



TOWN OF ASHLAND CITY
Regularly Scheduled City Council Meeting
February 08, 2022 6:00 PM
Minutes

CALL TO ORDER

Mayor Allen called the meeting to order at 6:02 p.m.

ROLL CALL

PRESENT

Mayor Steve Allen

Vice Mayor JT Smith

Councilman Tim Adkins

Councilman Gerald Greer

Councilman Chris Kerrigan

Councilman Kevin Thompson

Councilman Tony Young

PLEDGE AND PRAYER

Councilman Adkins led the pledge and prayer.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

1. January 18, 2022 Council Meeting Minutes

Councilman Adkins stated that there was an error with the voting count for the Vice Mayor nominations and that it should be 5-2, not 5-3 in favor of Councilman Smith. He stated that all rounds of voting should be stated for the record. A motion was made by Councilman Adkins, seconded by Councilman Kerrigan, to approve the January 18, 2022, Council Meeting Minutes with corrections. All approved by voice vote.

PUBLIC FORUM

None.

REPORTS

2. City Attorney

Ms. Noe stated that she was in court for day three of the Hidden Lakes Trial and the next trial date would be Monday, February 14, 2022. She stated that after that, they would meet again in June.

OLD BUSINESS

3. Events Policy

Mr. Sampson asked if the council had any more suggestions for the policy. Councilman Kerrigan stated that he was not real happy with the fee and not using the entire park. He stated that he proposes that we divide it up into Zone A which would be the stage area and Zone B which would be the Farmers Market pavilion area. Councilman Kerrigan stated that the fee would be \$600.00 and a half day would be \$350.00. He stated that the entire park could be rented for \$1500 per day for large events, they would need to provide their own port-a-potties, do their own trash pickup, and provide security. Councilman Kerrigan stated that we could offer our police for a fee and that we should limit this to three (3) events per year. He stated that he thinks the soccer association would be willing to work with us because we are helping them by not charging fees for park use. Councilman Kerrigan stated that the soccer field should not be used for parking and the road should remain open for emergencies. He stated that we should provide a discount for non-profit/501 C 3 and residents of \$50.00 and \$1400.00 for the entire

park instead of \$1500.00. Councilman Kerrigan stated that the thing they would still need to discuss is the hours allowed for rentals. Mr. Sampson stated that the hours would depend on the season. Councilman Kerrigan asked about a sliding scale instead of specific times. Councilman Thompson agreed. Mr. Sampson stated they could do five (5) hours for a half-day and ten (10) hours for a full day. Councilman Greer stated that events would need to stop by 10:00 p.m. to allow for cleanup. Councilman Greer asked about damages. Mr. Sampson stated that a security deposit will be required. Vice Mayor Smith asked if it could be \$300.00 for a half-day since that is half of the fee and the council agreed. After much discussion, a motion was made by Councilman Greer, seconded by Councilman Thompson, to approve the policy with the stated changes and additions. Voting Yea: Mayor Allen, Vice Mayor Smith, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilman Thompson, Councilman Young.

4. Copier for City Hall/Public Works

Ms. Martin stated that this would be to switch to a State contract with Canon. She stated they currently pay \$421.80 per month with Xerox and if they switch to Canon it would cost \$74.62 per month. A motion was made by Councilman Kerrigan, seconded by Councilman Greer, to approve the contract with Canon. Voting Yea: Mayor Allen, Vice Mayor Smith, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilman Thompson, Councilman Young.

5. Resolution: Amend Charter

Ms. Noe stated that we are the only ones in the County that hold our election on odd years. She stated that in order to change this we would need to do a Resolution to move to the regular County election in August. Ms. Noe stated that this would extend the terms by eight months. She stated that this was discussed because of low voter turnout and the expense to hold an odd-year election. Ms. Noe stated that it would probably be the next election before it could be changed. A motion was made by Councilman Adkins, seconded by Councilman Thompson, to approve the Resolution. Voting Yea: Vice Mayor Smith, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilman Thompson, Councilman Young. Voting Nay: Mayor Allen.

6. Ordinance: Budget Amendment #5 (Senior, Fire, and Codes)

Ms. Bowman stated that this is for additional salaries for Codes, the TCAD Grant and Kathy's Kitchen for the Senior Center, and FEMA COVID-19 grant money for the Fire Department. A motion was made by Councilman Adkins, seconded by Vice Mayor Smith, to approve the budget amendment. Voting Yea: Mayor Allen, Vice Mayor Smith, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilman Thompson, Councilman Young.

7. Ordinance: Rezone Parcel 062 035.06.000

Mr. Nicholson stated that this was a rezone request for the property across the street from Station II. He stated that it was to rezone from R1 to R4. A motion was made by Councilman Thompson, seconded by Councilman Greer, to approve the rezone. Voting Yea: Mayor Allen, Vice Mayor Smith, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilman Thompson, Councilman Young.

