



TOWN OF ASHLAND CITY
Regularly Scheduled City Council Meeting-
December 10, 2024, 6:00 PM
Minutes

CALL TO ORDER

Mayor Greer called the meeting to order at 6:01 p.m.

ROLL CALL

Mayor Gerald Greer
Vice Mayor Chris Kerrigan
Councilman Tim Adkins
Councilwoman: Nicole Binkley
Councilman Michael Smith
Councilman Kevin Thompson
Councilman Tony Young

PLEDGE AND PRAYER

Prayer was led by Councilman Adkins.

PUBLIC HEARING

1. Advertisement - ORDINANCE 632: Rezone Elizabeth St and Willow St - 2nd Reading
A motion was made by Councilman Thompson, Seconded by Vice Mayor Kerrigan, to close the public hearing. All approved by voice vote.

APPROVAL OF AGENDA

A motion was made by Councilman Smith, Seconded by Councilman Thompson, to approve the agenda with changes. Adding City Administrator discussion to other category. All approved by voice vote.

APPROVAL OF MINUTES

2. November 19, 2024, City Council Meeting Minutes
A motion was made by Vice Mayor Kerrigan, Seconded by Councilman Smith, to approve the November 19, 2024, minutes. All approved by voice vote.

PUBLIC FORUM

Steve McBride: He has sent a certificate of service to The Council members and the mayor. He also gave each of them a packet prior to the meeting starting. This is a lawful notification of corrective action to prevent mal administration. Notice to agent is noticed to Principal and notice to Principal's notice to agent. I, Steve McBride one of the people as seen in the 50 state constitutions, republican inform, Sui jurist, present you with this notice that you and your agents may provide due care. Please take notice that we the people, have taken the time to do the proper study to be able to come together on mass across the nation in an orderly and peaceful manner, to get instructions to their representatives to acquire an exact observation of fundamental principals and to prevent maladministration as such, maximum there are twenty. There are 2 instruments for confirming or impuning all things, reason, and authority. Please take notice that his trust using servants, you are all times amendable to the people. Please provide clarity about where you were granted, the lawful authority from creation to over charge me as a citizen of Ashland City, \$ 2,568.27 for a service not provided. As water and sewer are not the same service. This is a use for patient every duty as public servants. As stated in section one of the Tennessee Constitution, all powers inherit to the people and all free governments are founded on their authority and instituted for their peace, safety, and happiness. For the advancement of those ends, they have at all times an inalienable and indifusable right to alter, reform or abolish the government in such a manner as they may think proper. Please take

notice that all political power in republican form of government resides originally in the people and is derived from them and we are endowed by our creator with certain natural essential, inherit, and feasible and unalienable rights. We have instituted government to secure those rights as its sole and only legitimate end. After every other function in an act or use patient in the government and consequently treason against the sovereignty of the people, the following authorities are cited below: Maximum law 51.0, all political power is inherent to the people by decree of God. Thus, none can exist except it be derived from them. American Maxim, officer servants of the people, that all power being inherit in and to consequently derived from the people therefore, all officers of the government, whether legislative or executive are their trustees and servants and at all times in a legal way accountable to them. Law is a rule of right and whatever is contrary to rule of right is an injury. An objective of government, that the sole object and only legitimate end of government is to protect the citizen and the gentleman of life, liberty and property and when the government assumes other function, it is usurpation and oppression. Alabama Constitution article 1-35 maximum of law 51P. The main object of government is to protect and preserve personal rights and private property, and public liberties and upholding the law of God, American Maxim. Tucker Blackstone Volume one, appendix note B section 31803. If unlimited government, the public functionary succeeds the limits which the constitution prescribes to their powers. Every act is an act of usurpation in the government and such treason against the sovereignty of the people. Please take notice that every member of the government whether they are appointed or elected is a trustee and servant of the people and is by implied or expressed contract obligated by oath or affirm to defend the constitution of the United States and the state in a manner that is most consistent with and finding of on their conscience from enemies to the republic. Both domestic and foreign. The failure of attorneys to understand the lawful obligation inherit to the oath of office for public servants and or the presenting of information contrary to the universally admitted authority of fundamental law to any government, official, or worker does not excuse the government official or worker from failing to understand their duty nor does it exempt them from properly performing it. The following authorities are cited below: The mode of administering and the timer indicated his 4-minute limit was concluded.

