

**CITY OF SPRING HILL
BOARD OF MAYOR AND ALDERMEN
REGULAR MEETING MINUTES
MONDAY, OCTOBER 17, 2016
7:13 P.M.**

Mayor Graham called the meeting to order at 7:13 p.m.

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

Pledge of Allegiance was led by Alderman Zemek.

Invocation was led by Alderman Whittenburg.

Approval of the Agenda; motion by Alderman Fitterer; seconded by Vice Mayor Hull.

Alderman Duda stated New Business Item 3 should be removed by request of the owner. Vote on approval of the agenda with change: Unanimous.

Concerned Citizens: Geno Bulso, attorney for Shaw Enterprises LLC. Item Resolution 16-145. He stated it's actually an appeal. He discussed the request and reasons for it.

Rick Lance of Tom Lunn Road discussed the plan for 300 homes and an assisted living facility. He has concerns about the condition of Tom Lunn Road. (ref: Ordinance 16-22)

Resident of 4455 Tom Lunn Road also spoke in objection to new development in this area.

Leanne Smith of Tom Lunn Road agreed with the others that have spoken and stated that there have been no improvements to the road in 15 years.

Comments by the Mayor: Mayor Explained that this is Breast Cancer awareness month sponsor. On October 25th at 7:00pm there will be a Sub. Reg. meeting. Congrats to PD for a large drug bust. Crossings Circle Transportation Study won a planning award. This is the second year in a row for this award.

CONSENT AGENDA

1. Board approval:
 - a. Financial Reports of September 2016
 - b. Public Hearing and Regular Meeting Minutes of September 19, 2016
 - c. Beer Board Meeting Minutes of September 19, 2016

2. Departmental Reports for September 2016:
 - a. Fire Department (Hood)
 - b. Police Department (Brite) (none)
 - c. Emergency Communications (B. Smith) (none)
 - d. Library (Bivins)
 - e. Codes Enforcement (Brooks) (none)
 - f. Utility Billing (Younger)
 - g. Court Report (J. Mitchell/B. Morgan)
 - h. Water Treatment (Giles) (none)
 - i. Waste Water Treatment (Massey) (none)

3. Committee/Commission Minutes to be accepted in monthly records:

- a. Planning Commission minutes of September 12, 2016 (Sanders)
 - b. Board of Zoning Appeals minutes September, 2016 (Sanders) (unapproved)
 - c. Historic Commission minutes of September 1, 2016 (Hull, Duda) (unavailable)
 - d. Budget and Finance Advisory Committee minutes of April 4, 2016-September 6, 2016 (unavailable) (Whittenburg, Wurth, Hull)
 - e. EDC Minutes of September, 2016 (Hull, Schoenbrodt) (unavailable)
 - f. Parks and Recreation Committee minutes September, 2016 (Williams/Fischer) (unavailable)
 - g. Library Board of Trustees Minutes, May 2016 (T. Jones)
 - h. Transportation Advisory Committee Minutes September 19, 2016 (unavailable) (Fitterer, Whittenburg, Williams)
4. Consider Resolution 16-141, to authorize purchase of equipment for Engine 3. *(Recommended by the Budget and Finance Advisory Committee on October 3, 2016)* Terry Hood, Fire Chief
 5. Consider Resolution 16-142, to authorize the purchase of Electro Hydraulic Combination Tool. *(Recommended by the Budget and Finance Advisory Committee on October 3, 2016)* Terry Hood, Fire Chief
 6. Consider Resolution 16-143, to approve Contract No. 2011273-C between the City and Regional Transportation Authority. Victor Lay, City Administrator
 7. Consider Second and Final Reading of Ordinance 16-18, to amend the conditions placed on Zoning B-4 pertaining to Tract 112 Duplex Road, pursuant to Ordinance 06-17, adopted on May 15, 2006. Patrick Carter, City Attorney
 8. Consider Second and Final Reading of Ordinance 16-19, submitted by Rhodes Engineering for property located at 2225 Doctor Robertson Rd. The property is zoned Agricultural and contains approximately 86.25 acres. The applicant requests rezoning approval to B-1 Office and Limited Retail. *(Recommended by the Planning Commission on August 8, 2016)* Dara Sanders, Director of Planning
- Motion to approve consent agenda by Fitterer; seconded by Alderman Wurth. Vote: Unanimous.

