

**MINUTES
BOARD OF MAYOR AND ALDERMEN
REGULAR MEETING
AUGUST 19, 2008**

Board present

Mayor Billy Paul Carneal
Alderman James Hubbard
Alderman Ken Cherry
Alderman Jerome Ellis
Alderman Clay Sneed
Alderman Bruce Head

Staff present

City Manager Paul John Nutting
Asst. City Manager Regina Holt
City Recorder Bobby C. Lehman
City Clerk Connie W. Watson
City Attorney James Balthrop

Board absent

Alderman Willie Mason

- 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 A public hearing was held with regard to:

Ordinance 08-21, an ordinance amending Chapter 8 of the City of Springfield Zoning Ordinance by adding a new Subsection entitled "Electronic Signs and Reader Boards."
- 1.3 Alderman Hubbard moved for the approval of the minutes from the regular meeting held on July 15, 2008. The motion was seconded and passed by 5-1 roll call vote. Ayes: Ellis, Carneal, Hubbard, Head, Cherry. Nays: Sneed.
- 2.1 Alderman Hubbard moved for the approval of Ordinance 08-21 on 2nd reading, an ordinance amending Chapter 8 of the City of Springfield Zoning Ordinance entitled "Supplementary District Regulations" by amending Section 11-808 by amending and Subsection L(8) by adding a new Subsection L(8) (c)(4) entitled "Electronic Signs and Reader Boards." The motion was seconded.

Alderman Sneed moved to defer Ordinance 08-21 until the Planning Commission has a chance to review it and give their recommendation. The motion was seconded and passed by 4-2 roll call vote. Ayes: Head, Carneal, Cherry, Sneed. Nays: Hubbard, Ellis.

2.2 Alderman Hubbard moved for the approval of Ordinance 08-22 on 1st reading, an ordinance rezoning .33 acres of property located on Hayes Street from CG, Commercial to R7, Residential for owner Royce Crain. The motion was seconded and passed by 6-0 roll call vote.

2.3 Alderman Hubbard moved for the approval of Ordinance 08-23 on 1st reading, an ordinance to adjust the retail electric rates of the Springfield Electric Department due to wholesale fuel cost adjustment by the Tennessee Valley Authority. The motion was seconded.

Electric Utility Director, Robert Gardner briefed the Board on the 1.806 cents per kilowatt-hour wholesale increase proposed by Tennessee Valley Authority.

Two representatives from Tennessee Valley Authority spoke before the Board to explain the reasons for the increase and answer any questions.

The motion was brought back and passed 5-1. Ayes: Carneal, Head, Sneed, Cherry, Ellis. Nays: Hubbard.

2.4 Alderman Sneed moved for the approval of Resolution 08-29, a resolution accepting a maintenance bond in the amount of \$15,000 for improvements in the dedicated rights of way and easements of Mooreland Estates Subdivision, Section 9 for owner, Joe Moore. The motion was seconded and passed 6-0 roll call vote.

2.5 Alderman Hubbard moved for the approval of Resolution 08-30, a resolution accepting an irrevocable letter of credit from Farmers and Merchants Bank in the amount of \$29,600 for Harold's Retreat Subdivision, Section 1 and 2 for owners, Gerald, Gail and Geraldine Wakefield. The motion was seconded and passed by 6-0 roll call vote.

2.6 No action was taken on Resolution 08-31, a resolution accepting infrastructure improvements in the dedicated rights of way and easements of Evans Estates for owner Clay Sneed; the Board deferred it until the regular meeting in September.

2.7 Alderman Hubbard moved for the approval of Resolution 08-32, a resolution expressing official intent that certain expenditures to be incurred in connection with certain public works projects and related expenditures be reimbursed from proceeds of notes, bonds, or other indebtedness to be issued by the City of Springfield. The motion was seconded and passed by 5-1 roll call votes. Ayes: Head, Carneal, Cherry, Hubbard, Ellis. Nays: Sneed.

