

**CITY OF SPRING HILL  
BOARD OF MAYOR AND ALDERMEN  
REGULAR MEETING  
TUESDAY, JANUARY 19, 2016  
7:08 P.M.**

Mayor Graham called the meeting to order 7:08 p.m.

Aldermen present: Chad Whittenburg, Matt Fitterer, Keith Hudson, Bruce Hull, Kayce Williams, Jonathan Duda. Susan Zemek and Amy Wurth were absent. Also present: Victor Lay, City Administrator; Patrick Carter, City Attorney; Jim Smith, Finance Director; April Goad, City Recorder.

The Pledge of Allegiance was led by Vice Mayor Hull.

The Invocation was led by Alderman Fitterer.

Approval of the Agenda: Motion was made by Alderman Williams and seconded by Alderman Hudson. Mr. Fitterer asked to move Ordinance 15-34 to consent. Motion passed unanimously. Agenda approved, 7/0.

Concerned Citizens: None

Comments by the Mayor: We have our 3<sup>rd</sup> annual BOMA retreat this weekend and will be working on city priorities. Feb. 2, TDOT Commissioner will be here for town hall meeting that begins at 6:00p.m. The State of the City address is Thursday 28<sup>th</sup> at the Spring Hill Chamber Luncheon. The EDC will meet Thursday night at 5:00p.m. Parks and Rec. on the 28<sup>th</sup> at 6:30 p.m.

Report from Retail Strategies: Lacy Beasley was present to answer questions. Mr. Duda stated that monthly reports have not been given to the Board of Mayor and Aldermen. Ms. Beasley stated that the contract didn't promise monthly reports but they can get those to us going forward. Mr. Fitterer asked about the strategic plan. He also discussed amending the contract because of changes in employment. Ms. Beasley stated that it also states that other appointed employees can also work on behalf of the city. He discussed working with the EDC. Mr. Duda discussed a quarterly report that was provided. He discussed lack of information.

**SPECIAL PRESENTATION**

- ~~1. Consider Resolution 16-09, a resolution to recognize the Independence Eagles High School Football Team.~~

**CONSENT AGENDA**

1. Board approval:
  - a. Financial Reports of December 2015
  - b. Public Hearing and Regular Meeting Minutes of December 21, 2015
  - c. Public Hearing and Special Call Meeting Minutes of December 7, 2015
  
2. Departmental Reports for December 2015:
  - a. Legislative Department (V. Lay) (none)
  - b. Fire Department (Hood) (none)
  - c. Police Department (Brite)
  - d. Emergency Communications (B. Smith) (none)
  - e. Library (Adkins)
  - f. Building/Planning, Codes Enforcement (Brooks)
  - g. Utility Billing (Younger)
  - h. Parks & Rec (Fischer) (none)
  - i. Court Report (J. Mitchell/B. Morgan)

- j. Public Works (Streets, Water Distribution, and Sewer Collection System and Storm Water/MS4) (Foster/Norman) (none)
  - k. Water Treatment (Giles)
  - l. Waste Water Treatment (Massey) (none)
  - m. GIS/IT (Pewitt) (none)
  - n. Human Resources (Taylor) (none)
  - o. Safety Committee (M. Bryan) (none)
3. Committee/Commission Minutes to be accepted in monthly records:
- a. Planning Commission minutes of December 14, 2015 (Sanders)
  - b. Board of Zoning Appeals minutes December, 2015 (Sanders) (no meetings)
  - c. Historic Commission minutes of November 5, 2015 and December 3, 2015 (approved) (Hull, Duda)
  - d. Budget and Finance Advisory Committee minutes of November 2, 2015 (approved) and December 14, 2014 (unapproved) (Whittenburg, Wurth, Hull)
  - e. EDC Minutes of May–December 2015 (Hull, Schoenbrodt) (unavailable)
  - f. Parks and Recreation Committee minutes December 16, 2015 (Williams/Fischer)
  - g. Storm Water Advisory Committee (Polk/Zemek) (no meetings)
  - h. Library Board of Trustees Minutes, September, 2015 (T. Jones)
  - i. Transportation Advisory Committee Minutes December 21, 2015 (unapproved) (Fitterer, Whittenburg, Williams)
4. Consider Resolution 16-01, to approve the purchase of a bucket truck. *(Recommended by the Budget and Finance Advisory Committee on January 4, 2016)* Jeff Foster, Public Works Director
5. Consider Resolution 16-06, to approve form for Offer of Irrevocable Dedication for the Final Plat of Revision One Magli/Campbell Spring Hill, Section Two as presented by TN Spring Hill Wilkes, LLC. Tom Wolf, City Engineer
6. Consider Resolution 16-07, to authorize participation in the TDEC Clean Tennessee Energy Matching Grant Program. Jeremy Polk, Stormwater Coordinator
7. Consider Second and Final Reading of Ordinance 15-34, to amend Title 15, Section 608 of the Spring Hill Municipal Code, as it pertains to parking of commercial and recreational vehicles on public streets in residential zones. Alderman Matt Fitterer.