NEW BUSINESS

8. Ashland Market Package Liquor Application

Ms. Noe stated that in our municipal code there is a residence requirement stating that you must be a resident of the Town of Ashland City to own or operate a package liquor store. She stated that we would need to change our code if we wanted to approve this. Ms. Danielle Elks stated that the US Supreme Court ruled that residency requirements are unconstitutional. Ms. Noe stated that she would need to look at the case and that TCA still says we have the authority to require residency. A motion was made by Councilman Thompson, seconded by Councilman Kerrigan, to defer this until next month. All approved by voice vote.

9. Summerfest Carnival Contract 2022

Mr. Sampson stated that this is the contract for Summerfest. Ms. Noe stated that the same changes as last year would apply. A motion was made by Councilman Young, seconded by Councilman Adkins, to approve the contract with changes. Voting Yea: Mayor Allen, Vice Mayor Smith, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilman Thompson, Councilman Young.

10. Caldwell Park-Trail Update

Mr. Sampson stated that this was just an update for the Council. He stated that they cut out a new trail on the slope. Mr. Sampson stated that he has a couple of new signs coming.

11. GNRC Grant Contract for Senior

Ms. Bowman stated that this is a yearly contract with GNRC. She stated that this pays us back for salaries and activities at the Senior Center. A motion was made by Councilman Young, seconded by Councilman Thompson, to approve the contract. Voting Yea: Mayor Allen, Vice Mayor Smith, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilman Thompson, Councilman Young.

12. Resolution: Check Signers

Ms. Bowman stated that this was to remove Daniel Anderson from all bank accounts. A motion was made by Councilman Kerrigan, seconded by Councilman Greer, to approve the Resolution. Voting Yea: Mayor Allen, Vice Mayor Smith, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilman Thompson, Councilman Young.

13. Resolution: Authorization to Participate in AFG Grants

Chief Walker stated that this was for authorization to apply for the grants. A motion was made by Councilman Young, seconded by Councilman Greer, to approve the Resolution. Voting Yea: Mayor Allen, Vice Mayor Smith, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilman Thompson, Councilman Young.

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

Ms. Bowman stated that this was a change order for the signal at the Hampton Inn and Walmart. A motion was made by Councilman Greer, seconded by Councilman Kerrigan, to approve the amendment. Voting Yea: Mayor Allen, Vice Mayor Smith, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilman Thompson, Councilman Young.

EXPENDITURE REQUESTS

15. Request to Bid Paving

Mr. Biggers stated that this was a request to bid paving in the Spring. A motion was made by Councilman Young, seconded by Vice Mayor Smith, to approve the request. All approved by voice vote.

OTHER

Ordinance: Amend Title 8 Chapter 2 Beer - Ms. Noe stated that this would allow for a special event permit to be given to an organization. She stated that it would be temporary. Mayor Allen asked if anyone who applied for an event permit and wanted to sell alcohol would be required to get a background check. Ms. Noe stated that this would be just like applying for a beer permit. A motion was made by Councilman Thompson, seconded by Councilman Greer, to approve the amendment. Voting Yea: Mayor Allen, Vice Mayor Smith, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilman Thompson, Councilman Young.

Court Clerk Discussion - Ms. Noe stated that normally municipal court only handles municipal violations like traffic tickets, but we have general sessions jurisdiction. She stated that our judge is elected and allowed to hear criminal cases. Ms. Noe stated that the judge runs with the county election and they have to be a resident of the city to run. She stated that TCA addresses the court clerk and whether it should be elected. Ms. Noe stated that we have never elected the court clerk, but there is a TCA provision saying we may elect one. She stated that there is an MTAS opinion on this and an AG opinion on this and they are all different. Ms. Noe stated that she is bringing this to our attention since we are looking at naming an interim tonight. She stated that we should decide if we want to keep general sessions jurisdiction, and if we do we need to consider electing our court clerk. Councilman Adkins asked if we choose to elect, when would it be on the ballot. Ms. Noe stated that it would not be feasible to do at the next election. Ms. Bowman stated that the resolution before the council was just to name an interim since we do not have that position. Mayor Allen stated that he does not agree with electing a court clerk and that it should be appointed by the Mayor. After much discussion, a motion

was made by Councilman Young, seconded by Councilman Greer, to approve the Resolution for Interim Court Clerk. Voting Yea: Mayor Allen, Vice Mayor Smith, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilman Thompson, Councilman Young.

Vacation Leave - Councilman Adkins asked about the vacation leave discussion during the department head meeting. Ms. Bowman stated that in our employee manual, it states that an employee who is with the City for 0-5 years receives 80 hours of vacation, 6-15 years receive 120 hours, and 16+ years receive 160 hours. She stated that employees that hit their five (5) and fifteen (15) year mark thought they would get the additional time this year. Ms. Bowman stated there was controversy about it in the meeting and the policy reads that we can prorate the time when they reach their anniversary date. Mayor Allen stated that if an employee was hired and told they would receive three (3) weeks at five (5) years and they do not, it is not right. Ms. Bowman stated that she cannot hold onto old policies to know what they were told previously and that we go off of the current policy.

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 7:10 p.m.

MAYOR STEVE ALLEN

CITY RECORDER ALICIA MARTIN, CMFO