

Town of Thompson's Station
Board of Mayor and Aldermen
Minutes of the Meeting
January 10, 2017

Call to Order.

The meeting of the Board of Mayor and Aldermen of the Town of Thompson's Station was called to order at 7:00 p.m. on Tuesday, January 10, 2017 with the required quorum. Members and staff in attendance were: Mayor Corey Napier; Alderman Brinton Davis; Alderman Sarah Benson; Alderman Graham Shepard; Alderman Brandon Bell; Town Administrator Joe Cosentini; Town Finance Director Tammy Womack; Town Attorney Todd Moore and Town Clerk Jennifer Jones.

Pledge of Allegiance.

Swearing in of New Alderman.

Town Attorney, Todd Moore, swore in new Aldermen Ben Dilks and Brian Stover.

Consideration of Minutes. The minutes of the November 8, 2016 Regular Meeting were submitted.

Alderman Bell made a motion to accept the minutes of the November 8, 2016 regular meeting as submitted. The motion was seconded and carried unanimously.

Public Comments:

John Peterson – 3448 Colebrook Dr. – Appreciates the opportunity for public input. Voiced concerns about Alderman Shepard's blog. Voiced opposition against Planning Commission size reduction.

BOMA Report –

Alderman Shepard asked that several items be voted on via procedural vote as follows:

1. Vote to ... Direct Town Staff, in collaboration with Alderman Stover, to present a business case to the Board not later than the May 2017 meeting that determines whether or not the recent purchase of a 1942 Chevrolet Fire Truck was a good investment and/or fiscally responsible. Included in the business case deliverables should be:
 - a. Complete upfront cost to purchase the truck
 - b. Complete and detailed list of estimated ongoing costs [insurance, maintenance, fuel, storage, etc.]
 - c. How and how often the truck will be used to benefit the Town
 - d. Estimated revenue from those uses
 - e. When the Town should expect to break-even

After discussion, Alderman Shepard made a motion to approve item 1, Direct Town Staff, in collaboration with Alderman Stover, to present a business case to the Board not later than the May 2017 meeting that determines whether or not the recent purchase of a 1942

Chevrolet Fire Truck was a good investment and/or fiscally responsible. Included in the business case deliverables should be:

- f. Complete upfront cost to purchase the truck**
- g. Complete and detailed list of estimated ongoing costs [insurance, maintenance, fuel, storage, etc.]**
- h. How and how often the truck will be used to benefit the Town**
- i. Estimated revenue from those uses**
- j. When the Town should expect to break-even**

The motion was seconded and carried by a vote of 3 to 2 with Mayor Napier and Alderman Bell casting the opposing votes.

- 2. Vote to ... Direct Town Staff to present a draft letter that the Board can review during its February meeting. The letter will express the Town's support of the private class action lawsuit against Crystal Clear and other parties that is currently under appeal and be addressed to the appropriate Court/Judge.

After discussion, Alderman Shepard made a motion to approve item 2, to Direct Town Staff to present a draft letter as presented.

The motion was seconded and carried by all.

- 3. Vote to ... Direct Town Staff to prepare an Ordinance for discussion and First Public Reading for the February 2017 BOMA Meeting to Amend the Composition and Reduce the Size of the Planning Commission from Seven to Five Members

After discussion, Alderman Shepard made a motion to approve item 3, Direct Town Staff to prepare an Ordinance for discussion and First Public Reading for the February 2017 BOMA Meeting to Amend the Composition and Reduce the Size of the Planning Commission from Seven to Five Members.

The motion was seconded and failed by a vote of 3 to 2 with Mayor Napier, Alderman Bell and Alderman Stover casting the opposing votes.

- 4. Vote to ... Direct Town Staff to prepare an Ordinance for discussion and First Public Reading for the February 2017 BOMA Meeting to Amend the Municipal Code

Title 1 General Administration
Chapter 1 BOARD OF MAYOR AND ALDERMEN

Section 1-101. Time and place of regular meetings. Regular meetings of the board of mayor and aldermen of the Town of Thompson's Station, Tennessee, shall be held at 7:00 P.M. on the second Tuesday of each month, except for the months of July and December (in which there shall be no regularly scheduled meetings), *and except in the month of November when the regular meeting would occur on Election Day (in which case the meeting will be held on the second Tuesday in December)*, in the Thompson's Station Community Center at 1555 Thompson's Station Road West, Thompson's Station, Tennessee, 37179. However, if this day falls on a holiday, or a day observed as a holiday, the regular meeting shall be held at the same time and place on the next regular work day.