- 2.8 Alderman Hubbard moved for the approval of Resolution 08-33, a resolution authorizing the incurrence of indebtedness by the City of Springfield, Tennessee, not to exceed \$9,670,000, by the execution with a public building authority of a loan agreement or other instrument evidencing such indebtedness, to provide funding for certain public works projects, and to fund the incidental and necessary expenses. The motion was seconded and passed by 5-1 roll call vote. Ayes: Ellis, Hubbard, Cherry, Carneal, Head. Nays: Sneed.
- 2.9 Alderman Hubbard moved for the approval of Resolution 08-34, a resolution authorizing the execution and delivery of one or more loan agreements for the purpose of providing funds for financing certain public works projects for the city of Springfield, Tennessee, the cost of such projects not to exceed \$9,670,000. The project to be funded include the following: tennis courts; HVAC for the Center; MLK Park, Phase 2; a 100-foot aerial platform ladder truck, sidewalk construction; a wastewater force main relocation; wastewater system extensions; a water transmission main extension; and a 1.5 million gallon elevated water tank. The motion was seconded and passed by 5-1 roll call vote. Ayes: Carneal, Head, Cherry, Ellis, Hubbard. Nays: Sneed.
- 2.10 Alderman Hubbard moved for the approval of Resolution 08-35, a resolution authorizing the issuance and payment of natural gas purchase revenue anticipation notes, not to exceed the amount of \$2,000,000. The motion was seconded and passed by 6-0 roll call vote.
- 2.11 Alderman Hubbard moved for the approval of Resolution 08-36, a resolution authorizing the City Attorney to collect an irrevocable letter of credit in the amount of \$8,520 for sewer lines in Village Greens Subdivision for owner Country Club Ventures, LLC. The motion was seconded and passed by 6-0 roll call vote.
- 2.12 Alderman Ellis moved for the approval of Resolution 08-37, a resolution authorizing the City Attorney to collect an irrevocable letter of credit in the amount of \$107,700 for construction of traffic control, signs, sidewalks, and drainage in Village Greens Subdivision, Phase 2 for owner Country Club Ventures, LLC. The motion was seconded and passed by 6-0 roll call vote.
- 2.13 Alderman Cherry moved for the approval of Resolution 08-38, a resolution authorizing the City Attorney to collect an irrevocable letter of credit in the amount of \$122,800 for Legacy Subdivision, Section 5B for owner Tony Dorris Builders and Developers, LLC. The motion was seconded and passed by 6-0 roll call vote.

- 2.14 Alderman Hubbard moved for the approval of Resolution 08-39, a resolution authorizing the City of Springfield Public Works Department to participate in the TML (Tennessee Municipal League) Risk Management Pool “Safety Partners” Loss Control Matching Program. The motion was seconded and passed by 6-0 roll call vote. The grant will help the Public Works Department purchase safety equipment and materials in the amount of \$2,653.89.

The City Manager briefed the Board on Resolution 08-40, which he advises should be added to the agenda. He stated the resolution is to amend Resolution 08-07 which was passed in February. Due to the length of time that has passed since the initial approval, it has become necessary to amend certain dates and other provisions. The resolution is to refund \$13,000,000 of variable rate debt that will be converted into fixed rate debt.

Alderman Hubbard moved to amend the agenda by adding Resolution 08-40 as item 2.15. The motion was seconded and passed by 6-0 roll call vote.

- 2.15 Alderman Hubbard moved for the approval of Resolution 08-40, a resolution amending Resolution 08-07 regarding the issuance of general obligation refunding bond, not to exceed \$13,000,000. The motion was seconded and passed by 6-0 roll call vote.

- 3.1 Alderman Hubbard moved to approve the agreement with Mr. Charles Bibee who has erected a building atop a buried natural gas main owned by the City of Springfield Gas Department. The motion was seconded.

The City Attorney briefed the Board on the agreement between Charles Bibee and the City. He advised that this agreement would limit the liability of the City, give the City the right to repair the gas line and remove part of the building to repair or maintain the gas main.

Alderman Cherry stated the word “reasonably” should be omitted from the agreement. He felt it left too much for interpretation and could pose future problems.

Alderman Hubbard agreed to amend his original motion by having the word “reasonably” omitted in the contract. The seconder of the motion agreed. The motion passed by 5-1 roll call vote. Ayes: Ellis, Carneal, Hubbard, Head, Cherry. Nays: Sneed.

