

**CITY OF SPRING HILL
BOARD OF MAYOR AND ALDERMEN
REGULAR MEETING MINUTES
MONDAY, MARCH 21, 2016
8:10 P.M.**

Mayor Rick Graham called the meeting to order at 8:10 p.m.

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

Pledge of Allegiance led by: Alderman Zemek

Invocation led by Alderman Whittenburg

Approval of the Agenda: Motion to approve by Alderman Williams and seconded by Alderman Zemek.

Mr. Fitterer moved that Items 5-11 on New Business be placed on the Consent Agenda. Vote: Unanimous. 8-0.

Concerned Citizens

Comments by the Mayor

CONSENT AGENDA

1. Board approval:
 - a. Financial Reports of February 2016
 - b. Public Hearing and Regular Meeting Minutes of February 16, 2016
 - c. Public Hearing and Special Call Meeting Minutes of March 7, 2016

2. Departmental Reports for February 2016:
 - a. Legislative Department (V. Lay) (none)
 - b. Fire Department (Hood)
 - c. Police Department (Brite)
 - d. Emergency Communications (B. Smith)
 - e. Library (Bivins)
 - 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 February 8, 2016 (Sanders)
 - b. Board of Zoning Appeals minutes January, 2016 (Sanders)
 - c. Historic Commission minutes of January 7, 2016 (approved) and February 4, 2016 (unapproved) (Hull, Duda)

- d. Budget and Finance Advisory Committee minutes of February 1, 2016 (approved) (Whittenburg, Wurth, Hull)
 - e. EDC Minutes of February 19, 2016 (Hull, Schoenbrodt)
 - 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, November and December 2015 (T. Jones)
 - i. Transportation Advisory Committee Minutes February 16, 2016 (unapproved) (Fitterer, Whittenburg, Williams)
4. Consider Resolution 16-21, to approve the purchase of ProQA Software for Emergency Communications Services. *(Recommended by the Budget and Finance Advisory Committee on March 7, 2016)* Brandi Smith, Emergency Communications Director.
 5. Consider Resolution 16-25, to approve the extension of the 2014 Annual Paving Contract. *(Recommended by the Budget and Finance Advisory Committee on March 7, 2016)* Jeff Foster, Public Works Director.
 6. Consider Resolution 16-26, to approve sale of two surplus pickup trucks in the Public Works Department. *(Recommended by the Budget and Finance Advisory Committee on March 7, 2016)* Jeff Foster, Public Works Director.
 7. Consider Resolution 16-27, to award contract for the sandblasting and painting of the City Hall Water Tank. *(Recommended by the Budget and Finance Advisory Committee on March 7, 2016)* Dan Allen, Infrastructure Director.
 8. Consider Resolution 16-28, to approve funding for Solar Bee Mixer for Water Tank. *(Recommended by the Budget and Finance Advisory Committee on March 7, 2016)* Dan Allen, Infrastructure Director; Caryl Giles, Water Treatment Plant Superintendent.
 9. Consider Resolution 16-29, to approve Change Order No. 3 on Fire Station 2. *(Recommended by the Budget and Finance Advisory Committee on March 7, 2016)* Dan Allen, Infrastructure Director; Terry Hood, Fire Chief.
 10. Consider Resolution 16-30, to approve Addendum No. 3 of the Professional Services Agreement with CDM Smith, Inc. for field surveying, right of way exhibit drawings, legal description updates, right of way appraisals, right of way acquisitions, and right of way appraisal reviews for Duplex Road Widening Project. Dan Allen, Infrastructure Director
 11. Consider Resolution 16-31, to authorize the agreed dismissal of the Williamson County, TN Chancery Court Lawsuit styled *H.B. & T.S. Utility District of Williamson County, Tennessee v. Town of Spring Hill, Tennessee*, case no. 33612. Patrick Carter, City Attorney.
 12. Consider Resolution 16-32, a resolution of support for enhanced, sustainable funding for transportation needs for the State of Tennessee and for Local Communities. Rick Graham, Mayor.
 - ~~13. Consider Resolution 16-33, authorizing the issuance of interest bearing General Obligation Water and Sewer Improvement Capital Outlay Notes of the City of Spring Hill, Tennessee, in an aggregate principal amount of not to exceed three million dollars (\$3,000,000.00); making provision for the issuance, sale and payment of said notes, establishing the terms thereof and the disposition of proceeds therefrom; and providing for the levy of tax for the payment of principal thereof and interest thereon. *(recommended by the Budget and Finance Advisory Committee on March 7, 2016)* Jim Smith, Finance Director.~~
 14. Consider Resolution 16-34, to authorize funding not to exceed the amount of \$105,000.00 for additional work to complete the I-65/Buckner Road interchange study. *(Recommended by the Budget and Finance Advisory Committee on March 7, 2016)* Dan Allen, Infrastructure Director.