Isabella McBride: Please take notice that every member of the government whether they are appointed or elected is a trustee and servant of the people and is by implied or expressed contract obligated by oath or affirmation to defend the constitutions of the United States and their State in a matter that is most consistent with and binding for their conscience from enemies of the republic both domestic and foreign. The failure of attorneys to understand the lawful obligation inherit to the oath of office for public servants and or the presenting of information contrary to the universally admitted authority of fundamental law to any government, official, or worker does not excuse the government official or worker from failing to understand their duty nor does it exempt them from properly performing it. The following authorities are cited below: the mode of administering an oath or affirmation shall be such as may be most consistent with and binding upon the conscience of the person to whom such oath or affirmation may be administered. Maximum law, there is no stronger link or bond between men than an oath. Maximum 84B it is immaterial whether a man gives his ascent by words or acts or deeds. Please take notice that to prevent those who are vested with authority from becoming oppressors. The people have a right to cause their public officers to return to private life and it is the people alone who have the incontestable, unalienable, and indefeasible right to institute government and to reform, alter, or totally change the same and when their protection, safety, prosperity and happiness require it. The following authorities are cited below. In order to prevent those who are vested with authority from becoming oppressors, the people have a right at such periods and in such manner as they shall establish by their frame of government to cause their public officers to return to private life and to fill up vacant places by certain and regular election and appointments. Massachusetts Constitution. Part the first article 8. There is therefore secondly another way whereby governments are dissolved and that is when the legislative or the prince either of them at contrary to their trust. First the legislative acts against the trust reposed in them when they endeavor to invade the property of a subject and make themselves

or any part of the community masters or arbitrary disposers of their lives, liberties or fortunes of the public. John Locke, two treaties of government. Notice of Liability. Please take notice that all officers and trustees must take lawful action to prevent maladministration and must comply with all the provisions of the constitution. The thwarting of your duty to correct these issues will be considered a willful trespass with full intent and malice. Furthermore, if you maintain a differing viewpoint and question the legitimacy of any of these statements or if during moments of crisis or urgency, you believe it is within your jurisdiction to violate any of these rights of the people such as the freedom to exercise liberty, conscience, movement, worship, or to reserve life. You must reply within 10 days through a sworn affidavit under the threat of perjury. This reply should contain constitutional provisions that justify your authority to infringe upon the people's rights or to disregard our lawful directives. Failing to provide such evidence within the designated time frame implies your acknowledgment that all asserted claims are accurate and you must cease any further violations against the people. When government servants..... Timer indicated the 4-minute limit was reached.

REPORTS

3. Attorney - Jennifer Noe – stated that she does not have anything outside the agenda to address.

UNFINISHED BUSINESS

4. ORDINANCE 631: Budget Amendment # 2 - Fire Fighters Back Pay - fye 2024-2025 - 2nd Reading
A motion was made by Councilman Smith, Seconded by Vice Mayor Kerrigan, to approve the Budget Amendment. Voting Yea: Councilman Smith, Vice Mayor Kerrigan, Councilman Young, Councilwoman Binkley, Councilman Adkins, Councilman Thompson, Mayor Greer. Voting Nay: 0
5. ORDINANCE 632: Rezone Elizabeth St and Willow St - 2nd Reading
A motion was made by Councilman Thompson, Seconded by Vice Mayor Kerrigan, to approve the Rezone of Elizabeth Street and Willow Street. Voting Yea: Councilman Thompson, Vice Mayor Kerrigan, Councilman Young, Councilwoman Binkley, Councilman Adkins, Councilman Smith, Mayor Greer. Voting Nay: 0

NEW BUSINESS

6. Steven McBride Water Leak Discussion – Jennifer Noe spoke and stated that she believes everybody has received certified letters or getting emailed, so it is a potential litigation. We will not be discussing it, and we will need a motion to vote on it.
A motion was made by Councilman Smith, Seconded by Vice Mayor Kerrigan, to deny the request for the reimbursement of these funds. Voting Yea: Councilman Smith, Vice Mayor Kerrigan, Councilman Young, Councilwoman Binkley, Councilman Adkins, Mayor Greer. Voting Abstained: Councilman Thompson
7. R.J. Corman Agreement – Jennifer Noe stated that we spoke about this in the workshop. This is an addendum to our prior agreements. We started this in 2012 and instead of having a consumer price index increase every 5 years it will be done yearly. The original contract had that it was every 5 years.
A motion was made by Councilman Thompson, Seconded by Councilman Smith, to approve the addendum from R.J. Corman. Voting Yea: Councilman Thompson, Councilman Smith, Vice Mayor Kerrigan, Councilman Young, Councilwoman Binkley, Councilman Adkins, Mayor Greer. Voting Nay: 0
8. Senior Center Maintenance Days - Permission to Close 12-26-2024 through 12-30-2024
A motion was made by Councilman Adkins, Seconded by Vice Mayor Kerrigan, to approve the Thrive 55 senior center closing for maintenance. All approved by voice vote.

