

Town of Thompson's Station
Board of Mayor and Aldermen
Minutes of the Meeting
April 11, 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, April 11, 2017 with the required quorum. Members and staff in attendance were: Mayor Corey Napier; Alderman Brian Stover; Alderman Ben Dilks; Alderman Graham Shepard; Alderman Brandon Bell; Town Administrator Joe Cosentini; Town Finance Director Tammy Womack; Town Planner, Wendy Deats; Town Attorney Todd Moore and Town Clerk Jennifer Jones.

Pledge of Allegiance.

Consideration of Minutes. The minutes of the March 09, 2017 Special Meeting were submitted.

Alderman Dilks then read the following prepared statement related to the March 9th 2017 Special Meeting:

The meeting minutes from the March 9, 2017 special meeting of the BOMA make reference to the settlement in my lawsuit against the Town for its unconstitutional enforcement of the sign regulations during the last election. I want to express how unfortunate it is that the taxpayers have to foot the bill for the poor judgement of Mayor Napier, a few other Town officials, and their friends. The settlement amount covers nothing more than my attorney's fees and the \$100 that Alderman Stover and I were forced to pay the Town to prevent them from violating our 1st amendment rights and confiscating our campaign signs. Had the Mayor and his friends been successful in their bid to try to fine me and Brian upwards of \$60,000 each, the verdict likely would have been far more expensive for the Town. Make no mistake, those pushing enforcement of this unconstitutional ordinance were clearly in the wrong, and worse, the evidence seems to indicate that they knew it but didn't care. It was not my desire to file a lawsuit, but it came down to a choice between fighting back against abusive government officials that refused to listen to reason or put myself, my family, and my neighbors at risk for harsh financial penalties. With that in mind, I hope you understand the choice I made. The public has a right to be outraged, but now knows where the blame lies. Mayor Napier has steadfastly refused to issue an apology to me, Brian or our Canterbury supporters. Perhaps he will issue one to the taxpayers.

Alderman Bell made a motion to accept the minutes of the March 9, 2017 Special Meeting as submitted. The motion was seconded and carried unanimously.

The minutes of the March 14, 2017 Regular Meeting were submitted.

Alderman Bell made a motion to accept the minutes of the March 14, 2017 Regular Meeting with amendments. The motion was seconded and carried unanimously.

Public Comments:

Brad Wilson – 3064 Americus Dr. – Thanked the Board of Mayor and Aldermen for their service. Commended Mr. Cosentini on a job well done as Town Administrator.

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Drew Hendry – 3809 Robbins Nest Ct. – Would like the Board of Mayor and Aldermen to accept the roads in Bridgemore Village.

Lee LaGraize – 3612 Lime Valley Bridge Rd – Supports the Bridgemore Village road acceptance.

BOMA Reports –

Alderman Dilks discuss the following items:

- The process of building permit procedures. Town Administrator Cosentini said a process is in place for monitoring permits and ensuring all necessary inspections are completed.
- Alderman Dilks informed the Board that during a recent Planning Commission meeting the Bridgemore Village Developer offered money to residents' contingent upon Town approval of Developer requests. Alderman Dilks said this behavior was not appropriate and might be illegal.
- The re-stripping of Critz Lane and Clayton Arnold. Mr. Cosentini stated that this is on schedule and should be completed soon.
- Capital Improvements.
- Town Staff allowing the Tollgate Village Developer to repeatedly violate Planning Commission submittal deadlines. Examples given were "at the last minute" submission of a Traffic Study, posting bonds/sureties, and the Town Traffic Engineer review of the Developer Traffic Study. Town Attorney Moore commented that the PC can adopt rules on submittal deadlines. Alderman Shepard said submittal deadlines already exist; are posted on the Town's web site; and he asked Town Staff to abide by its published deadlines because it makes Town Staff look like its providing special treatment to the Tollgate Developer.
- His lack of confidence in RPM because its traffic engineer did "a complete about face" and failed to stand by its written report findings that the Right In Right Out secondary access road proposed by the Tollgate Developer was not a good plan. Alderman Shepard also expressed "no confidence" in RPM because its traffic engineer did not stand by his written findings that the RIRO was unsafe and not justified. Both Alderman Dilks and Shepard stated their desire to outsource traffic study review work to a different company.
- Would like to know how many signatures would be required on a petition to ask the Sheriff's Department to enforce traffic laws on private subdivision streets.
- Speed limit signs within Canterbury. Town Administrator Cosentini agreed to post the signs.
- The status of the audio/visual equipment. Mr. Cosentini stated that it would be discussed at the capital improvements meeting.

