



**TOWN OF ASHLAND CITY**  
**Regularly Scheduled City Council Meeting**  
**July 14, 2020 6:00 PM**  
**Minutes**

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**CALL TO ORDER**

Mayor stated, "Good evening everyone, this is the regular scheduled meeting of the Ashland City Council July 14, 2020 at 6:00 p.m. I, Steve Allen, Mayor for the Town of Ashland City hereby call to order the July 14, 2020 Council Meeting of the Ashland City Council. Due to the COVID-19 pandemic, in accordance with Governor Bill Lee's Executive Order, this meeting is being conducted with limited physical public access. The meeting is being available however to the public via live video stream on the zoom application. The meeting is being done by electronic means to protect the public health, welfare, and safety of the citizens in light of the COVID-19 pandemic."

**ROLL CALL**

**PRESENT**

Mayor Steve Allen

Vice Mayor Daniel Anderson

Councilman Tim Adkins

Councilman Gerald Greer

Councilman Roger Jackson

Councilman Chris Kerrigan

Councilwoman Lisa Walker

All members reported by electronic means.

**PRAYER AND PLEDGE**

Chaplain Charles Gains led the prayer and pledge.

**APPROVAL OF AGENDA**

Ms. Gayle Bowman stated she would like to add three (3) things: Resolution for Firefighters Grant, land discussion, Dell Lease Agreement. A motion was made by Vice Mayor Anderson, seconded by Councilman Adkins, to approve the agenda with the added items. All approved by voice vote.

**APPROVAL OF MINUTES**

Ms. Bowman stated there are no minutes as Ms. Reed has the paperwork and they will not be able to review the minutes until she returns.

**PUBLIC FORUM**

**Dr. Yasmin Alley - Riverview Lane Property owner:** Dr. Yasmin stated she would like to speak in opposition to the rezone on Highway 12. She further stated her property is about twelve hundred (1,200) yards from her property. She stated they moved here to escape the noise, traffic, and constant development in Nashville and the last thing they want is to live on the edge of an Industrial zone, which will disrupt their lives and will negatively affect their property value. She further complained about the blasting and stated she would like to see the property stay residential.

**Michael Cook - 1045 Riverview Lane:** He stated they moved here almost three (3) years ago and he would like to back up what Dr. Yasmin said. Further, they are requesting the property not be industrial. He stated there is only one direction from the road path going up to the property and the turn around would not be a safe turn.

**Zada Law - 1039 Riverview Lane:** Ms. Law stated she has owned and lived here nineteen and a half (19 1/2) years and is here to speak in opposition to the parcels being rezoned to industrial. She further stated this is adjacent to residential and it is inappropriate to zone this property as industrial. She

explained the rezone would hurt their property values and the land use plan shows these lots as residential. She requested the City Council follow their adopted land use plan and not allow industrial to encroach on a residentially zoned area.

**David Schlundt - 1039 Riverview Lane:** Mr. Schlundt stated he has been a citizen of Ashland City since 2001. Mr. Schlundt stated he would like to read some from the Ashland City Zoning Ordinance, "The purpose of this ordinance is to promote the public health safety, morals, convenience, order, prosperity, and general welfare by, and then it lists a number of criteria such as enhancing: the character and stability of residential, business, commercial, and industrial areas, and promoting the orderly and beneficial development of such areas." He then stated he would like to skip to the end and read, "the separation of certain objectionable land uses as per the following: there are some uses which because of their very nature are recognized as having serious objectionable operational characteristics, particularly when several of them are concentrated under certain circumstances thereby having a deleterious effect upon the use and enjoyment of adjacent areas." He stated there are special regulations in the zoning code that cover this and the area being considered is exactly what is being talked about in the zoning ordinance as it is an area that is adjacent to industrial and many of the residential parcels are adjacent. He stated by allowing industrial into the hill, which serves as a buffer, it goes against what the zoning code is all about. He urged the council to reject the zoning changes as it is not well suited for this development and will be a traffic hazard.

