

TOWN OF ASHLAND CITY COUNCIL MEETING MINUTES

May 8, 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.

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. Tiffany White Water Adjustment.** Ms. Nichole Chambers stepped forward and stated she was here to represent Ms. Tiffany White who had a high water bill due to a leak in the toilet and would like to request an adjustment. Mayor stated the bill was \$584.01, but normally averages \$80.65. A motion was made by Jackson, seconded by Allen to adjust the bill down to an average. Vote on motion: Jackson-yes, Allen-yes, Anderson-yes, Walker-yes, Adkins-yes, and Mayor-yes.
- B. Ashland City United Methodist Church Water Adjustment.** Mr. Bill Sapp stepped forward and stated he is here tonight to ask the council for a water adjustment due to a toilet leak which caused a high water bill. Mayor stated the bill was \$2,144.52, and normally averages \$74.60. A motion was made by Allen, seconded by Walker to adjust the bill down to an average. Vote on motion: Allen-yes, Walker-yes, Adkins-yes, Jackson-yes, Anderson-yes, and Mayor-yes.
- C. Paul Davis Water Adjustment.** Mr. Davis stepped forward and stated he had a leaky expansion tank which cost \$205 to repair, but has been repaired and requested an adjustment for the leak. Mayor stated there were two high bills: one for \$109.49 and the second for \$143.18. Further, the bill normally averages \$46.14. A motion was made by Adkins, seconded by Allen to adjust the bill down to an average. Vote on motion: Adkins-yes, Allen-yes, Anderson-yes, Jackson-yes, Walker-yes, and Mayor-yes.
- D. Fire Station II. Water Adjustment.** Chief Walker stepped forward and stated Fire Station II. at the outside bathroom at the playground had a toilet leak which caused a high water bill and would like to request an adjustment. Mayor stated the bill totals \$766.86, but normally averages \$75.45. A motion was made by Allen, seconded by Jackson to adjust the bill down to an average. Vote on motion: Allen-yes, Jackson-yes, Anderson-yes, Walker-yes, Adkins-yes, and Mayor-yes.
- E. Travis Binkley Water Adjustment.** Mr. Binkley stepped forward and stated he had a leak and would like to request an adjustment. Mayor stated this leak affected five bills: \$201.59, \$252.64, \$263.99, \$298.01, and \$163.31. He further stated the bill normally averages \$59.24. Mr. Allen questioned if he had a leak the entire five months. Mr. Binkley responded he did and the problem was he originally attempted to fix the water heater that was leaking, but that particular water heater is no longer in production and when they were unable to fix the old water heater they had to replace and relocate the new one. A motion was made by Jackson, seconded by Allen to adjust Mr. Binkley's bills down to an average. Vote on motion: Jackson-yes, Allen-yes, Anderson-yes, Walker-yes, Adkins-yes, and Mayor-yes.
- F. Jimmy Gill Water Adjustment.** Ms. Reed stated Mr. Gill was unable to attend the meeting tonight and had asked her to present his water heater leak to the council and request an adjustment. Mayor stated this bill totaled \$880.38 and normally averages \$225.08. A motion was

made by Adkins, seconded by Anderson to adjust the bill down to an average. Vote on motion: Adkins-yes, Anderson-yes, Walker-yes, Allen-yes, Jackson-yes, and Mayor-yes.

- G. Justin Hooper Water Adjustment.** Ms. Reed stated she was asked to present another leak to the council for Justin Hooper, who has since moved out of the residence, but had a leak in the wall of his residence which was rental property. Ms. Reed stated the bills were in the amount of \$712.04, \$695.03, \$669.50, and \$558.90. Further, Mr. Hooper made monthly payments toward the cost of the bill and submitted the affidavit for the leak, but the landlord refused to fix the leak. Mr. Jackson stated the landlord should pay for the bills if he refused to fix the problem. Ms. Reed stated unfortunately the bill was in Mr. Hooper's name and we are unable to collect from the landlord. Ms. Walker asked about the next tenant. Ms. Reed responded there are notes in the system to prevent turning the water back on without discussing with the account holder. Mr. Allen commented if the leak was in the wall there should be damage. Mayor asked if the meter is off and locked. Ms. Reed stated yes and it is common practice if the water is turned back on and the meter starts spinning to turn off and leave a note at the residence. 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.
- H. Tim O'Neil, Hickory Circle Resident- Construction Concerns.** Mr. O'Neil stepped forward and stated he lives on Hickory Circle and has some concerns about the construction in the area. He questioned if there have been studies regarding water, septic, and roads. He further stated the trucks have been breaking up the road and have been backing into the neighbor's yards. In addition, he feels like the road is not big enough to handle the extra traffic and the trucks also disregard the stop sign. Chief Coulon stated he will be sure to issue more patrol in the area. Ms. Walker asked if there is anything that can be done being this is the second time something has been said about problems and asked if there is a possibility of fining the developers. Mr. O'Neil stated his wife said something to one of the concrete truck drivers and he told her it was not his problem. Mr. Jackson stated the driver really couldn't do anything, he was just doing his job; however, that is why the company has insurance and they should take care of it. Chief Walker stated the newer roads have different specks and not all are up to the standard, but they can ask the developer to fix it. Ms. Walker asked Mr. Biggers to make a note to add it to the list of streets to be repaved after the development is complete. He responded he would add it to the list.