Alderman Shepard discussed the following items:

- Alderman Shepard made a motion that Town Staff prepare a LDO amendment that would prohibit, not simply discourage, hilltop development. The motion was seconded by Alderman Dilks. After Town Administrator Cosentini suggested it would be better if the Planning Commission discussed the topic in its upcoming workshop, Alderman Shepard withdrew his motion.

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- Claim made by the Tollgate Village Developer that he must build homes on the hilltop because there is no open space in the back residential section where he could build homes in exchange. Alderman Shepard said if the Developer's claim was true then the Town's open space requirements were too low.
- Recording workshops going forward. Town Administrator Cosentini said he would record workshops.
- Alderman Shepard made a motion to direct Town Staff to make an amendment to our LDO that when we take over streets in a subdivision, we take over sidewalks and alleys as well.
- Alderman Shepard asked Town Attorney Moore if the Fire Truck purchase was properly done in accordance with State and Local laws. Town Attorney Moore said the Town "should have had an appraisal done" and "should have found another listing." Town Attorney Moore also cited a 2013 Tennessee Attorney General Opinion "on this specific question" which stated the Town "could not rely on the web site where this fire truck listing was found." Alderman Shepard noted that Town Attorney Moore just said the fire truck was not purchased properly.
- Alderman Shepard asked if the In Plain Sight professional services marketing contract was properly done in accordance with State and Local laws. Town Administrator Cosentini said the contract was not properly done.
- The clarity of the Purchasing Policy.
- If the Town Attorney had received a response from Crystal Clear that explains why Williamson County Schools does not have to pay an opt out fee. Town Attorney Moore said Crystal Clear did not provide any response.
- If the Town Attorney had received a response from the MBSC Attorney regarding MBSC's willingness to write a letter to Crystal Clear providing notice that the 25-year bulk agreements with the Bridgemore and Tollgate HOAs would not be renewed. Town Attorney Moore said he did not receive a response.
- Thompson's Station ordinance that allows apartments on the ground floor of mixed use buildings compared to Spring Hill and Nolensville which do not.

Town Administrator Report –

Mr. Cosentini updated the Board on the following:

- The public hearing and second reading for Ordinance 2017-005 (Zoning Amendment for the allowance of a Special Exception for Equipment Rental in the Community Commercial District) is being moved to the May meeting.
- The Town Attorney has sent a letter to the DA and the Sheriff requesting an investigation into the actions of Crystal Clear Technologies. This has been turned over to the TBI for investigation.
- The Planning Commission and BOMA held a work session on April 3rd to discuss proposed sign standards and LDO/General Plan amendments submitted by Alderman Shepard. Another work session has been scheduled to continue discussions.
- FY2018 Budget and Capital Improvements work session will take place at Town Hall on April 18th, 2017 at 7:00 pm.
- Staff met with the Two Farms team to discuss their proposed development. The developers are changing their original plans and submitting their application to Planning Commission for the April meeting.

Finance Report –

Mrs. Womack updated the Board on the financial reports.

Unfinished Business:

1. Acceptance of Bridgemore Village Phases 1 and 2A

Mr. Cosentini reviewed his report and recommended approval of the request for acceptance of the roads, storm drains, and wastewater facilities in Phases 1 and 2A in the Bridgemore Village subdivision, set maintenance surety amounts as recommended, object to the Road Easement, and require the applicant to file a quit-claim deed regarding the private technology easements

Before discussion, Alderman Stover made a motion to approve Acceptance of Bridgemore Village Phases 1 and 2A. Alderman Dilks asked that a contingency be added that the Town receive a favorable declaratory ruling on the private technology easements. This request was not granted. Some discussion followed and then Mayor Napier cut off discussion and called for a vote. The motion was seconded and carried by a vote of 3 to 2 with Aldermen Dilks and Shepard casting the dissenting votes.

