

**CITY OF SPRING HILL
BOARD OF MAYOR AND ALDERMEN
REGULAR MEETING MINUTES
TUESDAY, FEBRUARY 16, 2016
7:02 P.M.**

Mayor Graham called the meeting to order at 7:02 p.m.

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

Vice Mayor Hull gave the background of the Independence Minute Men.

Pledge of Allegiance was led by Keegan Hudson

Invocation was led by Adam and the Minute Men

Approval of the Agenda: Motion by Mrs. Wurth; seconded by Mr. Fitterer. Vote: Unanimous. 8-0.

Concerned Citizens: moved to the beginning of the Consent

Comments by the Mayor moved to after.

SPECIAL PRESENTATION

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

Motion to approve by Vice Mayor Hull. Motion seconded by Alderman Williams. Vote: Unanimous.

Alderman Keith Hudson read the resolution and the Board of Mayor and Aldermen presented the team with a plaque and each a certificate.

Concerned Citizens: Will Hartnett, having issue concerning water bill, late, problem is short time period to pay the bill. 10 days to pay, online bill pay. He wants city to change the time frame. Electronic Funds Transfer, 21 days minimum.

Casey Kinnan, 2176 Spring Hill Circle, in opposition of the Cadence Crossing Development. Does not want retail business so close to his home.

Beverly Frederick, Tanyard Springs, in opposition to Cadence Crossings. Moved to Spring Hill for small town feel, proud of Spring Hill. Traffic on 31 is terrible.

Daryl Dismukes, Arnst Way, Spring Hill Estates, spoke in opposition because of bad traffic. Discussed flooding concerns.

Nicola Stadler, 2111 Spring Hill Circle, spoke against rezone of Cadenced Crossing property. Discussed growth. Drew Logston, Spring Hill Circle, spoke against the rezone also.

Lori Kors, 4009 Amber Way, spoke regarding her opposition to the rezone, encouraged the board to put a cap on development. She spoke of her experience in New Jersey.

Leann, Spring Hill Circle discussed flood, etc. opposed the rezone, I think. She encouraged the board to say no and to catch up.

Nicole, 2505 Preston Way, sold her home in Spring Hill because of this project.

Isong Isong, spoke in opposition to the rezone.

Comments by the Mayor: Encouraged everyone to vote.

CONSENT AGENDA

1. Board approval:
 - a. Financial Reports of January 2016
 - b. Public Hearing and Regular Meeting Minutes of January 19, 2016
 - c. Public Hearing and Special Call Meeting Minutes of January 4, 2016
 - d. Public Hearing and Special Call Meeting Minutes of February 1, 2016

2. Departmental Reports for January 2016:
 - a. Legislative Department (V. Lay) (none)
 - b. Fire Department (Hood)
 - c. Police Department (Brite)
 - d. Emergency Communications (B. Smith) (none)
 - e. Library (Adkins) (none)
 - 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) (none)
 - l. Waste Water Treatment (Massey)
 - 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 January 11, 2016 (Sanders)
 - b. Board of Zoning Appeals minutes January, 2016 (Sanders) (no meetings)
 - c. Historic Commission minutes of January 7, 2016 (approved) and February 4, 2016 (unapproved) (Hull, Duda)
 - d. Budget and Finance Advisory Committee minutes of January 19, 2016 (approved) (Whittenburg, Wurth, Hull)
 - e. EDC Minutes of June-November 2015 (Hull, Schoenbrodt) (approved)
 - f. Parks and Recreation Committee minutes January 28, 2016 (Williams/Fischer)
 - g. Storm Water Advisory Committee (Polk/Zemek) (no meetings)
 - h. Library Board of Trustees Minutes, October, 2015-January 2016 (T. Jones) (unavailable)
 - i. Transportation Advisory Committee Minutes January 21, 2016 (unapproved) (Fitterer, Whittenburg, Williams)

4. Consider Resolution 16-12, to approve the purchase of two trucks in the water and sewer departments.
(Recommended by the Budget and Finance Advisory Committee on February 1, 2016) Jeff Foster, Public Works Director

5. Consider Resolution 16-13, to authorize the purchase mobile data terminals for the Police Department.
(Recommended by the Budget and Finance Advisory Committee on February 1, 2016) Don Brite, Police Chief

Motion to approve by Alderman Duda; motion seconded by Alderman Williams. Approved 8-0

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. *(Not 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;*

deferred on January 19, 2016 for developer to revise booklet) Dara Sanders, City Planner
Motion to approve by Alderman Fitterer; motion seconded by Alderman Williams. Alderman Fitterer moved to strike condition number one, sixth bubble concept. Motion seconded by Mr. Duda.

