

**MINUTES
BOARD OF MAYOR AND ALDERMEN
REGULAR MEETING
MARCH 17, 2009**

Board present

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

Staff present

City Manager Paul John Nutting
Asst. City Manager Regina Holt
City Recorder Jane Shugart Murphy
City Clerk Connie W. Watson
City Attorney James 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. Ordinance 09-01, an ordinance amending Title 12 of the Springfield Municipal Code entitled "Building, Utility, Etc. Codes" by rescinding Chapter 2 entitled "Plumbing Code" in its entirety and substituting a new Chapter 2.
 2. Ordinance 09-02, an ordinance amending Title 19 of the Springfield Municipal Code entitled "Electricity and Gas" by rescinding Chapter 3 entitled "Gas Code" in its entirety and substituting a new Chapter 3.
 3. Ordinance 09-03, an ordinance amending Title 12 of the Springfield Municipal Code entitled "Building, Utility, Etc. Codes" by rescinding Chapter 4 entitled "Mechanical Code" in its entirety and substituting a new Chapter 4.
 4. Ordinance 09-05, an ordinance amending Title 7 of the Springfield Municipal Code entitled "Fire Protection and Fireworks" by adding a new Chapter 7 entitled "Automatic Sprinkler and Standpipe Systems."
- 1.3 Alderman Hubbard moved to approve the minutes of the regular meeting of the Board of Mayor and Aldermen held on February 17, 2009 and the special meeting held on March 10, 2009. The motion was seconded and passed by voice vote.

- 2.1 Alderman Hubbard moved for the approval of Ordinance 09-01 on 2nd reading, an ordinance rescinding Ordinance 06-32 in its entirety and amending Title 12 of the Springfield Municipal Code entitled “Building, Utility, Etc. Codes” by rescinding Chapter 2 entitled “Plumbing Code” in its entirety and substituting a new Chapter 2. The motion was seconded and passed by 7-0 roll call vote.
- 2.2 Alderman Mason moved for the approval of Ordinance 09-02 on 2nd reading, an ordinance rescinding Ordinance 06-28 in its entirety and amending Title 19 of the Springfield Municipal Code entitled “Electricity and Gas” by rescinding Chapter 3 entitled “Gas Code” in its entirety and substituting a new Chapter 3. The motion was seconded and passed by 7-0 roll call vote.
- 2.3 Alderman Hubbard moved for the approval of Ordinance 09-03 on 2nd reading, an ordinance rescinding Ordinance 06-33 in its entirety and amending Title 12 of the Springfield Municipal Code entitled “Building, Utility, Etc. Codes” by rescinding Chapter 4 entitled “Mechanical Code” in its entirety and substituting a new Chapter 4. The motion was seconded and passed by 6-0-1 roll call vote. Ayes: Ellis, Sneed, Cherry, Carneal, Mason, Head. Nays: 0. Abstain: Hubbard

Alderman Hubbard stated that his decision to abstain is due to the clarity of the ordinance.

- 2.4 Alderman Hubbard moved for the approval of Ordinance 09-04 on 2nd reading, an ordinance establishing a permit fee schedule for City of Springfield Mechanical Code. The motion was seconded and passed by 6-1 roll call vote. Ayes: Carneal, Head, Sneed, Mason, Cherry, Ellis. Nays: Hubbard.
- 2.5 Alderman Cherry moved for the approval of Ordinance 09-05 on 2nd reading, an ordinance amending Title 7 of the Springfield Municipal Code entitled “Fire Protection and Fireworks” by adding a new Chapter 7 entitled “Automatic Sprinkler and Standpipe Systems.” The motion was seconded and passed by 6-1 roll call vote. Ayes: Hubbard, Cherry, Carneal, Sneed, Head, Mason. Nays: Ellis.

Fire Chief Schott informed the Board that this ordinance would only affect residential homes with a total living space of 5,000 sq ft. or more and homes sitting a distance of 300 feet or more from the road.

- 2.6 Alderman Hubbard moved for the approval of Ordinance 09-06 on 3rd and final reading, an ordinance to adjust the retail electric rates of the Springfield Electric Department due to a wholesale fuel cost adjustment by the Tennessee Valley Authority. The motion was seconded and passed by 7-0 roll call vote.