15. Consider Resolution 16-35, to authorize Dempsey, Dilling, and Associates to provide design and inspection services for expansion of City Hall. *(Recommended by the Budget and Finance Advisory Committee on March 7, 2016)* Dan Allen, Infrastructure Director.
16. Consider Resolution 16-36, to approve change order/closeout of Spring Station Drive Trail Project. *(Recommended by the Budget and Finance Advisory Committee on March 7, 2016)* Dan Allen, Infrastructure
17. Consider Resolution 16-37, to approve change order/closeout of Tanyard Springs Bridge. *(Recommend by the Budget and Finance Advisory Committee on March 7, 2016)* Dan Allen, Infrastructure Director.
18. Consider Resolution 16-38, to approve procurement and installation of additional splash pad amenities at Port Royal Park. *(Recommended by the Budget and Finance Advisory Committee on March 7, 2016)* Dan Allen, Infrastructure Director. This item will be on the consent agenda.
19. Consider Resolution 16-422, to approve land acquisition purchase for Tract 106 of the Duplex Road Widening Project. Dan Allen, Infrastructure Director
20. Consider Resolution 16-423, to approve land acquisition purchase for Tract 107 of the Duplex Road Widening Project. Dan Allen, Infrastructure Director
21. Consider Resolution 16-424, to approve land acquisition purchase for Tract 124 of the Duplex Road Widening Project. Dan Allen, Infrastructure Director
22. Consider Resolution 16-425, to approve land acquisition purchase for Tract 139 of the Duplex Road Widening Project. Dan Allen, Infrastructure Director
23. Consider Resolution 16-426, to approve land acquisition purchase for Tract 121 of the Duplex Road Widening Project. Dan Allen, Infrastructure Director
24. Consider Resolution 16-427, to approve land acquisition purchase for Tract 215 of the Duplex Road Widening Project. Dan Allen, Infrastructure Director
25. Consider Resolution 16-428, to approve land acquisition purchase for Tract 224 of the Duplex Road Widening Project. Dan Allen, Infrastructure Director

Amy Wurth asked that the corrected Resolution 16-26 be substituted with the new resolution. Also Item number 13,

Resolution 16-33 will need to come off consent and be deferred in new business. Vote: 8/0. Resolution amended. Consent agenda approved 8/0.

PREVIOUS BUSINESS

Item #1 Consider Resolution 16-11, to adopt an Access Management Policy on U.S. 31 from Campbell Station Parkway to Buckner Road. Dan Allen, Infrastructure Director.

Alderman Whittenburg moved to approve. Motion seconded by Alderman Fitterer. Alderman Whittenburg stated that TAC recommended. Alderman Zemek moved to amend Resolution by striking Item #1. Motion seconded by Mayor Graham. Alderman Zemek stated she doesn't feel that another light there is the best way to go. Alderman Wurth stated that stop lights do not improve traffic flow, but it could make it safer. Vice Mayor Hull feels it should be at Wilkes Lane. He does support amendment. Alderman Whittenburg comments. He also does not think Item 2 should remain. Alderman Williams comments regarding the redesign of Wilkes Lane and the report by Volkert. Alderman Whittenburg stated he would welcome this back in committee so more work can be done on the wording. Alderman Zemek withdrew her motion to amend and moved to defer. (Mayor Graham removed second) Motion seconded by Vice Mayor Hull.

Roll call to defer Resolution 16-11: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor aye; Susan Zemek, aye; Kayce Williams, aye; Amy Wurth, aye. Motion passed 8/0.

Item #2 Consider Second and Final 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 ***Cannot be considered due to lack of notification.***

Motion to defer by Alderman Whittenburg and seconded by Alderman Wurth. Mr. Lay stated that the developer didn't give property notification.

Roll call to defer Second and Final Reading of Ordinance 16-04: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor aye; Susan Zemek, aye; Kayce Williams, aye; Amy Wurth, aye. Motion passed 8/0.