Roll call to amend Second and Final Reading of Ordinance 15-27: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye; Amy Wurth, aye. Motion carried 8/0.

Motion on approval of resolution as amended: Alderman Wurth asked what the total financial impact (roads) would be to the city. Victor discussed.

Roll call to approve Second and Final Reading of Ordinance 15-27 as amended: Chad Whittenburg, nay; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye; Amy Wurth, aye. Motion carried 7/1.

Mrs. Wurth asked if the TND would come back before them. Victor stated that it would.

Item #2 Consider Resolution 16-11, to adopt an Access Management Policy on U.S. 31 from Campbell Station Parkway to Buckner Road. (*Deferred on January 19, 2016*) Dan Allen, Infrastructure Director
Motion to approve by Alderman Wurth; motion seconded by Alderman Williams. Discussion: Alderman Wurth stated that the traffic study was discussed by the board at the work session. She asked if it was premature to approve this with more discussions to be had. Victor stated he would rather have it less definitive and more flexible. He stated that they can amend it or defer it. Alderman Duda stated the purpose is to provide direction to PC and property owners. He feels that we need to be more purposeful and wait for the traffic study. He appreciates TAC recommendation, but he feels that he does not have an amendment for the resolution at this time. Alderman Whittenburg stated that TAC did not make a recommendation as it stands, just on the content. It was discussed tonight at TAC but he would support a deferral. He would prefer that the Traffic Study be performed first. Corridors access management plan. Motion to defer was made by Alderman Wurth and seconded by Vice Mayor Hull.

Roll call to defer Resolution 16-11: Chad Whittenburg, aye; Matt Fitterer, nay; Keith Hudson, aye; Bruce Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye; Amy Wurth, aye. Motion carried 7/1.

Item #3 Consider Resolution 16-404, to approve Land Acquisition Purchase of Tract 31 of the Duplex Road Widening Project. (*Deferred on January 19, 2016*) Dan Allen, Infrastructure Director
Motion to approve made by Mr. Fitterer, seconded by Vice Mayor Hull.

Roll call to approve Resolution 16-404: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye; Amy Wurth, aye. Motion carried 8/0.

NEW BUSINESS

Item #1 Consider First Reading of Ordinance 16-03, to approve rezoning of property known as Cadence Crossing from R-2, Medium Residential to B-2, Neighborhood Shopping and R-4, High Density Residential. (*Recommended by the Planning Commission on February 8, 2016*) Dara Sanders, City Planner

Motion to approve by Vice Mayor Hull; seconded by Alderman Duda. Discussion: Alderman Duda gave a report from the Planning Commission. This was recommended by the PC because it was consistent with the land use plan. 3-2 Vote. He feels that the plan has been carefully prepared. Mayor moved to suspend the rules. Motion seconded by Vice Mayor. Jeff Rosiac, Kiser, representing the developer spoke. Matt Fitterer called for the orders

of the day. Alderman Wurth stated she isn't going to support any development that only has one way in and out. Mayor Graham read the permitted uses for the zoning requested. Vice Mayor Hull discussed. He will support. Alderman Fitterer comments: Moved to strike density in second, Density shall be limited to 5 units per acre. Motion seconded by Alderman Duda. Discussion.

Roll call to amend Ordinance 16-03: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye; Amy Wurth, aye.
Motion carried 8/0.

Alderman Whittenburg discussed not having a plan for 31. He discussed a traffic study and that it needs to move forward. He would like to see a traffic study before second reading. Mrs. Williams stated that it is a beautiful development. She appreciates the extra consideration of the surrounding subdivisions and businesses.

Roll call to approve Ordinance 16-03 as amended: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor, abstain; Kayce Williams, aye; Jonathan Duda, aye; Amy Wurth, nay.
Motion carried 6/1/1.

Item #2 Consider First Reading of Ordinance 16-04, to approve rezoning of property known as 5238 Main Street, from B-2, Neighborhood Shopping to B-4, Central Business. (*Denial recommended by the Planning Commission on February 8, 2016*) Dara Sanders, City Planner

Motion to approve by Vice Mayor Hull. Seconded by Alderman Wurth. Mr. Fitterer comments. Planning Commission voted to deny. Supports and asked that all do the same. Mr. Hudson stated he is also in support. Alderman Wurth is also in favor. Alderman Williams comments. Mayor Graham stated it can be a car lot or storage facility.

Roll call to approve First Reading of Ordinance 16-04: Chad Whittenburg, aye; Matt Fitterer, nay; Keith Hudson, aye; Bruce Hull, aye; Mayor, nay; Kayce Williams, nay; Jonathan Duda, aye; Amy Wurth, aye.
Motion carried 5/3.

