

Town of Thompson's Station
Board of Mayor and Aldermen
Minutes of the Meeting
February 9, 2016

Call to Order.

The meeting of the Board of Mayor and Aldermen of the Town of Thompson's Station was called to order at 7:03 p.m. on Tuesday, November 10, 2015 with the required quorum. Members and staff in attendance were: Mayor Corey Napier; Alderman Brinton Davis; Alderman Sarah Benson; Alderman Graham Shepard; Town Administrator Joe Cosentini; Town Planner Wendy Deats; Town Finance Director Tammy Womack; Town Attorney Todd Moore and Town Clerk Jennifer Jones. Alderman Brandon Bell was unable to attend.

Pledge of Allegiance.

Consideration of Minutes. The minutes of the January 12, 2016 Regular Meeting were submitted with revisions.

Alderman Benson moved to accept the revised minutes of the January 12, 2016 Regular Meeting. The motion was seconded and carried unanimously.

Public Comments:

Doug Hale – 1113 Holly Hill Dr. – Attorney of record for Whistle Stop.

David Skidmore – 1529 Thompson's Station Rd. – Voiced traffic concerns, road widening concerns and tree removal concerns on School St.

Pat Springer – Concerned over the Whistle Stop subdivision and the original concept plan. Voiced concerns over traffic, wildlife, and sewer.

Tiffany Borgelt – 3332 Bartram Bridge – Has concerns over proposed school within Bridgemore Village. Voiced issues over traffic, safety, and development within the neighborhood.

Kevin Hanff -2756 Cabin Run Bridge Rd. – Has concerns over school within Bridgemore Village. Topological concerns.

Diana Skidmore – 1529 Thompson's Station Rd. – Concerns about Whistle Stop regarding wildlife, road widening, water pressure, too much growth.

Pat Springer – Voiced concerns about construction running wildlife out.

BOMA Reports.

Alderman Shepard wanted to put on public record that he has written a prepared statement, and gave a brief description of the statement. The statement is as follows:

STATEMENT OF
ALDERMAN GRAHAM SHEPARD

Re:

MBSC TN Homebuilder LLC, petition for writ of certiorari against the Town of Thompson's Station MBSC TN Homebuilder LLC, the developer of Tollgate Village and Bridgemore Village, filed a lawsuit against the Town of Thompson's Station on June 29, 2015. In its lawsuit, the developer accused our Planning Commission members of violating property rights by acting "illegally, arbitrarily and capriciously" when, one week earlier, they unanimously voted to reject a request to build residential townhomes in the front commercial section of Tollgate Village.

I am making this public statement seven months after the fact for three reasons. First, to again voice support of our Planning Commission members who acted in our Town's best interest when they rejected this developer attempt to discard its "commercial in the front ... residential in the back" master site plan that has been in place since 2003.

Second, to point out the hypocrisy of this developer who thinks it is perfectly fine to empower itself to enact and enforce extreme limitations on the property rights of Bridgemore Village and Tollgate Village homeowners; examples are denying people the ability to install window screens or put up temporary clothes lines. At the same time, this developer thinks our Planning Commission acted "illegally, arbitrarily and capriciously" because its members voted against a major deviation from an agreed upon and long standing master site plan.

To its everlasting shame, this developer knows that hundreds of people purchased homes in Tollgate Village based on marketing material that promised commercial property "in the front" where "residents will enjoy upscale retail stores, cafes, restaurants, coffee shops, banks, etc. all within walking distance of their homes." The third reason I am making this statement is to urge residents, Town Staff, the Planning Commission, and my Board Of Mayor and Alderman (BOMA) colleagues, to fight back against this developer and its litigation tactic.

