

**Town of Thompson's Station
Board of Mayor and Aldermen
Meeting Agenda
September 13, 2016**

Meeting Called To Order

Pledge Of Allegiance

Minutes-

Consideration Of The Minutes Of The August 9, 2016 Meeting And The August 18, 2016 Special Meeting.

Documents:

[08022016 MINUTES.PDF](#)

[08182016 MINUTES.PDF](#)

Public Comments-

Reports-

BOMA Report

Town Administrator Report

Finance Report

Documents:

[TW 1 2016 08 CASH REPORT.PDF](#)

[TW 2 2016 08 GENERAL FUND REVENUE 1.PDF](#)

[TW 3 2016 08 GENERAL FUND REVENUE 2.PDF](#)

[TW 4 2016 08 GENERAL FUND EXPENDITURES 1.PDF](#)

[TW 5 2016 08 GENERAL FUND EXPENDITURES 2.PDF](#)

[TW 6 2016 08 WASTEWATER FUND COMBINED 1.PDF](#)

[TW 7 2016 08 WASTEWATER FUND COMBINED 2.PDF](#)

Unfinished Business:

1. Public Hearing And Second Reading Of Ordinance 2016-013

An Ordinance of the Board of Mayor and Alderman of the Town of Thompson's Station, Tennessee to amend the Land Development Ordinance to provide clarification related to residential uses.

Documents:

[EXHIBIT A ORDINANCE 2016-013 LDO RESID USES.PDF](#)

[LDO AMEND ORD 2016-013 RESIDENTIAL USES.PDF](#)

[LDO AMENDMENTS 2ND READING RESIDENTIAL USES.PDF](#)

2. Public Hearing And Second Reading Of Ordinance 2016-014

An Ordinance granting Atmos Energy Corporation, Its Successors and Assigns, a franchise to provide the Town of Thompson's Station, Williamson County, Tennessee, with natural gas service, and the right to construct, maintain, and operate a system of gas mains and service pipes for the purpose of transmitting and distributing gas in, upon, across, along and under the highways, streets,

avenues, roads, alleys, lanes, ways, utility easements, parkways and other public grounds of the Town of Thompson's Station, Williamson County, Tennessee.

Documents:

[ATMOS GAS FRAN RENEWAL.PDF](#)

3. Wastewater - Whistle Stop

Documents:

[TA REPORT WS WASTEWATER 3.PDF](#)
[GSRM-PDC-659905-V1-WHISTLE_STOP_-_LETTER_TO_BOMA__J__COSENTINI_AND_T__MOORE.PDF](#)

New Business:

4. Resolution 2016-021

A Resolution of the Town of Thompson's Station, Tennessee to participate in the Pool's James L. Richardson "Driver Safety" Matching Grant Program.

Documents:

[RES 2016-021 DRIVER SAFETY GRANT.PDF](#)

Adjourn

*This meeting will be held at 7:00 p.m. at Thompson's Station Community Center
1555 Thompson's Station Road West*

Town of Thompson's Station
Board of Mayor and Aldermen
Minutes of the Meeting
August 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 7:00 p.m. on Tuesday, August 9, 2016 with the required quorum. Members and staff in attendance were: Alderman Brinton Davis; Alderman Sarah Benson; Alderman Graham Shepard; Alderman Brandon Bell; Town Administrator Joe Cosentini; Town Planner Wendy Deats; Town Finance Director Tammy Womack; Town Attorney Todd Moore and Town Clerk Jennifer Jones. Mayor Corey Napier was unable to attend.

Pledge of Allegiance.

Consideration of Minutes. The minutes of the June 14, 2016 Regular Meeting were submitted.

Alderman Benson moved to accept the minutes of the June 14, 2016 Regular meeting. The motion was seconded and carried unanimously.

Public Comments:

Jack Gray - 2065 Prescott Way, Spring Hill - With Anglin Septic Services. Mr. Gray requested a temporary reinstatement of the Town's acceptance of septage at the Regional Wastewater Facility for his hauling company due to an ongoing project in Spring Hill that has not yet been connected to public sewer. The Board informed Mr. Gray that the item would be placed on a future agenda for consideration.

BOMA Reports.

Alderman Shepard informed the Board that the FCC petition against Crystal Clear was filed today (Aug. 9, 2016). He also wants the Town to prosecute all builders that are in violation of the construction hours ordinance.

Town Administrator's Report

Mr. Cosentini reviewed his report regarding future development discussions. Staff met with Williamson County School representatives on August 4, 2016 for the pre-construction meeting on the new school at Bridgemore Village. The Town has received and reviewed a preliminary conceptual plan for a potential convenience store at the intersection of Critz Lane and Columbia Pike. Staff met with representatives of the Bryant Property regarding a potential commercial development on the site. The TDOT SIA Project for widening a portion of Columbia Pike is still scheduled for the August 17th letting.

Mr. Cosentini sent letters to the developer of Bridgemore Village and Tollgate Village regarding disputes about roadway maintenance and completion of infrastructure work. No response has been received. Staff will recommend that the Planning Commission suspend future plats in these subdivisions.

After a brief discussion, Alderman Bell made a motion to send a formal recommendation to the Planning Commission to suspend all plats in the subdivisions of Tollgate Village and Bridgemore Village until a resolution has been

established on the repair of the streets. The motion was seconded and carried by all.

Mr. Cosentini then informed the Board that he will be sending out some dates for a potential Special BOMA Session next week.

Finance Report

Mrs. Womack reviewed the financial report noting that the report has now expanded detail by department. She also noted that Wastewater Billing will now be outsourced. The cost is \$.25 per customer and includes remittance envelopes.

Unfinished Business:

- 1. Public Hearing and Second Reading of Ordinance 2016-011 – An ordinance of the Board of Mayor and Aldermen of the Town of Thompson’s Station, Tennessee to amend the Land Development Ordinance**

Public Comment:

None

Alderman Bell made a motion to approve Second Reading of Ordinance 2016-011 – An ordinance of the Board of Mayor and Aldermen of the Town of Thompson’s Station, Tennessee to amend the Land Development Ordinance. The motion was seconded and carried unanimously.

- 2. Public Hearing and Second Reading of Ordinance 2016-012 – An ordinance of the Board of Mayor and Aldermen of the Town of Thompson’s Station, Tennessee to amend Title 8 of the Municipal Code by adding a new Chapter 2 related to the sale of wine in retail food stores.**

Public Comment:

None

Alderman Bell made a motion to approve Second Reading of Ordinance 2016-012 – An ordinance of the Board of Mayor and Aldermen of the Town of Thompson’s Station, Tennessee to amend Title 8 of the Municipal Code by adding a new Chapter 2 related to the sale of wine in retail food stores. The motion was seconded and carried by a vote of 3 to 1 with Alderman Shepard voting against.

New Business:

- 3. First Reading of Ordinance 2016-008 – An Ordinance of the Board of Mayor and Aldermen of the Town of Thompson’s Station, Tennessee to amend the Town’s zoning map by rezoning certain properties generally located North of Thompson’s Station Road East, along the West side of Lewisburg Pike (State Route 106/Highway 431). East of Interstate 65 (Tax Map 154 50.00) from D1 – Low Intensity to Transect Community (TC) as shown on the attached map.**

Mrs. Deats reviewed her Staff report and based on findings for General Plan consistency, the Planning Commission recommends adoption of Ordinance 2016-008 to rezone the land north of

Thompson's Station Road East, along the west side of Lewisburg Pike (State Route 106/431), east of Interstate 65 (Map 154 50.00) for the Pleasant Creek neighborhood as Transect Community (TC).

Greg Gamble with Gable Design Collaborative came forward to speak on behalf of Pleasant Creek.

After discussion, Alderman Bell made a motion to approve First Reading of Ordinance 2016-008 – An Ordinance of the Board of Mayor and Aldermen of the Town of Thompson's Station, Tennessee to amend the Town's zoning map by rezoning certain properties generally located North of Thompson's Station Road East, along the West side of Lewisburg Pike (State Route 106/Highway 431). East of Interstate 65 (Tax Map 154 50.00) from D1 – Low Intensity to Transect Community (TC) as shown on the attached map with the following conditions:

- a. **More information be brought forth on the plan to help the general public understand the rezone at second reading.**
- b. **An update of the status of onsite sewer solutions.**

The motion was seconded and carried by all.

The second reading and public hearing was set for September 13, 2016.

4. First Reading of Ordinance 2016-013 – Land Development Ordinance Amendments re: Residential Uses.

Mrs. Deats reviewed her Staff report and recommended to the Board of Mayor and Aldermen pass on first reading the proposed amendment to the Land Development Ordinance and set a public hearing for September 13, 2016.

After discussion, Alderman Bell made a motion to approve First Reading of Ordinance 2016-013, Land Development Ordinance Amendments re: Residential Uses with the contingency that we are reviewing Items discussed today and working with Placemakers to get a revised draft. The motion was seconded and carried by all.

The second reading and public hearing was set for September 13, 2016.

5. First Reading of Ordinance 2016-014 – An Ordinance granting a franchise to Atmos Energy Corporation, Its Successors and Assigns for a period of Fifteen (15) years to erect, construct, reconstruct, maintain and operate a natural gas plant or plants for the manufacturing and processing of any and all kinds of gas and for the distribution of natural gas and for the installation and maintenance of mains, pipes, pipelines, distribution lines, and other equipment necessary or incidental to distribution of said gas upon, across, along and under the Highways, Streets, Avenues, Roads, Alleys, Lanes and other Public Grounds of the Town of Thompson's Station, Williamson County, Tennessee.

Mr. Cosentini reviewed his report and recommended that the Board of Mayor and Aldermen approve first reading of Ordinance 2016-014 granting a franchise to Atmos Energy Company corp.

Steven Steiger came forward to speak on behalf of Atmos Energy.

After discussion, Alderman Shepard made a motion to approve Ordinance 2016-014, An Ordinance granting a franchise to Atmos Energy Corporation, its successors and assigns for a period of 10 years for the manufacturing and processing of any and all kinds of gas and for the distribution of natural gas and for the installation and maintenance of mains, pipes, pipelines, distribution lines, and other equipment necessary or incidental to distribution of said gas upon, across, along and under the Highways, Streets, Avenues, Roads, Alleys, Lanes and other Public Grounds of the Town of Thompson's Station, Williamson County, Tennessee. The motion was seconded and failed by a vote of 2 to 2.

After discussion, Alderman Bell made a motion to approve the following: An Ordinance granting a franchise to Atmos Energy Corporation, its successors and assigns for a period of 10 years for the manufacturing and processing of any and all kinds of gas and for the distribution of natural gas and for the installation and maintenance of mains, pipes, pipelines, distribution lines, and other equipment necessary or incidental to distribution of said gas upon, across, along and under the Highways, Streets, Avenues, Roads, Alleys, Lanes and other Public Grounds of the Town of Thompson's Station, Williamson County, Tennessee with a zero fee for a period of 5 years and the ability to renegotiate the franchise fee in 5 years . The motion was seconded and carried by a vote of 3 to 1 with Alderman Davis casting the opposing vote.

- 6. Resolution 2016-013 - A Resolution of the Town of Thompson's Station, Tennessee to approve a Subdivision Development Agreement with BluePrint Properties for Phase 6 of Bridgemore Village and to Authorize the Mayor to Execute Said Agreement.**

Mr. Cosentini reviewed his report and recommended approval. Phillip Jones came forward to speak on behalf of the applicant and concurred that an agreement that is binding through the developer is also binding to anyone that they retain constructing on the sites, and also stated that it is a recorded plan that we (BluePrint) have to be compliant with.

After discussion, Alderman Bell made a motion to approve Resolution 2013-013 - A Resolution of the Town of Thompson's Station, Tennessee to approve a Subdivision Development Agreement with BluePrint Properties for Phase 6 of Bridgemore Village and to Authorize the Mayor to Execute Said Agreement, but striking Item number 5 from Section 7 of said Development Agreement. The motion was seconded and carried by all.

- 7. Resolution 2016-014 – A Resolution of the Town of Thompson's Station, Tennessee to approve a Subdivision Development Agreement with Hood Development LLC for Phase 11 of Fields of Canterbury and to Authorize the Mayor to Execute Said Agreement.**

Mr. Cosentini reviewed his staff report and recommended approval.