**Micah Ferebee - 1811 Highway 12 South:** Mr. Ferebee stated my property is across highway from the area we are discussing. He stated he is against the change in the zoning as there are a few houses on his side of the highway as well as homes on the other side. This is a residential area and to piggy back off of one of the others it is a nice hill that serves as a buffer between Industrial Park and our neighborhoods. He questioned what will be stored on the property and will they be dumping on the property. He voiced concerns about traffic and times trucks will be going in and out of the property as well.

**Jason Hoffman - Property Manager for Vibe Reality:** Mr. Hoffman stated Vibe Reality manages the property at 120 Arbor Loop they were informed by Ms. Bowman of a water bill, which was a little bit of a surprise, in the amount of three thousand five hundred and eighty-six dollars and seven cents (\$3,586.07), but this was not because of a leak. He stated it was because Ben Burgess has not been reading the meter correct for the last year. He further stated they are fine paying a higher amount, but they have tailored the leases to historic usage and moving forward an increase is ok, but to have to pay thirty five hundred dollars (\$3,500) all the sudden is a big dent and he would like to ask for mercy. Mayor Allen questioned who is responsible for reading the meter. Mr. Hoffman stated he went to Public Works Director Mr. Clint Biggers and was told Ben Burgess is responsible for reading the meters and this is a third party company. Mayor asked what Servline said about this. Ms. Bowman stated Servline will not cover this because it is not a leak. Mr. Hoffman stated they are fine settling with some kind of amount, but that is a lot to pay at once. Mr. Biggers explained the meter was changed to a digital meter and its a harder one to read the last number was left off the reading and was being read in hundreds instead of thousands and he was not being charged the full amount; however, they still used the water. Mr. Biggers stated he is sorry it happened but still the water was used. Vice Mayor Anderson questioned if the contractor reads those meters. Mr. Biggers replied yes. Vice Mayor Anderson stated, but ultimately we are responsible for them and realistically it is not on the customer it is on us. Further, if we have a mess up we have to own up to it. Mr. Hoffman stated this has been misread since 2018. Mr. Biggers stated this is an eight (8) unit complex and is not a single dwelling. Councilman Jackson questioned who is responsible for teaching these people how to read these meters. Vice Mayor Anderson stated if we have messed up for two (2) years he doesn't expect them to pay it all right off the bat with it being our fault. Councilman Greer suggested if they come up with an amount to spread the payment out over maybe a year period of time especially given the state right now. Vice Mayor Anderson questioned how it was noticed just now. Mr. Biggers stated it was a reread on this month's list. Ms. Noe stated if we misread them there should be some limit as to the liability and she would like time to look into this and report back at next month's meeting. A motion was made by Vice Mayor Anderson, seconded by Councilman Greer, to let Ms. Noe look into this further. All approved by voice vote.

**Jenny Jones - 1125 Allenwood Drive:** Ms. Jones stated she would like to speak about the rezone request on Highway 12. She has lived here for twelve (12) years and she doesn't think it should be rezoned industrial. She stated this will be a disturbance to their everyday lives and is concerned about the noise especially since she works from home and attends many conference calls during the day. She stated they have already had to deal with the blasting that is happening and the shaking of their homes. She stated she imagines this will cause some damage over time to their property. Also, depending on what is built they may have to deal with daily noise or smells from any chemicals.

**Judge James Stinnett Jr. - Neighboring property for parcels in question:** Judge Stinnett stated he is opposing the rezoning to industrial and being he lives next door to the property he hears more than probably anyone else. The blasting affects him more than anyone else as a small rock went through his wife's hair, but it did not hurt her, and another rock knocked a chunk out of his home. He stated he understands the blasting is over with and everyone that has spoken tonight has said everything he wanted to say, but he has lived there for twenty-two (22) years and has lived in Ashland City since 1969. He stated he has served this city more than half his life and is ninety (90) years old. He has served as city attorney for twenty (20) some odd years, judge for another twenty (20) some odd years. His wife has served on the planning commission and has been serving on the county board of equalization representing the city for some time. He stated they have helped the county and they want to live the rest of their lives here. He stated they purchased the property for one hundred and twenty thousand dollars (\$120,000) and the property currently appraises for three hundred and nineteen thousand dollars (\$319,000), but if this is rezoned and industry goes up there it will be detrimental to property values and will be detrimental to Ashland City.

