

CITY OF HENDERSONVILLE
BOARD OF MAYOR AND ALDERMEN
MINUTES OF REGULAR MEETING
OCTOBER 22, 2013

PRESENT

SCOTT FOSTER, MAYOR
SCOTT SPROUSE, VICE-MAYOR
DON AMES, ALDERMAN
ARLENE CUNNINGHAM, ALDERMAN
PAUL R. GOODE, ALDERMAN
HAMILTON FROST, 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

AGENDA

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

Sprouse moved; seconded by Stamper to move the appeal by Greg Smith for the City Square Shopping Center solar panel canopies to the beginning of the agenda followed by second reading of Ordinance 2013-42.

There was a unanimous vote for approval to amend the agenda as above.

Goode requested a report on requests for information during the Mayor's report.

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

PRESENTATIONS

Foster presented Certificates of Recognition to members of the Hawkins Middle School Football Team for winning the 2013 Western Division Conference and Sumner County Football Championship.

Foster presented a Proclamation that proclaimed HolidayFest Season to be in effect through January 2014 and encouraged citizen participation in the special holiday celebrations benefiting charities of Sumner County.

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Members of the Station Camp High School DECA Club gave a presentation on Justice 4 the Silent, an organization fighting human sex trafficking.

PUBLIC HEARINGS

A public hearing was held to hear comments on a request by Seaside Investments, LLC to rezone 1.43 acres from Industrial Restrictive (IR) to Mixed Use Commercial District (MCD), said property being identified as Parcels 32.03 and 32.04 on Sumner County Property Tax Map 160N, Group C, and located at 13 Industrial Park Drive.

As there was no one desiring to speak, Foster declared the public hearing closed.

A public hearing was held to hear comments on a request by Glenbrook Partners, LLC to rezone 26.9 acres from Multiple Residential/Office District Planned Unit Development (MRO PUD) and Agriculture/Residential (AR) to Multiple Residential/Office District Planned Unit Development (MRO PUD) and to approve a Preliminary Master Development Plan for Independent Living Villas and Cottages (42 units), said property identified as Parcels 54.02 and 55.0 on Sumner County Property Tax Map 144 and located on Andrews Run, north of Glenbrook Shopping Center and south of Goshentown Road and to be known as the Fountains of Glenbrook.

As there was no one desiring to speak, Foster declared the public hearing closed.

A public hearing was held to hear comments on the annexation and the proposed Plan of Services for 17.75 acres owned by Glenbrook Partners, LLC property located on Andrews Run north of Glenbrook Shopping Center and south of Goshentown Road identified as Parcel 55.00 on Sumner County Property Tax Map 144 and shown on the map below.

Michael Crabb, 203 Southburn Drive, addressed the Board on the need for annexation of this property.

Donna DeSopo, 101 Chambliss Court, addressed the Board citing a plan of services must be provided.

As there was no one else desiring to speak, Foster declared the public hearing closed.

A public hearing was held to hear comments on a request by Scarlett Rose Brown to rezone 8.64 acres from Low Density Residential District (R-15) to Low Density Residential District (R-15) Planned Unit Development (PUD) and to approve a Preliminary Master Development Plan for 24 single family lots, said property identified as Parcel 1.01 on Sumner County Property Tax Map 169H, Group E, and located on the east side of Sanders Ferry Road at LaSabre Drive.

As there was no one desiring to speak, Foster declared the public hearing closed.

A public hearing was held to hear comments on a request by Edward T. Saunders to rezone 1.98 acres from Agricultural (AR) to Office Professional Services (OPS), said property being

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identified as the part of Parcel 48.00 on Sumner County Property Tax Map 145 located on the east side of Stop 30 Road and on the north side of Vietnam Veterans Boulevard.

Patrick Meacham, 1612 Stop 30 Road, addressed the Board opposing this rezoning due to the possibility of future re-zonings and traffic concerns.

Edsel Charles, address not given, addressed the Board stating this facility will not have any rental space and no increase in traffic.

Terry Bailey, 126 Ridgeview Trace, addressed the Board stating the concerns of the neighborhood will be the concerns of the facility as well.