After discussion, Alderman Shepard made an amended motion to Direct Town Staff to prepare an Ordinance for discussion and First Public Reading for the February 2017 BOMA Meeting to Amend the Municipal Code as presented.

The motion was seconded and carried by all.

5. Vote to ... Direct Town Staff to prepare an Ordinance for discussion and First Public Reading for the February 2017 BOMA Meeting to Amend the Municipal Code

Title 11 Municipal Offenses
Chapter 1 Offenses against the peace and quiet.
Section 11-101. Hours of construction work.

(2) Construction or demolition work. The carrying on of any construction or demolition work is prohibited at any time on Sundays *and Federal Holidays*, or at any time other than between the hours of 7:00 A.M. and 6:00 P.M. prevailing time, on Saturdays, or between the hours of 7:00 A.M. and 6:00 P.M. prevailing time, on any other days. The provisions of this section shall not apply to interior or exterior repairs or interior alterations when the work is actually performed by a homeowner or occupant between the hours of 8:00 A.M. and 9:00 P.M. prevailing time, provided the work is done without creating any noise disturbance across a residential real property boundary.

After discussion, Alderman Shepard made a motion to accept Item 5, Vote to ... Direct Town Staff to prepare an Ordinance for discussion and First Public Reading for the February 2017 BOMA Meeting to Amend the Municipal Code as presented.

The motion was seconded and carried unanimously.

6. Vote to ... Direct Town Staff to send ARTICLE 1 proposed LDO Amendments to the Planning Commission for review and recommendation during the January PC meeting and for discussion and First Public Reading for the February 2017 BOMA Meeting. ARTICLE 1 LDO Amendment Proposals are:

ARTICLE 1 GENERAL PROVISIONS

1.2 Intent

1.2.2 The Town

Add these three bullets

g. Development should occur with a balanced mix of residential and commercial products to positively affect the Town's economy by increasing sales tax revenue.

h. Residential development should include both a balanced and diverse mix of housing products to positively affect the Town's economy by increasing local retail opportunities and growing the tax base.

i. It is the Town's desire that non-modular single-family detached units remain the primary dwelling type.

1.2.3. The community

Modify the following bullet

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e. Within neighborhoods, a *balanced* range of housing types should be provided to accommodate diverse ages and incomes *and positively affect the Town's economy by increasing local retail opportunities and growing the tax base.*

1.2.8. Subdivision Regulations

Modify the following bullet

a. That future growth and development in the Town should be performed in an orderly, *balanced*, incremental and predictable manner, in accordance with the General Plan, as adopted and amended.

1.3 Definitions

Modify the following definition

Mixed Use: multiple functions within the same building through superimposition or adjacency, or in multiple buildings by adjacency, or at a proximity determined by warrant. *Residential functions within a mixed use building shall not exceed 66.67% of the total use.*

Modify the following definition

Mixed Use Building: Residential use combined with commercial use within the same building through superimposition or adjacency. This building type is urban in character and frequently is a multi-story building with residential uses above commercial uses. *Residential uses within a mixed use building shall not exceed 66.67% of the total use.*

After discussion, Alderman Shepard made a motion to accept Item 6, vote to ... Direct Town Staff to send ARTICLE 1 proposed LDO Amendments to the Planning Commission for review and recommendation during the January PC meeting and for discussion and First Public Reading for the February 2017 BOMA Meeting.

d 66.67% of the total use.

The motion was seconded and carried unanimously.

7. vote to ... Direct Town Staff to send ARTICLE 3 proposed LDO Amendments to the Planning Commission for review and recommendation during the January PC meeting and for discussion and First Public Reading for the February 2017 BOMA Meeting.

ARTICLE 3 LDO Amendment Proposals are:

ARTICLE 3 SUBDIVISION REGULATIONS

3.3 Resource Management

3.3.14 Tree Protection

Modify the following bullets

a. The resource inventory map must identify all non-invasive trees of 17 inches in caliper ... from the Planning Commission for all trees 17 inches in caliper ...

b. ... which shall document all trees that are 17 inches or greater

Alderman Shepard made a motion to accept Item 7, vote to ... Direct Town Staff to send ARTICLE 3 proposed LDO Amendments to the Planning Commission for review and recommendation during the January PC meeting and for discussion and First Public Reading for the February 2017 BOMA Meeting with revision as follows:

Modify the following bullets

- a. **The resource inventory map must identify all non-invasive trees of 18 inches in caliper ... from the Planning Commission for all trees 18 inches in caliper ...**
- b. **... which shall document all trees that are 18 inches or greater**

The motion was seconded and carried unanimously.

