

**CITY OF SPRING HILL
BOARD OF MAYOR AND ALDERMEN
REGULAR MEETING MINUTES
MONDAY, JUNE 20, 2016
7:10 P.M.**

Mayor Graham called the meeting to order at 7:10 p.m.

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

Pledge of Allegiance was led by Alderman Duda.

Invocation was led by Alderman Williams.

Approval of the Agenda: Vice Mayor Hull made a motion to approve the agenda, seconded by Alderman Wurth. Alderman Hudson made a motion to amend to move Item #10 from New Business to the Consent Agenda, seconded by Alderman Fitterer. Motion to amend agenda: unanimous. Motion to approve as amended: unanimous.

Concerned Citizens: None

Comments by the Mayor: The City received an award from TCMA for Excellence in City Management. Congratulations to our excellent staff!

Mayor Graham presented Certificates of Appreciation to Eagle Scouts; Keegan Hudson and Nicholas Gutierrez. The annual Pay It Forward Festival will be Saturday, June 25th from 10am – 5pm at the Tennessee Children's Home. Our annual Independence Day parade will be the morning of July 4th.

CONSENT AGENDA

1. Board approval:
 - a. Financial Reports of May 2016 (unavailable)
 - b. Public Hearing and Regular Meeting Minutes of May 16, 2016

2. Departmental Reports for May 2016:
 - a. Legislative Department (V. Lay) (none)
 - b. Fire Department (Hood)
 - c. Police Department (Brite)
 - d. Emergency Communications (B. Smith) (none)
 - 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)
 - 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 May 9, 2016 (Sanders)

- b. Board of Zoning Appeals minutes March 15, 2016 (Sanders)
 - c. Historic Commission minutes of April 7, 2016 and May 4, 2016 (Hull, Duda)
 - d. Budget and Finance Advisory Committee minutes of April 4, 2016-June 6, 2016 (unavailable) (Whittenburg, Wurth, Hull)
 - e. EDC Minutes of March 18, 2016 (Hull, Schoenbrodt)
 - f. Parks and Recreation Committee minutes May 26, 2016 (Williams/Fischer)
 - g. Storm Water Advisory Committee (Polk/Zemek) (no meetings)
 - h. Library Board of Trustees Minutes, January-March 2016 (T. Jones)
 - i. Transportation Advisory Committee Minutes April 18, 2016 (approved) and May 16, 2016 (unapproved) (Fitterer, Whittenburg, Williams)
4. Consider Resolution 16-62, to approve Special Events Permit for the Pay It Forward Festival
 5. Consider Resolution 16-68, to approve Certificate of Compliance for Aldi Grocery Store, for sale of Wine.
 6. Consider Resolution 16-447, to approve land acquisition purchase for Tract 43 of the Duplex Road Widening Project. Dan Allen, Infrastructure Director
 7. Consider Resolution 16-448, to approve land acquisition purchase for Tract 49 of the Duplex Road Widening Project. Dan Allen, Infrastructure Director
 8. Consider Resolution 16-449, to approve land acquisition purchase for Tract 194 of the Duplex Road Widening Project. Dan Allen, Infrastructure Director
 9. Consider Resolution 16-450, to approve land acquisition purchase for Tract 159 of the Duplex Road Widening Project. Dan Allen, Infrastructure Director
 10. Consider Resolution 16-69, to authorize donation of floating aerators at the Wastewater Treatment Plant. (Recommended by the Budget and Finance Advisory Committee on June 6, 2016) Travis Massey, Wastewater Superintendent

PREVIOUS BUSINESS

Item #1 Consider Second and Final Reading of Ordinance 16-07, to approve rezoning of property known as 4135 Kedron Road, from B-2, Neighborhood Shopping to R-4, High Density Residential. (Recommended by the Planning Commission on May 9, 2016) Dara Sanders, Director of Planning

Alderman Duda made a motion to approve, seconded by Alderman Fitterer. Mr. Duda made a motion to amend, by replacing 16-07 with the version that is being passed out now. Seconded by Alderman Wurth.