I am convinced the time has come to stop turning the other cheek. MBSC TN Homebuilder LLC, and its Henry & Wallace agents, have been treating our Town and its residents badly for years. This lawsuit is just the latest and most egregious example. We have reached a time in our history when BOMA, the Planning Commission, Town Staff, and residents should unite and use all legal means at our disposal to force MBSC TN Homebuilder LLC to:

- properly maintain "old section" streets in Bridgemore and Tollgate;
- immediately pay for installation of a signal light at the main entrance to Tollgate and construction of a secondary access road to Declaration Way;
- post a bond sufficient for construction of a secondary access road to Tollgate from Columbia Highway; including costs to widen the highway and bridge over the West Harpeth River;
- ensure construction traffic uses construction roads;

- ensure builders and their subcontractors work only during designated work times;
- ensure all private technology easements are changed to public; and keep its promise to build “upscale retail stores, cafes, restaurants, coffee shops, banks, etc.” in the front of Tollgate Village

This developer lawsuit is a blatant attempt to burden us with legal defense costs and thereby intimidate us into abandoning our “growth without regret” principles.

LET’S NOT BE INTIMIDATED!
(end of statement)

Mr. Shepard requested an update on construction hours violations. Mr. Cosentini responded that we have a separate hearing scheduled for 2/11/16 and plan on filing at that hearing. Alderman Shepard also requested that Mr. Cosentini put in his report any meetings with builders and developers that he has about future endeavors. Mr. Cosentini stated that that would take place. Alderman Shepard also wanted to address the rumor that the apartments might not be building a swimming pool to which Mr. Cosentini stated that he would follow up with the builder.

Town Administrator’s Report

Mr. Cosentini updated the Board regarding the Crystal Clear franchise agreement, informing them that the Town has received notice from the TVA that Crystal Clear is seeking a certificate of franchise through the State. Mr. Cosentini also addressed the Fields of Canterbury CCR’s. A letter was sent to the developer in January and the developer has responded with a letter stating their intent.

Mr. Cosentini reviewed the Bridgemoor Village road issue, and reviewed the process for calling the bonds if necessary. Mayor Napier was in agreement of taking aggressive action if needed.

Mr. Cosentini also reviewed the TN Department of Transportation Projects, which includes the State Industrial Access (SIA) Program and Road Safety and Audit (RSAR) report program.

Finance Report

Mrs. Womack reviewed the financial report. The Town continues to build cash, although there has been a slow down due to lack of construction. Mrs. Womack is also currently taking classes to obtain her Certified Municipal Financial Officer designation.

Unfinished Business:

- 1. Public Hearing and Second Reading of Ordinance 2016-001: An ordinance of the Board of Mayor and Alderman of the Town of Thompson’s Station, Tennessee to approve a revised concept plan for the Whistle Stop planned neighborhood development (SDP 2015-005) for the development of 163 single family lots and one commercial lot.**

Mr. Cosentini reviewed the staff report and addressed the widening of School Street. Mrs. Deats addressed the addition of a secondary access point. The Planning Commission recommends that the Board approve Ordinance 2016-001.

Mayor Napier then opened the floor for Public Comment.

Public Comment:

David Skidmore – 1529 Thompson’s Station Rd. – Wanted to express opposition against secondary access on School Street.

Diane Skidmore – 1529 Thompson’s Station Rd. – Expressed concern regarding lack of stop sign at the end of School St. Construction concerns.

Pat Springer – 1723 Old Thompson’s Station Rd. – Informed the Board that he has trust issues with the developer.

James Brown – 1631 West Thompson’s Station Rd. – Concerned about the widening of the street.

Mattie Nettles – School Street – Voiced concerns over traffic.

Malcom Nettles – 1521/1525 School St. – Voiced traffic concerns and wanted to know if School St. could be one way.

Being no further comments, the Mayor closed the public hearing and opened up to the Board for discussion.

Mr. Jay Franks responded to the secondary access concerns.

Mr. Cosentini and Mayor Napier addressed some of the connectivity and traffic concerns. Both addressed the secondary access concerns and stated that a secondary access is required by the Town.

