

**MINUTES  
BOARD OF MAYOR AND ALDERMEN  
REGULAR MEETING  
JULY 21, 2009**

**Board present**

Mayor Billy Paul Carneal  
Alderman James Hubbard  
Alderman Ann Schneider  
Alderman Jerome Ellis  
Alderman Bruce Head  
Alderman Shane Shoemaker  
Alderman Willie Mason

**Staff present**

City Manager Paul John Nutting  
Asst. City Manager Regina Holt  
City Recorder Jane Shugart Murphy  
City Clerk Connie W. Watson  
City Attorney Jim Balthrop

- 1.1 Mayor Billy Paul Carneal called to order the regular meeting of the Board of Mayor and Aldermen at 7:30 p.m. The meeting opened with the pledge of allegiance to the American flag.
- 1.2 Public Hearings:
  1. Edward Byrne Memorial Justice Assistance Grant Program (JAG), a grant allowing local governments to support activities to prevent and control crime and to improve the criminal justice system.
  2. Ordinance 09-13, amending Section 11-807 of the Springfield Zoning Ordinance entitled "Off Street Parking and Loading Requirements," by amending Subsection D, entitled "Commercial Activities," by changing the parking requirements for food and beverage services to one space for every 100 feet.
- 1.3 Alderman Hubbard moved to approve the minutes for the regular meeting of the Board of Mayor and Aldermen held on June 16, 2009 and special meetings held on June 25 and July 9, 2009. The motion was seconded and passed by voice vote.
- 2.1 Alderman Hubbard moved for the approval of Ordinance 09-07, on 3<sup>rd</sup> and final reading, an ordinance adopting the annual budget and establishing a property tax rate for the fiscal year beginning July 1, 2009 and ending June 30, 2010. The motion was seconded.

Under discussion, the City Manager presented proposed budget amendments on third reading with regard to increases in revenue and decreases in expenditures that would help to reduce the \$800,945 in reserves that were used to balance the proposed General Fund budget for fiscal year 2010. He also presented recommended changes in revenue and expenditure line items to fund programs that needed to be included in the new budget.

The proposed amendments to the General Fund budget were as follows: The revenue line item entitled "Sale of notes" was increased from \$328,500 to \$349,950 to meet a line item expenditure under General Government for "Roadscape grant match" in the amount of \$21,450. A new revenue line item entitled "JAG Grant 2" in the amount of \$25,333 was added to account for grant proceeds to be used to fund the "JAG Grant 2" line item expense of \$25,333 under the Police Department. The "Wholesale beer tax" revenue line item was increased from \$615,000 to \$617,000; the "Wholesale liquor tax" revenue line item was increased from \$168,000 to \$169,000; the "Golf course concessions" revenue line item was increased from \$115,234 to \$117,353; the "City Court fines" revenue line item was increased from \$260,000 to \$270,000; and the "Animal shelter fees" revenue line item was increased from \$8,500 to \$10,500 to collectively fund an increase in the "Contract appraisal – County" expenditure line item from \$5,390 to \$22,509 under General Government.

The following line item expenditure decreases under General Government amounted to a collective expenditure decrease of \$50,000: "YMCA" from \$35,000 to \$25,000; "Gorham-MacBane Public Library" from \$156,045 to \$140,045; "Robertson County Historical Society" from \$14,000 to \$13,000; "Robertson County United Way" from \$18,000 to \$0; and "Springfield High School" from \$15,000 to \$10,000. Other General Fund line item expenditure decreases amounting to \$28,000 included the following: Fire Department "Gas and oil" from \$15,700 to \$15,200; Golf Course "Gas and oil" from \$18,000 to \$17,500 and "Cost of goods sold" from \$90,000 to \$86,000; Parks and Recreation "Out of town expense" from \$1,900 to \$600 and "Training and schools" from \$2,000 to \$500; Police Department "Gas and oil" from \$83,000 to \$73,000; and Street and Drainage "Gas and oil" from \$39,000 to \$37,000 and "Road materials" from \$133,200 to \$125,000.

The City Manager proposed increasing expenditures in the Industrial Development Fund from \$66,702 to \$113,544 and increasing expenditures in the Street Aid Fund from \$420,000 to \$690,000. Lastly, he proposed increasing the "Transfer from depreciation" revenue line item in the Electric Fund from \$251,000 to \$521,000 in order to meet an increase in the "Capital improvement" expenditure line item from \$1,164,000 to \$1,434,000.

Alderman Ellis moved to amend the proposed budget for fiscal year 2010 by accepting all of the recommended changes in General Fund, Electric Fund and Special Revenue Fund revenues and expenditures included on the first two pages of the City Manager's spreadsheet presentation, but to restore the amount of \$19,000 to the "Gorham-MacBane Public Library" expenditure line item to change the total line item amount from \$140,045 to \$159,045. The motion was seconded and passed by 7-0 roll call vote.

