



**TOWN OF ASHLAND CITY**  
**Regularly Scheduled City Council Meeting**  
**December 13, 2022 6:00 PM**  
**Minutes**

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**CALL TO ORDER**

Mayor Smith called the meeting to order at 6:00 p.m.

**ROLL CALL**

PRESENT

Mayor JT Smith

Vice Mayor Gerald Greer

Councilman Tim Adkins

Councilman Chris Kerrigan

Councilman Michael Smith

Councilman Kevin Thompson

Councilman Tony Young

**PLEDGE AND PRAYER**

Councilman Adkins led the Pledge of Allegiance of the United States of America and the prayer.

**APPROVAL OF AGENDA**

A motion was made by Councilman Adkins, Seconded by Councilman Thompson, to approve the agenda. All approved by voice vote.

**APPROVAL OF MINUTES**

1. November 15, 2022 Council Meeting Minutes

A motion was made by Councilman Thompson, Seconded by Vice Mayor Greer, to approve the meeting minutes. All approved by voice vote.

**PRESENTATION OF CHRISTMAS PARADE AWARDS**

2. Mayor's Choice

Mayor Smith presented the Mayor's Choice Award to Cheatham County Funeral Home.

3. 1st Place

Mayor Smith presented the 1<sup>st</sup> place award to Holly Waller, Cheatham County Court Clerk.

4. 2nd Place

Mayor Smith presented the 2<sup>nd</sup> place award to the Town of Ashland City.

5. 3rd Place

Mayor Smith presented the 3<sup>rd</sup> place award to Midway Supply.

**PUBLIC FORUM**

**Sherri Raymer** - Ms. Raymer stated that she lives on Highway 12 close to the quarry, and she wanted the council to keep this at the top of their minds and vote against the rezone. She stated that the dump trucks that are stopping in the right lane on the highway are a safety issue, and a car could easily run up under one and kill someone. Ms. Raymer stated that she wants them to consider the public safety concern and what they are all going through.

**Gail Watts** - Ms. Watts stated that she is in agreeance with Ms. Raymer and that all the residents are pleading with the City to not allow the rezone. She stated that this has been going on for two years and in the City's code it says that "the property maintenance standards program is designed to maintain a high level of property maintenance standards and reduce or eliminate undesirable nuisances, hazards, and effects associated with blighting" and that is the whole purpose of the rezoning, and it is the city's responsibility. Ms. Watts asked them to vote no because the last time the Planning Commission voted no; the council voted yes. She stated that she has been behind two trucks that stopped in the right lane to make a turn into that driveway which is a very slow process, and anyone could come up behind and slam into you. Ms. Watts stated that she wouldn't want that on her shoulders if someone gets killed in that spot because of these trucks. She stated that the trucks are in and out even after TDOT asked him not to and he does it every day.

**Sandra Braden** - Ms. Braden stated that her house is adjacent to the quarry, and she has lived there 15 years. She stated that she wanted to express her opposition against the rezone. Ms. Braden stated

that she moved here to spend her senior years in peace, quiet, and tranquility, but her expectation was destroyed by the walker mining project next to her home. She stated that they are running an illegal mining operation in a residential area and are allowed to blast. Ms. Braden asked what the future is for the community if the rezone is approved and stated that results of the current policies being allowed by the Ashland City government are unscheduled dynamite blasts for excavation of the rock undermining my house and my peace of mind. She stated that that they do it from dawn to dusk all hours of the day seven days a week, and there is no sleeping past 6:30 a.m. She stated that there is dangerous transport of the illegally mined gravel and rock on state highways despite citations being issued by TDOT. Ms. Braden stated that these practices pose a danger to all residents driving on Highway 12. She stated that there are physical and emotional effects including anxiety, sleep deprivation, and environmental concerns regarding the air and soil, and despite all these issues expressed by the residents, the city council is considering allowing the rezone of the property and we need our representatives to represent us and say no to rezoning.