Item #2 Consider Resolution 16-10, to terminate agreement with Retail Strategies. *(Deferred on January 19, 2016)* Motion to approve by Alderman Wurth and seconded by Alderman Whittenburg. Mrs. Wurth stated she is in favor of termination of the agreement. She doesn't feel the company has done what they say they have. Vice Mayor Hull stated he agrees somewhat but a consultant is needed to target specific companies that we are trying to capture in Spring Hill. Alderman Zemek agreed with Vice Mayor Hull and stated he has been actively involved in the process. Alderman Williams stated this resolution is about their performance and feels that they have value beyond the balance of the contract.

Roll call to approve Resolution 16-10: Chad Whittenburg, nay; Matt Fitterer, nay; Keith Hudson, aye; Bruce Hull, nay; Mayor, nay; Susan Zemek, nay; Kayce Williams, nay; Amy Wurth, aye. Motion failed 6/2.

Item #3 Consider Second and Final 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 Alderman Wurth and seconded by Vice Mayor. Alderman Wurth stated that she is not in favor of the high density. Alderman Williams moved to suspend the rules. Mr. Fitterer and Mrs. Wurth voted against. Motion carried 6/2. Rules suspended.

Representative was present, Jeff Rocia. Alderman Williams asked if questions citizens asked could be answered. He stated there have been no conversations with Panera Bread. B2 doesn't permit food service with drive thru. Some comments about benefits of the plan. He stated it is in compliance with the 2040 Spring Hill Rising Master Plan. They are willing to provide buffers for drains. He feels there are a number of benefits to the plan. He talked about commercial traffic numbers. Mrs. Williams stated that it is a very nice plan and if it doesn't pass, she hopes they will look at it in its current zoning. There is a plan with the zoning request. Orders of the day were called. Mr. Hull and Mr. Whittenburg explained why they will vote yes.

Roll call to approve Second and Final Reading of Ordinance 16-03: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor abstained; Susan Zemek, nay; Kayce Williams, aye; Amy Wurth, nay. Motion passed 5/2/1

NEW BUSINESS

Item #1 Consider Resolution 16-22, to authorize the acceptance of Offer of Dedication of Road Rights-of-Way and Public Improvements shown on the existing plat for The Reserve at Port Royal Phase 1-A. *(Recommended by the Planning Commission on January 11, 2016)* Tom Wolf, City Engineer.

Motion to approve by Mr. Fitterer; seconded by Vice Mayor Hull. Discussion: none.

Roll call to approve Resolution 16-22: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor aye; Susan Zemek, aye; Kayce Williams, aye; Amy Wurth, nay. Motion passed 7/1.

Item #2 Consider Resolution 16-23, to authorize the acceptance of Offer of Dedication of Road Rights-of-Way and Public Improvements shown on the existing plat for The Reserve at Port Royal Phase 2-A. (*Recommended by the Planning Commission on January 11, 2016*) Tom Wolf, City Engineer.
Motion to approve by Alderman Fitterer; seconded by Vice Mayor Hull. Discussion: None.

Roll call to approve Resolution 16-23: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor aye; Susan Zemek, aye; Kayce Williams, aye; Amy Wurth, nay. Motion passed 7/1

Item #3 Consider Resolution 16-24, to authorize the acceptance of Offer of Dedication of Road Rights-of-Way and Public Improvements shown on the existing plat for The Reserve at Port Royal Phase 2-B. (*Recommended by the Planning Commission on January 11, 2016*) Tom Wolf, City Engineer.
Motion to approve by Alderman Fitterer; seconded by Vice Mayor Hull. Discussion: None.

Roll call to approve Resolution 16-24: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor aye; Susan Zemek, aye; Kayce Williams, aye; Amy Wurth, nay. Motion passed 7/1

Item #4 Consider First Reading of Ordinance 16-05, to amend the Spring Hill Zoning Ordinance, Articles IV and XIV and add Article XVIII, related to Planned Zoning Districts. (*Recommended by the Planning Commission on January 11, 2016*) Dara Sanders, City Planner
Motion to approve by Alderman Fitterer; seconded by Mayor Graham.

Roll call to approve First Reading of Ordinance 16-05: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor aye; Susan Zemek, aye; Kayce Williams, aye; Amy Wurth, aye. Motion passed 8/0