9. Award Flooring Bid for Thrive 55+
A motion was made by Councilman Thompson, Seconded by Councilman Young, to reject all bids and re-bid the flooring in January. All approved by voice vote.
10. RESOLUTION 2024-30 - Repeal Old Resolution # 94-04 - User Fee for Annex Building
A motion was made by Vice Mayor Kerrigan, Seconded by Councilman Young, to approve the new ordinance to repeal ordinance 94-04. All approved by voice vote.
11. RESOLUTION 2024-31 - Tennessee Municipal Bond Fund 2024
A motion was made by Councilwoman Binkley, Seconded by Councilman Smith, to approve the Tennessee Municipal Bond Fund 2024. Voting Yea: Councilwoman Binkley, Councilman Smith, Councilman Adkins, Vice Mayor Kerrigan, Councilman Thompson, Councilman Young, Mayor Greer. Voting Nay: 0
12. RESOLUTION 2024-32 - Gabriel Smythia - Little Free Library at River Bluff Park.
A motion was made by Councilman Thompson, Seconded by Councilman Smith, to approve the Free Little Library at River Bluff Park. All approved by voice vote.
13. WWTP - Change Order #4
A motion was made by Councilman Smith, Seconded by Councilman Thompson, to approve the WWTP change order #4. Voting Yea: Councilman Smith, Councilman Thompson, Councilwoman Binkley, Councilman Adkins, Vice Mayor Kerrigan, Councilman Young, Mayor Greer. Voting Nay: 0
14. RESOLUTION 2024-33: Tennessee State Fire Marshals Grant
A motion was made by Councilman Thompson, Seconded by Councilwoman Binkley, to approve the Tennessee State Fire Marshal's Grant. Voting Yea: Councilman Thompson, Councilwoman Binkley, Councilman Smith, Councilman Adkins, Vice Mayor Kerrigan, , Councilman Young, Mayor Greer. Voting Nay: 0

SURPLUS PROPERTY NOMINATIONS

NONE

EXPENDITURE REQUESTS

NONE

OTHER

City Administrator Discussion:

Councilman Smith: added this because he thought that since we had our interviews last night, I know how I feel and how I would like to proceed with the City Administrator. Personally, I would like to just shelve the hiring of a city administrator right now and continue with Allen doing the job if he would like to as the Chief of Staff. I think it is working well. I would just like to see what everybody's thoughts are.

Councilman Thompson: I would like to add that I have talked to all the Department Heads. They feel like Allen is doing a fantastic job. He is listening, tending to all their needs and I feel like this council has never received the amount of information that Allen is pouring out to us. With everything we have going on with the cost overruns in the city hall project, Can we just table this until next Fiscal Year?

Vice Mayor Kerrigan: I think Allen has done a great job, no doubt. One of the big issues and reasoning for having a city administrator was for something you just mentioned. A lot of cost overruns. Somebody who can oversee projects. Can Allen handle that and the codes department head and help with grants and fill other duties that we outlined in the job description? If he can that is great. What is that cost for the city? We can't ask him to do that for nothing. That is a lot of time taken out of his own department. Will he need to add another person to help him in his own department? It is nothing against Bug (Allen). I have nothing but respect for him and the great job that he has done. We laid out an outline and job description of why we needed this person. The qualifications to do it. Are we saying we no longer need that?

Councilman Thompson: I am not saying that.

Councilman Smith: he is not saying that either.

Vice Mayor Kerrigan: Why are we putting it on hold for the next few months is my question?

Councilman Smith: I think they have never had a Chief of Staff for the City, and I think from what I understand from the department heads and other people, it's working well. As far as grants, a lot of smaller cities, contract out for people to write the grants. We don't really need someone with a lot of grant writing experience. If we contract that portion out, which works well with other cities. That is something we could investigate. The Chief of staff to me is a good idea and makes sense. It is working fine, and everybody seems to like the way we're doing things now, so I say give it a try.

Vice Mayor Kerrigan: Asked what direction they would like to go in the Fiscal year? Do they want to go to the chief of staff position rather than City Administrator? If we want to continue getting a city administrator, I still need a reason to pause it. We would want to continue to see who is out there if we are not happy with the candidates from last night.

Councilman Adkins: He is not ready to make a decision on this tonight. We just received a lot of emails from the department heads over the last few days and then we interviewed the people last night. We got an email from Allen today. I just personally feel like I need to think about this a little bit more before making a decision. That is his personal opinion. I know we did lay out a timeline of what we were going to do, and Allen is doing a great Job, and I feel like he was here to temporarily help us through until we found a city administrator. I just feel like personally a lot has been at us over the last few days and I really need to think about it before I decide.

Councilman Thompson: That is where they are at and that is why they are asking for 5 months.

Councilman Smith: we must realize we have 4 people that we interviewed. Are we going to ask them to come here without knowing if we are going to proceed this way or keep the chief of staff? Do we want to spend money to bring them here in the next few days and interview them?

