CITY OF HENDERSONVILLE
BOARD OF MAYOR AND ALDERMEN
MINUTES OF REGULAR MEETING
MAY 28, 2013

PRESENT
SCOTT SPROUSE, VICE-MAYOR
DON AMES, ALDERMAN
HAMILTON FROST, ALDERMAN
PAUL R. GOODE, ALDERMAN
ROSA LONG, ALDERMAN
FRED QUALLS, ALDERMAN
MARK SKIDMORE, ALDERMAN
MATT STAMPER, ALDERMAN
JIM WATERS, ALDERMAN
LISA WEST, ALDERMAN
DARRELL WOODCOCK, ALDERMAN
JOHN BRADLEY, CITY ATTORNEY
KAY FRANKLIN, CITY RECORDER

ABSENT

SCOTT FOSTER, MAYOR
ARLENE CUNNINGHAM, ALDERMAN

AGENDA

Skidmore moved; seconded by Stamper for acceptance of the agenda.

Qualls moved; seconded by Skidmore to add reading of Resolution 2013-12, a Resolution authorizing termination of antenna tower lease agreement and acceptance of antenna tower, as it has not been two weeks since committee review.

There was a unanimous vote for approval to add the above item to the agenda.

Goode moved; seconded by Stamper to add an announcement.

There was a unanimous vote for approval to add an announcement by Goode.

There was a unanimous vote for approval to accept the agenda as presented.

MINUTES

Waters moved; seconded by Skidmore for approval of the May 14, 2013 minutes.

There was a unanimous vote for approval of the May 14, 2013 minutes.

CITIZENS COMMENTS

Michael Crabb, 203 Southburn Drive, addressed the Board stating the lake elevations are higher today than they were on May 4 and there was no flooding in the Savely Court area today. He stated the flooding in the Savely Court area must be storm water runoff. He further stated he feels comments that this area is in the 100 year flood are being used as an excuse not to help these residents. He stated new development has caused an increase in the area of the floodplain and caused the residents to be more in the floodplain. He stated it is time to fix or mitigate this problem and give the residents what they deserve.

Mike Hudson, 114 Savely Court, addressed the Board urging a motion be made to fix the culvert under the railroad tracks. He cited information from the Right Bank Tributary Study on replacing and adding culverts to correct the Savely Court drainage issues.

Long moved; seconded by Goode to suspend the rules to allow Hudson additional time to speak.

There was a unanimous vote for approval to suspend the rules.

Hudson continued stating river channel maintenance should be done to avoid future flooding.

Andrew Friedman, 180 Curtis Crossroads, addressed the Board urging the emergency wrecker service ordinance be amended to require the tow lots be manned and not place a burden on people attempting to retrieve their vehicles.

As there was no one else desiring to speak, Sprouse declared Citizens Comments closed.

REPORTS

Finance Committee – recommended the Finance Department, the Central Administration and the Country Hills Golf Course proposed budgets and reviewed the budget overage report and the April financial reports stating sales taxes are above projection.

General Committee – no report.

Goode announced the upcoming Rock Castle Gala on Saturday honoring Connie and Bob Barker and a fundraiser for the Walter Durham scholarship fund. He announced the recent death of Sumner County native and State Historian Walter Durham.

Public Safety Committee – met in a special meeting to review and discuss the emergency wrecker service ordinance and recommended the Fire and Police Departments' proposed budgets.

Public Works Committee – recommended the Parks and Public Works Departments' proposed budgets.

Capital Projects Committee – reviewed, discussed and recommended capital projects items as part of the 2014 budget.

Mayor – Sprouse announced the upcoming National Trails Day walk to be held on Saturday, June 1 beginning at the library which encourages walkable neighborhoods.

ORDINANCES AND RESOLUTIONS

The caption of Ordinance 2013-25 was read on second and final reading, an Ordinance accepting a federal grant and amending Budget Ordinance 2012-13 by appropriating $13,650.00 for bulletproof vests for the Police Department. Frost moved; seconded by Stamper.