The ordinance passes a fuel cost adjustment between \$0.00825 and \$0.0084 per kilowatt-hour from TVA, depending upon customer class, for the third quarter of fiscal year 2009. The adjustment represents a decrease of approximately seven percent (7%) in wholesale electric rates effective April 1, 2009.

- 3.1 Alderman Hubbard moved to approve a request submitted by Covenant Confirmers Ministries to hold their 8th Annual Motorcycle Rally benefit for “Tennessee Biker Medical Clinic” on June 6, 2009. The motion was seconded and passed by 7-0 roll call vote.
- 3.2 Alderman Ellis moved to approve a request from the Robertson County Chamber of Commerce to assist a dinner event recognizing ninety-four (94) Tennessee Scholars in Robertson County to be held at The Center by waiving the rental fee of \$550. The City will be recognized as an event sponsor. The motion was seconded and passed by 7-0 roll call vote.
- 3.3 Alderman Hubbard moved to approve a request from the Robertson County Child Advocacy Center to hold a rally on the west side of the Square on April 23, 2009 from 6:30 P.M. to 7:30 P.M. The motion was seconded and passed by 7-0 roll call vote.
- 3.4 Alderman Hubbard moved to discuss and take action on a request from the Library Board to authorize and fund the architectural design of the expanded and renovated library facility. The motion was seconded.

The City Manager briefed the Board on the request to fund the architectural design of the library facility. The County has received a grant in the amount of \$100,000 from the State of Tennessee which can be used to pay for the design of the library expansion. The City of Springfield is holding in escrow a donation in the amount of \$50,000 from the Springfield Industrial Board that can be used to pay for anything related to the library expansion. The escrow fund, with accumulated interest, now contains approximately \$55,000. The Library Board also has funds available from endowments and donations that can be used to help pay for design.

In response to a question from Alderman Cherry, Assistant City Manager Gina Holt informed the Board that Carol Sletto was recently appointed as a City of Springfield representative on the Library Board.

Alderman Ellis moved to amend the motion to fund the architectural design of the library facility by adding that the total amount of \$1,000,000 will be donated as the City’s portion of the expansion and renovation of the library facility excluding what has already been given for the project and the approximately \$55,000 currently held in escrow. The motion was seconded and passed by 7-0 roll call vote.

The original motion to authorize and approve the funding of the architectural design of the library facility was brought back and passed by 7-0 roll call vote.

- 3.5 The City Manager informed the Board that GRW originally entered into a contract to design and administrate the construction of both the water transmission main and the elevated storage tank on Highway 431 South. The water transmission main has been partially constructed, but work on the remainder of the projects has been temporarily suspended until now. The proposed contract is to complete the remainder of the engineering work on the two projects.

Alderman Hubbard moved to approve the engineering contract with GRW Engineers, Inc. for the final phase of the Highway 431 South water transmission main and elevated storage tank. The motion was seconded and passed by 5-2 roll call vote. Ayes: Mason, Carneal, Hubbard, Head, Cherry. Nays: Ellis, Sneed.

- 3.6 Alderman Hubbard moved to approve the closing and demolition of Elmwood Street and the reconfiguration of 15th Avenue West in conjunction with the demolition of thirteen (13) buildings by the Springfield Housing Authority. The motion was seconded and passed by 7-0 roll call vote.

- 3.7 Alderman Hubbard moved for the selection of Hastings Architecture and Associates, LLC to provide the architectural design services for the new learning center for higher education as recommended by the joint City-County Quality Based Selection Committee. The motion was seconded.

The City Manager briefed the Board on the process the joint City-County Quality Based Selection Committee exercised to arrive at their recommendation. A total of eighteen (18) architectural firms submitted written proposals for the project. All proposals were scored to reduce the number of firms under consideration to the three (3) best qualified. The final three (3) were asked to make formal presentations to the committee and each was scored in competition with the others. Hastings was determined to be the most qualified with JBA second and Studio third.