8. Procedural vote to ... Direct Town Staff to send proposed Article 4 LDO Amendments to the Planning Commission for review and recommendation during the January PC meeting and for discussion and First Public Reading for the February 2017 BOMA Meeting.

Article 4 LDO Amendment Proposals are:

ARTICLE 4 ZONING

4.1 General

Insert and add the following paragraphs [will require renumbering existing paragraphs]

4.1.1 Intent

The long term intention of the Land Development Ordinance is to guide new development to a higher quality standard while preserving the small town character of Thompson's Station. Achieving the right housing balance will positively affect the Town's economy by increasing local retail opportunities and growing the tax base, both beneficial to the whole Town.

The Land Development Ordinance will help the Town create the right balance of housing by:

- *Ensuring new development preserves the distinctive, historical, and small town character of Thompson's Station for future generations.*
- *Encouraging home ownership as a means to foster long term commitment to neighborhoods, promote pride and stability within a neighborhood, and create a higher rate of maintenance.*
- *Raising the quality standard of new and replacement construction in the Town.*
- *Capturing a larger population of Williamson County's executive, middle and upper income housing.*
- *Encouraging a mix of housing options and lot sizes to meet the needs of a diverse population.*

Social and economic factors will change over time, as will the size and composition of the Town's population. These changes may alter housing preferences and influence the size, quality, and type of homes in demand at any point in time. This Land Development Ordinance is designed to help the Town ensure land use decisions are made in alignment with its long-term development goals.

Short-term market forces should not override the long-term development goals of the Town of Thompson's Station. It is the Town's desire that Single-Family Detached units remain the primary dwelling type in Thompson's Station while simultaneously providing a significant amount of diverse and affordable housing in the form of small detached single-family homes, townhouses, condominiums, and apartments.

4.1.2 Maximum Allowable Dwelling Types

- a. *Maximum Allowable Combined Multi-Family Dwellings [Apartment, Garden Apartment, Condominium] plus Dwellings in Mixed Use Buildings*

*[Apartments and Condominiums] plus Single-Family Attached Dwellings
[Townhome, Live Work, Duplex, Triplex]:*

The total combined number of the above dwelling unit types in all zoning districts throughout the Town of Thompson's Station, excluding the "Town Center" G3 Targeted Growth Sector, shall not exceed 25% of the total number of non-modular Single-Family Detached dwellings within the Town of Thompson's Station.

After discussion, Alderman Shepard made a motion to accept Item 8, Procedural vote to ... Direct Town Staff to send proposed Article 4 LDO Amendments to the Planning Commission for review as presented.

The motion was seconded and carried by a vote of 4 to 1 with Alderman Bell casting the opposing vote.

9. Procedural vote to ... Direct Town Staff to send proposed Article 5 LDO Amendments to the Planning Commission for review and recommendation during the January PC meeting and for discussion and First Public Reading for the February 2017 BOMA Meeting.

Article 5 LDO Amendment Proposals are:

ARTICLE 5 ADMINISTRATION AND PROCESS

5.3 Zoning Process

Change wording in paragraph

5.3.1 Amendments to the Ordinance

No change or departure from the text or maps of this ordinance shall be made, unless such amendment be first submitted to the Planning Commission for review and recommendation. *The Town Administrator shall ensure no amendment proposal takes longer than forty (40) days between the time it is submitted to the Town and the time it is reviewed by the Planning Commission. After Planning Commission review and regardless of recommendation [approve, disapprove, or no recommendation], the Town Administrator shall ensure the first Public Hearing of the amendment proposal takes place during the next Town Board of Mayor and Aldermen meeting.*

Before finally adopting any such amendment

After discussion, Alderman Shepard made a motion to accept Item 9, Direct Town Staff to send proposed Article 5 LDO Amendments to the Planning Commission for review and recommendation during the January PC meeting and for discussion and First Public Reading for the February 2017 BOMA Meeting as presented.

The motion was seconded and carried unanimously.

Alderman Bell mentioned that the Spring Hill Planning Commission deferred the vote on the Alexander property and suggested that the Board of Mayor and Alderman send a formal letter seeking to work with and plan with the City of Spring Hill.