There was a unanimous vote for approval of Ordinance 2013-25 on second and final reading.

The caption of Ordinance 2013-20 was read on second and final reading, an Ordinance amending the Hendersonville Municipal Code, Title 9, Chapter 6, Wrecker Service. Frost moved; seconded by Goode.

Waters moved; seconded by Stamper to suspend the rules to allow Jim Mitchell, owner of Dad's Towing, to speak.

There was a unanimous vote for approval to suspend the rules.

Waters questioned Mitchell on the availability of his company and if he has an office in Hendersonville.

Mitchell stated he has an office and storage lot at City Square Shopping Center that is manned a majority of the time.

Waters questioned Mitchell's contract with the Metropolitan Police Department to serve their northern zone.

Mitchell stated he has such a contract and an office in Madison also.

Waters questioned the maximum wait time on an employee for a person to retrieve their vehicle.

Mitchell stated his company runs 24 hours a day.

Ames called for a point of order stating these questions do not relate to the proposed ordinance.

Sprouse stated comments should pertain to the motion on the floor.

Qualls questioned if Section Two of the proposed ordinance is clear enough on the time requirements.

Bradley stated when a wrecker company is contacted by the Police Department, it should be able to respond immediately or notify the Police Department if it is not available.

Qualls moved; seconded by West to amend Ordinance 2013-20, Section 9-609 (1) by adding "when called" after notify.

Qualls moved; seconded by Skidmore to amend Ordinance 2013-20 by adding Section 9-609 (3), "Any vehicle towed in response to the police call list shall be stored in Hendersonville unless otherwise agreed by the owner."

There was a unanimous vote for approval of the above amendments to Ordinance 2013-20.

Long stated Section 9-618 of the Municipal Code states that "All wrecker services, whether licensed or unlicensed by the city, shall have all licenses required by the state" and she would like to remove "unlicensed".

Bradley explained this addresses companies licensed on the City's call list.

Skidmore questioned the status of requiring background checks on the wrecker company employees.

Bradley stated he anticipates the Public Safety Committee will be reviewing background checks to incorporate into an ordinance. He explained the primary purpose of Ordinance 2013-20 is to adjust the rates.

Skidmore questioned if the Code is amended to incorporate background checks and other companies have been allowed on the call list, will they be "grandfathered" in.

Bradley stated there are no pending applications to be added to the call list.

Stamper questioned the insurance limits increase.

Bradley explained the Public Safety Committee members questioned the current insurance requirements and it was determined all the companies had much more than required.

There was a majority vote for approval of Ordinance 2013-20, as amended, with Long and Skidmore voting nay.

Sprouse declared the motion carried.

The caption of Resolution 2013-10 was read, a Resolution of the Board of Mayor and Aldermen amending the Hendersonville Design Review Manual regarding LED and similar lighting. Goode moved; seconded by Ames.

Planning Director Fred Rogers explained this amendment would give standards for LED lighting.

Skidmore asked for the changes to be defined.

Rogers explained this amendment provides an opportunity for the Planning Commission to review LED lighting and design standards.

Sprouse stated holiday lighting is exempt from this amendment.

There was a unanimous vote for approval of Resolution 2013-10.

The caption of Resolution 2013-12 was read, a Resolution authorizing termination of antenna tower lease agreement and acceptance of antenna tower. Qualls moved; seconded by Stamper.

There was a unanimous vote for approval of Resolution 2013-12.

OTHER AGENDA ITEMS

Skidmore moved; seconded by Goode for the appointment of Jack Welch to serve on the Municipal Board of Zoning Appeals.

There was a unanimous vote for approval of the above appointment.

Upon motion and second and followed by a unanimous vote for approval, the meeting adjourned at 8:15 p.m.

Scott Foster

Approved: Scott Foster, Mayor

Kay Franklin

Attest: Kay Franklin, City Recorder