2. Resolution 2017-001: A Resolution of the Town of Thompson's Station to approve a Subdivision Development Agreement with MBSC for Phase 15 of Tollgate Village and Authorize the Mayor to execute said Agreement.

Mr. Cosentini reviewed his report and recommended approval of Resolution 2017-001. Mr. Larry Papel, attorney representing MBSC and Mr. Brian Rowe, with Henry and Wallace, came forward to speak on behalf of MBSC.

After discussion, Alderman Dilks made a motion to approve Resolution 2017-001, a Resolution of the Town of Thompson's Station to approve a Subdivision Development Agreement with MBSC for Phase 15 of Tollgate Village and Authorize the Mayor to execute said Agreement with the following amendments:

Item 10 to read: Prior to the recordation of the final plat for Phase 15, all recommendations for traffic mitigation shall be satisfied per the timing of the traffic study with the following clarifications:

- a. **A traffic signal and turn lane shall be installed at the intersection of State Route 6 (Columbia Pike) and Tollgate Boulevard at the expense of the Developer and be operational prior to December 31, 2017.**
- b. **Prior to December 31, 2017, a "temporary not for public use base stone and gravel" road connecting Elliston Way to State Route 6 (Columbia Pike) shall be completed to a standard that the Williamson County Fire Department agrees remedies a known Fire Safety Code violation**
The motion was seconded and carried by all.

New Business:

- 3. Ordinance 2017-006: An Ordinance of the Board of Mayor and Aldermen of the Town of Thompson's Station, Tennessee to amend Section 3.7.3 of the Land Development Ordinance.**

Mr. Cosentini reviewed his report and recommended approval of the first reading of Ordinance 2017-006.

After discussion, Alderman Bell made a motion to approve Ordinance 2017-006, an Ordinance of the Board of Mayor and Alderman of the Town of Thompson's Station, Tennessee to amend Section 2.7.3 of the Land Development Ordinance. The motion was seconded and carried unanimously.

- 4. Resolution 2017-002: A Resolution of the Town of Thompson's Station to approve an Amendment to the Agreement for Assignment and Guarantee of sewer capacity with C&L Development, LLC.**

Mr. Cosentini reviewed his report and recommended approval of Resolution 2017-002.

After discussion, Alderman Dilks made a motion to approve Resolution 2017-002, A Resolution of the Town of Thompson's Station to approve an Amendment to the Agreement for Assignment and Guarantee of sewer capacity with C&L Development, LLC. The motion was seconded and approved unanimously.

- 5. Resolution 2017-003: A Resolution of the Town of Thompson's Station, Tennessee to amend the Town Administrator Employment Contract.**

After discussion, Alderman Bell made a motion to approve Resolution 2017-003, A Resolution of the Town of Thompson's Station, Tennessee to amend the Town Administrator Employment Contract, and to make it retroactive to January 1, 2017. The motion was seconded and carried unanimously.

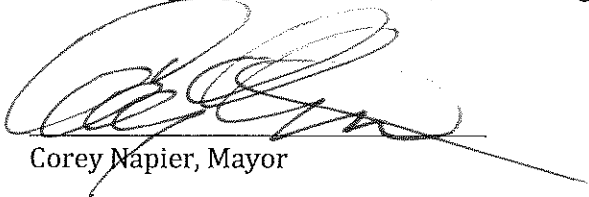
- 6. Resolution 2017-004: A Resolution of the Town of Thompson's Station, Tennessee adopting a public records policy.**


Mr. Cosentini reviewed his report and recommended approval of Resolution 2017-004.

After discussion, Alderman Stover made a motion to approve Resolution 2017-004, A Resolution of the Town of Thompson's Station, Tennessee adopting a public records policy. The motion was seconded and carried unanimously.

Adjourn

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


Corey Napier, Mayor


Jennifer Jones, Town Recorder