Todd Alexander, no address given, addressed the Board as the Executive Director of the First Assembly of God District Office, citing the search to find a new home for the district office.

Brenda Payne, Director of the Hendersonville Area Chamber of Commerce, addressed the Board stating the Chamber is involved when jobs are brought to the area that will support area businesses.

Angel Finch, 1610 Stop 30 Road, addressed the Board opposing the proposed rezoning citing the rural setting and crossing the bypass for commercial zoning.

Leah Finch, 1610 Stop 30 Road, addressed the Board urging postponement of the rezoning citing the loss of wildlife and traffic concerns.

Susan Davis, 197 Jones Lane, addressed the Board stating this rezoning will impact her way of life and feels once the zoning is breached other properties will be rezoned.

Tim Brewer, 140 Riverwood Drive, addressed the Board urging support of the rezoning stating the rezoning would be for a quiet business and a small number of employees and that no commerce would be conducted at the site.

David Jenkins, 115 Chesapeake Harbor, addressed the Board explaining the reason for the rezoning request and that the district office intends to be a good neighbor.

Carl Vassar, 163 Jones Lane, addressed the Board opposing this rezoning and citing previous rezoning attempts for this property.

As there was no one else desiring to speak, Foster declared the public hearing closed.

MINUTES

West moved; seconded by Goode for approval of the October 8, 2013 minutes.

Long moved; seconded by Cunningham to include additions to Long's comments.

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Sprouse moved; seconded by Qualls to defer approval of the minutes.

There was a majority vote for approval to defer with Cunningham, Long and Skidmore voting nay.

Foster declared the motion carried.

CITIZENS COMMENTS

Michael Crabb, 203 Southburn Drive, addressed the Board stating he does not oppose charging for copies of records but that the actual cost should be charged.

Neil Siders, 1108 Lochland Drive, Gallatin, TN, addressed the Board thanking them for the opportunity to make their own copies of public documents.

Ken Jakes, 5920 Clarksville Pike, Joelton, TN, addressed the Board stating he belongs to a group of people who are taking the country back and has pledged to help finance the group.

David Whitt, 1030 Margaret Drive, addressed the Board stating the public is being kept from getting public documents and those seeking records are being belittled and intimidated.

Donna DeSopo, 101 Chambliss Court, addressed the Board stating public record access provides checks and balances.

Upon motion and second and followed by a unanimous vote for approval, the meeting recessed at 9:35 p.m. and reconvened at 9:45 p.m.

REPORTS

Finance Committee – recommended an ordinance appropriating \$15,000 for construction of a dog park; reported on a small reduction in franchise fees from AT&T; reported Regions Bank was the selected bid for the \$1.25 million capital outlay note; received the budget overage report; had a report on the Home Depot property tax refund and reported sales tax collection is over projection.

General Committee – no report.

Public Safety Committee – no report.

Public Works Committee – no report.

Capital Projects Committee – no report.

Planning Commission – reported the draft agenda includes a public hearing to hear comments on a request by WFC Durham Holdings to approve a new Preliminary Master Development Plan; the Final Plat for Walton Park; the Preliminary and Final Master Development Plans for Durham

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and Millstone, Site Plans for F&M Bank and Assemblies of God District Office Building; the Preliminary Plat for Stonecrest, Phase 3 and a staff approved project for Merrol Hyde Sports Concession.

Mayor – reported more people are currently looking at opportunities in Hendersonville than in the past five years.

Foster reported the Finance Department has spent 28.55 hours, the Personnel Department has spent 26.50 and the Executive Department has spent 12 hours preparing two record requests over the past two weeks.

Foster reported Greg Smith, owner of City Square Shopping Center, has appealed the denial by the Planning Commission for solar panel canopies to be installed at the shopping center. West moved; seconded by Goode.

Cunningham moved; seconded by Sprouse to suspend the rules to allow Smith to address the Board.

Smith addressed the Board explaining his appeal from the Planning Commission's actions.

Sprouse moved; seconded by Waters for support of Option 3 which is to reverse the Planning Commission's decision and approve the Site Plan as presented with the columns wrapped in stone, painting the rest of the metal to match the shopping center and proper long-term maintenance of the canopies including repainting and to repair, seal and re-stripe the parking lot and to paint the rest of the building

Ames called for the question.