Motion to approve consent agenda by Alderman Fitterer, motion seconded by Alderman Williams.  
Approved 7/0.

### PREVIOUS BUSINESS

**Item #1** Consider Second and Final Reading of Ordinance 15-27, to approve rezone of property known as Stonecreek from R-2 PUD to R-6, Traditional Neighborhood Development. *(Recommended by the Planning Commission on October 12, 2015; amended on first reading; deferred on November 16, 2015; removed from agenda on December 21, 2015)* Dara Sanders, City Planner

Motion to approve by Vice Mayor Hull and seconded by Alderman Duda. Discussion: Alderman Duda stated that single family detached is not presented. Mr. Duda moved to strike single family detached as a condition of approval. Motion seconded by Vice Mayor Hull. Mr. Duda read a segment of the TND. He stated that it doesn't say that it has to have single family detached. Mayor stated that he doesn't support the amendment.

Roll call to amend Second and Final Reading of Ordinance 15-27: Chad Whittenburg, nay; Matt Fitterer, nay; Keith Hudson, aye; Vice Mayor Hull, aye; Mayor, nay; Kayce Williams, nay; Jonathan Duda, aye.  
Motion failed  $\frac{3}{4}$

Mr. Duda pointed out that the notation will also have to be updated on the plan. Mayor recommended deferral. Ms. Williams asked about the tree line on the property and noise buffer from the interstate. Mr. Duda addressed the question. Vice Mayor Hull asked how deferral would give the developer direction. Mr. Carter stated if it is passed, the change can be approved administratively. Mr. Fitterer stated that he prefers this come back to the Board. Alderman Whittenburg moved to suspend the rules. All voted in favor to suspend the rules. Mr. Huntly Gordon asked that he would agree to the terms, but wants direction on how it should be integrated into the plan to suit the Board. Mr. Whittenburg stated that staff could give guidance on this request. Mr. Gordon did agree to bring a plan back to the board. Mr. Whittenburg called for the orders of the day. Mr. Fitterer moved to defer until applicant revises booklet. Motion seconded by Alderman Whittenburg.

Roll call to defer Second and Final Reading of Ordinance 15-27: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Vice Mayor Hull, nay; Mayor, aye; Kayce Williams, aye; Jonathan Duda, nay.  
Motion passed 5/2.

### NEW BUSINESS

**Item #1** Consider Resolution 16-02, to authorize the purchase a new administrative fire vehicle and installation of Ancillary equipment. (*Recommended, contingent on receipt of supplemental information, by the Budget and Finance Advisory Committee on January 4, 2016*) Terry Hood, Fire Chief  
Motion to approve was made by Alderman Fitterer, seconded by Vice Mayor Hull. Discussion: No.

Roll call to approve Resolution 16-02: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Vice Mayor Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye. Motion passed 7/0.

