

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

SEPTEMBER 21, 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, September 21, 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, City Building Official Terry Franklin, and City Attorney Bob Patterson. Also present was Steve Casey, city engineer with Civil & Environmental Engineering, and a newspaper reporter.

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, under public hearing, was the discussion on the Annual Report for Fiscal Year 2010-2011 - Phase II NPDES Stormwater Permit. Mr. Franklin stated all the information on the report is available and offered to answer any questions the public may have on the report. Vice Mayor Hunt asked how long has the City been involved with this permit process and was told since

2003. Commissioner Rick asked if the City's permit was in good shape and Mr. Franklin answered yes. Mayor Thornburg thanked Mr. Franklin, and then asked if anyone from the public wished to speak. Hearing no one, the Mayor closed the public portion of the meeting.

Mayor Thornburg asked for consideration of the minutes for the August 17, 2011 regular meeting. Vice Mayor Hunt made the motion to approve the minutes and Commissioner Rick seconded the motion. Upon vote, the approval was unanimous.

Mayor Thornburg recognized Mr. Bartlett for his August 2011 Public Works report, which was reviewed. Mayor Thornburg asked Mr. Bartlett to put together a list of residents who have multiple sewer red light issues. There were no further questions for Mr. Bartlett at this time.

The next item of business was the snow removal contract extension. The City's current contract with Sammie Gibbs Construction 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 last extension. Mrs. Reardon and Mr. Bartlett recommend the one year extension, and Mr. Gibbs will honor the current contract pricing for this service. Vice Mayor Hunt asked if Mr. Gibbs makes the decision regarding whether his services are needed, and Mrs. Reardon answered that Mr. Bartlett makes that call. Commissioner Rick asked during the previous contract bid, was Sammie Gibbs Construction by far the

best bid. Mrs. Reardon answered only two bids were received and the other bid was significantly higher. Vice Mayor Hunt made the motion to grant the one-year extension to Sammie Gibbs Construction and Commissioner Altenbern seconded the motion. Upon vote, the approval was unanimous.

The Mayor recognized Chief Eads for the August Public Safety reports, which were distributed to the Commissioners prior to the meeting. It was noted there were 305 traffic citations issued, 6 traffic crashes, 9 arrests (six driving while license suspended and one driving while license revoked, one simple possession, and one joyriding), 45 alarm calls, zero burglaries, 5 incidents reports filed, 1 theft report filed, and 28,427 patrol miles logged. Chief Eads offered to answer any questions. Mayor Thornburg asked about a recent accident involving a bicyclist that ran a stop sign and hit a car. Chief Eads explained the incident to the Board. The Mayor stated she would like to see information included in his report about incidents involving bicyclists. There were no further questions for Chief at this time.

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 and there were no questions for him at this time.

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

to the meeting. It was noted that 13 permits were issued for a total estimated construction cost of \$974,198.75, 35 permits were closed out during the month, two grading/soil disturbance permit issued and one closed out, and zero stormwater complaint reports filed. Mr. Franklin had nothing further to add to his report.

The next item of business was the appointment of a new member to the Municipal Planning Commission. Mayor Thornburg made the motion to appoint Mr. Charlie Atwood and Commissioner Rick seconded the motion. Upon vote, approval was unanimous.

The next item of business was the appointments to the Board of Zoning Appeals. Mayor Thornburg made the recommendation that Mrs. Mary Ann Blaufuss be made a regular member of the Board. Commissioner Altenbern made the motion to approve the recommendation and Mayor Thornburg seconded the motion. Upon vote, the approval was unanimous. Mayor Thornburg then made the motion that Mr. Charlie Atwood be moved to an alternate position for the Board of Zoning Appeals and Vice Mayor Hunt seconded the motion. Upon vote, the approval was unanimous.

Mayor Thornburg noted there were no matters to report for Waste Collection. Vice Mayor Hunt asked if the new garbage pickup was getting better. Mrs. Reardon answered there are still a few complaints but most people are getting used to it. There have been a few comments from residents that they like the new recycling

program, and are amazed at how much recycling is now not going in the trash.

Mayor Thornburg noted there were no matters to report for City Communication.

The next item of business under Beautification/Landscape was the review of the quotes for the purchase of holiday wreaths. Three estimates were obtained for 136 evergreen wreaths with red bows that will be placed on the street signposts and at City Hall during the holiday season. The wreaths are paid for from the Beautification Fund with monies donated by the citizens for City beautification projects.

Boy Scouts of America	\$2,856	(\$21.00 each)
Gardens of the BlueRidge.com	\$5,508	(\$40.50 each)
Cascade Holiday Evergreens	\$5,508	(\$40.50 each)

Mrs. Reardon recommends purchasing from the Boy Scouts of America. They offer a discounted price based on the volume purchased, and they consistently provide nice wreaths that maintain their color for several weeks. Vice Mayor Hunt made the motion to accept the bid from Boy Scouts of America and Mayor Thornburg seconded the motion. Upon vote, the approval was unanimous.

Mayor Thornburg recognized Mrs. Reardon for her August 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 Commissioner Altenbern and seconded by Mayor Thornburg, the following invoices in excess of \$2,500.00 were approved for payment:

Commonwealth Chemical	\$ 4,320.00
Bradley Arant Boult Cummings	\$ 3,257.00
J.R. & Associates	\$16,720.00
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LSI Landscape Services	\$ 4,995.00

The next item of business was the consideration of bids for two new city vehicles. Four bids were received for a small to mid-size four-door vehicle.

