

MINUTES OF THE MONTHLY MEETING
OF THE BOARD OF COMMISSIONERS OF
THE CITY OF BELLE MEADE

OCTOBER 19, 2011

The regular monthly meeting of the Board of Commissioners of the City of Belle Meade convened at Belle Meade City Hall, 4705 Harding Road, Nashville, Tennessee, on Wednesday, October 19, 2011 at 4:00 p.m. Those present were: Mayor Gray Thornburg, Vice Mayor James Hunt, Commissioner Cathy Altenbern, Commissioner Ed Freeman, Commissioner Steve Rick, City Manager/Treasurer Beth Reardon, City Recorder Linda Berner, Police Chief Tim Eads, Public Works Director George Bartlett, Building Inspector Phil Buma, and City Attorney Bob Patterson. Also present was Steve Casey, city engineer with Civil & Environmental Engineering, a newspaper reporter, and several residents.

Before the meeting started, everyone stood to recite the Pledge of Allegiance, led by Vice Mayor Hunt.

Mayor Thornburg presided over and called the meeting to order. The first item on the agenda was the public hearing and the Mayor asked if anyone in the audience wished to speak.

1) Ms. Gloria Sternberg, 623 Royal Oaks Place, asked to speak. She stated she represents the residents living on Royal Oaks Place, and is requesting the neighborhood become a Special Impact Area. She also stated these residents are in favor of

Ordinance 2011-10, regarding the Property Maintenance Code. Reading from a prepared statement, she outlined the needs of the community that should entitle them to be included in a Special Impact Area. Mrs. Theresa Lapidus, 619 Royal Oaks Place, and Mrs. Carolyn Taylor, 616 Royal Oaks Place also made comments to the Board. There was discussion between these residents and the Board, with Mayor Thornburg recommending that they make an appeal to the Municipal Planning Commission.

2) Mrs. Dorothy Earthman, 105 Belle Meade Boulevard, stated she felt Ordinance 2011-10 (Property Maintenance Code) had the potential to be restrictive and intrusive. Mr. Ward DeWitt, 523 Belle Meade Boulevard, also stated his questions about the new ordinance. Commissioner Rick explained the ordinance and the process to these neighbors.

3) Mrs. Bea Isenhour, 204 Scotland Place, stated she is in favor of Ordinance 2011-10, and would like for the City to do something about the property adjacent to hers.

No one else requested recognition and, accordingly, Mayor Thornburg closed the public hearing.

Mayor Thornburg asked for consideration of the minutes for the September 21, 2011 regular meeting. Commissioner Rick made the motion to approve the minutes and Commissioner Altenbern seconded the motion. Upon vote, the approval was unanimous.

Mayor Thornburg recognized Mr. Bartlett for his September 2011 Public Works report, which was reviewed. Mr. Bartlett had nothing further to add to his report, and there were no questions for him at this time.

The next item of business was the street sweeping contract extension. The City's current contract with Sweeping Corporation of America expires on October 31, 2011. The original two-year contract included an option to extend services for two additional one-year periods. This will be the second and final extension. Mrs. Reardon and Mr. Bartlett recommend the one year extension, and the president of the company will honor the current contract pricing for this service. Commissioner Altenbern asked that with the economic downturn, could the City get a better deal by re-bidding the contract. Mrs. Reardon answered that the company did reduce their cost twice because of the CPI transportation index. Commissioner Freeman asked if the City was satisfied with their services and Mr. Bartlett answered yes, that they always do a good job and are always available when asked. Commissioner Altenbern made the motion to approve the contract extension and Commissioner Freeman seconded the motion. Upon vote, the approval was unanimous.