**Item #2** Consider Resolution 16-03, to appoint two members to the Parks and Recreation Commission. Kevin Fischer, Parks and Recreation Director.  
Motion to approve by Alderman Fitterer and seconded by Alderman Williams. Discussion: Mr. Fitterer: Nominated Jim Tew. Mayor Graham nominated Eliot Mitchell. Ms. Williams nominated Brook Barrett. First Line, then second. Mr. Whittenburg, Hazel Neivers. Brook Barrett on first line, Elliot Mitchell on second line.

Roll call to amend Resolution 16-03: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Vice Mayor Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye. Motion passed 7/0.

Roll call to approve Resolution 16-03: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Vice Mayor Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye. Motion passed 7/0.

**Item #3** Consider Resolution 16-04, to appoint a member to the Library Board of Directors. Gail Adkins, Interim Library Director.  
Motion to approve by Alderman Fitterer, seconded by Alderman Duda. Mr. Fitterer nominated C. Schoenbrodt.

Roll call to amend Resolution 16-04: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Vice Mayor Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye. Motion passed 7/0.

Roll call to approve Resolution 16-04 as amended: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Vice Mayor Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye. Motion passed 7/0.

**Item #4** Consider Resolution 16-05 A, to authorize supplemental holiday hours for uniformed fire department shift personnel. Jonathan Duda, Alderman  
Motion to approve by Alderman Fitterer, seconded by Vice Mayor. Mayor Graham addressed the issue specifically to the press and public. He stated that we are not retracting the decision made in June. Mr. Hull asked if this changes the amount of time that can be carried over. Victor Lay stated that it would not. Alderman Duda stated that he put these resolutions together based on every alderman's contributions. He explained that it's a one-time supplement of holiday hours.

Roll call to approve Resolution 16-05 A: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Vice Mayor Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye. Motion passed 7/0.

**Item #5** Consider Resolution 16-05 B, to authorize supplemental vacation hours for uniformed fire department shift personnel. Jonathan Duda, Alderman

Motion to approve by Alderman Fitterer and seconded by Alderman Duda. Discussion: Mr. Duda explained that this resolution deals with vacation only. There is no expiration on the vacation hours. Alderman Williams thanked Alderman Duda, stated that a transition was promised. She feels that it's important that we honor our word. Alderman Hudson stated he wants it clarified that the supplemental vacation hours have no cash value. Mr. Carter stated that this stipulation was put in the resolution. Alderman Whittenburg asked if there is a mechanism in place where the firefighters can track this. Victor Lay stated that our software allows the creation of a new category. Mr. Duda stated that it should take effect on passage of the resolution. Mr. Carter addressed this question. Mr. Duda made the comment that the other employees deserve an explanation. He feels that the transition plan is needed because there was an intermingling of days and shifts off. He stated that he doesn't feel it is a good morale plan, but the right thing to do.

Roll call to approve Resolution 16-05 B: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Vice Mayor Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye. Motion passed 7/0.

**Item # 6** Consider Resolution 16-08, to approve the Dakota Point Memorandum of Understanding. Dan Allen, Infrastructure Director; Jeff Foster, Public Works Director.

Motion to approve by Vice Mayor Hull and seconded by Mayor Graham. Discussion: none.

Roll call to approve Resolution 16-08: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Vice Mayor Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye. Motion passed 7/0.

**Item #7** Consider Resolution 16-10, to terminate agreement with Retail Strategies. Matt Fitterer, Alderman  
Motion to approve by Alderman Fitterer and seconded by Alderman Duda. Discussion: Mr. Fitterer stated that the contract calls for them to be paid annually in April. If they can, in the next couple of months, provide a plan addressing the issues identified, he is willing to defer this for a few months. Mr. Fitterer moved to defer. Mr. Hull stated that he supports deferral. Mr. Duda also supports deferral. Mr. Duda comments on the positive points from Retail Strategies. He is in favor of deferring until March. Alderman Williams stated we should define what we want to see. Mr. Lay stated he felt that the information should be given to the entire board. Mr. Fitterer moved to defer until March. Motion seconded by Alderman Duda.

Roll call to defer Resolution 16-10: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Vice Mayor Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye. Motion passed 7/0.