**Jason Walker - 1156 Peter Pond Road:** Mr. Walker stated the reason we are wanting to build a shop on this parcel is they are currently operating out of Davidson County and they want to come back to Cheatham County and are wanting to get back toward Ashland City. He stated the backside of the property is zoned industrial now and TDOT has already been out to survey turning lanes. He stated the drivers are laying on gravel working on trucks in hot and cold. Further, they leave out at six o'clock in the morning (6:00 a.m.) and come back in the evening. He stated all they be doing is starting the truck and leaving and this will not be a loud environment. He stated they would really like to have a shop at this property. He stated he is open to any questions. Mayor stated they will get into this further when it comes up on the agenda.

#### **OLD BUSINESS:**

1. Comcast Franchise Agreement

Ms. Noe stated she has been in contact with the representative and has gotten the changes they have made, but she would like to defer this to next month. A motion was made by Vice Mayor Anderson, seconded by Councilman Kerrigan, to defer this until next month. All approved by voice vote.

2. Resolution: Governor's Local Government Support Grant Funding

Ms. Bowman stated this is for the one hundred and thirty-three thousand six hundred and eleven dollar (\$133,611) grant and is on the agenda in order to make a decision on how to spend the money. Mayor stated he would like to defer this to a budget meeting to talk this through and asked the council's wishes. Councilwoman Walker stated she would like to suggest splitting the money between the departments equally and letting them decide how to spend it. Councilman Jackson stated he doesn't think that would be enough money to do anything with. After some discussion a motion was made by Councilman Kerrigan, seconded by Councilman Jackson, to defer this to the budget meeting for further discussion of putting toward a project. All approved by voice vote.

3. Amending Title 8: Chapter 2 of the Municipal Code

**AN ORDINANCE BY THE MAYOR AND CITY COUNCIL FOR THE TOWN OF ASHLAND CITY, TENNESSEE TO AMEND TITLE 8 ALCHOLIC BEVERAGES, CHAPTER 2: BEER, IN ITS ENTIRETY.** A motion was made by Vice Mayor Anderson, seconded by Councilman Kerrigan, to approve Ordinance revising Title 8 Chapter 2. Voting Yea: Mayor Allen, Vice Mayor Anderson, Councilman Adkins, Councilman Greer, Councilman Jackson, Councilman Kerrigan,

Councilwoman Walker.