PREVIOUS BUSINESS

Item #1 Consider Second and Final Reading of Ordinance 16-20, to approve budget amendment for fiscal year 2016-2017. *(Considered by the Budget and Finance Advisory Committee on September 6, 2016)* Jim Smith, Finance Director

Motion to approve by Alderman Wurth; seconded by Alderman Fitterer. Mr. Duda moved to approve amended version that was in packet. Motion seconded by Alderman Wurth. Amendment approved unanimously.

Alderman Duda moved to amend to remove \$45,000 from the Legislative budget. Motion seconded by Alderman Wurth. Alderman Duda discussed the position of EDC Development Officer. He discussed the filling of the position. He had requested a job description that relieved any concern. He feels that the requirements were changed and there were applicants that didn't meet the May 15th requirements. He feels that the only way to stop the process is to remove the funding.

Alderman Hudson asked what was the requirement that was removed? Alderman Duda stated that a marketing degree was required, but it was changed to preferred instead of required. Alderman Hull stated he supports the position but isn't sure he supports the process but he will not support the position. Alderman Zemek stated that she agrees with Alderman Hull. She stated that she feels the board's job is to fund the position, not to hire the position.

Alderman Wurth stated that she supports the position with the requirement of a bachelor's degree in a related field. Alderman Wurth asked why it changed. Mr. Lay stated that there were several candidates were qualified regardless of the piece of paper. Mayor asked that Jim Grimes select the committee because of the relation to

EDC. They conducted interviews and made a recommendation. Alderman Wurth stated that she feels the piece of paper was underestimated. She stated that she supports the amendment. Alderman Hudson stated that he had heard that the position was created for a certain person but should not have been said or put out there in that way.

Alderman Fitterer stated that he supports the position. He feels the degree should have been mandatory. He stated that degree over experience would be preferable instead of the other way around. He feels the process was done correctly. Alderman Zemek stated that the process was overkill. Alderman Whittenburg requested a five minute recess. Meeting recessed at 8:00 p.m. Meeting reconvened at 8:05.

Alderman Whittenburg comments. Alderman Wurth comments.

Roll call to amend Second and Final Reading of Ordinance 16-20: Chad Whittenburg, nay; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor Graham, nay; Susan Zemek, nay; Kayce Williams, abstain; Jonathan Duda, aye; Amy Wurth, aye. Motion to defund failed: 4/4/1.

Roll call to approve Second and Final Reading of Ordinance 16:20: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor Graham, aye; Susan Zemek, aye; Kayce Williams, aye; Jonathan Duda, aye; Amy Wurth, aye. Motion carried 9/0.

NEW BUSINESS

Item #1 Consider Resolution 16-140, authorizing expenditure for the installation of an emergency generator at the city building at 407 McLemore Avenue. (*Considered by the Budget and Finance Advisory Committee on October 3, 2016*) John Pewitt, GIS/IT Director

Motion to approve by Alderman Wurth; seconded by Alderman Whittenburg.

Roll call to approve Resolution 16-140: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor Graham, aye; Susan Zemek, aye; Kayce Williams, aye; Jonathan Duda, aye; Amy Wurth, aye. Motion carried 9/0.

Item #2 Consider First Reading of Ordinance 16-22, to rezone property located on Tom Lunn Road, Maury County Tax Map 043, Parcel 014.00, from R-2, Medium Residential, to R-4, High Density Residential. (*Recommended by the Spring Hill Planning Commission on September 12, 2016*) Dara Sanders, Director of Planning

Motion to approve by Alderman Fitterer; seconded by Vice Mayor Hull.
Alderman Fitterer moved to amend clerical error from 5 to 4. Vote: Unanimous.

Alderman Duda stated that he would not support reading because of compatibility. Alderman Wurth stated she would not support. Alderman Zemek stated that she agrees with Alderman Wurth and Duda. Alderman Williams discussed density. Alderman Williams asked Ms. Sanders about if developer agreed to all conditions the Planning Commission requested. Ms. Sanders stated that they did. Comments by Mr. Fitterer and Mr. Whittenburg.

Roll call to approve First Reading of Ordinance 16-22 as amended: Chad Whittenburg, aye; Matt Fitterer, nay; Keith Hudson, nay; Bruce Hull, aye; Mayor Graham, aye; Susan Zemek, nay; Kayce Williams, aye; Jonathan Duda, nay; Amy Wurth, nay. Motion failed 4/5.