- ~~1. Consider Resolution 16-422, to approve land acquisition purchase for Tract 106 of the Duplex Road Widening Project. Dan Allen, Infrastructure Director~~
- ~~2. Consider Resolution 16-423, to approve land acquisition purchase for Tract 107 of the Duplex Road Widening Project. Dan Allen, Infrastructure Director~~
- ~~3. Consider Resolution 16-424, to approve land acquisition purchase for Tract 124 of the Duplex Road Widening Project. Dan Allen, Infrastructure Director~~
- ~~4. Consider Resolution 16-425, to approve land acquisition purchase for Tract 139 of the Duplex Road Widening Project. Dan Allen, Infrastructure Director~~
- ~~5. Consider Resolution 16-426, to approve land acquisition purchase for Tract 121 of the Duplex Road Widening Project. Dan Allen, Infrastructure Director~~
- ~~6. Consider Resolution 16-427, to approve land acquisition purchase for Tract 215 of the Duplex Road Widening Project. Dan Allen, Infrastructure Director~~
- ~~7. Consider Resolution 16-428, to approve land acquisition purchase for Tract 224 of the Duplex Road Widening Project. Dan Allen, Infrastructure Director~~

Item #5 Consider Resolution 16-33, authorizing the issuance of interest bearing General Obligation Water and Sewer Improvement Capital Outlay Notes of the City of Spring Hill, Tennessee, in an aggregate principal amount of not to exceed three million dollars (\$3,000,000.00); making provision for the issuance, sale and payment of said notes, establishing the terms thereof and the disposition of proceeds therefrom; and providing for the levy of tax for the payment of principal thereof and interest thereon. (*Recommended by the Budget and Finance Advisory Committee on March 7, 2016*) Jim Smith, Finance Director.

Motion to approve by Mrs. Wurth and seconded Vice Mayor Hull. Alderman Wurth stated that the title should include storm water improvements.

Amendment passed 8/0. Motion to defer by Alderman Fitterer; seconded by Alderman Wurth;

Roll call to defer Resolution 16-33: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor aye; Susan Zemek, aye; Kayce Williams, aye; Amy Wurth, aye. Motion passed 8/0

Item #6 Consider Resolution 16-39, to extend the maintenance bond for Autumn Ridge, Phase 3, Section 2. Tom Wolf, City Engineer.

Motion to approve by Vice Mayor Hull; seconded by Alderman Williams. Mrs. Wurth questioned and asked about deferral because of changes she plans to make by ordinance. Mrs. Zemek had questions. Alderman Fitterer stated that it could pass tonight and be reconsidered after the Ordinance passes. Vice Mayor Hull asked how the ordinance would change this bond. Mrs. Wurth stated it would change the fill requirements. Mr. Whittenburg stated he had asked for staff to get him the information on best practices and where it came from and hasn't gotten it. He would prefer to defer. He also asked about the amounts on the resolution. Alderman Williams asked if the geo tech study had been done. He stated that he is not aware of any that have been done. Mrs. Wurth moved to defer. Motion seconded by Alderman Whittenburg.

Roll call to defer Resolution 16-39: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, nay; Mayor aye; Susan Zemek, nay; Kayce Williams, aye; Amy Wurth, aye. Motion passed 6/2.

Item #7 Consider Resolution 16-40, to extend the maintenance bond for Cherry Grove Addition, Phase 4, Sections 2 and 3. Tom Wolf, City Engineer.

Motion to approve by Mrs. Wurth; seconded by Alderman Fitterer: Alderman Wurth moved to defer. Motion seconded by Alderman Fitterer.

Roll call to approve Resolution 16-40: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, nay; Mayor aye; Susan Zemek, nay; Kayce Williams, aye; Amy Wurth, aye. Motion passed 6/2.

Item #8 Consider Resolution 16-41, to extend the maintenance bond for Cherry Grove Addition, Phase 4, Section 4. Tom Wolf, City Engineer.

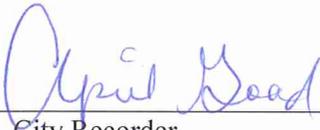
Motion to defer by Alderman Fitterer; seconded by Alderman Wurth.

Roll call to approve Resolution 16-41: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, nay; Mayor aye; Susan Zemek, nay; Kayce Williams, aye; Amy Wurth, aye. Motion passed 6/2.

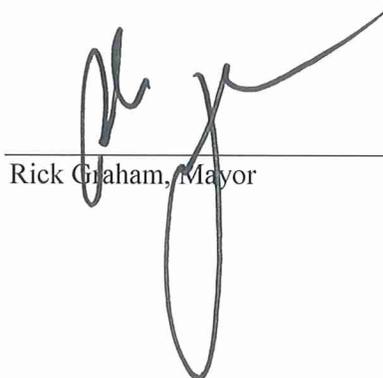
Concerned Citizens: none

Motion to adjourn by Vice Mayor Bruce and seconded by Mrs. Wurth.

Adjourn at 9:20.



April Goad, City Recorder



Rick Graham, Mayor