**Katie Biggs** - Ms. Biggs stated that she lives two blocks away from the quarry and she works from home. She stated that the blasting shakes her house, and it has to be doing damage. Ms. Biggs stated that there are cracks in the bricks and the driveway, and she wanted to know who will be responsible for the repairing the damage. She stated that she cannot be the only one with damage and she asked the council to not allow the rezone. Ms. Biggs asked that he be made to move his quarry somewhere else because it is not the only rock in Tennessee that he can smash up and sell.

**Amy Cook** - Ms. Cook stated that she lives on Riverview Lane which is behind the quarry. She stated that she is astounded that it has gotten to this point. Ms. Cook stated that Walker is saying he has all the correct permits, but the State standard is not to enforce zoning and therefor approve permits without even looking at zoning. She stated that he has ignored everything and so has the City. Ms. Cook stated that she is only asking the City to uphold their own zoning. She stated that it never should have come to this, and the City needs to do the right thing.

**Zada Law** - Ms. Law stated that she lives on Riverview Lane in the subdivision adjacent to the quarry. She stated that it is currently being used for purposes that are not allowed for its zoning. Ms. Law stated that she cannot believe that she has to come up here again and ask the City Council to enforce its own zoning. She stated that they have been asking the City to enforce its own zoning since the summer of 2020 and they need to do their jobs. Ms. Law stated that this is on the Council and that industrial uses are not allowed adjacent to residential uses. She stated that the property being used for industrial purposes is currently zoned residential. Ms. Law asked them to go home, think about it, pray on it, and do the right thing. She stated that the Mayor and Council work for them.

**Deborah Doyle** - Ms. Doyle stated that she lives on Little Marrowbone, and she is here to oppose the rezone. She stated that it is zoned residential and currently operating as an I-3, heavy industrial. Ms. Doyle stated that the Federal Mining Association has been visiting the quarry since he opened, and Walker has racked up a nice list of violations. She stated that TDOT is looking out for them as well because of the Highway issue of the steep grade and narrow driveway. Ms. Doyle stated that these are two unpermitted entrances to the quarry. She stated that he has been cited in 2021 and was never served the shutdown order because the City did not do its job. Ms. Doyle stated that he was cited in September of 2022 and was not shut down. She stated that was cited again about two weeks ago, was shut down for about three days, and is back in business ignoring these orders. Ms. Doyle stated that the City has these citations and she submitted a records request to get a copy and all she got was a letter that describes the attempt to shut him down. She stated that Mr. Nicholson has been working with her to get these citations, but she wants to know who is getting them and who is hiding them. Ms. Doyle stated that the City needs to do its job.

**Jane Crisp** - Ms. Crisp stated that she is a resident, and she is here for the people that don't actually live in the neighborhood, but care about their neighbors. She stated that she the people that filed the lawsuit against Walker did an amazing job. Ms. Crisp stated that one of the problems in getting the injunction was that Chief Walker filed an affidavit in response and she read it aloud. She stated that she wanted to praise some of the City and that is both building and codes inspectors which are actually doing the work and did an amazing job trying to enforce what they needed to. Ms. Crisp stated that they have run into problems, and she read a letter aloud to Bryan Lewis from the City Attorney. She stated that there is clear intent in the letter which was given to her because of a records request. Ms. Crisp stated that it is not the Council and Planning Commission not doing their jobs, it is other people in the

City. She stated that this matters to everyone and it seems that the City is on Walker's side and has been buying rock from the Walker quarry.

**Dominic Doyle** - Mr. Doyle stated that he is a resident of Little Marrowbone Rd, and he is going to take a different approach to this. He stated that you have a guy who is operating a business illegally and he is wondering about other businesses up and down Highway 12 who are following the rules. Mr. Doyle asked what that tells them if they followed the rules and someone else can come and operate a business illegally for two years. He stated that no one has done anything about putting a stop to it and it is ridiculous. Mr. Doyle stated that if he was just out in a field somewhere it probably wouldn't be so bad, but when you have an entire community living next door it is different. He stated that it sets a dangerous precedent for new businesses coming in.