~~1. Consider First Reading of Ordinance 16-23, to rezone property located at 1002 Red Pepper Ridge from B-3, Intermediate Business District to R-4, High Density Residential. (*denial recommended by the Spring Hill Planning Commission on September 12, 2016*) Dara Sanders, Director of Planning. Removed from agenda by Request of owner.~~

Item #3 Consider Resolution 16-144, to approve Change Order #1 for Interior and Exterior Coating for Southside Water Tank. (New since Work Session) Caryl Giles, Water Treatment Superintendent

Motion to approve by Vice Mayor Hull. Seconded by Mayor Graham.

Roll to approve Resolution 16-144: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor Graham, aye; Susan Zemek, aye; Kayce Williams, aye; Jonathan Duda, aye; Amy Wurth, aye. Motion carried 9/0.

Item #4 Consider Resolution 16-145, to *modify* (should say “upholds”) the Planning Commission decision and associated conditions of approval for PPL-230-2016. (Discussed at Work Session) Dara Sanders, Director of Planning

Motion to approve by Vice Mayor Hull. Seconded by Alderman Fitterer. Discussion: Vice Mayor Hull moved that appeals be heard at a separate meeting, not necessarily on a separate night. Alderman Wurth asked for clarification. Alderman Fitterer stated that passing the resolution would uphold and affirm the previous decision of the BOMA.

Mr. Duda stated the major thoroughfare plan called for a collector road in between this property between Kings Creek from Kedron Rd to John Lunn. We are abandoning that collector road. We are forgiving of that collector road. I appreciate the presentation but from the City side of things I’ve seen too many projects that fall on the city that take the city years to complete and become our responsibility with sidewalks and next to a jewel of a park.

Ms. Sanders stated that a yes vote would uphold the decision by the planning commission. This resolution combines all conditions of approval by the PC and also what BOMA has previously approved.

Roll call to approve Resolution 16-145: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor Graham, aye; Susan Zemek, aye; Kayce Williams, aye; Jonathan Duda, aye; Amy Wurth, aye. Motion carried 9/0.

Item #5 Consider Resolution 16-146, to approve conditions of Utility Cut on Port Royal Road. (Discussed at Work Session) Victor Lay, City Administrator

Motion to approve by Vice Mayor Hull. Motion seconded by Alderman Wurth. Alderman Duda moved to amend to fill blank with 30 (days). Seconded by Alderman Fitterer.

Discussion: Vice Mayor Hull discussed the standard of milling a utility cut, asphalt plant closing and opening dates. Mr. Lay and Tom Wolf discussed in further detail the one time extenuating circumstances to connect the utilities to the west side. BOMA directs staff to work with the developer to be clear so that the time between the utility cut, milling and overlay is to be no more than thirty (30) days.

Roll call to amend Resolution 16-146: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor Graham, aye; Susan Zemek, aye; Kayce Williams, aye; Jonathan Duda, aye; Amy Wurth, aye. Motion carried 9/0.

Roll call to approve Resolution 16-146 as amended: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor Graham, aye; Susan Zemek, aye; Kayce Williams, aye; Jonathan Duda, aye; Amy Wurth, aye. Motion carried 9/0.

Item #6 Consider Resolution 16-147, to approve 2016-2017 Driver Safety Grant. (New since Work Session) April Goad, City Recorder

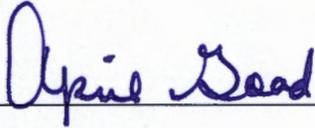
Motion to approve by Alderman Fitterer; seconded by Vice Mayor Hull.

Roll call to approve Resolution 16-147: Chad Whittenburg, aye; Matt Fitterer, aye; Keith Hudson, aye; Bruce Hull, aye; Mayor Graham, aye; Susan Zemek, aye; Kayce Williams, aye; Jonathan Duda, aye; Amy Wurth, aye. Motion carried 9/0.

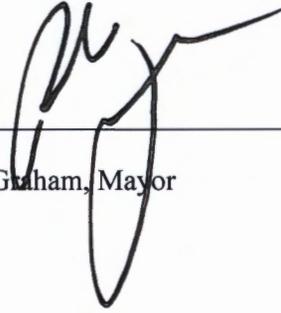
Concerned Citizens: None.

Motion to adjourn was made by Vice Mayor Hull and seconded by Alderman Wurth.

Meeting was adjourned at 8:43 p.m.



April Goad, City Recorder



Rick Graham, Mayor