After discussion, Alderman Shepard made a motion to approve Resolution 2016-014 – A Resolution of the Town of Thompson's Station, Tennessee to approve a Subdivision Development Agreement with Hood Development LLC for Phase 11 of

Fields of Canterbury and to authorize the Mayor to Execute Said Agreement. The motion was seconded and carried by all.

8. Dedication of Public Improvements – Fields of Canterbury Phases 2 and 3 – Roads, Drainage and Sewer.

Mr. Cosentini reviewed his report and recommended approval for the request for acceptance of the roads, storm drains and wastewater facilities in Phases 2 and 3 in the Fields of Canterbury subdivision and set maintenance bond amounts as follows:

Phase 2 –	
Roads, Drainage, and Erosion Control	\$23,000
Wastewater	\$12,900
Phase 3 –	
Roads, Drainage, and Erosion Control	\$69,000
Wastewater	\$44,000

In addition, the plats for phases 2 and 3 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.

Bucky Ingram with Hood Development came forward to speak on behalf of the applicant and stated that the CCR's have been revised to take out the language that allowed us (Hood Development) to use an exclusive technology provider in the neighborhood (Fields of Canterbury).

After discussion, Alderman Bell made a motion to accept approval for the request for acceptance of the roads, storm drains and wastewater facilities in Phases 2 and 3 in the Fields of Canterbury subdivision minus sidewalks and alleys and set maintenance bonds as recommended. In addition, the plats for Phases 2 and 3 will need to be amended to remove the note that the Town of Thompson's Station is responsible for the sidewalks and assign this responsibility to the HOA. 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

Town of Thompson's Station
Board of Mayor and Aldermen
Minutes of the Meeting - Special Called
August 18, 2016

Call to Order.

The special meeting of the Board of Mayor and Aldermen of the Town of Thompson's Station was called to order at 6:00 p.m. on Tuesday, August 18, 2016 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 and Town Attorney Todd Moore.

New Business:

1. **Resolution 2016-016 – A Resolution of the Town of Thompson's Station, Tennessee to Approve a Scope of Work with Barge Waggoner Sumner & Cannon, Inc. for the re-design of Critz Lane**

Mr. Cosentini reviewed his Staff report and recommended approval.

Mayor Napier recused himself from voting due to a potential conflict of interest. After discussion, Alderman Bell made a motion to approve Resolution 2016-016, a Resolution of the Town of Thompson's Station, TN to approve a scope of work with Barge Waggoner Sumner & Cannon, Inc. for the re-design of Critz Lane with a contingency to clarify the schedule of services. The motion was approved and carried unanimously.

2. **Resolution 2016-017 – A Resolution of the Town of Thompson's Station, Tennessee to Approve a Scope of Work with Barge Waggoner Sumner & Cannon, Inc. for the Survey and Analysis of the Intersection of Thompson's Station Road East and Clayton Arnold Road.**

Mr. Cosentini reviewed his Staff report and recommended approval.

Mayor Napier recused himself from voting due to a potential conflict of interest. After discussion, Alderman Davis made a motion to approve Resolution 2016-017 – A Resolution of the Town of Thompson's Station, Tennessee to Approve a Scope of Work with Barge Waggoner Sumner & Cannon, Inc. for the Survey and Analysis of the Intersection of Thompson's Station Road East and Clayton Arnold Road with a contingency to clarify the schedule of services. The motion was seconded and carried unanimously.

3. **Resolution 2016-018 – A Resolution of the Town of Thompson's Station, Tennessee to Approve a Task Order with Smith, Seckman & Reid for Consulting Services Related to the Bidding and Construction Administration of the Drip Field Project Located on the North Side of Tollgate Village.**

Mr. Cosentini reviewed his Staff report and recommended approval.

After discussion, Alderman Bell made a motion to approve Resolution 2016-018, A Resolution of the Town of Thompson's Station, Tennessee to Approve a Task Order with Smith, Seckman & Reid for Consulting Services Related to the Bidding and

Construction Administration of the Drip Field Project Located on the North Side of Tollgate Village. The motion was seconded and carried unanimously.

- 4. Resolution 2016-019 – A Resolution of the Town of Thompson’s Station, Tennessee to Approve a Contract with First Response Environmental Group for the Regional Wastewater Plant Cell 1 Clean Out.**

Mr. Cosentini reviewed his Staff report and recommended approval.

After discussion, Alderman Davis made a motion to approve Resolution 2016-019 – a resolution of the Town of Thompson’s Station, Tennessee to approve a contract with First Response Environmental Group for the Regional Wastewater Plant Cell 1 clean out with the amendment that the general liability in each occurrence be increased to \$2 Million from \$1 Million. The motion was seconded and carried by all.

- 5. Wastewater Request – Anglin Septic Service for Temporary Access to the Regional Wastewater Plant**

Mr. Cosentini reviewed the request and recommended denial.

After discussion, Alderman Bell made a motion to deny the wastewater request from Anglin Septic Service for temporary access to the regional wastewater plant. The motion was seconded and carried by all.

The Board then went into an Executive Session at 6:45, returning to the Board of Mayor and Aldermen Meeting at 7:50.

Adjourn

There being no further business, the meeting was adjourned at 7:51 p.m.

Corey Napier, Mayor

Jennifer Jones, Town Recorder



**Town of Thompson's Station
Cash Balance Report
As of August 31, 2016**

	July 2016	August 2016
General Fund:		
Checking Account	224,474	183,163
Money Market Investment Accounts	6,472,779	6,624,015
Total General Fund Cash	6,697,253	6,807,178
Less: Developer Cash Bonds Held	(474,800)	(474,800)
Less: County Privilege Tax Held	(79,108)	(69,950)
Less: County Mixed Drink Tax Payable	(1,409)	(1,041)
Less: Capital Projects		
Greenway Trail	(822,433)	(822,433)
Mars PetCare SIA (State Industrial Access)	(100)	(100)
Parks	(65,283)	(62,478)
Community Center Design	(12,200)	(12,200)
Town Center	(350,000)	(350,000)
Critz Lane Design	(46,825)	(46,825)
Miscellaneous	(22,587)	(22,587)
Cash Available - General Fund	4,822,507	4,944,763
Wastewater Fund:		
Checking Account	199,191	102,149
Money Market Investment Accounts	2,264,329	2,364,697
Total Wastewater Fund Cash	2,463,521	2,466,845
Cash Available - Wastewater Fund	2,463,521	2,466,845
Total Cash Available	7,286,028	7,411,608



**Town of Thompson's Station
General Fund Revenue Analysis
As of August 31, 2016**

**Year to Date
Actual versus Budget**

	<u>July 2016</u>	<u>August 2016</u>	<u>Budget</u>	<u>% of Budget</u>	<u>Comment</u>
31111 Real Property Tax Revenue	527	646	150,000	0%	
31310 Interest & Penalty Revenue	25	34	-		
31610 Local Sales Tax - Trustee	68,908	138,992	700,000	20%	
31710 Wholesale Beer Tax	8,892	18,950	100,000	19%	
31720 Wholesale Liquor Tax	244	520	-		
31810 City Portion of County Priv Tax	3,708	6,579	35,000	19%	
31900 CATV Franchise Fee Income	478	3,632	12,000	30%	Paid quarterly
32000 Beer Permits	-	-	500	0%	
32200 Building Permits	25,786	50,835	396,000	13%	
32230 Submittal & Review Fees	2,379	13,781	30,000	46%	Tollgate Sect. 16 & 17
32242 Miscellaneous Fees	20	30	105	29%	
32260 Business Tax Revenue	481	3,176	75,000	4%	
32300 Impact Fees	38,341	73,316	742,500	10%	
33320 TVA Payments in Lieu of Taxes	-	-	29,000	0%	
33510 Local Sales Tax - State	18,070	37,823	170,000	22%	
33520 State Income Tax	377,065	377,065	100,000	377%	Hall Income Tax
33530 State Beer Tax	-	-	1,000	0%	
33535 Mixed Drink Tax	1,409	2,450	4,000	61%	
33552 State Streets & Trans. Revenue	455	909	5,500	17%	
33553 SSA - Motor Fuel Tax	4,440	9,181	48,000	19%	
33554 SSA - 1989 Gas Tax	720	1,481	7,700	19%	
33555 SSA - 3 Cent Gas Tax	1,336	2,749	14,300	19%	
33725 Greenways & Trails Grant	-	-	599,000	0%	
36120 Interest Earned - Invest. Accts	1,173	2,409	7,500	32%	
37746 Pavilion & Comm. Ctr. Rental	150	1,284	10,000	13%	
37747 Pavilion Comm. Ctr Dep Refund	(600)	(800)	(6,000)	13%	
37990 Other Revenue	950	1,200	-		
39999 Budgeted Fund Balance - GF	-	-	-		
Total Revenue	554,957	746,242	3,231,105		



Town of Thompson's Station
 General Fund Revenue Analysis
 As of August 31, 2016

Month to Month
 Trend Analysis

	<u>July 2016</u>	<u>August 2016</u>	<u>Current Change</u>	<u>Comment</u>
31111 Real Property Tax Revenue	527	119	(408)	
31310 Interest & Penalty Revenue	25	9	(16)	
31610 Local Sales Tax - Trustee	68,908	70,084	1,176	
31710 Wholesale Beer Tax	8,892	10,058	1,166	
31720 Wholesale Liquor Tax	244	276	32	
31810 City Portion of County Priv Tax	3,708	2,871	(837)	
31900 CATV Franchise Fee Income	478	3,154	2,676	Paid quarterly
32000 Beer Permits	-	-	-	
32200 Building Permits	25,786	25,049	(737)	
32230 Submittal & Review Fees	2,379	11,402	9,023	Tollgate Sect. 16 & 17
32242 Miscellaneous Fees	20	10	(10)	
32260 Business Tax Revenue	481	2,695	2,214	
32300 Impact Fees	38,341	34,975	(3,366)	
33320 TVA Payments in Lieu of Taxes	-	-	-	
33510 Local Sales Tax - State	18,070	19,753	1,683	
33520 State Income Tax	377,065	-	(377,065)	Received annually
33530 State Beer Tax	-	-	-	
33535 Mixed Drink Tax	1,409	1,041	(368)	
33552 State Streets & Trans. Revenue	455	454	(1)	
33553 SSA - Motor Fuel Tax	4,440	4,741	301	
33554 SSA - 1989 Gas Tax	720	761	41	
33555 SSA - 3 Cent Gas Tax	1,336	1,413	77	
33725 Greenways & Trails Grant	-	-	-	
36120 Interest Earned - Invest. Accts	1,173	1,236	63	
37746 Pavilion & Comm. Ctr. Rental	150	1,134	984	
37747 Pavilion Comm. Ctr Dep Refund	(600)	(200)	400	
37990 Other Revenue	950	250	(700)	
39999 Budgeted Fund Balance - GF	-	-	-	
Total Revenue	<u>554,957</u>	<u>191,285</u>	<u>(363,672)</u>	



**Town of Thompson's Station
General Fund Expenditure Analysis
As of August 31, 2016**

**Year to Date
Actual versus Budget**

	August 2016	Budget	% of Budget	Comment
<u>BOMA</u>				
41110 Salaries	6,285	30,000	21%	
41141 FICA	388	2,000	19%	
41142 Medicare	91	500	18%	
41147 SUTA	150	300	50%	
41161 General Expenses	-	1,000	0%	
TOTAL BOMA	6,914	33,800		
<u>Town Administration</u>				
41110 Salaries	21,245	140,000	15%	
41141 FICA	1,315	9,000	15%	
41142 Medicare	308	2,000	15%	
41147 SUTA	1	1,000	0%	
41235 Memberships & Subscriptions	1,241	1200	102%	TML Membership
41280 Travel	29	1500	2%	
41285 Continuing Education	-	500	0%	
41289 Retirement	1,060	7000	15%	
TOTAL Town Administration	25,199	162,200		
<u>Finance</u>				
41110 Salaries	11,467	110,000	10%	
41141 FICA	710	7,000	10%	
41142 Medicare	166	1,500	11%	
41147 SUTA	1	1,000	0%	
41235 Memberships & Subscriptions	419	500	0%	
41253 Prof. Fees - Auditor	2,500	13,500	0%	
41280 Travel	149	500	0%	
41285 Continuing Education	110	1,000	0%	
41289 Retirement	847	5,500	15%	
41551 Trustee Commission	11	3,000	0%	
41691 Bank Charges	-	2,000	0%	
TOTAL Finance	16,380	145,500		
<u>Planning & Zoning</u>				
41110 Salaries	10,734	115,000	9%	
41141 FICA	662	7,500	9%	
41142 Medicare	155	1,800	9%	
41147 SUTA	13	800	2%	
41230 Recording & Filing Fees	-	1,000	0%	
41231 Legal Notices	65	3,000	0%	
41235 Memberships & Subscriptions	-	500	0%	
41254 Prof. Fees - Consulting Engineers	7,058	40,000	18%	
41280 Travel	-	500	0%	
41285 Continuing Education	-	1,000	0%	
41289 Retirement	509	5,750	9%	
TOTAL Planning & Zoning	19,196	176,850		



