due to Mayor Johnson's resignation as of November 21, 2018 and his last day will be next Tuesday at the Budget meeting. Further, she stated the council would need a motion to accept the resignation and swear in Mr. Steve Allen as the new mayor to take effect as of November 21, 2018. A motion was made by Walker, seconded by Anderson to accept Mayor Johnson's resignation to take effect on November 21, 2018. All approved by voice vote with Mayor Johnson abstaining from the vote. At this time Judge Stinnett came forward to swear in Vice-Mayor Steve Allen as Mayor effective November 21, 2018. After being sworn in both Judge Stinnett and Vice-Mayor Allen signed the oath. Ms. Noe advised the Council would need to decide on how to handle the vacant position on the Council. Ms. Reed stated the earliest she could get the advertisement in the paper would be the November 21 of the Ashland City Times. After much discussion regarding the deadline for the applicants and when to hold the special called meeting a motion was made by Jackson, seconded by Walker to advertise the deadline of December 3, 2018 at 12:00 pm for applications and to hold a special called council meeting on December 4, 2018 at 6:00 pm for the purpose of interviewing and selecting a candidate for the vacant council position. Vote on motion: Jackson-yes, Walker-yes, Adkins-yes, Allen-yes, Kerrigan-yes, Anderson-yes, and Mayor-yes.

OLD BUSINESS

- A. **Ordinance: Budget Amendment.** Ms. Reed stated this is the 2nd and final reading. A motion made by Jackson, seconded by Anderson to approve ordinance budget amendment. Vote on motion: Jackson-yes, Anderson-yes, Walker-yes, Adkins-yes, Allen-yes, Kerrigan-yes, and Mayor-yes. **2nd Reading**

NEW BUSINESS

- A. **Apple Developer Program Agreement.** Chief Coulon stated this is the Tip 400 application. Ms. Noe stated she would like to have indemnification clause removed but this is Apple and she does not think they will approve changes. A motion made by Allen, seconded by Walker, to approve the agreement. Vote on motion: Allen-yes, Walker-yes, Adkins-yes, Anderson-yes, Jackson-yes, Kerrigan-yes, and Mayor-yes.
- B. **Schematic Design Fee Proposal Agreement.** Mayor Johnson stated this is for the design needs for City Hall. A motion made by Adkins, seconded by Allen, to approve the agreement. Vote on motion: Adkins-yes, Allen-yes, Kerrigan-yes, Jackson-yes, Anderson-yes, Walker-yes and Mayor-yes.
- C. **CEC Bridge Engineering Agreement.** Mr. Scott Sampson stated this is a structural assessment of six bridges on the trail. Ms. Noe went over the several proposed changes to the agreement. A motion made by Walker, seconded by Adkins, to approve the agreement with the stated changes. Vote on motion: Walker-yes, Adkins-yes, Allen-yes, Kerrigan-yes, Jackson-yes, Anderson-yes and Mayor-yes
- D. **CSR ADA Engineering Agreement.** Mayor Johnson stated this is for the ADA agreement. Ms. Noe also questioned if Ashland City Elementary School ball field should be on the agreement since we lease the property. She went over some proposed changes on page 19 and 21 of the agreement. A motion made by Allen, seconded by Kerrigan to approve the agreement with changes. Vote on motion: Allen-yes, Kerrigan-yes, Jackson-yes, Anderson-yes, Walker-yes, Adkins-yes, and Mayor-yes.
- E. **NASPO Agreement.** A motion was made by Jackson, seconded by Allen to approve the agreement. Vote on motion: Jackson-yes, Allen-yes, Kerrigan-yes, Anderson-yes, Walker-yes, Adkins-yes, and Mayor-yes.