Roll call to amend Second and Final Reading of Ordinance 16-07: 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.

Roll call to approve Second and Final Reading of Ordinance 16-07 as amended: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye; Amy Wurth, nay. Motion carried 7/1.

Roll call to reconsider Second and Final Reading of Ordinance 16-07 as amended: Chad Whittenburg, nay; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye; Amy Wurth, nay. Motion carried 6/2.

Item #2 Consider Second and Final Reading of Ordinance 16-08, to amend the budget for fiscal year 2015-2016. Jim Smith, Finance Director

Motion to approve was made by Alderman Duda, seconded by Alderman Hudson. Mr. Duda made a motion to amend by replacing in its entirety with the version provided by staff. Seconded by Mrs. Wurth.

Mr. Duda stated that he is in support of the proposed position of an Economic Development Officer. He objects to other duties that distract from the primary focus of promoting economic development and jobs. We currently pay a group to attract commercial and retail opportunities. We all strive to make Spring Hill a live and work community. I believe our concentration should be on recruiting jobs not necessarily commercial.

Mayor Graham stated the job description for this position is a work in progress. Jim Grimes of the EDC will form a panel to do interviewing and provide a recommendation so there will be no political involvement.

Roll call to amend Second and Final Reading of Ordinance 16-08: 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.

Roll call to approve Second and Final Reading of Ordinance 16-08 as amended: 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 #3 Consider Second and Final Reading of Ordinance 16-09, to approve the budget for fiscal year 2016-2017. Victor Lay, City Administrator

Motion to approve was made by Alderman Fitterer and seconded by Alderman Duda. Mr. Duda made a motion to amend to replace section 10 with the language he has just provided.

Roll call to amend Second and Final Reading of Ordinance 16-09: 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.

Roll call to approve Second and Final Reading of Ordinance 16-09, to approve the budget for fiscal year 2016-2017 as amended: 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 made a motion to reconsider Second and Final Reading of Ordinance 16-07. Seconded by Alderman Duda.

NEW BUSINESS

Item #1 Consider Resolution 16-63, to appoint member to Library Board of Trustees

Alderman Wurth made a motion to approve, seconded by Alderman Duda. Alderman Wurth made a motion to amend by inserting Gail Adkins name to Resolution 16-63.

Roll call to amend Resolution 16-63: 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.

Roll call to approve Resolution 16-63 as amended: 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 #2 Consider First Reading of Ordinance 16-06, RZN 159-2016: Submitted by Huntly Gordon for property located at 5242 Main Street. The property is zoned B-2, Neighborhood Shopping District, and contains approximately 1.4 acres. The applicant requests rezoning the property from a B-2, Neighborhood Shopping District, to a B-4, Central Business District. (*Denial recommended by the Planning Commission on June 13, 2016*) Chad Whittenburg, Alderman

Motion to approve was made by Alderman Duda, seconded by Mayor Graham.

Alderman Williams made a motion to amend inserting the following exclusions and limitations apply as a condition of rezoning:

Exclusions:

- Public garages or parking lots, off-site parking lots, or other motor vehicle services {Article VII, Subsection 1.2(4)} {Article VII, Subsection 3.1(1)} {Article VII, Subsection 4.1(2)}
- Automobile sales or rentals {Article VII, Subsection 3.1(1)}
- Filling stations {Article VII, Subsection 3.1(1)}
- Bus terminals {Article VII, Subsection 3.1(1)}
- Warehouses or mini-warehouse storage units of any kind {Article VII, Subsection 4.1(2)}
- Movie theaters {Article VII, Subsection 3.1(1)}
- Drive-in/drive-through businesses {Article VII, Subsection 4.1(10)}
- Outdoor advertising signs and outdoor advertising structures {Article VI, Section 3.1(1)}

Limitations:

Dwelling units limited to the loft live/work style {Article VII, Subsection 1.1(1)} {Article VII, Subsection 5}
 Motion seconded by Alderman Whittenburg.