Town of Thompson's Station
 General Fund Expenditure Analysis
 As of August 31, 2016

Year to Date
 Actual versus Budget

	<u>August 2016</u>	<u>Budget</u>	<u>% of Budget</u>	<u>Comment</u>
<u>Building & Codes Enforcement</u>				
41110 Salaries	10,714	135,000	8%	
41141 FICA	662	8,500	8%	
41142 Medicare	155	2,000	8%	
41147 SUTA	1	1,000	0%	
41235 Memberships & Subscriptions	50	500	0%	
41285 Continuing Education	180	1,000	18%	
41289 Retirement	524	6,750	8%	
TOTAL Building & Codes Enforcement	12,286			
<u>Streets & Maintenance</u>				
41110 Salaries	14,043	95,000	15%	
41141 FICA	867	6,000	14%	
41142 Medicare	203	1,500	14%	
41147 SUTA	1	1,000	0%	
41235 Memberships & Subscriptions	-	500	0%	
41264 Repairs & Maintenance - Vehicles	209	10,000	0%	
41266 Repairs & Maintenance - Buildings	1,378	30,000	5%	
41268 Repairs & Maintenance - Roads	7,837	291,005	3%	
41269 SSA - Street Repair Expense	-	70,000	0%	
41270 Vehicle Fuel & Oil	724	15,000	0%	
41285 Continuing Education	-	1,000	0%	
41289 Retirement	788	4,750	17%	
TOTAL Streets & Maintenance	26,050	525,755		
<u>Information Technology</u>				
41110 Salaries	6,676	45,000	15%	
41141 FICA	413	3,000	14%	
41142 Medicare	97	700	14%	
41147 SUTA	-	500	0%	
41235 Memberships & Subscriptions	-	500	0%	
41285 Continuing Education	-	1,000	0%	
41289 Retirement	244	2,250	11%	
TOTAL Information Technology	7,430	52,950		
<u>Town Hall</u>				
41211 Postage	252	1,000	25%	
41221 Printing, Forms & Photocopy	875	6,000	15%	
41241 Utilities - Electricity	871	14,000	6%	
41242 Utilities - Water	329	2,300	14%	
41244 Utilities - Gas	151	2,000	12%	
41245 Telecommunications Expense	521	4,500	12%	
41259 Prof. Fees - Other	5,000	50,000	10%	
41300 Economic Development	5,668	7,500	76%	Williamson Inc.
41311 Office Expense	2,440	15,000	16%	
41511 Insurance - Property	2,559	2,800	91%	Paid annually
41512 Insurance - Workers Comp.	7,933	14,600	54%	Paid annually
41513 Insurance - Liability	4,446	4,500	99%	Paid annually
41514 Insurance - Medical	17,311	100,000	17%	
41515 Insurance - Auto	1,676	2,300	73%	Paid annually
41516 Insurance - E & O	10,695	12,000	89%	Paid annually
41720 Donations	-	100,000	0%	
41899 Other Expenses	1,438	10,000	14%	
49030 Capital Outlay Note Payment	-	160,000	0%	
TOTAL Town Hall	62,165	508,500		



**Town of Thompson's Station
General Fund Expenditure Analysis
As of August 31, 2016**

**Year to Date
Actual versus Budget**

	<u>August 2016</u>	<u>Budget</u>	<u>% of Budget</u>	<u>Comment</u>
<u>Legal</u>				
41252 Prof. Fees - Legal Fees	9,420	100,000	9%	
41255 Prof. Fees - Municipal Court	-	6,000	0%	
TOTAL Legal	9,420	106,000		
<u>Parks & Recreation</u>				
41265 Parks & Recreation Expense	1,692	20,000	8%	
TOTAL Parks & Recreation	1,692			
<u>Animal Control</u>				
41291 Animal Control Services	-	3,300	0%	
TOTAL Animal Control	-			
<u>Transfers</u>				
41940 Transfer to Capital	3,305	1,341,500	0%	
TOTAL Transfers	3,305			
<u>Combined Total</u>				
41110 Salaries	81,164	670,000	12%	
41141 FICA	5,017	43,000	12%	
41142 Medicare	1,175	10,000	12%	
41147 SUTA	167	5,600	3%	
41161 General Expenses	-	1,000	0%	
41211 Postage	252	1,000	25%	
41221 Printing, Forms & Photocopy	875	6,000	15%	
41230 Recording & Filing Fees	-	1,000	0%	
41231 Legal Notices	65	3,000	2%	
41235 Memberships & Subscriptions	1,696	3,700	46%	Various annual dues
41241 Utilities - Electricity	871	14,000	6%	
41242 Utilities - Water	329	2,300	14%	
41244 Utilities - Gas	151	2,000	8%	
41245 Telecommunications Expense	521	4,500	12%	
41252 Prof. Fees - Legal Fees	9,420	100,000	9%	
41253 Prof. Fees - Auditor	2,500	13,500	19%	
41254 Prof. Fees - Consulting Engineers	7,058	40,000	18%	
41255 Prof. Fees - Municipal Court	-	6,000	0%	
41259 Prof. Fees - Other	5,000	50,000	10%	
41264 Repairs & Maintenance - Vehicles	209	10,000	2%	
41265 Parks & Recreation Expense	2,041	20,000	10%	
41266 Repairs & Maintenance - Buildings	1,778	30,000	6%	
41268 Repairs & Maintenance - Roads	7,837	291,005	3%	
41269 SSA - Street Repair Expense	-	70,000	0%	
41270 Vehicle Fuel & Oil	724	15,000	5%	
41280 Travel	178	2,500	7%	
41285 Continuing Education	290	5,500	5%	
41289 Retirement	3,972	32,000	12%	
41291 Animal Control Services	-	3,300	0%	
41300 Economic Development	5,668	7,500	76%	Williamson Inc.
41311 Office Expense	2,440	15,000	16%	
41511 Insurance - Property	2,559	2,800	91%	
41512 Insurance - Workers Comp.	7,933	14,600	54%	
41513 Insurance - Liability	4,446	4,500	99%	
41514 Insurance - Medical	17,287	100,000	17%	
41515 Insurance - Auto	1,676	2,300	73%	
41516 Insurance - E & O	10,695	12,000	89%	
41551 Trustee Commission	11	3,000	0%	
41691 Bank Charges	-	2,000	0%	
41720 Donations	-	100,000	0%	



Town of Thompson's Station
 General Fund Expenditure Analysis
 As of August 31, 2016

Year to Date
 Actual versus Budget

	<u>August 2016</u>	<u>Budget</u>	<u>% of Budget</u>	<u>Comment</u>
<u>Combined Total Con't</u>				
41899 Other Expenses	1,438	10,000	14%	
41940 Transfer to Capital	3,305	1,341,500	0%	
49030 Capital Outlay Note Payment	-	160,000	0%	
TOTAL	190,748	3,231,105		
NET INCOME	555,494	-		



**Town of Thompson's Station
General Fund Expenditure Analysis
As of August 31, 2016**

**Month to Month
Trend Analysis**

	July 2016	August 2016	Current Change	Comment
Combined Total				
41110 Salaries	44,067	37,097	(6,970)	
41141 FICA	2,722	2,295	(427)	
41142 Medicare	637	538	(99)	
41147 SUTA	167	-	(167)	
41161 General Expenses	-	-	-	
41211 Postage	47	205	158	
41221 Printing, Forms & Photocopy	378	497	119	
41230 Recording & Filing Fees	-	-	-	
41231 Legal Notices	-	65	65	
41235 Memberships & Subscriptions	853	843	(10)	
41241 Utilities - Electricity	-	871	871	
41242 Utilities - Water	-	329	329	
41244 Utilities - Gas	76	75	(1)	
41245 Telecommunications Expense	200	321	120	
41252 Prof. Fees - Legal Fees	-	9,420	9,420	Timing
41253 Prof. Fees - Auditor	-	2,500	2,500	
41254 Prof. Fees - Consulting Engineers	7,058	-	(7,058)	
41255 Prof. Fees - Municipal Court	-	-	-	
41259 Prof. Fees - Other	2,000	3,000	1,000	
41264 Repairs & Maintenance - Vehicles	-	209	209	
41265 Parks & Recreation Expense	819	1,222	403	
41266 Repairs & Maintenance - Buildings	428	1,350	922	
41268 Repairs & Maintenance - Roads	2,015	5,822	3,807	
41269 SSA - Street Repair Expense	-	-	-	
41270 Vehicle Fuel & Oil	-	724	724	
41280 Travel	29	149	120	
41285 Continuing Education	115	175	60	
41289 Retirement	2,121	1,851	(270)	
41291 Animal Control Services	-	-	-	
41300 Economic Development	668	5,000	4,332	Williamson Inc.
41311 Office Expense	480	1,960	1,480	
41511 Insurance - Property	2,559	-	(2,559)	Paid annually
41512 Insurance - Workers Comp.	7,933	-	(7,933)	Paid annually
41513 Insurance - Liability	4,446	-	(4,446)	Paid annually
41514 Insurance - Medical	8,643	8,644	1	
41515 Insurance - Auto	1,676	-	(1,676)	Paid annually
41516 Insurance - E & O	10,695	-	(10,695)	Paid annually
41551 Trustee Commission	11	-	(11)	
41691 Bank Charges	-	-	-	
41720 Donations	-	-	-	
41899 Other Expenses	22	1,416	1,394	
41940 Transfer to Capital	500	2,805	2,305	
49030 Capital Outlay Note Payment	-	-	-	
TOTAL	101,365	89,383	(11,983)	



Town of Thompson's Station
Wastewater Fund Revenue and Expense Analysis
As of August 31, 2016

Year to Date
Actual versus Budget

	July 2016	August 2016	Budget	% of Budget	Comment
Revenue					
3100 Wastewater Treatment Fees	71,753	145,835	550,000	27%	
3101 Septage Disposal Fees	-	1,700	10,000	17%	
3105 Late Payment Penalty	1,350	3,022	-	100%	
3109 Uncollectible Accounts	-	-	(5,000)	0%	
3300 Tap Fees	476,026	506,152	687,500	74%	School paid in July 2016
3902 Interest Income - Invest Accts	298	665	500	133%	
4009 Returned Check Charges	35	35	-	100%	
TOTAL REVENUE	549,462	657,410	1,243,000		
Expense					
4010 Payroll Expense	3,917	15,669	110,000	14%	
4100 Capital Expenditures	-	16,608	328,500	5%	SIA - 50% Reimbursable
4150 WW Infrastructure Installed	-	-	25,000	0%	
4210 Permits & Fees Expense	-	-	10,000	0%	
4220 Laboratory Water Testing	-	750	12,000	6%	
4230 Supplies Expense	-	295	7,500	4%	
4240 Repairs & Maint. Expense	-	29,733	82,000	36%	Truck Purchase
4250 Fuel & Oil Expense	-	-	4,000	0%	
4280 Billing Charges	423	912	16,000	6%	
4310 Utilities - Electric	-	9,610	100,000	10%	
4320 Utilities - Water	291	682	2,500	27%	
4390 Insurance Expense	20,975	20,975	20,000	105%	True allocation
4400 Prof. Fees-Consulting Engineers	-	-	75,000	0%	
4420 Prof. Fees - Auditor	-	-	2,000	0%	
4490 Prof. Fees - Other	-	-	10,000	0%	
4710 Payroll Taxes - FICA	242	969	7,000	14%	
4720 Payroll Taxes - Medicare	57	227	2,000	11%	
4730 Payroll Taxes - SUTA	-	1	1,000	0%	
4789 Employee Retirement Expense	195	782	6,000	13%	
4800 Bank Charges	13	13	500	3%	
4900 Other Expense	520	520	1,000	52%	TAUD dues
4990 Depreciation Expense	22,917	45,834	275,000	17%	
4993 Loan Repayment-Franklin Synergy	9,259	18,519	-		Budgeting error
4994 Interest Expense	1,566	3,166	22,000	14%	Budgeting error
4995 Interest Expense - Interfund Loan	-	-	12,000	0%	Budgeting error
TOTAL EXPENSE	60,375	165,264	1,131,000		
NET INCOME	489,087	492,146	112,000		