After discussion, Alderman Benson made a motion to approve the Second Reading of Ordinance 2016-001 – An ordinance of the Board of Mayor and Aldermen of the Town of Thompson’s Station, Tennessee to approve a revised concept plan for the Whistle Stop planned neighborhood development (SDP-2015-005) for the development of 163 single family lots and once commercial lot.

The motion was seconded and carried by a vote of three to one with Alderman Davis casting the opposing vote.

New Business:

2. Resolution 2016-001: Adoption of an Interlocal Agreement between the Town of Thompson’s Station and HB&TS Water Utility District.

Mr. Cosentini reviewed the staff report and Staff recommends approval of the resolution and interlocal agreement as presented.

After discussion, Alderman Shepard made a motion to approve Resolution 2016-001, adoption of an Interlocal Agreement between the Town of Thompson's Station and HB&TS Water Utility District.

The motion was seconded and carried unanimously.

3. Presentation – RPM Transportation Consultants: Thompson's Station Traffic Impact Study Comprehensive Update.

Jeff Hammond came forward to present on behalf of RPM. This is an update to a study that was started in 2007.

4. Resolution 2016-003: Wastewater Request – MBSC/Williamson County School - A resolution of the Board of Mayor and Alderman of the Town of Thompson's Station, Tennessee to approve the transfer of wastewater taps from MBSC Homebuilders, LLC to Williamson County Schools and to approve additional wastewater taps for Bridgemore Village and Williamson County Schools.

Mr. Cosentini reviewed the Staff report and Staff recommends approval contingent of site plan approval by the Town's Planning Commission that includes verification of school square footage and student capacity, wastewater access location and all offsite transportation improvements OR defer the request until the site plan contingencies are met.

Mr. Brian Rowe, came forward to speak on behalf of MBSC, the developer in Bridgemore Village stating that they are willing to do everything that needs to be done. He would like the Board to go ahead and accept with conditions.

Mr. Kevin Fortney came forward to speak representing Williamson County Schools to give a brief description of what the school would entail, when it would open and where entrances/exits would be.

After discussion, Alderman Davis made a motion to approve Resolution 2016-003 - Wastewater Request – MBSC/Williamson County School – A resolution of the Board of Mayor and Alderman of the Town of Thompson's Station, TN, the transfer of wastewater taps form MBSC Homebuilders, LLC to Williamson County Schools and additional wastewater taps for Bridgemore Village and Williamson County Schools, with conditions.

The motion was seconded, and carried by a vote of 3 to 1 with Alderman Shepard casting the opposing vote.

5. First Reading of Ordinance 2016-002: An ordinance of the Town of Thompson's Station, Tennessee amending Ordinance 2015-004 which amends the annual budget for the fiscal year beginning July 1, 2015 and ending June 30, 2016.

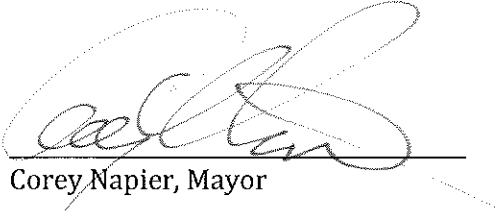
After discussion, Alderman Shepard made a motion to approve First Reading of Ordinance 2016-002: An ordinance of the Town of Thompson's Station, TN amending

Ordinance 2015-004 which amends the annual budget for the fiscal year beginning July 1, 2015 and ending June 30, 2016.

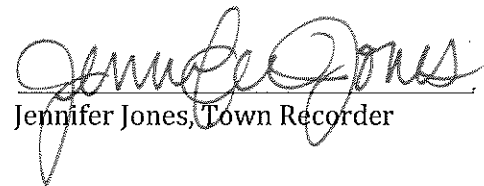
The motion was seconded and carried unanimously.

Adjourn

There being no further business, the meeting was adjourned at 9:28 p.m.



Corey Napier, Mayor



Jennifer Jones, Town Recorder