Item #3 Consider Resolution 16-14, to approve Certificate of Compliance for Kroger, Port Royal, for sale of wine in grocery store.

Motion to approve by Mr. Fitterer, seconded by Mr. Hudson. Discussion: None.

Roll call to approve Resolution 16-14: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye; Amy Wurth, aye.
Motion carried 8/0.

Item #4 Consider Resolution 16-15, to approve Certificate of Compliance for Food Lion, for sale of wine in grocery store.

Motion to approve by Mr. Fitterer; seconded by Mr. Whittenburg.

Roll call to approve Resolution 16-15: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye; Amy Wurth, aye.
Motion carried 8/0.

Item #5 Consider Resolution 16-16, to approve Certificate of Compliance for Publix, for sale of wine in grocery store.

Motion to approve by Mr. Fitterer. Motion seconded by Mrs. Williams.

Roll call to approve Resolution 16-16: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye; Amy Wurth, aye.
Motion carried 8/0.

Item #6 Consider Resolution 16-17, to authorize the Mayor to enter into negotiations for the purchase of vacant land on Kedron Road. Dan Allen, Infrastructure

Mr. Fitterer made a motion to approve, seconded by Mayor Graham.

Roll call to approve Resolution 16-17: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye; Amy Wurth, aye.
Motion carried 8/0.

Item #7 Consider Resolution 16-411, to approve Land Acquisition Purchase of Tract 118 of the Duplex Road Widening Project. Dan Allen, Infrastructure Director
Motion to approve by Alderman Fitterer, seconded by Alderman Wurth.

Roll call to approve Resolution 16-411: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye; Amy Wurth, aye.
Motion carried 8/0.

Item #8 Consider Resolution 16-412, to approve Land Acquisition Purchase of Tract 179 of the Duplex Road Widening Project. Dan Allen, Infrastructure Director
Motion by Mr. Fitterer; seconded by Mr. Hull.

Roll call to approve Resolution 16-412: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye; Amy Wurth, aye.
Motion carried 8/0.

Item #9 Consider Resolution 16-413, to approve Land Acquisition Purchase of Tract 214 of the Duplex Road Widening Project. Dan Allen, Infrastructure Director
Motion to approve by Alderman Fitterer. Motion seconded by Alderman Hudson. Mr. Duda questioned about those using the area but do not own.

Roll call to approve Resolution 16-413: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye; Amy Wurth, aye.
Motion carried 8/0.

Item #10 Consider Resolution 16-19, to approve Major Thoroughfare Plan Right of Way. Dan Allen, Infrastructure Director.
Motion by Mr. Fitterer; seconded by Mayor Graham. Discussion: Mr. Duda: New Language since work session. Dan Allen explained. Mr. Duda stated this doesn't address property with straight zoning. Does not have master development plan that is in effect. Alderman Whittenburg stated that further classification of roads is the way w

Roll call of Resolution 16-19: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye; Amy Wurth, aye.
Motion carried 8/0.

Item #11 Consider Resolution 16-20, to authorize the purchase of bowl assembly for Raw Water Pump #2 at the Water Treatment Plant. Caryl Giles, Water Treatment Superintendent.

Mr. Hull made a motion to approve, seconded by Mrs. Wurth.

Roll call to approve Resolution 16-20: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye; Amy Wurth, aye.
Motion carried 8/0.

Item #12 Consider Resolution 16-18, to approve settlement with contractor. Patrick Carter, City Attorney

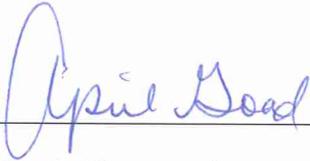
Mr. Fitterer made a motion to approve, seconded by Mr. Whittenburg. Discussion: None.

Roll call to approve Resolution 16-18: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye; Amy Wurth, aye.
Motion carried 8/0.

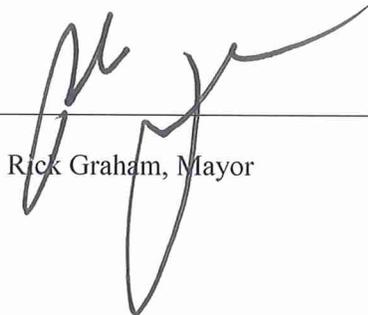
Concerned Citizens: Charlie Schoenbrodt comments on zoning.

Mr. Fitterer made a motion to adjourn, seconded by Mr. Whittenburg.

Meeting adjourned at 9:21 p.m.



April Goad, City Recorder



Rick Graham, Mayor