Roll call to amend First Reading of Ordinance 16-06, RZN 159-2016: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, nay; Amy Wurth, nay. Motion carried 6/2.

Roll call to approve First Reading of Ordinance 16-06, RZN 159-2016 as amended: Chad Whittenburg, aye; Matt Fitterer, nay; Keith Hudson, aye; Bruce Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, aye; Amy Wurth, nay. Motion carried 6/2.

Item #3 Consider First Reading of Ordinance 16-10, PUD 81-2015: Submitted by Huntly Gordon for property located at 3357 Denning Lane. This property is zoned AG (Ord. 09-24) and contains approximately 20 acres. The applicant requests rezoning approval of a Planned Unit Development to allow for 57 dwelling units. (*Deferred by the Planning Commission on June 13, 2016*) Dara Sanders, Director of Planning

Motion to defer was made by Alderman Fitterer and seconded by Alderman Williams.

Roll call to defer First Reading of Ordinance 16-10, PUD 81-2015: 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 REMOVED: Consider First Reading of Ordinance ~~16-11~~, RZN 162-2016: Submitted by Huntly Gordon for Oaklawn located at 3331 Denning Lane. The property is zoned R-1 (Low Residential) Historically Significant and contains approximately 82.7 acres. The applicant requests rezoning from R-1 (Low Residential) to R-6 (Traditional Neighborhood Development). (*Removed from the Planning Commission agenda on June 13, 2016*) Dara Sanders, Director of Planning

Item #4 Consider First Reading of Ordinance 16-12, PUD 199-2016: Submitted by Littlejohn Engineering for property located on Beechcroft Road and Cleburne Road. The property is zoned AG, Agriculture, R-2, Medium Density and contains approximately 473.13 acres. The applicant requests a Master Development Plan for 961 single family residential lots and 232 multi-family units for The Villages at Harvest Point (*Deferred by the Planning Commission on June 13, 2016*) Dara Sanders, Director of Planning

Motion to defer was made by Alderman Fitterer, seconded by Alderman Williams.

Roll call to defer First Reading of Ordinance 16-12, PUD 199-2016: 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 16-64, to approve a Project Agreement for Project Cyclops and to authorize the Industrial Development Board of Maury County, TN, to negotiate and accept payments in lieu of ad valorem taxes as set forth in a project agreement.

Motion to approve was made by Alderman Duda, seconded by Alderman Hudson.

Roll call to approve Resolution 16-64: 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 16-65, to approve purchase of ball field lighting at Port Royal Park. *(Considered by the Budget and Finance Advisory Committee on June 6, 2016)* Kevin Fischer, Parks and Recreation Director

Motion to approve was made by Vice Mayor Hull, seconded by Alderman Wurth.

Alderman Duda made a motion to amend by inserting the amount of \$19,600.00 and Reynolds Electrical Contractors. Seconded by Vice Mayor Hull.

Roll call to amend Resolution 16-65: 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.

Roll call to approve Resolution 16-65 as amended: 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 #7 Consider Resolution 16-66, to approve purchase of score boards at Port Royal Park. Kevin Fischer, Parks and Recreation Director. *(Considered by the Budget and Finance Advisory Committee on June 6, 2016)* Kevin Fischer, Parks and Recreation Director

Motion to approve was made by Alderman Wurth, seconded by Alderman Williams. Alderman Wurth made motion to amend by inserting the amount of \$39,100 and Reynolds Electrical Contractors. Alderman Duda seconded the motion.

Roll call to amend Resolution 16-66: 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.

Roll call to approve Resolution 16-66 as amended: 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 #8 Consider Resolution 16-67, to award contract for Auditing Services. *(Considered by the Budget and Finance Advisory Committee on June 6, 2016)* Jim Smith Finance Director

Alderman Fitterer made a motion to approve, seconded by Alderman Wurth. Alderman Duda thanked Bellefonte for their years of service.