**Item #8** Consider Resolution 16-11, to adopt an Access Management Policy for U.S. 31 from Campbell Station Parkway to Buckner Road. Dan Allen, Infrastructure Director (Staff Recommends Deferral)  
Motion to approve made by Alderman Whittenburg. Motion seconded by Mayor Graham. Mr. Whittenburg stated that TAC recommended some items on this plan. Dan Allen explained and read though the resolution and

stated that staff recommends deferral and discussion at retreat. Alderman Whittenburg moved to defer to February. Motion seconded by Vice Mayor Hull.

Roll call to defer Resolution 16-11: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Vice Mayor Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye. Motion passed 7/0.

**Item #9** Consider First Reading of Ordinance 16-02, to approve rezoning of 5242 Main Street from B-2, Neighborhood Shopping to B-4, Central Business. *(Not recommended by the Planning Commission on January 11, 2016)* Dara Sanders, City Planner

Motion to approve by Alderman Fitterer; motion seconded by Aldermen Duda. Ms. Sanders stated this item was not discussed at a work session. The PC made a recommendation of denial. The property can be used for a variety of uses. The structure on the property is located in the set back. Ms. Sanders stated that the current structure can be used with a variance from the board. We are recommending denial for those questions. Mr. Duda asked about how the front set-back is measured, which is front the major row front line. Mr. Fitterer said that given that the applicant has said he intended use can be accommodated by B2, I don't see the need to support the rezone.

Roll call to approve First Reading of Ordinance 16-02: Chad Whittenburg, nay; Matt Fitterer, nay; Keith Hudson, aye; Vice Mayor Hull, aye; Mayor, nay; Kayce Williams, nay; Jonathan Duda, aye. Motion failed 3/4.

**Item #10** Consider Resolution 16-404, to approve land acquisition purchase of Tract 31 of the Duplex Road Widening Project. *(Deferred on January 4, 2016)* Dan Allen, Infrastructure Director. (Staff Recommends Deferral)  
Motion to approve by Vice Mayor Hull and seconded by Alderman Fitterer. Mr. Allen explained and stated staff recommends deferral because we are buying right of way and it needs to be cleaned up because of the easement. Mr. Fitterer moved to defer. Motion seconded by Alderman Williams.

Roll call to defer Resolution 16-404: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Vice Mayor Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye. Motion passed 7/0.

**Item #11** Consider Resolution 16-405, to approve land acquisition purchase of Tract 156 of the Duplex Road Widening Project. Dan Allen, Infrastructure Director.  
Motion to approve by Alderman Fitterer. Motion seconded by Vice Mayor Hull. Discussion: None.

Roll call to approve Resolution 16-405: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Vice Mayor Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye. Motion passed 7/0.

**Item #12** Consider Resolution 16-406, to approve land acquisition purchase of Tract 165 of the Duplex Road Widening Project. Dan Allen, Infrastructure Director.  
Motion to approve by Alderman Fitterer. Motion seconded by Alderman Williams. Discussion: None.

Roll call to approve Resolution 16-406: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Vice Mayor Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye. Motion passed 7/0.

**Item #13** Consider Resolution 16-407, to approve land acquisition purchase of Tract 208 of the Duplex Road Widening Project. Dan Allen, Infrastructure Director.  
Motion to approve by Alderman Fitterer. Motion seconded by Alderman Williams. Discussion: None.

Roll call to approve Resolution 16-407: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Vice Mayor Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye. Motion passed 7/0.

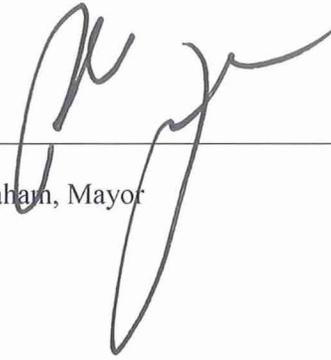
Concerned Citizens:  
None

Alderman Fitterer made a motion to adjourn, seconded by Alderman Whittenburg. Unanimous.

Meeting adjourned at 9:03 p.m.



April Goad, City Recorder



Rick Graham, Mayor