Town of Thompson's Station
Wastewater Fund Revenue and Expense Analysis
As of August 31, 2016

**Month to Month
Trend Analysis**

	July 2016	August 2016	Current Change	Comment
Revenue				
3100 Wastewater Treatment Fees	71,753	74,082	2,329	
3101 Septage Disposal Fees	-	1,700	1,700	
3105 Late Payment Penalty	1,350	1,672	322	
3109 Uncollectible Accounts	-	-	-	
3300 Tap Fees	476,026	30,126	(445,900)	School paid in July 2016
3902 Interest Income - Invest Accts	298	367	69	
4009 Returned Check Charges	35	-	(35)	
TOTAL REVENUE	549,462	107,947	(441,515)	
Expense				
4010 Payroll Expense	3,917	11,752	7,835	
4100 Capital Expenditures	-	16,608	16,608	SIA - 50% Reimbursable
4150 WW Infrastructure Installed	-	-	-	
4210 Permits & Fees Expense	-	-	-	
4220 Laboratory Water Testing	-	750	750	
4230 Supplies Expense	-	295	295	
4240 Repairs & Maint. Expense	-	29,733	29,733	Truck Purchase
4250 Fuel & Oil Expense	-	-	-	
4280 Billing Charges	423	489	66	
4310 Utilities - Electric	-	9,610	9,610	Timing
4320 Utilities - Water	291	391	100	
4390 Insurance Expense	20,975	-	(20,975)	Insurance paid annually
4400 Prof. Fees-Consulting Engineers	-	-	-	
4420 Prof. Fees - Auditor	-	-	-	
4490 Prof. Fees - Other	-	-	-	
4710 Payroll Taxes - FICA	242	727	485	
4720 Payroll Taxes - Medicare	57	170	113	
4730 Payroll Taxes - SUTA	-	1	1	
4789 Employee Retirement Expense	195	587	392	
4800 Bank Charges	13	-	(13)	
4900 Other Expense	520	-	(520)	
4990 Depreciation Expense	22,917	22,917	-	
4993 Loan Repayment-Franklin Synergy	9,259	9,260	1	
4994 Interest Expense	1,566	1,600	34	
4995 Interest Expense - Interfund Loan	-	-	-	
TOTAL EXPENSE	60,375	104,890	44,515	
NET INCOME	489,087	3,057	(486,030)	

EXHIBIT A

LAND DEVELOPMENT ORDINANCE

GENERAL PROVISIONS

Town of Thompson's Station

Public Way: Any publicly owned street, alley, sidewalk, or right-of-way which provides for movement of pedestrians or vehicles.

Public use land: any land that is determined by the Board of Mayor and Aldermen to provide community benefit to the Town.

Push cart: any rubber-wheeled vehicle or portable cart used for displaying, keeping or storing any article by a vendor or peddler (other than a motor vehicle, bicycle or trailer) which may be moved without the assistance of a motor and which does not require registration by the state department of motor vehicles, and from which prepared food, fruit, merchandise, drink, and flowers may be sold.

Queue: a temporary waiting area for vehicles obtaining a service, food, or similar activity.

Ramble: an open space located in the middle of a block. While public, the space is an amenity largely utilized by the properties surrounding the space.

Reach: A hydraulic engineering term to describe longitudinal segments of a stream or river. A reach generally includes the segment of the flood hazard area where flood heights are influenced by a man-made area or natural obstruction.

Reasonably safe from flooding: base flood waters will not inundate the land or damage structures to be removed from the Special Flood Hazard Area and that any subsurface waters related to the base flood will not damage existing or proposed structures.

Recreation, active: leisure activities that require the development of a site, such as sports fields, swimming pools, etc.

Recreational facility: a land use which includes, but is not limited to parks, swimming pools, etc.

Recreational vehicle: a vehicle which is built on a single chassis; 400 square feet or less when measured at the largest horizontal projection; designed to be self-propelled or permanently towable by a light duty truck; designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Recreation, passive: leisure activities that require little to no alteration or formal development of a site for public or private enjoyment.

Regulating Plan: a zoning map or set of maps that show the transect zoning districts, civic zoning districts, special districts, special requirements, and thoroughfare assignments of areas subject to, or potentially subject to, regulation by this Section.

Regulatory floodway: the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Regulatory Flood Protection Elevation: The elevation not less than one (1) foot above the water surface profile associated with the Regulatory Flood.

Renovation: means physical improvements that increase the value of the real property.

Residential Use: characterizing premises available for long-term human dwelling. Residential uses have definitions applicable to ownership and definitions applicable to building type as follows:

Residential Ownership:

Apartment: Any residential building containing four or more residential units for occupancy of four separate families living independent of one another with the individual units leased to occupants.

Condominium: A form of ownership of less than the whole of a building or system of buildings under the provisions of Title 66, Chapter 27, Tennessee Code, which provides the mechanics and facilities for formal filing and recordation of divided interests in real property, whether the division is vertical or horizontal.

Fee Simple: A form of absolute ownership that is free of any other claims against the title such as a single family detached property.

Residential Building Types:

Apartment Building: This residential building type is urban in character and frequently is a multi-story

building. It is a single use residential building.

Duplex: Two (2) dwelling units sharing a detached building, each dwelling unit provides a residence for a single family.

Garden Apartment: A cluster of low-rise buildings, usually no more than two or three stories high, on a single piece of property. Open lawns, landscaping, and pathways are considered common areas for garden apartment rentals, and some garden apartment complexes have amenities such as pools, clubhouses, playgrounds, and gyms on the property as well.

Live-Work: a mixed-use unit consisting of a commercial and residential function. The commercial function may be anywhere in the unit. It is intended to be occupied by a business operator who lives in the same structure that contains the commercial activity or industry.

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.

Single-family: A building used as a residence for a single family. This is a general term and may apply to a house or a townhouse with fee simple ownership.

Townhouse: a single-family dwelling that shares a party wall with another of the same type and occupies the full frontage line.

Triplex: Three (3) dwelling units sharing a detached building, each dwelling unit provides a residence for a single family.

Resubdivision: A change in a map of any approved or recorded subdivision plat altering the lots incorporated within the confines of the original plat.

Retail: characterizing premises available for the sale of merchandise and food service.

Retail Frontage: a frontage designated on a regulating plan that requires or recommends the provision of a shopfront, encouraging the ground level to be available for retail use. See special requirements.

Retirement home: age restricted housing units designed to meet the needs of persons 55 years and older.

Ridgeline: the crest or line of the hill that connects the two highest points.

Right-of-Way: A strip of land occupied or intended to be occupied by a public way crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer line, or for another similar use. The usage of the term "right-of-way", for land platting purposes, shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and shall not be included within the dimensions or areas of such lots or parcels.

Riverine: relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

Road (RD): a local, rural and suburban thoroughfare of low-to-moderate vehicular speed and capacity. Roads tend to be rural in character without curbs or striping.

Rooming house: a residential structure with rooms available for renting for a definite time frame however no dining facilities are available to tenant.

Same Ownership: Ownership by the same person, corporation, firm entity, partnership, or unincorporated association or ownership by different corporations, firms, partnerships, entities, or unincorporated associations, in which a stockholder, partner, associate, or a member of his family owns an interest in each corporation, firm, partnership, entity, or unincorporated association.

Secondary Frontage: on corner lots, the private frontage that is not the principal frontage. As it affects the public realm, its first layer is regulated.

Sediment: solid material, both inorganic (mineral) and organic, that is in suspension, is being transported, or has been moved from the site of origin by wind, water, gravity, or ice as a product of erosion.

Sedimentation: the process of forming or settling out of transported soil particles. Sedimentation occurs when the velocity of water or wind in which soil particles are suspended is slowed to a degree and for a period of time sufficient to allow the particles to settle out of suspension, or when the degree of slope is lessened to

nonconforming use.

- 4.2.2 Any legal nonconforming lot, use, sign, or structure may be continued so long as it remains otherwise lawful, except as otherwise provided in this article. All nonconforming uses shall be encouraged to convert to conformity wherever possible and shall be required to convert to conforming status as required by this Section.
- 4.2.3 The burden of establishing that any nonconforming use is a legal nonconforming use, as defined by this Section, shall, in all cases, be upon the owner of the nonconforming use and not upon the Town.
- 4.2.4 A nonconforming structure which is damaged may be restored, provided the restoration is started within six months of the damage and does not exceed the original footprint or volume.
- 4.2.5 A structure or parcel which has been nonconforming, and which hereafter becomes vacant and remains vacant or is not used for a continuous period of 30 months or more is not to be occupied thereafter except by a conforming use and form as specified in the regulations of the zone in which such structure is located.

4.3 Special Requirements

- 4.3.1 A concept plan may designate any of the following special requirements to be applied according to the standards of this article. These restrictions are applied to the plat by the applicant, and shall be applied as follows:
 - a. A differentiation of the thoroughfares as a-grid and b-grid. Frontages located more than 100' from the a-grid can be considered for private frontage exceptions by the Town Planner. The frontages assigned to the b-grid shall not exceed 30% of the total length of frontages within a pedestrian shed.
 - b. Mandatory and/or recommended retail frontage, requiring or advising that a building provide a shopfront at sidewalk level along the entire length of its private frontage. The shopfront shall be no less than 50% glazed in clear glass as generally described in Table 4.17 and specified in §4.8 Transect Zoning District Frontage Requirements.
 - c. Build-to line, requiring the placement of the building facade along the line.
 - d. Mandatory and/or recommended terminated vista locations, requiring or advising that the building be provided with architectural articulation of a type and character that responds visually to the location.
 - e. Cross block passages, requiring that a minimum 8-foot-wide pedestrian access be reserved between buildings.

4.4 Lot Standards

- 4.4.1 Lot size is limited for newly platted lots, lot assemblies and lot subdivisions according to Table 4.6 – Table 4.16. Lot width is measured along the primary frontage. See Table 3.2 Facades, Elevations, and Lot Lines Illustrated.
 - a. Lot widths on curves may be reduced to 35 feet minimum in T3, D1, D2, and D3.

4.4.2 New Transect Communities require a mix of lot sizes as follows:

- a. **Applicable to T3.**
 - i. **Pedestrian sheds shall have no less than three lot sizes varying by a minimum of five feet in width.**
 - ii. **Blocks shall be composed of a minimum of two different lots sizes varying by a minimum of five feet in width.**
 - iii. **No single lot width may represent more than 60 percent of the total number of lots within a pedestrian shed.**
- b. **Applicable to T4.**

Town of Thompson's Station

- i. Pedestrian sheds shall have no less than two lot sizes varying by a minimum of five feet in width.
- ii. Blocks shall be composed of a minimum of two different lot sizes varying by a minimum of five feet in width.
- iii. No single lot width may represent more than 60 percent of the total number of lots within a pedestrian shed.

4.4.3 Utilities and Telecommunication Easements

- a. Easements shall be provided for all proposed utilities and technology (public and private), including but not limited to water, electric, sewer, fiber optic, cable, telecommunications, etc. to the satisfaction of the utility provider and the Town Planning Commission.
- b. Except as otherwise specifically provided herein, all building or building areas on lots within the Town shall have permanent and direct access to a public easement for utilities and/or telecommunication.
- c. No building may be constructed within the Town without such access. Access shall be suitable to provide ingress and egress to the buildings and other structures for water, sewer, telephone, cable, internet or any other similar telecommunication service, whether such service is offered through public and/or private entities. Any obstruction or encumbrance on such access, including any private easement that purports to prohibit or restrict access, shall be deemed a nuisance and in violation of this ordinance.
- d. Easements a minimum of five (5) feet in width shall be provided for dry utilities, and easements a minimum of ten (10) feet in width shall be provided for wet utilities. The subdivider shall take such actions as necessary to ensure the coordination and continuation of utility easements established on adjacent properties. All easements, including but not limited to water, sewer, electric, cable, telecommunications, etc. shall be indicated on the plat.