Town Administrator Report –

Mr. Cosentini reviewed his report and updated the Board on the following items:

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- Lagoon 1 Cleanout – The Town has encountered an issue and work has been demobilized until we can bring the Cell #2 water level down and restart the cleanout in April of 2017.
- Critz Lane Realignment – The Town is proceeding through the condemnation process with one of the property owners for necessary right of way acquisition.
- New Town Hall – Mr. Cosentini has met with C&I Design in preparation of getting the bid package ready for the new Town Hall.
- Special Census – We have a current response rate of just over 60% and is scheduled to go door to door on 1/14/2017. As of January 5, 2017, we have received 1337 responses and have accounted for 3809 residents.
- Atmos Gas Franchise Agreement – This is being looked at for the potential removal of the approved fee.
- Capital Improvements plan (CIP) – Several projects are being added to the CIP. These include the Critz Lane property improvement, Property Acquisition for Preservation Park, Improvements to the maintenance facility, light shields at Independence High School, private technology easement condemnation, Clayton Arnold & Thompson’s Station Rd., East intersection improvements, Town provided internet/telecommunication, video recording system for public meetings and infrastructure to increase walkability for the new K-8 school on Clayton Arnold.
- Impact Fee Evaluation – A study has been requested for the existing impact fee given the addition of projects to the CIP.
- Wastewater Capital Accounting – Due to questions regarding the capital accounting for the Wastewater facility, Staff is setting up a meeting with our auditors so that interested members of the Board can ask questions directly.
- General Plan Update – A request for a workshop to begin the process of updating and revising the existing General Plan has been made. Potential dates and times will be sent out shortly.
- Williamson County Schools and Crystal Clear - Several questions have been asked regarding the telecommunication provider for the new school being built on Clayton Arnold. The Town Attorney, Todd Moore, will be looking into the questions.

Finance Report -

Mrs. Womack reviewed her report and pointed out that new capital projects were added to the General Fund and the Wastewater Fund.
There was a large donation from the TSCA into the General Fund revenue, and also, we received reimbursement from TDOT on the trail.
There were no findings on the audit.

Unfinished Business:

None

New Business:

1. **Acceptance of roadways and bond reduction for Phase 4 of Fields of Canterbury.**
2. **Acceptance of roadways and bond reduction for Phase 5 of Fields of Canterbury.**

**3. Acceptance of roadways and bond reduction for Phase 7 of Fields of Canterbury.
(all will be taken at once)**

Mr. Cosentini reviewed his report and recommended acceptance of the roads, storm drains and wastewater facilities in Phases 4, 5, & 7 in the Fields of Canterbury subdivision and set maintenance surety amounts as recommended. In addition, the plats for phases 4, 5, & 7 will need to be amended to remove the note regarding sidewalks being maintained by the Town of Thompson's Station and assign this responsibility to the Home Owners Association per our LDO.

Alderman Dilks voiced concern about setting precedent on taking over the roadways that weren't paved.

Ryan Manners, with Hood Development, came forward to speak on behalf of the developer.

After discussion, Alderman Dilks made a motion to send an LDO amendment to the Planning Commission to add sidewalks and alleyways to the takeovers. The motion was seconded and carried unanimously.

After further discussion, Alderman Dilks made a motion the Town takeover the streets and wastewater in Phases 4, 5 and 7 of Canterbury with the exception of Calloway Park Place and Chaucer Park Lane East of Calloway Park Place. The motion was seconded and carried unanimously.

Appointments:

Planning Commission

Alderman Shepard made a motion to put Ben Dilks on the Planning Commission. The motion was seconded and carried by all.

Parks and Recreation Advisory Board

Alderman Shepard made a motion to put Brian Stover on the Parks and Recreation Advisory Board. The motion was seconded and carried by all.

Board of Zoning Appeals

Alderman Dilks made a motion to defer the BZA appointments until February in order to review all parties interested. The motion was seconded and carried by all.

Vice Mayor

Alderman Shepard made a motion to appoint Brian Stover as Vice Mayor. The motion was seconded and carried by all.

Offer of Judgement – Benjamin Dilks v. The Town of Thompson's Station

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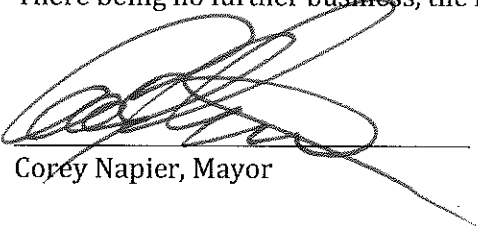
Alderman Dilks recused himself from the vote, but voiced his disappointment in the demeanor of the public officials.

Alderman Shepard commented that he didn't believe this was a clear or flagrant violation and he believes the law was not equally applied to other political candidates.

Alderman Stover made a motion to accept the offer of Judgement. The motion was seconded and carried by all.

Adjourn

There being no further business, the meeting was adjourned at 8:50 p.m.



Corey Napier, Mayor

Jennifer Jones, Town Recorder