Mayor Greer: The question would be, did anyone stand out enough to warrant that expense or warrant taking the time to do it? Each one of us needs to think of that question. I also want to add we are getting ready to come into the budget. Vice Mayor Kerrigan mentioned if Allen would need another position added to his department. If you remember last year, there was a request for another position. That was prior to any mention of City Administrator. He removed it because there were so many other new jobs that had been requested. He could be requesting the new position this coming budget. We have given everybody else the additional position requested. That would bring some relief to him.

Councilman Adkins: I want to know too, if Allen can handle both roles.

Mayor Greer: I am the one that can speak about that experience. I am the one that deals with him day to day. I will tell you that he calls me every single morning between 7 am and 7:20 am. Sometimes it is 6:40 am and we are on the phone until 8 am discussing exactly what is going to go on throughout the day. He knows what meetings we will need to attend and discussing some of his duties as codes director. At the end of the day, my phone rings promptly between 4:30pm and 4:35 pm and for about the next hour we discuss what has been accomplished throughout the day. In all honesty he is doing a bang-up job, and I mean that in the most positive way. Being the person that he interacts with daily, is he handling it? Absolutely, 100%.

Vice Mayor Kerrigan: for me it comes down to what are we going to do? There were people I would talk to again from the interviews but if we are not going in that direction, I don't want to ask anyone to come here, it costs money. If we are looking at doing something different in the Fiscal year and we are just going to drop this, then we need to figure that out.

Councilman Young: Have we considered a part-time position for this?

Mayor Greer: Right now, as it stands, I think everyone needs to understand and I think for the lack of having an actual assigned title which we do not because Allen is our Codes Director, and we often refer to him as chief of staff. What we have with Allen right now is Allen is our Codes Director with some additional assigned duties that were pulled from the City Administrator job description. They were the most important parts of that position except for grants. Right now, he is neither the chief of staff nor the city administrator. What we would be looking into is continuing

with him in the current job title with the additional duties, which he seems to be handling just fine. I ask him almost every week to see how everything is going, is it too much on your plate? He has never said he needs a break, or it is too much on him.

Councilman Thompson: He likes that all the department heads are getting along with him and praising his work.

Mayor Greer: It's a really good vibe at the office right now. Everything is extremely harmonious. People come to work and they're smiling. It's a different vibe in the office. Some of the employees have shared that information with me also. Our employees are reaching higher in their jobs. The desire to attain more knowledge in their jobs. It is all positive and he has inspired them.

Councilman Thompson: from the interviews last night, there was one on the list that maybe I would talk to, but I would rather sit down and talk to Allen right now than any of the others.

Councilman Smith: I think Allen can do the job.

Vice Mayor Kerrigan: What job can he do, we are trying to figure that out.

Mayor Greer: Do we want to table this until further down the road? Do we want to bring it back up? Do we want to see how things are going with Allen?

Councilwoman Binkley: Perhaps we see how things are going with Allen and see what this looks like and see if we will require possibly giving out other pieces of that role we created to other people. Sending people for other certifications if needed.

Councilman Smith: We may reach a point where he will choose Chief of Staff or Codes Director. If he chooses chief of staff, we can hire a new codes director.

Councilwoman Binkley: It is refreshing to hear the positive feedback we are getting from the department heads.

Councilman Thompson: Clint has been smiling this week!

Mayor Greer: Take in consideration, myself, all our department heads and our employees will have to work with whomever this person is daily and one of the things we have always focused on during this entire search is one word. "FIT", who fits? If we hire a person that is not the right fit, we have to go through the dismissal of that person. All it takes is one person to be a cancer amongst the employees that will destroy everything, and everything is headed in a very good direction right now.

Councilman Adkins: I don't want people to be afraid of change either. Change can be a good thing too.

Mayor Greer: I was one of the people who was truly outspoken about this position and situations change. You sometimes must go with the change in the situation and the need.

Councilman Thompson: Nicole, are you making a motion?

Councilwoman Binkley: I was just putting in my 2 cents.

Attorney Noe: You all need to make a definitive decision; we've got the special called meeting set up for the 18th. If you are going to ask someone to come to town and take on the expenses. Under the Charter, it is at your discretion that you hire a city administrator, and this will require a lot of discussions.

A motion was made by Councilman Smith, Seconded by Councilman Thompson, to cancel the Special Called City Council Meeting on December 18, 2024. 6 approved by voice vote. Voting Nay: 1 – Vice Mayor Kerrigan

ADJOURNMENT

A motion was made by Councilman Thompson, Seconded by Councilwoman Nicole Binkley, to adjourn the meeting. All approved by voice vote and the meeting adjourned at 6:40 p.m.


MAYOR GERALD GREER


CITY RECORDER MARY MOLEFSKE