Roll call to approve Resolution 16-67: 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 16-70, to authorize calling of Bonds, Spring Hill Place, Sections 7 and 9. Tom Wolf, City Engineer

Motion to approve was made by Alderman Duda, seconded by Alderman Fitterer.

Roll call to approve Resolution 16-70: 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 16-71, to authorize extension of bonds for Walmart. Tom Wolf, City Engineer

Motion to approve was made by Alderman Duda, seconded by Alderman Fitterer. Mr. Lay stated Walmart has agreed to the extension of the bonds.

Roll call to approve Resolution 16-71: 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 16-72, to authorize funding for roadway repairs in Woodland Trace Subdivision. Tom Wolf, City Engineer

Motion to approve was made by Alderman Fitterer, seconded by Mayor Graham.

Roll call to approve Resolution 16-72: 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 16-77, to authorize Port Royal Road Roundabout corridor analysis. Dan Allen, Infrastructure Director

Motion to approve was made by Alderman Fitterer, seconded by Vice Mayor Hull.

Roll call to approve Resolution 16-77: 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.

Item #13 Consider Resolution 16-73, to approve Escrow agreement for Parkes property regarding traffic signal at Reserve Commercial Park North Final Plat Dan Allen, Infrastructure Director

Motion to approve was made by Alderman Fitterer and seconded by Mayor Graham.

Roll call to approve Resolution 16-73: 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 #14 Consider First Reading of Ordinance 16-13, to amend Ordinance 14-07 and the Spring Hill Municipal Code, Title 11, Chapter 4; Section 11-402, regarding offenses against the peace and quiet. Chad Whittenburg, Alderman

Motion to approve was made by Alderman Whittenburg and seconded by Alderman Fitterer. Alderman Whittenburg made a motion to amend but then withdrew his amendment.

Roll call to approve Ordinance 16-13: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, abstain; Amy Wurth, aye. Motion carried 7/0/1.

Item #15 Consider Resolution 16-76, to approve the Internal Control Policy. Jim Smith, Finance Director

Motion to approve was made by Alderman Fitterer, seconded by Alderman Whittenburg

Motion to approve was made by Alderman Fitterer, seconded by Alderman Whittenburg. Mr. Smith stated we need to meet a June 30th deadline. Mr. Carter has reviewed and this does comply with state policies. Mrs. Wurth stated she would abstain because she wasn't able to view the document from dropbox.

Roll call to approve Resolution 16-76: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor, aye; Kayce Williams, aye; Jonathan Duda, abstain; Amy Wurth, abstain. Motion carried 6/0/2.

Item #16 Consider Resolution 16-78, to authorize condemnation of certain portions of Lot 112, Duplex Road, owned by Port Royal Place Property Associates, GP. Dan Allen, Infrastructure Director

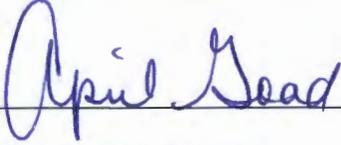
Motion to defer was made by Alderman Fitterer, seconded by Vice Mayor Hull.

Roll call to defer Resolution 16-78: 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.

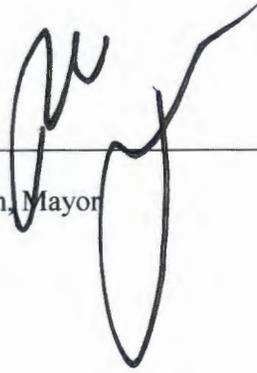
Concerned Citizens: Brandon McCullough spoke with regard Deer Run sidewalk extension of about 200-300 feet.

Motion to adjourn was made by Vice Mayor, seconded by Mayor Graham.

Meeting adjourned at 8:28 p.m.



April Goad, City Recorder



Rick Graham, Mayor