The Mayor recognized Chief Eads for the September Public Safety reports, which were distributed to the Commissioners prior to the meeting. It was noted there were 345 traffic citations

issued, 4 traffic crashes, 11 arrests (one outstanding warrant, three driver license required, three driving while license suspended, one simple possession, one implied consent law, one DUI, and one failure to yield to Emergency Vehicle), 48 alarm calls, one burglary, 11 incidents reports filed, 0 theft reports filed, and 26,940 patrol miles logged. Chief Eads offered to answer any questions. Commissioner Altenbern made mentioned that the Neighborhood Watch Program seems to be going well, and Chief Eads agreed. Mayor Thornburg asked if the recent bicycle accident was the fault of the bicyclist and Chief Eads answered yes. Mayor Thornburg then stated that bicyclists need to know that when they run stop signs, they put themselves and other people at risk of injury. Vice Mayor Hunt stated he has seen joggers not wearing proper reflective clothing near dusk and wants the police department to keep an eye on this problem. Chief answered that violators are generally given a verbal warning and are given a reflective vest by the City. There were no further questions for Chief at this time.

The next item of business was the consideration of bids for four police vehicles. The following vendors submitted bids:

Sam Swope Auto Group
2012 Dodge Charger
Cost=\$23,999.15

Miracle Dodge
2012 Dodge Charger
Cost=\$25,398.50

Hallmark Volkswagen
2012 Passat TDI
Cost=\$27,000.00

Also, the 2012 Volkswagen Passat TDI is on the State of Tennessee contract. Harper Dealerships in Knoxville currently holds the

lowest state contract price of \$26,662.20. Chief Eads stated he is in the final phases of reaching a recommendation on whether to stay with the Dodge Chargers or try the Passat. Next month, the Chargers will increase in price by \$500. He makes the following recommendation: if the Charger is selected, we will take the low bid from Sam Swope Auto Group; otherwise he will continue his research of the Passat and come back next month with a recommendation. According to his preliminary estimates, the cost difference of the Passat would be offset in approximately fourteen months due to projected fuel savings. Chief also stated that the Passats are not a police package and will need to be up fitted for police package. Commissioner Rick made the motion to buy the Chargers from the low bidder (Sam Swope Auto Group) if the Chief determines that is the best vehicle at this time. Commissioner Altenbern seconded the motion, and upon vote, the approval was unanimous.

Mayor Thornburg recognized Mr. Bartlett for the Health and Sanitation report, which was distributed prior to the meeting. Mr. Bartlett had nothing further to add to his report. Vice Mayor Hunt wants a report on the repeat sewer calls to be included on next month's agenda. Vice Mayor Hunt also wants a report on repeat house alarm calls from the police department.

Mayor Thornburg recognized Mr. Buma for his September 2011 Building/Zoning and Planning reports, which were distributed prior

to the meeting. It was noted that 12 permits were issued for a total estimated construction cost of \$571,751, 24 permits were closed out during the month, one grading/soil disturbance permit issued and none closed out, and zero stormwater complaint reports filed.

Mayor Thornburg noted there were no matters to report for Waste Collection or City Communications

The next item of business under Beautification/Landscape was the request to extend the Landscape Maintenance Contract. The current contract with Landscape Services Inc. (LSI) was extended for one year and will expire on December 31, 2011. This contract includes an option to extend services for two one-year periods. This will be the second and final extension. Mr. Bartlett and Mrs. Reardon recommended that the contract with LSI be extended for one year through December 31, 2012. Commissioner Rick made the motion to approve the extension for one year and Mayor Thornburg seconded the motion. Upon vote, the approval was unanimous. Mrs. Reardon reported that approximately \$25,000 has been collected for the Ceres Society as a result of last month's annual membership letter.

Mayor Thornburg recognized Mrs. Reardon for her September 2011 financial reports, which were distributed prior to the meeting. Mrs. Reardon offered to answer any questions but there were none.

After discussion and on motion made by Mayor Thornburg and seconded by Commissioner Rick, the following invoices in excess of \$2,500.00 were approved for payment:

Bradley Arant Boulton Cummings	\$ 3,010.00
Motorola	\$142,835.47
West Meade Decorating Company	\$ 9,370.00

The Mayor noted there were no matters to report for Facilities

or Personnel.

The next item of business was the review of two pieces of legislation.

