

Town of Thompson's Station
Board of Mayor and Aldermen
Minutes of the Meeting
June 10, 2014

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, June 10th with the required quorum. Members and staff in attendance were: Corey Napier, Mayor; Sarah Benson, Aldermen; Brinton Davis, Aldermen; Nina Cooper, Aldermen; Ron Barrett, Aldermen; Joe Cosentini, Town Administrator; Wendy Deats, Town Planner; Doug Goetsch, Town Finance Director; Richard King, Town Building Official; Leah Rainey, Town Recorder; and Todd Moore, Town Attorney.

Pledge of Allegiance.

Consideration of Minutes. The minutes of the May 13, 2014 meeting were previously submitted. Alderman Cooper moved for approval. The motion was seconded and carried unanimously.

Public Comments.

Matthew Gary of 2700 Brenda Street discussed concerns with board decisions regarding the financing of the town's sewer system repairs. He also discussed concern about the number of taps that had been approved while the system was undergoing repairs.

Willis Gilliam of 2104 Lewisburg Pike came forward and spoke on behalf of the Marlin family on Critz Lane. He said their property was still experiencing flooding problems due to issues with the holding pond at Bridgemore Village.

Mike McClanahan of 2740 Critz Lane discussed problems with the retention pond in Bridgemore. He said the developer had installed safeguards in the past to prevent flooding, but they had since been removed. He asked that those safeguards be reinstated as they originally were.

Unfinished Business.

1. Public Hearing and Second Reading of Ordinance 14-004 to adopt a Noise Ordinance

Mayor Napier opened the public hearing.

Rick and Linda Emeott of 2730 Critz Lane discussed concerns with the Noise Ordinance. They received a letter from the town regarding complaints from neighbors about noise from dirt bikes being ridden on their property. Mr. Emeott said he had met with town staff and had gotten quieter bikes. Mrs. Emeott said neighbors had never approached them directly to discuss the concerns.

Mark McClenahan of 2740 Critz Lane came forward and said he was the only neighbor who directly spoke to them about the issue. He said Mr. Emeott had gone from 2 stroke to 4 stroke

and that, upon measuring, it appeared the adjustment would put him in compliance with the proposed Noise Ordinance.

Willis Gilliam of 2104 Lewisburg Pike discussed concerns about the Noise Ordinance's potential implications for agricultural activities. He said maybe the standards should be adopted for subdivisions but not for rural areas.

George Ross of 2808 Critz Lane discussed concerns about the Noise Ordinance and discussed OSHA's noise requirements. He also said he felt the Ordinance was more appropriate as it applies to subdivisions than rural areas and he would like to see the ordinance tabled.

Sam Darling of 1536 Thompson's Station Road discussed concerns about the Noise Ordinance with regard to the decibel levels that were specified. He said he worried that everyday behaviors such as raking leaves or mowing the lawn would be criminalized according to the maximum decibel levels permitted in the ordinance.

There being no one else wishing to speak, Mayor Napier closed the public hearing.

Town Administrator Joe Cosentini said he appreciated the input provided during the public hearing and offered the clarification that the proposed Noise Ordinance was not in response to any particular complaint; it was just something he perceived as a deficiency that, if passed, would give the town the ability to respond to complaints when received. He noted that agricultural and lawn care activities were expressly exempt from the ordinance, and that several factors would be weighed in determining whether a violation exists, including the zoning of the subject property. He said staff could revisit the specific decibel levels put forth in the ordinance if the Board so wished.

After discussion, Alderman Davis moved to defer the Noise Ordinance. The motion was seconded and carried.

Mr. Moore said a deferral would need to be date-specific, or the Board could choose to table indefinitely.

Alderman Davis made a motion to amend his previous motion and table the Noise Ordinance indefinitely. The motion was seconded and carried unanimously.

Mr. Moore suggested that a new public notice be issued if or when the Noise Ordinance comes back before the board for further consideration.

2. Public Hearing and Second Reading of Ordinance 14-005 to rezone a property site located on Harpeth School Road from Low Intensity to Specific Plan

Mrs. Deats reviewed her staff report and said there were no changes from first reading. She noted that both she and the applicant were available for questions.

Mayor Napier opened the public hearing.

Willis Gilliam of 2104 Lewisburg Pike said he had personally spoken with all the neighbors when this project came before the Planning Commission and there was no opposition from any immediate neighbors that he was aware of.

There being no one else wishing to speak, Mayor Napier closed the public hearing.

Alderman Benson moved for approval. The motion was seconded and carried unanimously.

3. Public Hearing and Second Reading of Ordinance 14-006 to establish a Budget for FY 2014-2015

Town Administrator Joe Cosentini gave an overview of the proposed budget. He said there were no changes being proposed since first reading, and noted that no fee or tax increases were being proposed.

Mayor Napier opened the public hearing.

There being no one wishing to speak, Mayor Napier closed the public hearing.

Alderman Davis moved for approval. The motion was seconded and carried unanimously.

4. Public Hearing and Second Reading of Ordinance 14-007 to amend the budget for FY 2013-2014

Mr. Cosentini said one amendment had been made since last meeting. Mr. Goetsch said under the "payroll expense" line item there was an increase because of a request from external auditors to include unpaid compensation/accrued vacation pay for employees. The said the state street fund line item was further itemized to its three component parts, though the total amount was the same.

Mayor Napier opened the public hearing.

There being no one wishing to speak, Mayor Napier closed the public hearing.

Alderman Benson moved for approval. The motion was seconded and carried unanimously.

New Business:

1. Fields Property purchase proposal for financing

Mr. Cosentini said the town was considering borrowing money for the purpose of the Fields Property rather than spending out of reserves because interest rates were low. He said the town would still be well within its borrowing limits with this additional loan.

The board discussed the benefits of the property acquisition and the options for financing.

2. Resolution 14-015—calling for an Annexation By Referendum for certain property located at 4450 and 4460 Les Watkins Road and approving a Plan of Services for such property if annexed into the Town.

Mrs. Deats reviewed her staff report and noted that the applicant's goal was to get this referendum on the ballot for the upcoming August election. She noted the property was not in the Urban Growth Boundary and therefore referendum was the only method of annexation available. She said this property was adjacent to other parcels that were already within the town. She noted that the annexation would not entail a rezoning at this time; the property would retain the current zoning that exists under the county until a new use and zoning was approved.

After discussion, Alderman Cooper moved for approval. The motion was seconded and carried unanimously.

3. Explanation of Technology Easements

Mr. Cosentini discussed technology easements as noted on subdivision plats. He said staff was requiring that all technology easements be non-exclusive and re-labeled instead as "public utility easements."

Telecommunications Task Force member Brandon Bell gave an update on the committee's discussions about technology easements.

Reports.

Mr. Cosentini reviewed his administrator's report which was previously submitted.

There being no further business, the meeting was adjourned at 8:39 p.m.

Corey Napier, Mayor

Leah Rainey, Town Recorder