The motion passed by 7-0 roll call vote.

- 3.8 Alderman Hubbard moved to approve a contract in the amount of \$9,900 with Pyro Shows for the annual 4th of July fireworks show, with half of the contract price due upon execution of the contract. The motion was seconded and passed by 7-0 roll call vote.
- 3.9 Alderman Hubbard moved to approve the award of the bid for the emergency foundation repair work at the Springfield Police Department to Olshan for the total amount of \$51,350.00. The motion was seconded and passed by 7-0 roll call vote.

- 3.10 Alderman Hubbard moved to authorize the Springfield Police Department to submit a COPS Hiring Recovery Program Grant for three (3) new police officer positions and an Edward Byrne Memorial Justice Assistance Program Grant in the amount of \$104,132. The motion was seconded.

Chief Wilhoit briefed the Board on the two grants. He stated the first grant will provide salary and benefits for new law enforcement officers at entry level for three years with no matching requirement. This grant requires the City to retain an officer hired under this program on the force at least twelve months beyond the initial three-year term. He stated that the City qualified for the Edward Byrne Memorial Justice Assistance Grant Program (JAG) and it is just a matter of him getting the approval from the Board to apply for it. The allocation of the JAG funds is based on population and crime statistics. Under this grant Robertson County Sheriff's Department will receive \$40,006.00 in funding as well. The JAG grant allows local governments to use the funding for variety of law enforcement purposes.

Alderman Cherry moved to amend the motion to approve the application for the grants by voting on each grant separately. The motion was seconded and failed by 2-5 roll call vote. Ayes: Sneed, Cherry. Nays: Mason, Ellis, Carneal, Hubbard, Head.

After discussion, the original motion was voted on and passed by 5-2 roll call vote. Ayes: Hubbard, Carneal, Head, Ellis, Mason. Nays: Cherry, Sneed.

- 3.11 Alderman Cherry moved to discuss the procedures of a possible referendum on the learning center for higher education. The motion was seconded.

The City Attorney informed the Board that the petition submitted in opposition to the City of Springfield accepting a Tennessee Municipal League Bond Fund Loan in the amount of \$3,000,000 to construct the learning center for higher education has been submitted by registered voters of Springfield, as required by law. At least ten percent (10%) of the city's registered voters signed the petition in order to stop the issuance of the loan. The signatures must now be verified by the Robertson County Election Commission which shall have fifteen (15) days to complete the process.

Should the petition contain the verified signatures of at least ten percent (10%) of the city's registered voters, the loan cannot be issued without a referendum of the voters. In order to have a referendum, the Board of Mayor and Aldermen will have to approve a resolution calling for the referendum and approving the wording for the referendum at the April 21, 2009 regular meeting. A resolution passed at the April 21 meeting will allow sufficient time for the referendum to be placed on the ballot of the regular City of Springfield Election to be held on June 6, 2009.

- 3.12 Alderman Hubbard moved to post a “No Parking” sign at the curb of the west side of the parking island in front of City Hall. The motion was seconded and passed 6-1 roll call vote. Ayes: Head, Carneal, Cherry, Mason, Ellis, Sneed. Nays: Hubbard.
- 3.13 Police Chief Mike Wilhoit gave the annual police statistical report for 2008.
- 4.0 Alderman Hubbard moved for the approval of consent items 4.1, 4.2, and 4.3. The motion was seconded and passed by 7-0 roll call vote.
- 4.1 Public Works Department request to award the bid for an automated side loading refuse collection chassis and truck with an extended warranty to Stringfellow, Inc. in the amount of \$238,717.00, with no trade in.
- 4.2 Springfield Water/Wastewater Department request to award the annual seasonal mowing contract to Terry King in the amount of \$359.00 per week. The contract is for mowing twenty-five (25) various sites.
- 4.3 Springfield Gas Department request to award the bid for gas regulators and relief valves to VRC Company in the amount of \$39,330.30.
- 5.0 City Manager Report
- 6.0 With no further business to discuss, the meeting adjourned at 9:15.

Billy Paul Carneal, Mayor

Attest:

Jane Shugart Murphy, City Recorder