REPORTS

- A. City Attorney.** Ms. Noe stated the charter has been passed by the legislature, but the governor is in Europe and once he returns and signs the bill the council will need to pass a resolution to ratify the charter. Further, at the end of the meeting the council can recess until next Tuesday if they would like to meet on that day for the purpose of passing the resolution in order to get the election on the August ballot. Mayor asked if anyone had any conflicts with being able to come next Tuesday night. Everyone agreed to come. Ms. Noe requested an attorney/client privilege meeting. Mayor called recess at 6:27 p.m. and called the meeting back to order at 6:41 p.m.

OLD BUSINESS

- A. Comcast Franchise Agreement.** Ms. Noe asked this be deferred until next meeting as she has been in touch with the representative from Comcast. A motion was made by Anderson, seconded by Walker. All approved by voice vote.
- 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 Adkins, seconded by Walker to approve the budget amendment. Vote on motion: Adkins-yes, Walker-yes, Allen-yes, Anderson-yes, Jackson-yes, and Mayor-yes. **2nd Reading**
- C. Ordinance: Rezone Arbor Loop- 9 Lots.** AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF ASHLAND CITY, TENNESSEE, 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. Chief Walker stated this is for second reading. A motion was made by Jackson, seconded by Allen to approve the ordinance to rezone from R-2 to R-3. A motion was made by Jackson, seconded by Allen to approve the ordinance to rezone from R-2 to R-3. Vote on motion:

Jackson-yes, Allen-yes, Adkins-yes, Walker-yes, Anderson-yes, and Mayor-yes. **2nd Reading**

- D. Ordinance: Rezone Orchard Street R-2 to R-3.** AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF ASHLAND CITY, TENNESSEE, BY REZONING PARCEL 1.00 OF CHEATHAM COUNTY TAX MAP 49J, GROUP B, LOCATED AT 218 ORCHARD LANE. Chief Walker stated this is for second reading. A motion was made by Jackson, seconded by Anderson to approve the ordinance to rezone from R-2 to R-3. Vote on motion: Jackson-yes, Anderson-yes, Walker-yes, Adkins-yes, Allen-yes, and Mayor-yes. **2nd Reading**
- E. Ordinance: Amend Ordinance 295 Regulating Automatic Sprinklers.** 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. A motion was made by Jackson, seconded by Anderson to approve the ordinance regulating automatic sprinklers. Vote on motion: Jackson-yes, Anderson-yes, Walker-yes, Adkins-yes, Allen-yes, and Mayor-yes. **2nd Reading**
- F. 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. Ms. Noe stated the changes have been marked up and the table of contents have been updated. A motion was made by Walker, seconded by Jackson to approve the ordinance to amend Title 20. Vote on motion: Walker-yes, Jackson-yes, Anderson-yes, Adkins-yes, Allen-yes, and Mayor-yes. **2nd Reading**