ORDINANCE 2011-10

**AN ORDINANCE AMENDING TITLE 13 OF THE BELLE MEADE
MUNICIPAL CODE TO INCLUDE A NEW CHAPTER 3
ENTITLED "MAINTENANCE CODE"
(on second reading)**

Commissioner Rick stated he has heard some good comments from the citizens. Commissioner Altenbern requested information be put in the newsletter to reiterate how the ordinance will work. Vice Mayor Hunt made the motion to approve the ordinance on second reading and Commissioner Rick seconded the motion. Upon vote, the approval was unanimous.

ORDINANCE 2011-11

**AN ORDINANCE ADDING SECTION 14-402 TO TITLE 14,
CHAPTER 4 OF THE BELLE MEADE MUNICIPAL CODE;
STORMWATER USER FEE ORDINANCE
(on second reading)**

Mayor Thornburg thanked Mr. Steve Casey, engineer with Civil Environmental & Engineering, for the user fee rate scenarios. She

then stated the estimated cost associated with stormwater for 2011-2012 is over \$188,000, without any capital expenditure. She emphasized that this ordinance is due to an unfunded federal mandate. It was proposed that the City adopt a user fee to offset some of the cost. The following is a breakdown of the fee rate proposal.

**Residential Rate
Monthly Rate Scenarios**

<u>Area of Lot</u>	<u>ONE</u>	<u>TWO</u>	<u>THREE</u>	<u>FOUR</u>
0-40,000	\$2.25	\$2.49	\$ 3.74	\$ 6.88
40,001 - 70,000	\$4.50	\$4.98	\$ 7.47	\$13.75
>70,000	\$9.00	\$9.96	\$14.94	\$27.50

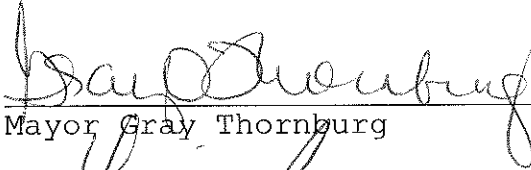
**Non-Residential Rate
Monthly Rate Scenarios**

<u>Entity</u>	<u>ONE</u>	<u>TWO</u>	<u>THREE</u>	<u>FOUR</u>
Belle Meade Mansion	\$ 51.09	\$ 56.54	\$ 84.82	\$156.12
Country Club	\$120.18	\$133.00	\$199.50	\$367.23
Immanuel Baptist	\$ 45.95	\$ 50.85	\$ 76.28	\$140.41
St. George's Episcopal	\$ 64.11	\$ 70.95	\$106.42	\$195.89
The Temple	\$ 63.79	\$ 70.59	\$105.89	\$194.90

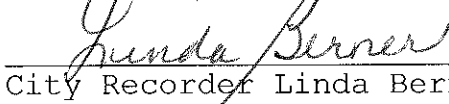
Discussion ensued regarding costs and expenditures related to stormwater. Vice Mayor Hunt made the motion to include as the rate fee scenario Three, and Commissioner Freeman seconded the motion. Commissioner Rick asked about the non-residential properties, and Vice Mayor Hunt said four of the five properties don't pay property taxes so they should pay the stormwater fee. Commissioner Altenbern stated she was not favorable to charging churches/temples. There was some discussion related to charging

the religious organizations. Commissioner Rick asked if Vice Mayor Hunt wanted to amend his motion to exclude the religious organizations from paying the fee, and he declined, stating he was opposed to excluding them. Mayor Thornburg called for a vote on the motion made by Vice Mayor Hunt. Vice Mayor Hunt and Mayor Thornburg voted in favor of the motion and Commissioners Rick, Altenbern and Freeman voted nay. Motion failed. Commissioner Altenbern then made a motion to accept rate scenario Three but exclude the religious organizations from paying. Chairman Freeman seconded the motion. At that point, Mr. James Galloway, 915 Chancery Lane, spoke up saying if this motion goes through, there will be a call made to the ACLU and to the media. Mayor Thornburg called for a vote, and the motion passed with Vice Mayor Hunt voting nay.

There being no further business to come before the Commissioners, the meeting was thereupon adjourned at 4:55p until the next meeting on Wednesday, November 21, 2011 at 4:00pm.



Mayor Gray Thornburg



City Recorder Linda Berner