4.5 Lot Use Restrictions

4.5.1 General to all zones:

- a. Lot use and building type is limited according to Table 4.1, Table 4.2, Table 4.3 and Table 4.4. Any use not listed may be considered a permitted use under the broad categories of residential, lodging, office, retail, service, institutional, agriculture, automotive, civil support, education, and industrial by the Planning Commission.
- b. Home occupations in compliance with Table 4.1, Table 4.2, and Table 4.4 shall be permitted in all zoning districts pursuant to the restrictions of Table 4.5 Building Intensity.
- c. Uses permitted by Table 4.1, Table 4.2, Table 4.3 and Table 4.4 may be limited further by the restrictions of Table 4.5 Building Intensity.
- d. Coexistence of Uses. All of the uses permitted by Table 4.1, Table 4.2, Table 4.3 and Table 4.4 shall be permitted to coexist on a lot simultaneously.

4.5.2 General Transect Zone Restrictions

- a. Accessory Buildings in T4 and T5 are limited to housing related to the principal dwelling, rental housing, home office, office and lodging uses.

4.5.3 Transect Zone Restrictions for Residential Use

- a. G3 Sector Residential Use:
 - i. Apartments in any building type except garden apartments are permitted by right in the G3 sector.
- b. O2, G1, G2 Sectors Residential Use:

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- i. No residential building type on the list below may represent more than 60 percent of the total number of residential buildings within a pedestrian shed.
 - a) Apartment building
 - b) Condominium building
 - c) Townhouse
- ii. Apartment buildings may be permitted pursuant to the requirements of the Village of Thompson's Station Design Guidelines.
- iii. Apartments in mixed use buildings are permitted by right in all sectors.

TABLE 4.1 G3 SECTOR TRANSECT ZONE RESIDENTIAL USES

USE	T1	T2	T3	T4	T4O	T5
RESIDENTIAL						
Accessory dwelling unit			P	P	P	P
Apartment building				P	P	P
Assisted living				S	P	P
Convalescent care					S	P
Day care in home (adult, child, group)		S	S	S	P	P
Duplex				P	P	
Garden apartment						
Group home			P	P	P	P
Live-work unit				P	P	P
Mixed use building					P	P
Single family			P	P	P	P
Senior housing			P	P	P	P
Triplex				P	P	
Townhouse				P	P	P

KEY: "P" = Permitted by Right; "S" = Special Exception (BZA Approval required); " " = Prohibited

TABLE 4.2 O2, G1, G2 SECTORS TRANSECT ZONE RESIDENTIAL USES

USE	T1	T2	T3	T4	T4O	T5
RESIDENTIAL						
Accessory dwelling unit			P	P	P	P
Apartment building				P	P	
Assisted living				S	P	P
Convalescent care					S	P
Day care in home (adult, child, group)		S	S	S	P	P
Duplex				P	P	P
Garden apartment						
Group home			P	P	P	P
Live-work unit				P	P	P
Mixed use building					P	P
Single family			P	P	P	P
Senior housing			P	P	P	P
Triplex				P	P	P
Townhouse				P	P	P

KEY: "P" = Permitted by Right; "S" = Special Exception (BZA Approval required); " " = Prohibited

TABLE 4.3 TRANSECT ZONE NON-RESIDENTIAL USES

USE	T1	T2	T3	T4	T4O	T5
LODGING						
Bed & Breakfast (up to 6 rooms)		P	P	P	P	P
Hotel (no room limit)					P	P
Inn (up to 12 rooms)				P	P	P

KEY: "P" = Permitted by Right; "S" = Special Exception (BZA Approval required); " " = Prohibited

LAND DEVELOPMENT ORDINANCE

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TABLE 4.3 TRANSECT ZONE NON-RESIDENTIAL USES

USE	T1	T2	T3	T4	T4O	T5
COMMERCIAL						
Adult business						
Animal services						
Breeding		P	S	S		
Day care		P	P	P	P	
Grooming		P			P	P
Kennels		P			P	P
Riding and livery stables		P	S	S	S	S
Veterinarian hospital/clinic		P			P	P
Commercial laundries					P	P
Day care						P
Drive through facility						S
Equipment rental						
Financial service					P	P
Food truck				P	P	P
Funeral homes and crematory services						
Gallery					P	P
Kiosk					P	P
Large format retail, over 50,000 sq. ft.						
Live-work unit				P	P	P
Medical clinic					P	P
Microbrewery					P	P
Microdistillery					P	P
Mixed use building					P	P
Non-banking financial services						
Office building					P	P
Open market building		P		P	P	P
Personal service				P	P	P
Recording studios					P	P
Retail building				P	P	P
Restaurant			P	P	P	P
Self-storage						
INSTITUTIONAL						
Cemetery		S	P			
Clubs – public or private						P
Community buildings, public or private			P	P	P	P
Convention or exhibition halls						
Correction and detention institutions						
Cultural centers					P	P
Education						
College						
Elementary, middle school			P	P	P	
High school						
Entertainment facilities, not adult					P	P
Exhibition center						P
Farmers market		S	S	S	P	P
Heliport / helipad						
Hospital						
Library				P	P	P
Museum					P	P
Park (See Table 3.1.)						
Nature conservancy	P	P	P	P		
Park		P	P	P		

KEY: "P" = Permitted by Right; "S" = Special Exception (BZA Approval required); " " = Prohibited

ZONING

LAND DEVELOPMENT ORDINANCE

Town of Thompson's Station

TABLE 4.3 TRANSECT ZONE NON-RESIDENTIAL USES

USE	T1	T2	T3	T4	T4O	T5
Green			P	P	P	P
Square			P	P	P	P
Plaza					P	P
Playground		P	P	P	P	P
Community garden		P	P	P	P	P
Neighborhood multipurpose field			P	P	P	
Ramble			P	P		
Recreation and sports facility		P				
Parking facilities						P
Religious institution		S	S	P	S	S
Theater					P	P
Utility substation		P	P	P	P	P
Sports stadium						
Wireless communications facility						
AGRICULTURE						
Beekeeping		P	P	P		
Crop production other than community gardens		P	P	P		
Dairy		S				
Equestrian facility		P	S	S		
Horticulture		P			P	P
Plant and forest nursery		P			P	
AUTOMOTIVE						
Automotive sales						
Auto cleaning and repair						
Auto painting						
Auto towing						
Auto wash						
Boat sales and repair						
Commercial storage						
Gasoline sales						
INDUSTRIAL						
Light industrial						
Medium industrial						
Recycling facilities						
Warehousing						

KEY: "P" = Permitted by Right; "S" = Special Exception (BZA Approval required); " " = Prohibited

TABLE 4.4 O2, G1, G2 USE ZONES LAND USE

USE	D1	D2	D3	NC	CC	IL	IM
RESIDENTIAL							
Accessory dwelling unit	P	P	P				
Apartment building							
Assisted living		S	S	S	P		
Convalescent care		S	S	S	P	P	
Day care in home (adult, child, group)	S	S	S	S			
Duplex		P	P				
Garden apartment							
Group home	P	P	P	P			
Live-work unit			P				
Mixed use building				P	P	P	
Single family residential	P	P	P				
Senior housing	P	P	P				
Townhouse			P				

KEY: "P" = Permitted by Right; "S" = Special Exception (BZA Approval required); " " = Prohibited

LAND DEVELOPMENT ORDINANCE

ZONING

Town of Thompson's Station

TABLE 4.4 O2, G1, G2 USE ZONES LAND USE

USE	D1	D2	D3	NC	CC	IL	IM
LODGING							
Bed & Breakfast (up to 6 rooms)		P		S	P		
Hotel (no room limit)				P	P		
Inn (up to 12 rooms)				S	P		
COMMERCIAL							
Adult business							S
Animal services							
Breeding	S	S					
Day care	P	P				P	
Grooming				P	P		
Kennels						P	
Riding and livery stables	S	S					
Veterinarian hospital/clinic				P	P	P	
Commercial laundries				P	P	P	
Coin operated laundromat					P	P	
Dry cleaner				P	P	P	
Day care				P	P	P	
Drive through facility					P	P	P
Equipment rental						P	P
Financial service				P	P	P	
Food truck				P	P		
Funeral homes and crematory services					P	P	P
Gallery				P	P		
Kiosk					P		
Large format retail					P	P	
Live-work unit							
Medical clinic				P	P	P	P
Microbrewery					P		
Microdistillery					P		
Mixed use building				P	P	P	
Non-banking financial services					P	P	
Office building				P	P	P	P
Open market building						P	P
Personal service				P	P	P	
Recording studios				P	P	P	P
Retail building				P	P	P	P
Restaurant				P	P	P	P
Self-storage						S	S
INSTITUTIONAL							
Cemetery						P	P
Clubs – public or private					P	P	
Community buildings, public or private	P	P	P	P	P		
Convention or exhibition halls					P	P	
Correction and detention institutions							P
Cultural centers				P	P		
Education							
College						P	
Elementary, middle school	P	P	P		P	P	
High school					P	P	
Entertainment facilities, not adult					P	P	
Exhibition center					P	P	
Farmers market	S			P	P		
Heliport / helipad						P	P

KEY: "P" = Permitted by Right; "S" = Special Exception (BZA Approval required); " " = Prohibited

ZONING

LAND DEVELOPMENT ORDINANCE

Town of Thompson's Station

TABLE 4.4 O2, G1, G2 USE ZONES LAND USE

USE	D1	D2	D3	NC	CC	IL	IM
Hospital					P	P	
Library				P	P		
Museum				P	P	P	
Park (See Table 3.1.)							
Nature conservancy	P						
Park	P						
Green		P	P	P			
Square		P	P	P			
Plaza				P	P	P	
Playground	P	P	P	P			
Community garden		P	P	P			
Neighborhood multipurpose field		P	P	P			
Ramble		P	P				
Recreation and sports facility					P	P	
Parking facilities					P	P	P
Religious institution	S	S	S	S	P	P	P
Theater					P	P	P
Utility substation	P	P	P	P	P	P	P
Sports stadium					P	P	P
Wireless communications facility					P	P	P
AGRICULTURE							
Beekeeping	P	P					
Crop production	P	P					
Dairy							S
Equestrian facility	S	S					
Horticulture					P	P	
Plant and forest nursery	S	S	S			P	P
AUTOMOTIVE							
Automotive sales							P
Auto cleaning and repair					P	P	P
Auto painting							P
Auto towing							P
Auto wash					S	P	P
Boat sales and repair							P
Commercial storage							P
Gasoline sales					P	P	P
INDUSTRIAL							
Light industrial						P	P
Medium industrial							P
Recycling facilities							P
Warehousing						P	P

KEY: "P" = Permitted by Right; "S" = Special Exception (BZA Approval required); " " = Prohibited

Town of Thompson's Station

TABLE 4.5 BUILDING INTENSITY

USE	RESTRICTED	LIMITED	OPEN	
RESIDENTIAL	The number of dwellings on each lot is restricted to one principle residence and one accessory residence. Both dwellings shall be under single ownership. The habitable area of the accessory unit shall not exceed 900 sq. ft. of living area.	T2	The number of dwellings on each lots is only restricted by the bulk standards of this Article.	T4
		T3		T40
		D1		T5
		D2		
		D3		
LODGING	The number of bedrooms available for lodging per lot is limited to six. The lodging shall be owner occupied. Food service may be provided in the morning. The maximum length of stay shall not exceed ten days.	T2	The number of bedrooms available for lodging per lot is limited to six. Food service may be provided in the morning. The maximum length of stay shall not exceed fourteen days.	T4
		T3		T40
				T5
				NC
				CC
OFFICE	The building area available for office use on each lot is restricted to 600 sq. ft. within the principal building or to the accessory building.	T2	The building area available for office use on each lot is limited to the first story of the principal building and/or to the accessory building.	T4
		T3		D2
		D1		D3
				T40
				T5
RETAIL	The building area available for retail use may not exceed 1,500 square feet. Food service is limited to no more than 600 square feet of seating area.	T3	Food service is limited to no more than 1,800 square feet of seating area.	T4
				T40
				T5
				NC
				CC

4.6 Building Placement Standards

- 4.6.1 Buildings shall be setback from the boundaries of the lot as specified in Table 4.6 through Table 4.16.
- 4.6.2 For lots with more than one frontage, front setback requirements pertain to the primary frontage and secondary front setback requirements pertain to the secondary frontages. See Table 3.2 Facades, Elevations, and Lot Lines Illustrated.
- 4.6.3 Lot coverage by buildings shall not exceed the percentage of net lot area specified in Table 4.6 through Table 4.16.
- 4.6.4 Building facades shall occupy a minimum percentage of the primary frontage as specified in Table 4.6 through Table 4.16 as minimum frontage buildout.
- 4.6.5 Setbacks for principal buildings shall be as shown in Table 4.6 through Table 4.16. Setbacks may be adjusted by up to 10% by administrative waiver to accommodate specific site conditions. The Town

ORDINANCE NO. 2016-013

AN ORDINANCE OF THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF THOMPSON'S STATION, TENNESSEE TO AMEND THE LAND DEVELOPMENT ORDINANCE TO PROVIDE CLARIFICATION RELATED TO RESIDENTIAL USES.