**NEW BUSINESS:**

4. Rezone Request: Highway 12- Map 62 Parcel 041.00 and 041.01  
Mayor stated he would like to go ahead and discuss the rezone request and questioned if that was ok. Ms. Noe stated it will need an approval and asked for council to make a motion to clear up some of the people in the zoom. A motion was made by Councilman Adkins, seconded by Councilman Greer, to move up this discussion. All approved by voice vote.  
Mayor stated this a rezone request for Highway 12 Map 62 Parcel 041 and 041.1. He stated everyone has heard from the opposition and the owner and this is for first reading, but will require two readings. Ms. Noe stated this would require a public hearing for the second reading as well. Further the planning commission voted it down, but it automatically goes to council and they can override the planning commission. She stated the council has to vote yes or no to rezone. A motion was made by Councilman Greer, seconded by Councilwoman Walker, to deny the rezone request. Voting Yea: Mayor Allen, Councilman Adkins, Councilman Greer, Councilman Jackson, Councilwoman Walker. Voting Nay: Vice Mayor Anderson, Councilman Kerrigan.
5. Resolution: Updating Wage and Salary Policy and Pay Table  
**A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ASHLAND CITY UPDATING THE WAGE AND SALARY POLICY GOVERNING EMPLOYMENT WITH THE TOWN OF ASHLAND CITY.** Ms. Bowman stated this is changes that are being made because there are two (2) employees that are going out of the pay table with the salary increase. She further stated what they are suggesting is changing every number on the pay table every year for the cost of living. Further, if the overall cost of living increase is two percent (2%) every number on the table will go up by two percent (2%). She reviewed the verbiage for the changes within the policy and stated for the pay table they deleted a number of positions that are no longer in use and explained the rates are based on full time employment. A motion was made by Councilman Jackson, seconded by Councilman Kerrigan, to approve the Resolution Updating the Wage and Salary Policy. Voting Yea: Mayor Allen, Vice Mayor Anderson, Councilman Adkins, Councilman Greer, Councilman Jackson, Councilman Kerrigan, Councilwoman Walker.
6. Resolution: Updating Purchasing Policies and Procedures  
**A RESOLUTION BY THE MAYOR AND COUNCIL OF THE TOWN OF ASHLAND CITY UPDATING SECTION 3 OF THE PURCHASING POLICIES AND PROCEDURES.** Ms. Bowman reviewed the verbiage stating refunds will be for five dollars (\$5.00) or more. She further stated Ms. Jamie Winslett had contacted some surrounding cities to review their procedure for refunds and Pegram and Pleasant View had no limit; however, Kingston Springs will not refund anything less than five dollars (\$5.00). Further, Pleasant View will return the check or money order back to the customer for overpayment and let them know they have to send the correct amount. Ms. Bowman stated the overpayments are court payments and she would not suggest returning a money order back to the customer for overpayment, but anything would help even if it is a dollar (\$1.00). Vice Mayor Anderson stated we would be keeping other people's money. Councilman Kerrigan questioned if we could put something in writing to make people aware if they overpay the additional money will not be refunded, but will instead go toward parks or something along those lines. Ms. Noe stated we can definitely do that and it could be part of their tickets and she can get with Anita to get the verbiage. A motion was made by Councilman Jackson, seconded by Councilman Kerrigan, to pass this Resolution stating refunds will not be issued for less than five dollars (\$5.00) and any overpayment will be put into a separate fund. Voting Yea: Mayor Allen, Councilman Adkins, Councilman Greer, Councilman Jackson, Councilman Kerrigan, Councilwoman Walker. Voting Nay: Vice Mayor Anderson.
7. Ordinance: Amending Title 9, Chapter 10 Mobile Food Vending  
**AN ORDINANCE TO AMEND TITLE 9, CHAPTER 10 MOBILE FOOD VENDING.** Ms. Noe stated there are very few changes on this. Currently food trucks are only allowed to operate three (3) days a week. She stated this is a little broader and allows them to operate fifteen (15) days in a calendar month on the same parcel. She also pointed out there was some verbiage

that stated they must operate on a lot that is paved, but we have a lot of parcels in the city that were grandfathered in that were not paved because they had been there so long. Another provision was to delete section A2 for limiting the hours for ice cream trucks from eleven o'clock (11:00) a.m. to sunset. She stated this was deleted in its entirety. Mayor stated this allows the food truck to stay in operation in one place for fifteen days then they will need to relocate to another place. He asked if there was any requirement for them to stay in a spot once they have moved. Ms. Noe stated no, but they can only operate on the same parcel for fifteen days in a calendar month then they would have to move to stay in operation. Mayor stated this is for first reading. A motion was made by Councilman Kerrigan, seconded by Vice Mayor Anderson, to approve the Food Truck Ordinance changes. All approved by voice vote.

8. Resolution: Fiscal Year 2020 Assistance to Firefighters Grant Program - COVID-19 Supplemental

**A RESOLUTION OF THE TOWN OF ASHLAND CITY, TENNESSEE IN SUPPORT OF FISCAL YEAR 2020 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM - COVID 19 SUPPLEMENTAL APPLICATION & AWARD.** Ms. Bowman stated this grant covers funding due to COVID and will give us seven thousand eight hundred nine dollars and fifty two cents (\$7,809.52) and the town will match three hundred ninety eight dollars and forty eight cents (\$398.48). She stated this will purchase protective gear and this will allow them to accept the money. A motion was made by Vice Mayor Anderson, seconded by Councilman Kerrigan, to approve the Resolution for the Assistance to Firefighters Grant Program. Voting Yea: Mayor Allen, Vice Mayor Anderson, Councilman Adkins, Councilman Greer, Councilman Jackson, Councilman Kerrigan, Councilwoman Walker.