**Lynn Williams** - Ms. Williams stated that she is speaking on behalf of her parents who live next door to the quarry. She stated that her husband is a retired civil engineer, and they also pulled a records request. Ms. Williams stated that she first wanted to speak on how her parents' quality of life has gone down since they first bought their home. She stated that they have dust coming up from the explosions covering their cars, they can no longer have meals on their screened in porch, they cannot raise their windows, she cannot stay at their house long due to her asthma and the dust, her mother has had a rock graze her scalp, and it is constant noise all the time. Ms. Williams stated that she is asking for the Council not to support the rezone and to enforce the residential zoning that is there. She stated that in their experience, they know what happens when industrial zoning is approved. Ms. Williams stated that it could offer for a lot of reasons and those reasons may be those they have not considered. She stated that they have looked into it, and she is asking them to look into it as well because it may go so far as to even allow adult entertainment with a special exception.

At this time, Vice Mayor Greer called for an Attorney-Client meeting. The meeting recessed at 6:28 p.m. The meeting was called back to order at 6:55 p.m.

## **REPORTS**

### 6. City Attorney

Ms. Noe stated that the Hidden Lakes case is currently in the court of appeals process.

## **OLD BUSINESS**

### 7. Lease Office Space for Meetings

Mayor Smith stated that Mayor McCarver granted the City another year to use their building. A motion was made by Councilman Thompson, Seconded by Councilman Young, to deny the lease. Voting Yea: Mayor Smith, Vice Mayor Greer, Councilman Adkins, Councilman Kerrigan, Councilman Smith, Councilman Thompson, Councilman Young.

### 8. Resolution: Updating the Purchasing Policy

A motion made by Vice Mayor Greer, Seconded by Councilman Young, to defer the resolution to next month. All approved by voice vote.

### 9. Ordinance: Modify Title 7, Chapter 6 Fireworks

Mayor Smith stated this is for second and final reading. A motion was made by Councilman Kerrigan, Seconded by Councilman Smith, to approve the ordinance. Voting Yea: Mayor Smith, Vice Mayor Greer, Councilman Adkins, Councilman Kerrigan, Councilman Smith, Councilman Thompson, Councilman Young.

## **NEW BUSINESS**

### 10. Josh Wright Contracts

Ms. Noe stated that the council previously approved these contracts, but the signed contracts cannot be located. She stated that the USDA is asking for signed copies and the changes are marked. A motion was made by Councilman Smith, Seconded by Vice Mayor Greer, to approve the agreements with changes. Voting Yea: Mayor Smith, Vice Mayor Greer, Councilman Adkins, Councilman Kerrigan, Councilman Smith, Councilman Thompson, Councilman Young.

### 11. Amending GNRC Grant contract #2326-05

Ms. Batts stated that this is an agreement extending the grocery from gram until June of 2023 and it is now serving thirty seniors. A motion was made by Councilman Kerrigan, Seconded by Councilman Young, to approve the agreement. Voting Yea: Mayor Smith, Vice Mayor Greer,

Councilman Adkins, Councilman Kerrigan, Councilman Smith, Councilman Thompson, Councilman Young.

12. CDBG Engineering Agreement with CSR

Mr. Biggers stated that they have applied for this grant for three years and they finally got it. He stated that it is for \$300,000.00 and it will replace three sewer lift stations. A motion was made by Councilman Thompson, Seconded by Councilman Smith. Voting Yea: Mayor Smith, Vice Mayor Greer, Councilman Adkins, Councilman Kerrigan, Councilman Smith, Councilman Thompson, Councilman Young.

