

Minutes of the Regular Meeting
Of the Board of Mayor and Aldermen
Of the Town of Thompson's Station, Tennessee
October 9, 2007

Call to Order:

The regular meeting of the Board of Mayor and Aldermen of the Town of Thompson's Station was called to order at approximately 7:35 p.m. (following the meeting of the Board of Zoning Appeals) on the 9th day of October, 2007, at the Thompson's Station Community Center with the required quorum. Members and staff in attendance were: Leon Heron, Mayor; Sarah Benson, Alderman; Corey Napier, Alderman; Greg Langeliers, Town Administrator; Doug Goetsch, Town Recorder; Todd Moore, Town Attorney; and Lisa Stewart, Town Clerk.

Pledge of Allegiance.

Minutes:

The minutes of the September 11th, 2007 meeting were previously submitted and were approved unanimously upon a motion by Alderman Benson and second by Alderman Napier.

The minutes of the Special Called meeting on September 25th, 2007 were previously submitted and were approved unanimously upon a motion by Alderman Benson and second by Alderman Napier.

Announcements:

Mr. Langeliers noted that there is one (1) alderman scheduled to attend the upcoming landscaping seminar and anyone else interested in attending should contact Staff.

Town Administrator's Report:

Planning Commission on 9/17/07 (Next Meeting: 10/15/07)

The Planning Commission reviewed several letters of credit for the Tollgate Village development and adjusted as appropriate. They also approved a final site plan for the Kroger grocery –commercial retail facility on Thompson's Ridge Road in the Heritage Commons Development. An associated fueling facility was deferred pending the resolution of design issues. A preliminary plat for recently annexed Blackberry Estates (22 residential lots off Lewisburg Pike) was approved as were the revised subdivision regulations. The Commission also modified their by-laws to move meeting dates to the fourth Tuesday of each month beginning in January 2008. They also deleted the December meeting to be effective in 2007.

Special Called BOMA Meeting on 9/25/07

Included on our agenda is discussion regarding the recent special called meeting (ordinance 07-013) regulating the operation of large trucks, within Thompson's Station. Staff will distribute a revised

ordinance for discussion; however, second reading must be advertised as a public hearing. Staff can advertise the public hearing and hold second reading in November if that is the intent of this body.

Public Works Committee on 10/03/07

A report, if necessary, will be made at the meeting.

Old Business:

Alderman Napier asked the status on the sewer audit, and Mr. Langeliers stated that Smith, Seckman and Reid are working on the plans and an estimation of the costs based on 2004 numbers.

Alderman Benson asked about the latest correspondence with Wal-Mart, and Mr. Moore stated that detailed information regarding the numbers previously discussed was provided to their attorney last Thursday, and a response has not been received yet.

Discussion of Ordinance 07-013 Regulating the Operation of Large Trucks Within the Town.

Mayor Heron noted that this ordinance was referred back to counsel and Staff after several good points were brought up at the last public hearing. Mr. Moore has re-crafted the ordinance, distributing copies to the Board, and reviewed the following changes:

- defined term "heavy truck";
- identified two (2) specific roads in Town upon which heavy trucks will be prohibited from operating, which are Thompson's Station Road East and Thompson's Station Road West; additionally, the engineer will be authorized to post additional roads within the Town;
- defined "routine pick up or delivery" that will be exempted;
- provision for Town Administrator to have the discretion to exempt businesses located within the Town limits from the bond or letter of credit requirement; and
- exemption of operation of heavy trucks owned by the Town or operated pursuant to a contract.

Mr. Moore stated that this ordinance was previously approved on first reading; however, there have been significant changes made to the ordinance, therefore he would recommend this be considered the first reading as amended and schedule another public hearing and second reading.

Discussion continued regarding the Williamson County trucks servicing the convenience center.

Mayor Heron pointed out the items addressed allows empty dump trucks with a gross vehicle weight of 14 tons to come through Town without being impacted by this ordinance, allowing deliveries of up to eight (8) trips per day without applying for a permit, and there will not be fines imposed, as misrepresented by the press. Anyone not within the noted exemptions will be required to apply for a permit, submit a plan to be reviewed, and post a maintenance bond.

Alderman Benson made a motion to accept and approve Ordinance 07-013 as amended. Alderman Napier seconded the motion, which passed unanimously.

Mayor Heron set a public hearing for this ordinance to be November 13th, 2007, at 7:00 p.m.

Other New Business:

There was none at this time.

Community Input and Concerns:

Robert Jenkins, 1791 Evergreen Road, referenced the questions he asked at the last public hearing, saying that most had been addressed and commended the Board for same. He did add the following questions for consideration:

- If this ordinance is passed, will holders of currently permitted projects be required to post a road bond;
- Is the Board prepared to defend against lawsuits for damages caused by delays or cancellations of existing permitted projects;
- Last year \$228,000 was spent on road maintenance - how much of that road maintenance was caused by heavy trucks;
- Will projects on Highway 31 be required to post a road bond;
- What is the methodology used to determine the bond amount; and
- Why is Critz Lane not included on the list.

Harry Castros, 4000 Randall Lane, asked the following in relation to the road improvement / maintenance expenditures:

- How much was spent on road improvement and maintenance projects in fiscal year 2006 - 2007;
- What portion can be attributed to damage from trucks;
- How much of the funds were Town, County, State, and / or Federal;
- Is there a log kept of complaints and can they come forward and make those known for the record; and
- If the complaints are regarding speeding and reckless driving, there are already laws to enforce those issues.

Joe Rogers, president of Civil Constructors located at 425 Downs Boulevard, Franklin, stated that he feels this ordinance is relating to what Civil has done, noting that they have been involved in a lot of projects in Williamson County and the Franklin area. He stated that they have used several properties in this area for disposal areas of clean dirt and rock. Mr. Rogers stated that they negotiated with the property owners and felt it was a benefit to them while improving their property. He said they run approximately 75 dump trucks, paying approximately \$20 per day in fuel tax intended toward the maintenance of roads. Mr. Rogers noted that he felt this was a dangerous precedent, whether it be the Town or through the State.

Sheryl Lewis, 1791 Evergreen Road, noted the two (2) developments on Critz Lane and how fragile that road looks, referenced the studies to improve it (noting that she doesn't know where that project stands); however, the Board wants to impose a road bond on Thompson's Station Road but not Critz Lane. She noted that the developments surely require huge trucks and many trips and that she is confused.

Robert Jenkins referenced the mention of a complaint log and asked where those people are tonight that are supposedly upset and complaining.

John Wernet, 1797 Evergreen Road, asked why Critz Lane is not being considered a bonded road when Thompson's Station Road is and what the difference is.

There being no further business, the meeting was adjourned at approximately 7:58 p.m.

Leon Heron, Mayor

Attest: _____
Doug Goetsch, Town Recorder

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