- 3.2 Alderman Head moved to approve a proposal from South Haven Christian School for the use of the football field at the Martin Luther King Park. The motion was seconded. The Board discussed a request and proposal from South Haven Christian School to plat its high school football games at Martin Luther King Jr. Park.

Tom Fox, Business Administrator, Assistant Pastor to South Haven Christian School addressed the Board on the request.

Alderman Head made the motion that if a financial agreement can be reached he moved to allow South Haven Christian School to use MLK Park on a trial basis to play three football games this season.

Alderman Ellis stated that only City employees be allowed to maintain and operate the field and facilities and that the cost of lighting and the field expdenses and repair should be included in the agreement.

Alderman Cherry moved to defer from taking action on the request until an agreement can be presented to the Board. The motion was seconded and passed by 4-2 roll call vote. Ayes: Ellis, Hubbard, Sneed, Cherry. Naves: Carneal, Head.

3.3 Alderman Hubbard moved to approve the contract to transfer the ownership of the K-9 Iwan from the City of Springfield to Officer Joe Macleod. The motion was seconded and passed by 6-0 roll call vote. Iwan is being retired from Service.

3.4 Alderman Hubbard moved for the approval of a request from Hinkle Contracting Corporation to close off Brown Street to local traffic from 5th Avenue East to 6th Avenue East. This request is being made in order to restrict traffic and facilitate the construction of the County jail expansion. The motion was seconded and failed by 1-5 roll call vote. Ayes: Sneed. Naves: Hubbard, Cherry, Carneal, Head, Ellis.

3.5 Alderman Hubbard moved to approve a request from Springfield Water and Wastewater Department to authorize the acquisition of certain easements through eminent domain if negotiations fail and property owners do not acctpt the offers. The easements are for the Highway 41 South sewer extension project and the Sleepy Hollow force main relocation project. The motion was seconded and passed by 5-0-1 roll call vote. Ayes: Sneed, Carneal, Hubbard, Head, Cherry. Naves: 0. Abstain: Ellis.

3.6 The Board discussed Water/Wastewater Department policies pertaining to the inspections and acceptance of water and wastewater facilities. No action was taken.

4.0 Alderman Ellis moved for the approval of consent items 4.1, 4.2, 4.3, 4.4, 4.5, and 4.6. The motion was seconded and passed by 6-0 roll call vote.

4.1 Springfield Electric Department request to approve the bid award for four (4) S & C Gang Operated Disconnect Switch to **H.D. Supply** in the amount of **\$39,784.00** for the Sleepy Hollow Substation.

- 4.2 Springfield Fire Department request to approve the bid award for firefighter turnout gear to **Tupelo Fire Equipment** in the amount of **\$1,601.27** per set.
 - 4.3 Springfield Gas Department request to approve to award the bid for the annual materials bid. Various vendors were awarded bids for specific materials based on lowest bid.
 - 4.4 Springfield Electric Department request to approve the bid award for utility poles to **Carolina Pole in the amount of \$13,017.00.**
 - 4.5 Springfield Water and Wastewater Department request to approve the bid award for influent and effluent samplers for the wastewater treatment plant to **Hach Company** in the amount of **\$10,724.16.**
 - 4.6 Springfield Water and Wastewater Department requests approval of awarding the bid for a 20 ton air conditioning unit at the water treatment plant to **Robinette Sales and Service** in the amount of **\$12,700.00.**
- 5.0 City Manager/Staff Report

The City Manager presented copies of Moodys' Investors Service statement announcing an upgrade in the City's bond rating from Baa1 to A3. He expressed his appreciation to the Board and staff for their role in the upgrade of the City's bond rating.

He also presented each Board member with a copy of the Police Department 's statistics report after its first year of operations using the Compstat management system.

The Board extended congratulations to Mayor Billy Paul Carneal and wife, Pat on their 43rd wedding anniversary.

There being no further business to discuss, the meeting was adjourned.

Billy Paul Carneal, Mayor

Attest:

Bobby C. Lehman, City Recorder

