



## **TOWN OF ASHLAND CITY**

### **Regularly Scheduled City Council Meeting**

### **March 08, 2022 6:00 PM**

### **Minutes**

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#### **CALL TO ORDER**

Vice Mayor Smith called the meeting to order at 6:04 p.m.

#### **ROLL CALL**

##### **PRESENT**

Vice Mayor JT Smith  
Councilman Tim Adkins  
Councilman Gerald Greer  
Councilman Chris Kerrigan  
Councilman Kevin Thompson  
Councilman Tony Young

##### **ABSENT**

Mayor Steve Allen

#### **PLEDGE AND PRAYER**

Councilman Adkins led the pledge and prayer.

#### **APPROVAL OF AGENDA**

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

#### **APPROVAL OF MINUTES**

1. February 8, 2022 Council Meeting Minutes

A motion was made by Councilman Greer, seconded by Councilman Kerrigan, to approve the February 8, 2022 Council Meeting Minutes. All approved by voice vote.

#### **PUBLIC FORUM**

None.

#### **REPORTS**

None.

#### **OLD BUSINESS**

2. Ashland Market Package Liquor Application

Ms. Noe stated that this came before the board last month and it was deferred. She stated that we currently have a residence requirement which TCA states may be enforced but the Supreme Court says no. Ms. Noe stated that since the Supreme Court trumps TCA, we cannot have the requirement and the applicant meets all other qualifications. A motion was made by Councilman Greer, seconded by Councilman Adkins, to approve the application. Voting Yea: Councilman Adkins, Councilman Greer, Councilman Young. Voting Nay: Vice Mayor Smith, Councilman Kerrigan, Councilman Thompson. Ms. Noe stated that the vote failed. Councilman Adkins asked what the next steps were. Ms. Noe stated that if it was neither approved nor denied, the certificate is approved after sixty (60) days. She stated she will have to review this since we did not have a majority vote.

3. Court Discussion

Councilman Kerrigan stated that this should be deferred until there is more information. Ms. Noe stated that at the last meeting we spoke about electing the Court Clerk, but we do not have time for this election. Councilman Greer asked if we could find out court revenues since there were two (2) very different numbers presented. Ms. Bowman asked if they wanted other cities to come and speak to them. She stated that she could reach out to the auditor again. A motion was made by Councilman Kerrigan, seconded by Councilman Greer, to defer the discussion until the next meeting. All approved by voice vote.

4. Ordinance: Temporary Use Permit

Councilman Greer stated that there should be some specifics on what the permit covers. Councilman Kerrigan said it should include flowers and produce only. Ms. Noe stated agriculture. A motion was made by Councilman Kerrigan, seconded by Councilman Greer to approve the Ordinance with the changes stated. Voting Yea: Vice Mayor Smith, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilman Young. Voting Abstaining: Councilman Thompson.

5. Ordinance: Budget Amendment #6 (Red light)

Ms. Bowman stated that this is a passthrough and we will be reimbursed. A motion was made by Councilman Greer, seconded by Councilman Kerrigan, to approve the budget amendment. Voting Yea: Vice Mayor Smith, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilman Thompson, Councilman Young.

6. Ordinance: Amend Title 8, Chapter 2: Beer

Ms. Noe stated that this is for a second reading, and it will allow for designated areas at special events. A motion was made by Councilman Kerrigan, seconded by Councilman Greer, to approve the amendment. Voting Yea: Vice Mayor Smith, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilman Thompson. Voting Nay: Councilman Young.

## **NEW BUSINESS**

7. Fireworks Display Contract for Summerfest

Mr. Sampson stated that this is for the fireworks show for Summerfest. Councilman... asked if this was the same vendor as last year. Mr. Sampson stated it was a different company. Ms. Noe stated that under section 5 of the agreement, as allowed by law needs to be added in the indemnification. A motion was made by Councilman Kerrigan, seconded by Councilman Young, to approve the agreement. Voting Yea: Vice Mayor Smith, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilman Thompson, Councilman Young.