- F. Jason Cannon Contract.** Mayor stated this is to increase IT hours from 12 a week to 16 a week. Ms. Noe clarified if the Council chooses to increase the hours they would also need to amend the budget. Ms. Walker questioned if he will be coming at different times. Chief Walker stated now Mr. Cannon comes on Tuesday and Thursdays; however, we do allow him to flex his hours so long as he works the same amount of time every week. Chief Coulon stated he has called Mr. Cannon on the weekends. Mr. Jackson stated he cannot see giving him that much pay. Further, he feels we need a full time person and he doesn't feel like we are getting his full attention when he is here. Chief Walker stated the IT committee discussed during the budget process this year looking into getting a salaried person. Mr. Jackson questioned why not wait until that time. Chief Walker stated there are several things that need to get done. Ms. Walker stated she felt like the city will need a full-time and a part time person. Further, Mr. Cannon does a good job, but he is doing a lot. Mr. Jackson asked if this can be discussed further at the budget meeting. A motion was made by Anderson, seconded by Kerrigan to pass until the budget meeting. All approved by voice vote.
- G. A.O. Smith Contract.** Ms. Noe asked this be passed until the next meeting. A motion was made by Jackson, seconded by Anderson to defer until the next meeting. All approved by voice vote.
- H. Summerfest Carnival Contract.** Ms. Noe stated she had several changes to the contract adding an indemnification clause, adding to provide the city with 150 tickets for Town employees, and correcting typos. A motion was made by Jackson, seconded by Allen to approve the contract with the stated changes. Vote on motion: Jackson-yes, Allen-yes, Kerrigan-yes, Anderson-yes, Walker-yes, Adkins-yes, and Mayor-yes.
- I. Water Tank Agreement with Cheatham County.** Ms. Noe stated this agreement was approved last month; however, the county has proposed some changes being an easement in place of the quit claim and paying in installments as work is completed rather than in installments. A motion was made by Jackson, seconded by Allen to approve the agreement with the proposed changes. Vote on motion: Jackson-yes, Allen-yes, Adkins-yes, Walker-yes, Anderson-yes, Kerrigan-yes, and Mayor-yes.
- J. City Hall Appraisal Proposal Agreement.** A motion was made by Anderson, seconded by Allen to approve the agreement. Vote on motion: Anderson-yes, Allen-yes, Adkins-yes, Walker-yes, Jackson-yes, Kerrigan-yes, and Mayor-yes.
- K. Neal Westerman Contract- Sewer Treatment.** Ms. Noe stated she has not read this contract yet, but it looks the same as the prior contracts with Mr. Westerman so if the council chooses they can approve the contract contingent upon her approval. Mr. Jackson questioned what this is for. Mayor stated this is for the design of the sewer treatment plant. Mr. Anderson questioned the infiltration. Mr. Biggers responded there are several broken pipes, but even so they are almost at capacity now. Mayor responded at 80% capacity you have to start planning. Ms. Noe advised the consent order with TDEC requires a new plan. A motion was made by Walker, seconded by Allen to approve the contract contingent upon Ms. Noe's review and approval. Mr. Anderson questioned the capacity fees for the new apartments. Chief Walker stated it should be \$760,000 in capacity fees. Vote on motion: Walker-yes, Allen-yes, Adkins-yes, Anderson-yes, Jackson-no, Kerrigan-yes, and Mayor-yes.
- L. Certificate of Compliance-Mulberry Liquors.** Chief Coulon confirmed there are no problems with approving the certificate of compliance for Mulberry Liquors. A motion was made by Jackson, seconded by Allen to approve. Vote on motion: Jackson-yes, Allen-yes, Adkins-yes, Walker-yes, Anderson-yes, Kerrigan-yes, and Mayor-yes.
- M. Police Department Air Conditioning Discussion.** Chief Coulon stated this can be deferred. A motion was made by Allen, seconded by Anderson to defer. All approved by voice vote.
- N. TN Department of General Services Surplus Property Agreement.** Chief Coulon stated this a yearly renewal. A motion was made by Jackson, seconded by Anderson to approve the agreement. Vote on motion: Jackson-yes, Allen-yes, Kerrigan-yes, Anderson-yes, Walker-yes, Adkins-yes, and Mayor-yes.
- O. Ordinance: Amend Title 2 by adding Chapter 2.** Ms. Reed explained this is to amend ordinance 389 and increase traffic school fees by \$5. A motion was made by Jackson, seconded by Kerrigan to approve the ordinance. Vote on motion: Jackson-yes, Kerrigan-yes, Allen-yes, Adkins-yes, Walker-yes, Anderson-yes, and Mayor-yes.

- P. **Ordinance: Amend Title 6 chapter 2: 6-203.** A motion was made by Walker, seconded by Jackson to approve the ordinance. Vote on motion: Walker-yes, Jackson-yes, Anderson-yes, Adkins-yes, Allen-yes, Kerrigan-yes, and Mayor-yes.
- Q. **Ordinance: Amend Title 8 Chapter 2: 8-203 & 8-205.** Mayor stated this is to change the time for sell of beer on Sunday to 10 a.m. from 12 p.m. Ms. Noe stated a liquor store can begin sells at 10 a.m. and this will allow other stores to begin their sales at the same time. A motion was made by Walker, seconded by Allen to approve the ordinance. Vote on motion: Walker-yes, Allen-yes, Kerrigan-yes, Jackson-yes, Anderson-yes, Adkins-yes, and Mayor-yes.
- R. **Ordinance: Amend Title 16 Chapter 1: 16-112.** A motion was made by Anderson, seconded by Kerrigan to approve the ordinance. Vote on motion: Anderson-yes, Kerrigan-yes, Jackson-yes, Walker-yes, Adkins-yes, Allen-yes, and Mayor-yes.
- S. **Resolution: Abandon portion of Old Hydes Ferry Pike.** Ms. Noe stated she brought this for approval to abandon a portion of Old Hydes Ferry Pike for the new Hampton Inn site. Further, this portion of the road has been closed since approximately 1999. She further stated the property owners have been notified of this that own parcels in which touch the area to be abandoned. She further stated this request came from Hampton Inn in order for them to be able to place a red light at the end of the road. Mr. Allen questioned who would own it if it is abandoned. Ms. Noe clarified half will go to Hampton Inn and the other half will go to the neighboring property. In addition, the city will keep the water line easements. Chief Walker stated he feels this is the best possible scenario. A motion was made by Allen, seconded by Anderson to approve the Resolution to abandon a portion of Old Hydes Ferry Pike. Vote on motion: Allen-yes, Anderson-yes, Jackson-yes, Kerrigan-yes, Adkins-yes, Walker-yes, and Mayor-yes.

SURPLUS PROPERTY NOMINATIONS:

- A. **Misc. Police Department Listing-light bars, screens, gun racks, mounts, & siren box.** A motion was made by Anderson, seconded by Kerrigan to approve the surplus items. Vote on motion: Anderson-yes, Kerrigan-yes, Jackson-yes, Walker-yes, Adkins-yes, Allen-yes, and Mayor-yes.

EXPENDITURE REQUESTS

None.

OTHER BUSINESS

- A. **Bridge-Chestnut Street.** Mr. Adkins questioned if the bridge on Chestnut Street is open. Mr. Biggers responded it is open one lane right now.

ADJOURNMENT

A motion made by Anderson, seconded by Kerrigan to adjourn. All approved by voice vote and the meeting adjourned at 7:16 p.m.


 RICHARD JOHNSON, MAYOR


 KELLIE REED, CITY RECORDER