WHEREAS, the Board of Mayor and Aldermen of the Town of Thompson's Station adopted a new comprehensive Land Development Ordinance ("LDO") in September 2015 (Ordinance No. 2015-007) pursuant to its zoning authority as set forth in Tenn. Code Ann. § 13-7-201 et seq. and other applicable law; and

WHEREAS, after a thorough review of the LDO, Town Staff is recommending changes to clarify the residential land uses within the ordinance; and

WHEREAS, the Planning Commission will review these proposed changes on August 23, 2016 and provide a recommendation to the Board of Mayor and Aldermen; and

WHEREAS, the Board of Mayor and Aldermen has reviewed the Land Development Ordinance and has determined, based upon the recommendations of staff, and the record as a whole, that the proposed amendments are consistent with the General Plan, will not have a deleterious effect on the Town, are to clarify and make improvements to the LDO and are in the best interest of the Town.

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Thompson's Station, Tennessee, as follows:

Section 1. That the Town of Thompson's Station's Land Development Ordinance is hereby amended by adopting the changes as set out in Exhibit A attached hereto and incorporated herein by reference. After final passage, Town Staff is directed to incorporate these changes into an updated, codified Land Development Ordinance document and such document shall constitute the zoning ordinance of the Town.

Section 2. If any section or part of the Land Development Ordinance, including any amendments thereto, is determined to be invalid for any reason, such section or part shall be deemed to be a separate and independent provision. All other sections or parts shall remain in full force and effect. If any section or part of the Land Development Ordinance is invalid in one or more of its applications, that section or part shall remain in effect for all other valid applications.

Section 3. This ordinance shall take effect immediately upon the publication of its caption in a newspaper of general circulation after final reading by the Board of Mayor and Aldermen, the public welfare requiring it.

Duly approved and adopted by the Board of Mayor and Aldermen of the Town of Thompson's Station, Tennessee, on the _____ day of _____, 2016.

Corey Napier, Mayor

ATTEST:

Jennifer Jones, Town Recorder

Passed First Reading: August 9, 2016

Passed Second Reading: _____

Submitted to Public Hearing on the 13th day of September, 2016, at 7:00 p.m., after being advertised in the *Williamson AM* Newspaper on the 21st day of August, 2016.

Recommended for approval by the Planning Commission on the 23rd day of August, 2016.

APPROVED AS TO FORM AND LEGALITY:

Todd Moore, Town Attorney

Phone: (615) 794-4333
Fax: (615) 794-3313
www.thompsons-station.com



1550 Thompson's Station Road W.
P.O. Box 100
Thompson's Station, TN 37179

DATE: September 13, 2016
TO: Board of Mayor and Aldermen
FROM: Wendy Deats, Town Planner
SUBJECT: **Second Reading/Public Hearing** – Land Development Ordinance Amendments
(Zone Amend 2016-006 - Ordinance 2016-013)

On August 9, 2016, the Board passed the amendments that included additional regulation for residential land uses. On August 23, 2016, the Planning Commission reviewed the proposed amendments and recommended to the Board the adoption of the revisions. The ordinance was adequately noticed on August 28, 2016 for public hearing to occur on September 13, 2016.

PROPOSED REVISIONS – SEE EXHIBIT A

Section 1.3. The definitions for different residential use types will be consolidated under “Residential Uses” in the definition section.

Modular housing, mobile home and senior housing were removed from the definitions. These residential building types are single-family. Multi-family was removed and apartment building added to define an urban apartment building type in the transect zone that would be permissible within the transect zones in contrast to the garden apartment that is more suitable for the use districts.

Section 4.4.2. Inserted new standards that will requires a mix of lot sizes within the pedestrian shed and allow for only 60% for any single lot width within the pedestrian shed. This will guide in the development intended to encourage different product type.

Section 4.5. This section was reorganized to add specific lot use restrictions within the transect districts. In addition, limitations were placed on uses outside of the Targeted Growth Sector (G3) which is our Town Center area. Garden apartments are excluded from this sector, however mixed use building or apartment buildings are permitted.

Section 4.5.3.a was also removed due to redundancy with the allowances for accessory dwelling units within the building intensity table.

Table 4.1 Land Use and Building Type. The use tables are categorized based on growth sector for the transect districts and the use districts. The intent here is to allow for maximum density in the Town Center area (G3 Targeted Growth Sector) and protect areas where significant density

may not be appropriate. In addition, garden apartments and apartment buildings are both listed within the table in the

Table 4.5 Building Intensity. Accessory dwellings are permitted within both the D2 and D3 zoning districts so the table now identifies both these districts under restricted residential.

RECOMMENDATION

The Planning Commission recommends that the Board of Mayor and Aldermen adopt the amendments to the Land Development Ordinance.

ATTACHMENTS

Ordinance 2016-013

Exhibit A

ORDINANCE NO. 2016-014

AN ORDINANCE GRANTING TO ATMOS ENERGY CORPORATION, ITS SUCCESSORS AND ASSIGNS, A FRANCHISE TO PROVIDE THE TOWN OF THOMPSON'S STATION, WILLIAMSON COUNTY, TENNESSEE, WITH NATURAL GAS SERVICE, AND THE RIGHT TO CONSTRUCT, MAINTAIN, AND OPERATE A SYSTEM OF GAS MAINS AND SERVICE PIPES FOR THE PURPOSE OF TRANSMITTING AND DISTRIBUTING GAS IN, UPON, ACROSS, ALONG AND UNDER THE HIGHWAYS, STREETS, AVENUES, ROADS, ALLEYS, LANES, WAYS, UTILITY EASEMENTS, PARKWAYS AND OTHER PUBLIC GROUNDS OF THE TOWN OF THOMPSON'S STATION, WILLIAMSON COUNTY, TENNESSEE,

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF THOMPSON'S STATION, WILLIAMSON COUNTY, TENNESSEE:

Article I

DEFINITIONS:

As used in this Agreement, the following words and phrases shall have the following meanings:

- (A) *"Agency"* refers to and is the Tennessee Regulatory Authority the state utility regulatory agency having jurisdiction over the rates, services and operations of Grantee within the State of Tennessee or other administrative or regulatory authority succeeding to the regulatory powers of the Agency.
- (B) *"Council" or "Town Council"* refers to and is the governing body of the Town of Thompson's Station.
- (C) *"Force Majeure"* shall mean any and all causes beyond the control and without the fault or negligence of Grantee. Such causes shall include but not be limited to acts of God, acts of the public enemy, insurrections, terrorism, riots, labor disputes, boycotts, labor and material shortages, fires, explosions, flood, breakdowns of or damage to equipment of facilities, interruptions to transportation, embargoes, acts of military authorities, or other causes of a similar nature whether or not foreseen or foreseeable which wholly or partly prevent Grantee from performing one or more of its obligations hereunder.
- (D) *"Franchise"* shall mean the rights and privileges granted by the Grantor to Grantee under the terms and provisions of this franchise ordinance.
- (E) *"Grantee"* shall mean Atmos Energy Corporation.
- (F) *"Grantor"* shall mean Thompson's Station, Tennessee.
- (G) *"Public Right-of-Way"* shall mean the surface, the airspace above the surface and

area below the surface of any street, highway, alley, avenue, boulevard, sidewalk, pedestrian/bicycle lane or trail, driveway, bridge, utility easement or any other public ways owned, dedicated by plat, occupied or used by the public and within Grantor's geographical limits or boundaries established by applicable law.

(H) "System" shall mean the system of works, pipes, pipelines, facilities, fixtures, apparatus, lines, machinery, equipment, structures, appliances, appurtenances or other infrastructure reasonably necessary for the storage, transportation, distribution or sale of natural, artificial or mixed gas to residential and commercial customers and the public generally, within the geographical limits or boundaries of the Grantor.

(I) "Town" refers to and is the Town of Thompson's Station, Williamson County, Tennessee, and includes to territory as currently is or may in the future be included within the boundaries of the Town of Thompson's Station.

Article II

GRANT OF FRANCHISE:

(A) There is hereby created and granted unto Grantee a non-exclusive franchise to enter upon, acquire, construct, operate, maintain and repair in the Public Right-of-Way the System, subject to the provisions of this Agreement. The franchise granted hereunder shall be extended to territories that are annexed by Grantor upon the same terms and conditions herein, subject to the approval of the Commission, if any such approval is required.

(B) The franchise granted to Grantee by the Grantor shall not be exclusive and the Grantor reserves the right to grant a similar franchise to any other person or entity at any time. In the event the Grantor shall grant to another person or entity during the term hereof a franchise for a gas distribution system within the geographical boundaries or limits of Grantor similar to the one herein granted to Grantee, it is agreed that the terms of any such franchise agreement shall be no more favorable to such new additional grantee than those terms contained herein. Additionally, it is agreed that any such new/additional grantee shall have no right to use any portion of the System without Grantee's written consent.

Article III

TERM, EFFECTIVE DATE, AND ACCEPTANCE OF FRANCHISE:

(A) The term of this franchise shall be for an initial term of five (5) years from and after its passage and approval; provided, this franchise and all rights and privileges herein provided shall be extended for one (1) successive period of five (5) years unless the Grantor by notice given to the Grantee by Ordinance duly enacted and approved at least three (3) months before the end of such initial term shall declare such termination effective.

(B) The franchise created hereby shall become effective upon its final passage and approval by the Town, in accordance with applicable laws and regulations, and upon acceptance by the Grantee by written instrument within sixty (60) days of passage by the governing body, and filed with the Clerk of the Grantor. If the Grantee does not, within sixty (60) days following passage of this Ordinance, express in writing its objections to any terms or provisions contained therein, or reject this Ordinance in its entirety, the Grantee shall be deemed to have accepted this Ordinance and all of its terms and conditions.

(C) The terms and conditions of Ordinance 91-004 are superseded by the terms and conditions hereof.

(D) On the expiration of this franchise, in the event the same is not renewed, or on the termination of any renewal of said franchise, or on termination of said franchise for any other reason, the plant and facilities of the Grantee installed, constructed and operated hereunder shall, at the option of the Town become the property of the Town, upon payment to the Grantee, its successors and/or assigns, of a fair valuation thereof, such fair valuation to be determined by agreement between the Town and the Grantee, its successors and/or assigns. Grantor agrees that, at the time of such transfer of facilities, it shall assume Grantee's contractual and regulatory obligations maintained in connection with the system. If the Town does not exercise the option hereunder, then Grantee may exercise its rights under Article IX (B).

Article IV

GRANTEE'S RIGHTS IN AND TO PUBLIC RIGHT-OF-WAY:

The Grantee shall have the right and privilege of constructing, erecting, laying, operating, maintaining, replacing, removing and/or repairing a gas distribution system through, along, across and under the public right-of-way within the geographical boundaries or limits of the Grantor as it now exists or may hereafter be constructed or extended, subject to the inherent police powers

conferred upon or reserved unto the Grantor and the provisions of this Agreement.

Article V

OPERATION OF SYSTEM; EXCAVATION OF PUBLIC RIGHT-OF-WAY:

(A) The System shall at all times be installed, operated and maintained in good working condition as will enable the Grantee to furnish adequate and continuous service to all of its residential, commercial and industrial customers. The System shall be designed, installed, constructed and replaced in locations and at depths which comply with all applicable federal and state laws and regulations regarding minimum safety standards for design, construction, maintenance and operation of gas distribution systems.