Alderman Shoemaker moved to further amend the proposed budget for fiscal year 2010 by authorizing \$28,000 in additional reductions to the General Fund budget as shown on the third page of the City Manager's spreadsheet presentation. The motion was seconded and passed by 7-0 roll call vote.

Alderman Mason proposed to amend Ordinance 09-07 by including all of the cumulative changes to the proposed budget for fiscal year 2010 included in the previous two motions. The motion was seconded and passed by 7-0 roll call vote.

The original motion was brought back to the table and passed by 7-0 roll call vote.

Ordinance 09-07 also authorizes a property tax rate of eighty-three cents (\$0.83) per one hundred dollars of assessed value, the same tax rate as the previous fiscal year.

The City Manager then briefed the Board about the necessity to raise water and sewer rates early in fiscal year 2010 in order to meet budgeted revenues.

- 2.2 Alderman Hubbard moved for the approval of Ordinance 09-08 on 3<sup>rd</sup> and final reading, an ordinance closing 1,527 square feet of an alley lying between Mabel Street and South Brown Street at the request of Robertson County. The motion was seconded and passed by 7-0 roll call vote.
- 2.3 Alderman Hubbard moved for the approval of Ordinance 09-12, on 2<sup>nd</sup> reading, an ordinance establishing a schedule of fees for the copying of open records. The motion was seconded and passed by 7-0 roll call vote.
- 2.4 Alderman Hubbard moved for the approval of Ordinance 09-13 on 2<sup>nd</sup> reading, an ordinance amending Section 11-807 of the Springfield Zoning Ordinance entitled "Off Street Parking and Loading Requirements," by amending Subsection D, entitled "Commercial Activities," by changing the parking requirements for food and beverage services to one space for every 100 square feet of floor space . The motion was seconded and passed by 7-0 roll call vote.
- 2.5 Alderman Hubbard moved for the approval of Ordinance 09-14 on 1<sup>st</sup> reading, an ordinance amending the schedule of fees for Elmwood Cemetery and Odd Fellows Cemetery. The motion was seconded and passed by 7-0 roll call vote.

- 2.6 Alderman Hubbard moved for the approval of Ordinance 09-15 on 1<sup>st</sup> reading, an ordinance allowing wholesale rate actions by the Tennessee Valley Authority to be approved upon one (1) reading.

The City Attorney advised that our charter would not allow the passage of an ordinance that would allow the authorization of fees and charges on one motion. The only way to allow authorization of fees and charges on one motion would be to amend the City of Springfield's Private Act Charter, which must be approved by the State legislature.

After discussion, the consensus of the Board was to take no action.

Alderman Hubbard and the seconder of the motion agreed to withdraw their motion.

- 2.7 Alderman Hubbard moved for the approval of Resolution 09-26, a resolution prohibiting handguns in public municipal parks, natural areas, historic parks, nature trails, campgrounds, forests, greenways, waterways, or other similar public places. The motion was seconded and passed by 5-2 roll call vote. Ayes: Carneal, Shoemaker, Mason, Schneider, Ellis. Nays: Head, Hubbard.

The new state law allows permit holders to carry handguns in municipal park facilities, unless a municipal legislative body passes a resolution forbidding handguns in municipal park facilities.

- 2.8 Alderman Ellis moved for the approval of Resolution 09-30, a resolution appointing Roger Lemasters, Director of the Water/Wastewater Utilities to the Business Conduct and Ethics Committee. The motion was seconded and passed by 7-0 roll call vote.
- 2.9 Alderman Shoemaker moved for the approval of Resolution 09-31, a resolution authorizing the City of Springfield Water/Wastewater Department to participate in the TML Risk Management Pool "Safety Partners" loss control matching grant program. The motion was seconded and passed by 7-0 roll call vote.
- 3.1 Alderman Hubbard moved to nominate Alderman Bruce Head for the position of Vice Mayor. The motion was seconded and passed by 6-0-1 roll call vote. Ayes: Schneider, Carneal, Hubbard, Shoemaker, Ellis, Mason. Nays: O Abstain: Head.
- 3.2 Alderman Ellis moved to appoint Alderman Shoemaker to the Planning Commission. The motion died due to lack of a second.

Alderman Head moved to appoint Alderman Hubbard to serve on the Planning Commission. The motion was seconded and passed by 6-0-1 roll call vote. Ayes: Head, Carneal, Schneider, Mason, Ellis, Shoemaker. Nays: 0. Abstain: Hubbard.

3.3 Alderman Schneider moved to approve a request submitted by the Robertson County Chamber of Commerce to hold a “Pep Rally on the Square,” on August 14, 2009 from 4:00 P.M. to 8:30 P.M. The motion was seconded and passed by 7-0 roll call vote.

3.4 The City Manager explained the reasons for the proposed amended agreement to the E-911 Consolidated Communications Center Agreement. The Robertson County Emergency Communications District has secured its own revenue bond financing for the project and has awarded a bid for the construction of the new facility which will be shared by Springfield Police Department dispatchers and Robertson County Sheriff’s Department dispatchers. The construction of the communication center should begin shortly.