NEW BUSINESS

- A. Certificate of Compliance for Wine- Ashland City Liquor and Wine.** Ms. Reed stated this is for the 2-year renewal and the paperwork and background check, conducted by Chief Coulon, is in order. Chief Coulon confirmed everything looked good. A motion was made by Anderson, seconded by Allen to approve the certificate of compliance. Vote on motion: Anderson-yes, Allen-yes, Jackson-yes, Walker-yes, Adkins-yes, and Mayor-yes.
- B. Trail Connector Grant Amended Contract.** Mr. Jackson questioned if this is still the same as presented by Lose and Associates. Ms. Reed confirmed. Ms. Walker questioned which parks will be connected. Mayor stated it will connect to Riverbluff to the walking track. Mr. Young stated also to connect the city park, tennis courts, and Preacher Poole Walking Track. A motion was made by Jackson, seconded by Allen to approve the contract. Vote on motion: Jackson-yes, Adkins-yes, Allen-yes, Anderson-yes, Walker-yes, and Mayor-yes.
- C. E-Agent Contract.** Chief Coulon stated this is a program for the officers. Ms. Noe made some changes to the automatic renewal to 30-day cancellation and a deletion to 3.01, 5.01 and 5.02. She further stated she would mark the changes up with Ms. Reed. Ms. Walker asked the name be changed to Ashland City. A motion was made by Anderson, seconded by Allen to approve the contract with the changes presented by Ms. Noe. Vote on motion: Anderson-yes, Allen-yes, Walker-yes, Adkins-yes, Jackson-yes, and Mayor-yes.
- D. Verizon Connect Agreement.** Mayor stated this is for GPS monitoring which will be \$18 a month for each car. Chief Coulon further stated this will assist with a discount for our liability insurance as well. A motion was made by Walker, seconded by Adkins to approve the agreement. Vote on motion: Walker-yes, Adkins-yes, Allen-yes, Anderson-yes, Jackson-yes, and Mayor-yes.
- E. Carfax Agreement.** Chief Coulon stated this agreement will provide a program that will be beneficial for investigations. Further, will provide accident reports to the drivers without being required to come to the police department. Ms. Noe made some changes under section 5 regarding liability and a 30-day notice. A motion was made by Walker, seconded by Allen to approve the agreement. Vote on motion: Walker-yes, Allen-yes, Adkins-yes, Anderson-yes, Jackson-yes, and Mayor-yes.

- F. ADA Transition Letter.** Mr. Stinson stepped forward and stated this is to approve the letter for the state stating we are in the process of creating a transition plan. Mayor stated it makes them aware we know this has to be done and we plan to do it. Mr. Stinson stated the ADA transition seeks to ensure municipalities follow and comply with requirements or TDOT will no longer award money. Further, this was actually due in December and reads it is to be passed by resolution. Ms. Reed stated she was not aware it required resolution and can be approved at the next meeting. A motion was made by Allen, seconded by Anderson to approve the ADA Transition Letter. Mayor asked if the resolution can be passed tonight. Ms. Noe stated they can do an oral resolution to accept and approve. Mayor stated he didn't want to get further behind. Mr. Anderson stated this will require us to set aside money. Mayor stated right now they want the plan. Mr. Adkins asked if this can be passed to next Tuesday. Both Allen and Anderson withdrew their motions and agreed to discuss next Tuesday night for the recessed meeting.
- G. Resolution: Update Employee Manual.** Mr. Jackson asked if this can be deferred. Mayor stated we can, but it is part of the budget. Mr. Jackson stated this will cost thousands over the next few years. Ms. Cannon stated Ms. Reed has a worksheet to calculate costs for the retiree insurance premiums which was presented at the workshop meeting last week; however, it will not affect the budget this year and really wouldn't until 2019. Ms. Cannon further stated she has handed out copies with only the changes to the manual. Ms. Noe stated being there wasn't a consensus on the vacation leave nothing was changed there; however, if council likes it can be changed now by vote being it has already cost one department \$10,000 this year. Ms. Noe stated the other change was pay an additional 10% for family plan coverage. Ms. Cannon further stated most cities pay some cost toward the premium. Further, this is to try and provide better insurance: last year the deductible was \$6,000 for an individual and this year it will be \$3,000 with the city contributing \$1,000 toward an H.S.A. Mr. Anderson stated he felt the cost of insurance was too expensive for a family and this will be good to help retain employees by offering better benefits. Ms. Cannon stated it is worth a lot to a family. A motion was made by Anderson, seconded by Allen to approve the resolution to update the employee manual. Vote on motion: Anderson-yes, Allen-yes, Jackson-yes, Walker-yes, Adkins-yes, and Mayor-yes.
- H. Ordinance: 18-19 Budget.** AN ORDINANCE OF THE TOWN OF ASHLAND CITY, TENNESSEE ADOPTING THE ANNUAL BUDGET AND TAX RATE FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2019. Mr. Jackson stated he has a problem with giving Public Works/Utilities an Assistant Director because of all the supervisors in the departments. Mayor stated this would be for more administrative duties. Mr. Jackson stated he feels like fire and police are different because they are life and death situations, but he does not see justification for that much money. Mayor stated he needs someone to back him up. Mr. Allen stated in his absence yes, but if he isn't absent there is no point. Mayor asked for the overall cost of the budgets for both streets and water. Ms. Reed stated the street budget is \$938,000 and the water budget is \$3.4 million. Mayor stated that is over 4 million dollars and 23 employees the Director of Public Works/Utilities is responsible for. Ms. Reed stated one thing the new position would be responsible for is inventory and fixed assets that need to be tracked better. Mr. Anderson stated he felt the salary was just too much money. Mr. Jackson stated it could cost half the money if we promote within from another position. Ms. Walker asked if the job description has been set and how we know what that position is worth. Ms. Reed stated the position has not been approved and would be done when the position is approved. Mr. Anderson stated when the work slows down then they will have to get rid of that person and he doesn't want to hire then do cutting of positions. Further, he doesn't want to dip into the rainy day fund so he will vote for the budget if that extra position is taken out. Mr. Biggers added he is all for promoting within. A motion was made by Anderson, seconded by Jackson to take out the position. Vote on motion: Anderson-yes, Jackson-yes, Walker-yes, Adkins-yes, Allen-yes, and Mayor-no. A motion was made by Walker, seconded by Allen to approve the budget ordinance with the change. Vote on motion: Walker-yes, Allen-yes, Jackson-yes, Anderson-yes, Adkins-yes, and Mayor-yes.
- I. Ordinance: Food Trucks.** AN ORDINANCE TO AMEND TITLE 9 BUSINESS, PEDDLERS, SOLICITORS, ETC ADDING CHAPTER 10 MOBILE FOOD VENDING. Ms. Reed stated she sent out several changes today for the food truck ordinance. Further, this is for first reading so changes can be made if anyone sees anything. Chief Walker stated Ms. Noe and Ms. Reed went through the food truck ordinance again today after it was discussed at planning commission