(B) Grantee shall have the right to disturb, break, and excavate in the Public Right-of-Way as may be reasonable and necessary to provide the service authorized hereby.

(C) Grantee will repair any damage caused solely by Grantee to any part of the Public Right-of-Way and will restore, as nearly as practicable, such property to substantially its condition immediately prior to such damage.

(D) Grantee shall use reasonable care in conducting its work and activities in order to prevent injury to any person and unnecessary damage to any real or personal property.

(E) Grantee shall, when reasonably practicable, install all pipelines underground at such depth and in such manner so as not to interfere with the existing pavement, curbs, gutters, underground wires or cables or water or sewer pipes owned or controlled by the Grantor.

Article VI

DEGRADATION/RESTORATION OF PUBLIC RIGHT-OF-WAY:

(A) In the event that Grantor or any other entity acting on behalf of Grantor requests or demands that Grantee remove, move, modify, relocate, reconstruct or adjust any part of the system from their then-current locations within the streets, alleys, and public places of Grantor in connection with a public project or improvement, then Grantee shall relocate, at its expense, the system facilities affected by such project or improvement. Grantee's obligations under this paragraph shall apply without regard to whether Grantee has acquired, or claims to have acquired, an easement or other property right with respect to such system facilities and shall not affect the amounts paid or to be paid to Grantee under the provisions of this Ordinance. Notwithstanding the foregoing provisions of this paragraph, Grantee shall not be obligated to relocate, at its expense, any

of the following: (i) system facilities that are located on private property at the time relocation is requested or demanded; (ii) system facilities that are relocated in connection with sidewalk improvements (unless such sidewalk improvements are related to or associated with road widening's, the creation of new turn lanes, or the addition of acceleration/deceleration lanes); (iii) streetscape projects or other projects undertaken primarily for aesthetic purposes; or (iv) system facilities that are converted from an overhead configuration or installation to an underground configuration or installation.

(B) Grantor and Grantee recognize that both parties benefit from economic development within the boundaries of Grantor. Accordingly, when it is necessary to relocate any of Grantee's facilities within the boundaries of Grantor, Grantor and Grantee shall work cooperatively to minimize costs, delays, and inconvenience to both parties while ensuring compliance with applicable laws and regulations. In addition, Grantor and Grantee shall communicate in a timely fashion to coordinate projects included in Grantor's five-year capital improvement plan, Grantor's short-term work program, or Grantor's annual budget in an effort to minimize relocation of Grantee's facilities. Such communication may include, but is not limited to, (i) both parties' participation in a local utility's coordinating council (or any successor organization) and (ii) both parties' use of the National Joint Utility Notification System (or any alternative comparable systems or successor to such system mutually acceptable to both parties).

Article VII

SERVICE TO NEW AREAS

If during the term of this franchise the boundaries of the Grantor are expanded, the Grantor will promptly notify Grantee in writing of any geographic areas annexed by the Grantor during the term hereof ("Annexation Notice"). Any such Annexation Notice shall be sent to Grantee by certified mail, return receipt requested, and shall contain the effective date of the annexation, maps showing the annexed area and such other information as Grantee may reasonably require in ascertaining whether there exist any customers of Grantee receiving natural gas service in said annexed area. To the extent there are such customers therein, then the revenue of Grantee derived from the retail sale of natural gas to such customers shall become subject to the franchise fee provisions hereof effective on the first day of Grantee's billing cycle immediately following Franchisee's receipt of the Annexation Notice. The failure by the Grantor to advise Grantee in writing through proper Annexation Notice of any geographic areas which are annexed by the Grantor shall relieve Grantee from any obligation to remit any franchise fees to Grantor based upon revenues derived by Grantee from the retail sale of natural gas to customers within the annexed

area prior to Grantor delivering an Annexation Notice to Grantee in accordance with the terms hereof.

Article VIII

BREACH OF FRANCHISE; REMEDIES:

In the event of a breach by Grantee of any material provision hereof, the Grantor may terminate the franchise and rights granted to Grantee hereunder, provided, however, that such termination shall not be effective unless and until the procedures described below have been followed:

(A) Grantor must deliver to Grantee, by certified or registered mail, a written notice signed by the mayor or other duly authorized member of Grantor's governing body, attested by the Grantor's secretary, and sealed with the official seal of the Grantor. Such notice must (i) fairly and fully set forth in detail each of the alleged acts or omissions of Grantee that the Grantor contends constitutes a substantial breach of any material provision hereof, (ii) designate which of the terms and conditions hereof the Grantor contends Grantee breached, and (iii) specify the date, time, and place at which a public hearing will be held by the governing body of the Grantor for the purpose of determining whether the allegations contained in the notice did in fact occur, provided, however, that the date of such hearing may not be less than thirty (30) days after the date of such notice.

(B) Within thirty (30) days following the adjournment of the public hearing described in Subsection (A) above, the Grantor must deliver to Grantee, by certified or registered mail, a written notice signed by the mayor or other duly authorized member of Grantor's governing body, attested by the Grantor's secretary, and sealed with the official seal of the Grantor, setting forth (i) the acts and omissions of Grantee described in the first notice that the governing body of the Grantor determines to have in fact occurred and (ii) the specific terms and conditions hereof listed in the first notice that the governing body of the Grantor determines to have in fact been breached by such acts or omissions of Grantee.

(C) The Grantor must permit Grantee the opportunity to substantially correct all of the breaches hereof set forth in the written notice described in Subsection (B) above within sixty (60) days after Grantee's receipt of such notice.

Article IX

ADDITIONAL REQUIREMENTS; MISCELLANEOUS PROVISIONS

(A) Grantee shall at all times indemnify and hold harmless the Grantor from and against any and all lawful claims for injury to any person or property by reason of Grantee's or its employees' failure to exercise reasonable care in installing, maintaining and operating the System. Provided, however, that none of the provisions of this paragraph shall be applicable to the extent the Grantor, its officials, officers, employees, contractors, or agents, were negligent and such negligence was the sole or contributing factor in bringing about injury to any person or property. In such event, any liability shall be apportioned between the Grantor and the Grantee based upon the percentage of fault assigned to each by a court of competent jurisdiction.

(B) Subject to the Town's option under Article III (D), Grantee may remove all or any part of its System upon the expiration or termination of the franchise and rights granted hereby.

(C) Grantee may transfer or assign the franchise created by this agreement to any other person, proprietorship, partnership, firm or corporation with written notification to the Grantor.

(D) If any section, subsection or provision of this ordinance or any part thereof is for any reason found or held to be in conflict with any applicable statute or rule of law, or is otherwise held to be unenforceable, the invalidity of any such section, subsection or provision shall not affect any or all other remaining sections and provisions of this ordinance, which shall remain in full force and effect.

(E) This agreement shall extend to, be binding upon, and inure to the benefit of, the parties hereto, and their respective successors and assigns.

(F) To the extent that any other ordinances of the Grantor or portions thereof are in conflict or inconsistent with any of the terms or provisions hereof, then the terms of this Ordinance shall control.

IN TESTIMONY WHEREOF, witness the signatures of the parties on this ____ day of _____,
2016.

TOWN OF THOMPSON'S STATION, TENNESSEE

BY: _____
Mayor Corey Napier

ATTEST:

Town Clerk, Jennifer Jones

ATMOS ENERGY CORPORATION

BY: _____
John Kevin Akers, President
Kentucky/Mid-States Division

Town's Mailing Address and Phone Number:
Town Of Thompson's Station
PO BOX 100
Thompson's Station, TN 37179

(615) 794-4333

Phone: (615) 794-4333
Fax: (615) 794-3313
www.thompsons-station.com



1550 Thompson's Station Road W.
P.O. Box 100
Thompson's Station, TN 37179

DATE: September 7, 2016
TO: The Board of Mayor and Aldermen (BOMA)
FROM: Joe Cosentini, Town Administrator
SUBJECT: Whistle Stop Wastewater Request

The Town has received a request by Joshua Denton on behalf of Whistle Stop for an agenda item regarding the wastewater system selected for the development. In October, 2015 the BOMA approved the ability of the Whistle Stop team to move forward with the development of a Sequencing Batch Reactor (SBR) system for Whistle Stop project. Over the next several months, Town staff along with the development team worked to produce a preliminary engineering report (PER) on a Sabre SBR system to be submitted to the Tennessee Department of Environment and Conservation (TDEC) for consideration.

The PER and application for a State Operating Permit was submitted to TDEC in March, 2016 and supplemental information was submitted in April, 2016. Upon TDEC review, the follow response was sent to Bob Ramsey, engineer for the Whistle Stop team, from Brad Harris with TDEC on July 7th :

"I apologize for the delay getting back with you. George and I have attempted to contact the references you sent. We have spoken with one maintenance person associated with the school, but really haven't been able to get any meaningful feedback from anyone that can speak from experience of the long term O&M of a Sabre design of this size and configuration. That being said, we don't intend to hold up the project on that basis. SBR's are proven technology and can be used effectively, however we do not have any experience or data from anyone associated with a system this size and configuration over two years old that gives us any confidence in the long term O&M of an SBR without visual input. We strongly recommend that the town, their engineering group, and their designated operator fully research this approach until they are technically confident.

We will issue a complete application letter today and schedule the SOP for the next available public notice. The plans approval and/or permit will include language to the effect that we don't have sufficient information to support the feasibility of the long term O&M of this system. Keep in mind Rule 400-40-02-.09 requires that the engineer instruct the owner in the proper operation and maintenance and present them with a complete manual outlining the proper operation and maintenance procedures to be followed. Also if there are additional sampling points, parameters, and monitoring frequencies needed to ensure proper operation and maintenance that should be included in the draft SOP please provide those."

Town staff had similar feedback from operators of the Sabre systems. We were not able to obtain information regarding the long term maintenance of these systems due to the fact that we could not identify a system like the one being proposed for Whistle Stop that had been operating at capacity for two or more years. Staff still believes that SBR technology is appropriate for the Whistle Stop development. However, a different type of SBR should be considered that has more of a performance history that can be better evaluated.

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Thompson's Station, TN 37179

Mr. Denton is also requesting the potential connection to the Town's regional wastewater system. This would be an agreeable solution as the Town does have treatment capacity at the regional plant based on our existing allocation. That said, our existing amount of drip land available for disposal of treated wastewater is not adequate. Connection to the regional facility would be supported if Whistle Stop is willing to wait until all necessary land is acquired by the Town for our existing allocation levels. We do not have a firm timetable for this acquisition.

Recommendation:

Staff would prefer the applicant select an alternative SBR system based on the comments by TDEC and staff investigation of the Sabre SBR system. As an alternative, staff supports the project submitting a request to connect to the regional wastewater facility when adequate drip field has been acquired by the Town to accommodate our existing wastewater allocation and additional capacity is available to be allocated.



**GULLETT SANFORD
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150 THIRD AVENUE SOUTH, SUITE 1700
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August 26, 2016

By Electronic Mail

And By U.S. Mail

Todd Moore, Esq.
1612 Westgate Circle
Suite 218
Brentwood, TN 37027

By Electronic Mail

And By Hand Delivery

Mr. Joe Cosentini
Town Administrator
Town of Thompson's Station
1550 Thompson's Station Rd West
Thompson's Station, TN 37179

By Electronic Mail

And By Hand Delivery

Board of Mayor and Aldermen
Town of Thompson's Station
1550 Thompson's Station Road West
Thompson's Station, TN 37179

Re: Whistle Stop Development Sewer System

Dear Ladies and Gentlemen:

This follows up on my conversation with Todd Moore on July 14, 2016, and my subsequent correspondence to him dated July 18, 2016, regarding the above-referenced matter. For ease of reference, a copy of that correspondence is enclosed. This letter serves as the formal request of my client, Whistle Stop Farms, LLC ("Whistle Stop"), to place approval of a sewer system for the Whistle Stop Development on the agenda for the Board of Mayor and Aldermen's ("BOMA") September 13, 2016 meeting.