8. Clarke Maintenance Agreements for Town of Ashland City

Ms. Martin stated that these were agreements to have all the city's generators maintained and this year they have offered a three (3) year renewal. Councilman Kerrigan asked if we would prefer the three (3) year agreement. Mr. Biggers stated yes. A motion was made by Councilman Kerrigan, seconded by Councilman Greer, to approve the agreements with the three-year renewal option. Voting Yea: Vice Mayor Smith, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilman Thompson, Councilman Young.

9. Sewer Plant Increase Discussion

Mr. Biggers stated that due to the amount of time this has taken the price has gone up quite a bit. Ms. Bowman stated that right now it is looking to be about \$6 million over the original cost. She stated that would be \$250,000 to \$300,000 per year on that loan. Ms. Bowman stated that before USDA will continue with the plans, Council must approve that they are willing to cover the rest of the cost. Councilman Thompson asked if there were any grants that could help with the cost. Ms. Bowman stated that we currently have some grant money for it and USDA will look for more, but all projects are coming in over cost right now. She reminded the council that we are under court order to build this sewer plant. A motion was made by Councilman Kerrigan, seconded by Councilman Thompson, to approve the increase. Voting Yea: Vice Mayor Smith, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilman Thompson, Councilman Young.

10. Mid Cumberland Agreement

Ms. Martin stated that this is the annual agreement. She stated that if MidCumberland exhausts all of its funds, the city would pay the difference, but GNRC would reimburse it. A motion was made by Councilman Kerrigan, seconded by Councilman Thompson, to approve the agreement. Voting Yea: Vice Mayor Smith, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilman Thompson, Councilman Young.

11. Hotel/Motel Tax

Ms. Bowman stated that the council requested to have this increased. She stated that we currently receive 2.5%, but we want to change it to 4%. Ms. Bowman stated that we are looking into the process of having that amended and will have an Ordinance ready at the next meeting.

12. Preferred Tank & Tower Agreement

Mr. Biggers stated that this agreement is to have the water tanks inspected. Ms. Noe stated that the agreement looked fine. A motion was made by Councilman Adkins, seconded by Councilman Kerrigan, to approve the agreement. Voting Yea: Vice Mayor Smith, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilman Thompson, Councilman Young.

13. Resolution: Updating Section III Leave - Contagious Disease

Ms. Bowman stated that the only changes are in red, and it is defining emergency personnel. A motion was made by Councilman Adkins, seconded by Councilman Kerrigan, to approve the Resolution. Voting Yea: Vice Mayor Smith, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilman Thompson, Councilman Young.

14. Resolution: Updating Section III Leave - Inclement Weather

Ms. Bowman stated that this is the same as the last. She stated that the only changes are in red, and it is defining emergency personnel. A motion was made by Councilman Greer, seconded by Councilman Kerrigan, to approve the Resolution. Voting Yea: Vice Mayor Smith, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilman Thompson, Councilman Young.

15. Ordinance: Amend Residence Requirements

Ms. Martin stated that this was to delete the residence requirements in its entirety. Councilman Kerrigan asked if they had a choice. Ms. Noe stated that they did not. Councilman Kerrigan stated that it looks as if we are amending the requirements for this one person because they brought an attorney in. He stated that he believes a lot of people would be upset that we allow this, and that the opportunity should be opened up to others. Councilman Adkins confirmed that this was to delete the requirement. Councilman Kerrigan stated that was correct. A motion was made by Councilman Kerrigan, seconded by Councilman Young, to approve the Ordinance. Voting Yea: Vice Mayor Smith, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilman Thompson, Councilman Young.

16. Ordinance: Amend Parking Spaces

Mr. Nicholson stated that this was presented to the Planning Commission by Ms. Valerie Kemp, and it is to decrease the number of parking spaces required at Financial and Real Estate Service offices. He stated that most of these places are in and out or drive-thru and it is recommended by the Planning Commission to approve this. A motion was made by Councilman Kerrigan, seconded by Councilman Greer, to approve the amendment. Voting Yea: Vice Mayor Smith, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilman Thompson, Councilman Young.

17. Ordinance: Budget Amendment #7 (Flood Relief Funds)

Ms. Bowman stated that this is the flood money that has been sitting in an account for a very long time that the auditors determined the majority of it was water and should be reimbursed. She stated that the council was voting to move the money from the flood fund to the water account and appropriate the money to purchase meters. A motion was made by Councilman Thompson, seconded by Councilman Kerrigan, to approve the amendment. Voting Yea: Vice Mayor Smith, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilman Thompson, Councilman Young.