meeting. Ms. Reed clarified the ice cream trucks will not be required to get a permit unless they are parking on private property for more than four days in a week or if they would like to participate in a food truck rally. Mr. Jackson asked about being at the library or educational complexes. Ms. Reed stated they can with written consent from the owner of the property. Chief Walker stated after 3 hours of time on a property they must have access to a flushable bathroom within 450 feet. Ms. Reed stated if this ordinance passes we will look at a plan for locations and times for public property. She further stated the yearly fee for the food truck permits will be \$50 and the city will provide a sticker with the permit expiration once the paperwork is in order. Mr. Anderson commented he liked the idea of passing the food truck ordinance; however, he does not like the idea of requiring them to wait thirty days to see if approved. Ms. Reed stated that can be changed. Ms. Reed stated the police and codes will be responsible for checking the applications and such. Further, re-inspects after issuance of permit will be complaint driven. A motion was made by Anderson, seconded by Walker to approve the food truck ordinance. Vote on motion: Anderson-yes, Walker-yes, Allen-yes, Jackson-yes, Adkins-yes, and Mayor-yes.

- J. **Permission to bid roof at Fire Station II.** A motion was made by Jackson, seconded by Anderson to give permission to bid roof at Fire Station II. Vote on motion: Jackson-yes, Anderson-yes, Walker-yes, Allen-yes, Adkins-yes, and Mayor-yes.
- K. **Resolution: Consideration for right-of-way to Industrial Park Water Tank.** Ms. Noe stated this is for the right-of-way at the old water tank and the city will need ownership of this in order to access the water tank. In addition, the fee is to pay for the legal fees. A motion was made by Jackson, seconded by Anderson to approve the resolution for the right-of-way to Industrial Park Water Tank. Vote on motion: Jackson-yes, Anderson-yes, Walker-yes, Adkins-yes, Allen-yes, and Mayor-yes.
- L. **Pyro Shows Agreement** Ms. Noe stated she did have some changes and wanted to point out a few things. She stated, if it is canceled due to a weather event the city will pay 30% of the contract price and if it is canceled the city pays 50% of the contract price. She asked to delete the indemnification clause. Ms. Walker asked if the cost of \$12,750 was increased from last year. Mr. Young stated it is about the same and he would ask them to extend the time some. A motion was made by Jackson, seconded by Adkins to approve the Pyro Shows agreement. Vote on motion: Jackson-yes, Adkins-yes, Allen-yes, Anderson-yes, Walker-yes, and Mayor-yes.
- M. **Lease Purchase Agreement- Public Works Copier.** A motion was made by Anderson, seconded by Walker to approve the lease purchase agreement. Vote on motion: Anderson-yes, Walker-yes, Allen-yes, Jackson-yes, Anderson-yes, and Mayor-yes.

OTHER BUSINESS

None.

RECESS

A motion was made by Anderson, seconded by Walker to recess until May 15, 2018 at 6:00 p.m. All approved by voice vote and the meeting was called to recess at 7:43 p.m.


RICHARD JOHNSON, MAYOR


KELLIE REED, CITY RECORDER