As you know, the Tennessee Department of Environment and Conservation ("TDEC") sent correspondence to Bob Ramsey and Joe Cosentini of the Town on July 7, 2016, regarding the Town's application for an SBR system related to the Whistle Stop Development (the "TDEC Email"). For ease of reference, a copy of the TDEC Email is enclosed. The TDEC Email

advised that TDEC intended to proceed with approval of the Town's application for the SBR system, but made comments regarding a lack of documentation/data on long-term maintenance for this type of system. Of course, TDEC had previously required that Town Staff contact the operators of other SBR systems to discuss operation and maintenance, but we understand that never occurred despite Mr. Ramsey's offers to coordinate same. Mr. Cosentini initially advised Mr. Ramsey that he had concerns about the SBR system following the TDEC Email. He subsequently advised Greg Gamble on August 16, 2016, that he was unsure if the SBR system for which the Town had applied would be supported by BOMA, but that the decision ultimately would be up to BOMA.¹ In order to move things forward one way or another, Whistle Stop hereby requests that BOMA approve or disapprove the SBR system for the Whistle Stop Development, which TDEC has indicated is proceeding to approval. Whistle Stop requests that this be placed on the agenda for BOMA's September 13, 2016, meeting.

Whistle Stop also requests that BOMA approve or disapprove allowing the Whistle Stop Development to connect to the Town's existing regional wastewater treatment system, in the event BOMA disapproves the SBR system, for the reasons set forth below. Whistle Stop requests that this also be placed on the agenda for BOMA's September 13, 2016, meeting. In support of this alternate request, Whistle Stop states as follows:

- Mr. Cosentini confirmed to Mr. Gamble on August 16, 2016, that it may be possible for the Whistle Stop Development to connect to the Town's regional wastewater treatment system, so long as there is an available drip area. Mr. Cosentini further confirmed that the Town's regional wastewater treatment system has ample capacity for wastewater treatment, but does not have available drip area.
- Whistle Stop has confirmed that it has allocated the necessary and required drip area on site at the Whistle Stop Development, which is sufficient to handle the disbursement of all treated wastewater resulting from the Whistle Stop Development.
- TDEC has confirmed that it will readily permit one ditch to contain (i) a sewer line to transmit the sewage from the Whistle Stop Development to the regional wastewater treatment system; and (ii) a reuse line to transmit the treated wastewater from the regional wastewater treatment system back to the Whistle

¹ As BOMA knows, the choice to pursue the SBR system was made by Town Staff, not by my client. In fact, my client preferred to proceed with the other available options, including connecting to the Town's existing regional wastewater treatment system, as contemplated and previously approved by the Town.

Stop Development, to be disbursed in the available drip area located in the Whistle Stop Development.

- We understand from the developers of Roderick Place that the Town's existing wastewater line going from Roderick Place to the regional wastewater treatment system has enough capacity to handle approximately 300 additional lots, including 164 lots in the Whistle Stop Development and the rest of the use for which the Town currently has plans, as instructed and required by the Town at Mr. Cosentini's direction.
- Further, Whistle Stop has confirmed TDEC will approve it to use the easement that accompanies an abandoned 4" water line to install lines to transmit wastewater from the Whistle Stop Development to Roderick Place, and then from Roderick Place to the regional wastewater treatment plant.
- Whistle Stop will be responsible to pay all "System Development, Access/Tap and Effluent Disposal Fees," of which a total of 46 have been paid and would be applied towards the cost and installation of the reuse line to transmit the treated wastewater from the regional wastewater treatment system back to the Whistle Stop Development—in the same easement as the line transferring wastewater to the regional wastewater treatment system.

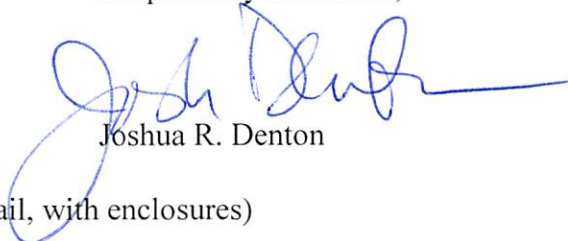
Whistle Stop anticipates submitting additional materials in support of this request in advance of the September 13 BOMA meeting.

If BOMA now wishes to abandon the SBR system—despite the fact that Town Staff proposed this solution and TDEC has now indicated its approval is forthcoming—Whistle Stop will not object. That said, if that is how the Town chooses to proceed, Whistle Stop respectfully requests that BOMA approve the Whistle Stop Development's connection to the Town's regional wastewater treatment system. Mr. Cosentini has confirmed this is a viable option—so long as drip area can be obtained. In fact, we understand Mr. Cosentini requested that the Roderick Place development team upsize a lift station and force main—to connect to the wastewater treatment system in the Town—by an additional one-hundred thousand (100,000) gallons to accommodate the Whistle Stop Development and other future developments. Whistle Stop has reserved the appropriate drip area and has confirmed that this is the appropriate amount of drip area for the Whistle Stop Development. Accordingly, Whistle Stop requests approval from BOMA to access and use the regional wastewater treatment system for the Whistle Stop Development based upon the availability of drip area in the Whistle Stop Development and, upon that BOMA approval, states that it will work with Town Staff regarding the

implementation of that connection, including logistics regarding installation of the transmission lines.²

In closing, a resolution of the sewer issues for the Whistle Stop Development goes directly to reaching a conclusion of the negotiations the parties agreed to pursue in good faith over a year ago. We have experienced a litany of problems making any progress in those negotiations this spring, all tied to the Town's stated concerns over resolving the sewer issues. To that end and pursuant to the Town's instructions for "Requesting an Agenda Item,"³ we hereby request that the above-referenced items be placed on the BOMA agenda for its September 13, 2016, meeting so that a decision on sewer can be made and the parties can move forward, one way or another. Please confirm that these items have been placed on the agenda for BOMA's September 13, 2016 meeting, as requested. Thank you for your courtesy.

Respectfully submitted,



Joshua R. Denton

cc: Douglas Hale, Esq. (via electronic mail, with enclosures)

² In further support, Whistle Stop states that the Town's current TDEC permit requires the Town to greatly expand its sewer capacity by March 2017. Of course, the development would not be ready to connect to the sewer until well after the Town's March 2017 deadline. In addition, the following facts further evidence that this is a viable option: (i) the number of lots in the proposed Whistle Stop Development have been greatly reduced (for settlement purposes only in the event a settlement agreement is ultimately reached with the Town); and (ii) the Town has been issuing new sewer taps to others long after Whistle Stop paid for taps and paid reservation fees for taps, which include a transportation fee reflecting the cost to transmit the wastewater to the regional wastewater treatment system and to transmit the treated wastewater back to the drip fields.

³ See <http://www.thompsons-station.com/2151/Board-of-Mayor-Aldermen>.



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July 18, 2016

By Electronic Mail

And By U.S. Mail

Todd Moore, Esq.
1612 Westgate Circle
Suite 218
Brentwood, TN 37027

Re: Whistle Stop Development

Dear Todd:

This follows up on our conversation on July 14 regarding the above-referenced matter.

The primary topic of conversation was TDEC's recent correspondence regarding the Town's application for an SBR system related to the Whistle Stop development. I inquired of the Town's position and next steps, given TDEC's now-stated intent to approve the Town's application for an SBR system. As I mentioned, I learned that Joe Cosentini expressed some concerns about the system to Bob Ramsey that same day, given TDEC's comments regarding lack of documentation/data on long-term maintenance for this type of system. I understand that Town staff still has not contacted the operators of other SBR systems to discuss the operation and maintenance, as required by TDEC in its prior correspondence and despite Mr. Ramsey's offers to coordinate same. As I noted in our call, the choice to pursue the SBR system was made by Town staff last year, not by my client. In fact, my client preferred to proceed with the two other available options: (i) installing one of the well-accepted and routinely-approved sand filtration systems (whether one with individual tanks at each home or with larger tanks for the entire development); or (ii) connecting to the Town's existing sewer system, as contemplated and previously approved by the Town.

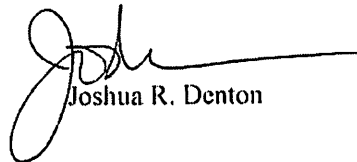
If the Town now wishes to abandon the SBR system—despite the fact that the Town proposed this solution and TDEC has now finally indicated it will approve it—my client will not object. That said, if that is how the Town chooses to proceed, we fully expect the Town will promptly identify which of the two remaining options for sewer it prefers for my client to use. We are hopeful—given the Town's current TDEC permit requiring the Town to greatly expand its sewer capacity by March 2017—that connecting to the Town's existing sewer system will be a viable option. Of course, the development would not be ready to connect to the sewer until well after the Town's March 2017 deadline. We especially hope this option is possible given (i) the greatly-reduced number of lots in the proposed development (reduced for settlement purposes if agreement is ultimately reached); and (ii) the fact the Town has issued new sewer taps to others long after my client paid for taps and paid reservation fees for

Todd Moore, Esq.
July 18, 2016
Page 2

taps. Alternatively, my client is willing to proceed with one of the well-established and routinely-approved sand filtration systems.

All of these issues, of course, go directly to the settlement negotiations the parties agreed to pursue in good faith to resolve the pending litigation. To that end, given that we have now reached a crossroad on the sewer issue and given the litany of problems we have experienced with making any progress on the settlement front this spring, I requested a meeting to discuss next steps. As I noted, we ask that this meeting take place among the lawyers, our client and the Mayor. We understand you are conveying that request to your client. We look forward to hearing back on that point. As always, thank you for your courtesy.

Sincerely,



Joshua R. Denton

From: Brad Harris [mailto:Brad.Harris@tn.gov]
Sent: Thursday, July 07, 2016 11:12 AM
To: Bob Ramsey <bramsey@jchengr.com>
Cc: Joe Cosentini <jcosentini@thompsons-station.com>; George Garden <George.Garden@tn.gov>; Wade Murphy <Wade.Murphy@tn.gov>; Hari Akunuri <Hari.Akunuri@tn.gov>
Subject: RE: Whistle Stop Subdivision SOP Application

Bob,

I apologize for the delay getting back with you. George and I have attempted to contact the references you sent. We have spoken with one maintenance person associated with the school, but really haven't been able to get any meaningful feedback from anyone that can speak from experience of the long term O&M of a Sabre design of this size and configuration. That being said, we don't intend to hold up the project on that basis. SBR's are proven technology and can be used effectively, however we do not have any experience or data from anyone associated with a system this size and configuration over two years old that gives us any confidence in the long term O&M of an SBR without visual input. We strongly recommend that the town, their engineering group, and their designated operator fully research this approach until they are technically confident.

We will issue a complete application letter today and schedule the SOP for the next available public notice. The plans approval and/or permit will include language to the effect that we don't have sufficient information to support the feasibility of the long term O&M of this system. Keep in mind Rule 400-40-02-.09 requires that the engineer instruct the owner in the proper operation and maintenance and present them with a complete manual outlining the proper operation and maintenance procedures to be followed. Also if there are additional sampling points, parameters, and monitoring frequencies needed to ensure proper operation and maintenance that should be included in the draft SOP please provide those.

Again, sorry for the delay. If you would like to further discuss please contact George or myself.

Thanks,
Brad



Brad C Harris P.E.

Division of Water Resources / William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Avenue, 11th Floor / Nashville, Tennessee 37243
Direct (615) 532-5367 / Brad.Harris@tn.gov

RESOLUTION NO. 2016-021

A RESOLUTION OF THE TOWN OF THOMPSON'S STATION, TENNESSEE TO PARTICIPATE IN THE POOL'S JAMES L. RICHARDSON "DRIVER SAFETY" MATCHING GRANT PROGRAM

WHEREAS, the safety and wellbeing of the employees of the Town of Thompson's Station is of the greatest importance; and

WHEREAS, all efforts shall be made to provide a safe and hazard-free workplace and to increase safe driving practices for the Town of Thompson's Station employees; and

WHEREAS, The Pool seeks to encourage the establishment of a safe workplace and driving practices by offering a "*Driver Safety*" *Matching Grant Program*; and

WHEREAS, the Town of Thompson's Station now seeks to participate in this important program.

NOW, THEREFORE, IT BE RESOLVED by the Board of Mayor and Aldermen of the Town of Thompson's Station as follows:

SECTION 1. That the Town of Thompson's Station is hereby authorized to submit application for a "*Driver Safety*" *Matching Grant Program* through The Pool.

SECTION 2. That the Town of Thompson's Station is further authorized to provide a matching sum to serve as a match for any monies provided by this grant.

RESOLVED AND ADOPTED this _____ day of September, 2016

Corey Napier, Mayor

ATTEST:

Jennifer Jones, Town Recorder

APPROVED AS TO LEGALITY AND FORM:

Todd Moore, Town Attorney