Section 2 of the proposed amended agreement states the facts pertaining to land donation, architectural design and bid award. It reflects the fact that the City donated 6.45 acres of land within the North Industrial Park for the location of the facility. It states that the District has paid all survey, legal and other costs related to the transfer of the property, as previously requested by the Board of Mayor and Aldermen. The amended agreement also states that ownership of the property shall revert to the City should the District fail to begin construction of the center within three (3) years after the property is transferred to the district by the City. This provision was also added at the request of the Board of Mayor and Aldermen.

The amended agreement also states that the District has issued its own bonds as allowed by Tennessee law to finance the construction and reasonable equipping of the center. This is a change from the present agreement which calls for the City to issue bonds that are to have the debt service paid with District revenues. The amended agreement also calls for a User Group to govern the daily operations of the center. It also states that the District represents that its anticipated revenues are sufficient to pay for all annual operating and maintenance expenses for the center.

Alderman Mason moved for the approval of the proposed amended agreement for the E-911 Consolidated Communications Center. The motion was seconded and passed by 7-0 roll call vote.

3.5 Alderman Hubbard moved for the approval of the proposed amended contract with Hastings Architectural Services for the design of the learning center for higher education. The motion was seconded and passed by 7-0 roll call vote.

The proposed amendment specifies the specialty consultants that will be employed by Hastings to provide services for the learning center for higher education project. The not-to-exceed cost for the specialty consultants is \$94,555; which includes expenses. This amount is \$10,000 less than the original estimate for specialty consultant services. The addition of these non-basic services to the existing contract will bring the total not-to-exceed fee for Hastings to \$355,266.

The specialty consultants and fees are as follows: Charles M. Salter Associates will provide acoustical consulting for \$21,300; TLC Engineering will provide audio/visual consulting for \$16,160, security systems consulting for \$13,325 and telecommunications consulting for \$14,270; and HAA will provide furniture and equipment selection/coordination for \$29,500.

- 3.6 Alderman Ellis moved to require that the contractor for the construction of the learning center for higher education be bonded for the project. The motion was seconded.

Attorney Bill Goodman, representing Mr. Billy Batson, addressed the Board to request that an irrevocable letter of credit be accepted as a form of contractor surety for the project.

The City Manager stated that it was his position, and that of the staff, to require the contractor to submit both a performance bond and a payment bond as the only forms of surety for this project, in order to protect the city and county.

After discussion, the motion passed by 5-2 roll call vote. Ayes: Mason, Ellis, Shoemaker, Carneal, Schneider. Nays: Hubbard, Head.

- 3.7 Alderman Hubbard moved to approve the ratification of an emergency purchase of a 3-phase regulator for the District electric substation on Josephine Street from Siemens in the amount of \$269,880. The motion was seconded and passed by 7-0 roll call vote.

- 3.8 Alderman Hubbard moved for the appointment or reappointment of the following persons to boards and commissions.

<u>Adult Entertainment Board</u>	<u>Ward</u>	<u>Term Expires</u>
Thomas Onstott	5	11-30-2012
<u>Cemetery Commission</u>		
Nancy Harris	3	06-30-2011
Mike Fowler	At-large	06-30-2011

Parks & Recreation Board

Jerold Jones	1	06-30-2013
Lewis Jamison	2	06-30-2013
Buzzy Poole	3	06-30-2013

Planning Commission

Charles Wilkinson	4	11-30-2012
David Allen	5	11-30-2012
James Alford	6	11-30-2012
Buzzy Poole	Mayor	11-30-2012
Robert Farmer	Mayor	11-30-2012

The motion was seconded and passed by 7-0 roll call vote.

4.0 Alderman Hubbard moved for approval of the consent portion of the agenda. The motion was seconded and passed by 7-0 roll call vote.

4.1 Springfield Gas Department request to award the bid for the installation of a natural gas main on Industrial Drive to Scott & Ritter, Inc. in the amount of \$310,742.15.

4.2 Springfield Water/Wastewater Department request to award the bid for activated carbon for treatment of raw water at the Springfield Water Treatment Plant to Brenntag Chemical Co. for an amount of \$0.99 per pound.

4.3 Springfield Electric Department request to award the bid for an engineering services contract for GPS data collection to R.W. Breck, Inc. for an amount of \$12,500.

4.4 Springfield Gas Department request to award the annual materials bid to various vendors identified on the bid tabulation form. Bids were awarded by lowest price per item of material.

5.0 City Manager\Staff Report

Mayor Carneal recognized and welcomed newly elected Aldermen Ann Schneider and Shane Shoemaker to the Board.

6.0 With no further business to discuss, the meeting adjourned at 9:30.

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Billy Paul Carneal, Mayor

Attest:

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Jane Shugart Murphy, City Recorder