## **SURPLUS PROPERTY NOMINATIONS**

### **18. Surplus Mower**

Mr. Biggers stated that they are wanting to surplus this mower because it has already been replaced. A motion was made by Councilman Kerrigan, seconded by Councilman Adkins, to approve the surplus. All approved by voice vote.

## **EXPENDITURE REQUESTS**

### **19. Award Bid: PW and PD Roof Replacement**

Mr. Biggers stated that he would like to recommend RSS. Councilman Kerrigan asked how much money was set aside for it. Ms. Bowman stated that there was \$200,000 and of that money, \$67,000 was a grant. A motion was made by Councilman Kerrigan, seconded by Councilman Greer, to award the bid to RSS. Voting Yea: Vice Mayor Smith, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilman Thompson, Councilman Young.

### **20. Award Bid: New Fire Hall**

Chief Walker stated that the bids were opened today, and we had four (4) bidders submit bids. He stated that the low bid came in around \$700,000 cheaper than the rest and all the others were pretty close. Chief Walker stated that once they left, the low bidder called and withdrew their bid. He stated that he reached out to other Fire Departments who had worked with these bidders in the past for reviews of their work. After much discussion, A motion was made by Councilman Thompson, seconded by Councilman Greer, to award the bid to the Parent Company. Voting Yea: Vice Mayor Smith, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilman Thompson, Councilman Young.

### **21. Purchase new lawn mower for Parks and Recreation.**

Mr. Sampson stated that this was to replace their current lawnmower with a new one. He stated that they have the money in their budget, and it would be through the State contract. A motion was made by Councilman Adkins, seconded by Councilman Kerrigan, to approve the request. Voting Yea: Vice Mayor Smith, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilman Thompson, Councilman Young.

### **22. Request to Bid: ADA Improvements for Johns Park**

Mr. Sampson stated that this was for permission to bid the ADA improvements at Johns Park. A motion was made by Councilman Kerrigan, seconded by Councilman Greer, to approve the request. Voting Yea: Vice Mayor Smith, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilman Thompson, Councilman Young.

### **23. Seal and Stripe upper parking lot at Riverbluff Park/Professional Services**

Mr. Sampson stated that this was to seal and stripe the upper parking lot at Riverbluff Park. A motion was made by Councilman Greer, seconded by Councilman Adkins, to approve the request. Voting Yea: Vice Mayor Smith, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilman Thompson, Councilman Young.

## **OTHER**

**Sewer Increase Agreement** - Ms. Martin stated that under item #9 on the agenda, there was also an agreement that needed approval as well and we did not get that yet. Ms. Noe stated that it was for the engineering services and there were a few changes to be added to the contract. She stated that under # 52 the language "owner shall indemnify as allowed by law" should be added and under # 58 delete section 6.13 in its entirety. A motion was made by Councilman Kerrigan, seconded by Councilman Greer, to approve the agreement with the changes and additions stated. Voting Yea: Vice Mayor Smith, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilman Thompson, Councilman Young.

**Riverbluff Park Entrance** - Councilman Kerrigan asked about the entrance to the park and when it would be fixed. Mr. Sampson stated that he thought it would have been done last week but he planned to contact them. Councilman Kerrigan stated that soccer would be starting next week.

**Bypass Update** - Councilman Young asked for an update on the bypass opening. Mr. Biggers stated that it was scheduled to reopen when school starts back but that he is hoping they are ahead of schedule.

**Tractor-Trailers** - Councilman Young asked about the tractor-trailers and restricting them on certain streets in town. He stated that on Elizabeth Street one got stuck and had to be pulled out and another had to back all the way back down the road. Councilman Young asked if there were signs we could post. Chief Ray stated that we can post them, but we cannot guarantee that they would not drive down anyway.

#### **ADJOURNMENT**

A motion was made by Councilman Greer, seconded by Councilman Kerrigan, to adjourn the meeting. All approved by voice vote and the meeting adjourned at 7:04 p.m.

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MAYOR STEVE ALLEN

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CITY RECORDER ALICIA MARTIN, CMFO