9. Land Discussion: Map 049N Parcel 00.200

Ms. Noe stated it came to her attention there is going to be a sale of a piece of property and it will be abutting to the property for City Hall that will go to auction and will be an opportunity to enlarge that track. Further, there is another piece of property that may be going for sale adjoining the Fire Department property; however, this property is not going to be auctioned and is not currently listed for sale. Chief Walker explained by purchasing this property it would allow them to move the Fire Hall further back on the property as they are having problems with the turn radius. Councilman Jackson questioned if this is something that has to be decided now. Ms. Noe explained she is not sure if the court order has been signed yet, but it could be auctioned before or after the next council meeting. Vice Mayor Anderson questioned if it is between two (2) other residential plots now and it is residential now. Mayor stated yes. There was much discussion regarding the location of the property. Councilman Adkins questioned where the money for this would come from. Ms. Bowman stated it would come from General Fund if there is not enough money within the budget we would need to do a budget adjustment and will take it from fund balance. Vice Mayor Anderson questioned if anyone has spoken to the neighbors. Councilman Kerrigan questioned how the neighbors will feel about a parking lot next to them. He stated we were worried about the neighbors next the hillside with the garage, but we aren't going to worry about these neighbors. A motion was made by Councilman Jackson, seconded by Councilwoman Walker, to allow the Mayor to bid up to one hundred and fifty thousand dollars (\$150,000) toward the purchase of Map 049N Parcel 00.200. Voting Yea: Mayor Allen, Councilman Greer, Councilman Jackson, Councilwoman Walker. Voting Nay: Vice Mayor Anderson, Councilman Adkins, Councilman Kerrigan.

10. Dell Lease Agreement Debt Obligation Form

Ms. Bowman stated this is paperwork that has to be filed with the comptroller's office, but it is required to be presented to Council. Further, it was approved back in April and we have just received the computers.

**SURPLUS PROPERTY NOMINATIONS:**

None.

## EXPENDITURE REQUESTS:

### 11. Award Traffic Signalization Bid

Mr. Biggers stated there were three (3) bids: S&W \$164,240, Stansell Electric \$173,770, and DH Elliott Construction \$209,300. He further stated the engineer has stated S&W is a reliable contractor and if the Council wants to accept the low bid that would be ok. A motion was made by Vice Mayor Anderson, seconded by Councilman Adkins, to award the bid to S&W Contracting. Voting Yea: Mayor Allen, Vice Mayor Anderson, Councilman Adkins, Councilman Greer, Councilman Kerrigan, Councilwoman Walker. Voting Nay: Councilman Jackson.

### 12. New Swings at Riverbluff Park Quotes

Mr. Scott Sampson stated this is to replace the swings at Riverbluff Park and he provided three (3) bids and he stated the lowest bid will tie in with the equipment currently at the park. A motion was made by Councilwoman Walker, seconded by Councilman Kerrigan, to accept the low bid for the purchase of replacement swings. Voting Yea: Mayor Allen, Vice Mayor Anderson, Councilman Adkins, Councilman Greer, Councilman Jackson, Councilman Kerrigan, Councilwoman Walker.

### 13. Pitney Bowes Agreement - Public Works Postage Machine

Mr. Biggers stated this will be for a postage machine at Public Works as they do a lot of certified mailings and this will make it easier on them. Ms. Bowman explained there is a monthly fee for the machine; however, the postage is purchased at a discounted rate. A motion was made by Councilman Greer, seconded by Vice Mayor Anderson, to approve the agreement for the postage machine expenditure. Voting Yea: Mayor Allen, Vice Mayor Anderson, Councilman Adkins, Councilman Greer, Councilman Jackson, Councilman Kerrigan, Councilwoman Walker.

## OTHER

None.

## ADJOURNMENT

A motion was made by Councilwoman Walker, seconded by Councilman Greer, to adjourn the meeting. All approved by voice vote and the meeting adjourned at 7:27 p.m.

  
MAYOR STEVE ALLEN

  
CITY RECORDER KELLIE REED, CMFO, CMC