Cardinal Chrysler Dodge	Dodge Avenger SE	\$16,435.36
Hallmark Volkswagen	Jetta SE	\$19,000.00
Hyundai Cool Springs	Elantra GLS	\$19,083.00
Wilson Co Motors	Chevrolet Cruze LT	\$17,979.00

An additional option is the Ford Fusion vehicle from Golden Circle Ford in Jackson TN, which holds the State of Tennessee Contract Bid and sells for \$16,519.00, after a 7% prompt pay discount if invoice is paid within 30 days of delivery. After assessing the vehicles, the Codes staff felt the Fusion was best suited for their needs, and City Hall staff felt the Dodge Avenger was best suited for their needs. Commissioner Rick asked if the bids were within the budgeted amount. Mrs. Reardon answered the bids are about \$400-\$500 over but it should be offset since she did budget more in the maintenance and repairs budget which most likely will not be used for the new vehicles. Mayor Thornburg made the motion to approve

the vehicles as requested and Commissioner Rick seconded the motion. Upon vote, the approval was unanimous.

The next item of business under Facilities was the consideration of bids for painting the exterior of City Hall. A public bid opening was held and only one company submitted a bid, although six contractors picked up bid specification packets. West Meade Decorating submitted a lump sum bid of \$9,720.00. Mrs. Reardon and Mr. Bartlett recommend the acceptance of the bid since it is 1) less than the budgeted amount of \$15,000 and 2) the City has had favorable experience with this contractor in the past. Commissioner Rick made the motion to approve the request and Commissioner Altenbern seconded the motion. Upon vote, the approval was unanimous.

The Mayor noted there were no matters to report for Personnel.

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

ORDINANCE 2011-1

**AN ORDINANCE AMENDING TITLE 12, CHAPTER 1 OF THE BELLE
MEADE MUNICIPAL CODE TO ADOPT THE 2006 EDITION OF THE
INTERNATIONAL PROPERTY MAINTENANCE CODE
(on second reading)**

Ordinance 2011-1 dies for lack of a motion.

ORDINANCE 2011-2

AN ORDINANCE AMENDING TITLE 12, CHAPTER 1 OF THE BELLE

**MEADE MUNICIPAL CODE TO ADOPT THE 2009 EDITION OF THE
INTERNATIONAL ENERGY CONSERVATION CODE
(on second reading)**

Ordinance 2011-2 dies for lack of a motion.

ORDINANCE 2011-10

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

Commissioner Rick stated that the International Property Maintenance Code is written for a large city and does not fit entirely with Belle Meade. After meetings between the Board of Building Codes Appeals, Mr. Patterson, and Commissioner Rick, this code was rewritten to fit the characteristics of Belle Meade. Mr. Patterson stated that prior to this code, Belle Meade neither had due process nor a comprehensive code in place, at least not sufficient enough for the Codes Department staff to do their job. Commissioner Freeman asked if this could elevate to a level of harassment of a resident, and Commissioner Rick answered if there is a problem, the City Manager and City Building Official will bring the matter before the Board of Building Code Appeals (BBCA). The Board will authorize an issuance of a citation, and then there will be a time frame for compliance. Discussion followed on how the procedure works. Mr. Franklin stated he has struggled with the procedural part of the Ordinance. He said that the BBCA will make a decision based on the City's investigation. If the owner

appeals, it will go back before the same Board that made the decision to begin with. Commissioner Altenbern asked if the problem had to come before the BBCA to get the initial letter ordering repairs, and Commissioner Rick said yes. Commissioner Freeman said he understood Mr. Franklin, stating the BBCA was already "prejudiced" against the homeowner by initiating the proceedings in the first place. Mr. Patterson stated there is an administrative process and a judicial process, then explained both parts. Discussion then turned to potential violations in the interior parts of a home, and Mr. Patterson stated the BBCA was very intentional when they said the City would not go inside a home for inspections. Mayor Thornburg said that maybe Mr. Franklin could go after a homeowner for "rodent/insect harborage". Mr. Franklin gave an example of a renter who complained on the conditions inside the rental property. The city had no ability to act on the list of deficiencies, other than notify the owner. Mr. Franklin continued saying that a lot of compliance/safety issues are not just limited to the exterior. Commissioner Rick reiterated that the BBCA did not want to go inside the homes. Mayor Thornburg called for a motion, and Vice Mayor Hunt made the motion to approve the ordinance on first reading and Commissioner Rick seconded the motion. Upon vote, the ordinance passed on first reading unanimously.


ORDINANCE 2011-11

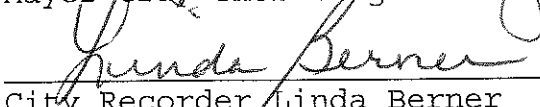
AN ORDINANCE ADDING SECTION 14-402 TO TITLE 14,

CHAPTER 4 OF THE BELLE MEADE MUNICIPAL CODE;
STORMWATER USER FEE ORDINANCE
(on first reading)

Mayor Thornburg stated that since 2003, the City has been involved in managing stormwater problems in Belle Meade and dealing with state and federal regulations. This ordinance will set up a stormwater user fee, billed to each property owner. The exact amounts have not been determined yet but will be by second reading. Mayor Thornburg made the motion to approve the ordinance on first reading and Commissioner Rick seconded the motion. Commissioner Altenbern asked if residents had an issue with the ordinance, should we encourage them to come to the next meeting. Mayor Thornburg answered yes, unless the Board wanted a separate special meeting to hear the public input before vote. After discussion, upon a called vote, the ordinance passed unanimously on first reading.

There being no further business to come before the Commissioners, the meeting was thereupon adjourned at 4:55p until the next meeting on Wednesday, October 19, 2011 at 4:00pm.



Mayor Gray Thornburg


City Recorder Linda Berner