13. Serving Seniors Terms of Agreement

Ms. Batts stated that this is an agreement for the \$5000.00 grant received from the Community Foundation of Middle Tennessee. A motion was made by Councilman Thompson, Seconded by Councilman Young, to approve the agreement. Voting Yea: Mayor Smith, Vice Mayor Greer, Councilman Adkins, Councilman Kerrigan, Councilman Smith, Councilman Thompson, Councilman Young.

14. Resolution: Ratifying Cheatham County Growth Plan

Mr. Nicholson stated that this is a resolution to ratify the Cheatham County Growth Map. He stated that there were no changes made for Ashland City, but they will revisit this in the future. A motion was made by Councilman Thompson, Seconded by Vice Mayor Greer, to approve the resolution. Voting Yea: Mayor Smith, Vice Mayor Greer, Councilman Adkins, Councilman Kerrigan, Councilman Smith, Councilman Thompson, Councilman Young.

15. Resolution: Updating the Wage and Salary Policy

Ms. Bowman stated that this was to bring our wage and salary policy up to date with checks, direct deposits, and TCRS. She stated that this will also change people keeping their pay when demoted. A motion was made by Councilman Thompson, Seconded by Councilman Kerrigan, to approve the resolution. Voting Yea: Mayor Smith, Vice Mayor Greer, Councilman Adkins, Councilman Kerrigan, Councilman Smith, Councilman Thompson, Councilman Young.

16. Resolution: Adopting the Cheatham County Hazard Mitigation Plan

Mr. Nicholson stated that this is the updated 2022 plan. He stated that they go over it every five years. A motion was made by Vice Mayor Greer, Seconded by Councilman Kerrigan, to approve the resolution. Voting Yea: Mayor Smith, Vice Mayor Greer, Councilman Adkins, Councilman Kerrigan, Councilman Smith, Councilman Thompson, Councilman Young.

17. Ordinance: Modifying Title 11, Chapter 4, Section 11-404

Ms. Martin stated that this is to remove fireworks from Title 11 and leave it in Title 7. A motion was made by Vice Mayor Greer, Seconded by Councilman Kerrigan, to approve the ordinance. Voting Yea: Mayor Smith, Vice Mayor Greer, Councilman Adkins, Councilman Kerrigan, Councilman Smith, Councilman Thompson, Councilman Young.

18. Ordinance: After Hour Water Disconnects

Ms. Bowman stated that this is to remove after hours connections and making it business hours of 8:00 a.m. to 4:30 p.m. She stated that customers will no longer be able to get their water reconnected until the next morning. A motion was made by Councilman Kerrigan, Seconded by Councilman Young, to approve the ordinance. Voting Yea: Mayor Smith, Vice Mayor Greer, Councilman Adkins, Councilman Kerrigan, Councilman Smith, Councilman Thompson, Councilman Young.

### **SURPLUS PROPERTY NOMINATIONS**

19. Ice Machine

Ms. Batts stated that the ice machine went out and they replaced it. A motion was made by Councilman Kerrigan, Seconded by Vice Mayor Greer, to approve the surplus. Voting Yea: Mayor Smith, Vice Mayor Greer, Councilman Adkins, Councilman Kerrigan, Councilman Smith, Councilman Thompson, Councilman Young.

### **EXPENDITURE REQUESTS**

20. Award Bid: WWTP

Mayor Smith stated we will defer this to next month. A motion was made by Vice Mayor Greer, Seconded by Councilman Smith. Ms. Noe stated that they are under an order from TDEC to complete this by December of 2023. She stated that they would have to get TDEC and the Federal Courts to approve an extension. Vice Mayor Greer asked if we would have everything in

order by January. Ms. Noe stated that we are hoping to award the bid then. All approved by voice vote.

**OTHER**

None.

**ADJOURNMENT**

A motion was made by Vice Mayor Greer, Seconded by Councilman Smith, to adjourn the meeting. All approved by voice vote and the meeting adjourned at 7:09 p.m.

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MAYOR JT SMITH

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CITY RECORDER ALICIA MARTIN, CMFO

DRAFT