There was a majority vote for approval to call for the question with Long, Qualls and Stamper voting nay.

Foster declared the motion carried.

There was a majority vote for approval of Option 3 as stated above with Ames, Frost, Qualls and Foster voting nay.

Foster declared the motion carried.

ORDINANCES AND RESOLUTIONS

The caption of Ordinance 2013-42 was read on second and final reading, an Ordinance amending Budget Ordinance 2013-28 by appropriating \$15,000 for construction of a dog park in Memorial Park. Frost moved; seconded by Long.

There was a unanimous vote for approval of Ordinance 2013-42 on second and final reading.

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The caption of Ordinance 2013-36 was read on second and final reading, an Ordinance amending the Zoning Ordinance and map by rezoning property located at 13 Industrial Park Drive from Industrial-Restrictive (I-R) to Mixed Commercial District (MCD). Goode moved; seconded by Sprouse.

There was a unanimous vote for approval of Ordinance 2013-36 on second and final reading.

The caption of Ordinance 2013-37 was read on second and final reading, an Ordinance rezoning property to be known as Fountains of Glenbrook. West moved; seconded by Waters.

There was a majority vote for approval of Ordinance 2013-37 on second and final reading with Long voting nay.

Foster declared the motion carried.

The caption of Ordinance 2013-38 was read, an Ordinance to annex into the City of Hendersonville, Tennessee, property located on Andrews Run, north of Glenbrook Shopping Center and south of Goshentown Road. Sprouse moved; seconded by West.

There was a majority vote for approval of Ordinance 2013-38 on second and final reading with Long and Skidmore voting nay.

Foster declared the motion carried.

The caption of Resolution 2013-19 was read, a Resolution to adopt a Plan of Services for the proposed annexation of property located on Andrews Run, north of Glenbrook Shopping Center and south of Goshentown Road. Ames moved; seconded by Goode.

There was a majority vote for approval of Resolution 2013-19 with Long voting nay.

Foster declared the motion carried.

The caption of Ordinance 2013-39 was read on second and final reading, an Ordinance rezoning property to be known as The Retreat located on the east side of Sanders Ferry Road at LaSabre Drive and approving a Preliminary Master Development Plan to govern the development of said property. West moved; seconded by Sprouse.

There was a majority vote for approval of Ordinance 2013-39 on second and final reading with Long and Skidmore voting nay.

Foster declared the motion carried.

The caption of Ordinance 2013-40 was read on second and final reading, an Ordinance amending the Zoning Ordinance and map by rezoning property located on the east side of Stop 30 Road and on the north side of Vietnam Veterans Boulevard from Agricultural-Residential (AR) to Office Professional Services (OPS) Skidmore moved; seconded by Sprouse.

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There was a majority vote for approval of Ordinance 2013-40 on second and final reading with Frost and Long voting nay.

Foster declared the motion carried.

Upon motion and second and followed by a unanimous vote for approval the meeting recessed at 11:15 and reconvened at 11:20 p.m.

The caption of Ordinance 2013-41 was read on second and final reading, an Ordinance establishing procedures for inspection or duplication of public records. Sprouse moved; seconded by Waters.

Waters moved; seconded by Sprouse to amend Ordinance 2013-41 to not allow the public to make their own copies of requested documents.

The following voted on the above amendment:

Aye: Frost, Goode, Qualls, Sprouse, Waters, West and Foster.

Nay: Ames, Cunningham, Long, Skidmore, Stamper and Woodcock.

Foster declared the motion carried.

Skidmore moved; seconded by Sprouse to amend Ordinance 2013-41 to add to the beginning of paragraph 3 the following: "Each department within the City will maintain custody of the records within that department."

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

The following voted on Ordinance 2013-41, as amended, on second and final reading:

Aye: Ames, Frost, Goode, Qualls, Sprouse, Waters, West and Foster.

Nay: Cunningham, Long, Skidmore, Stamper and Woodcock.

Foster declared the motion carried.

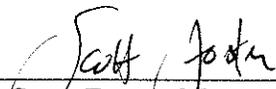
OTHER AGENDA ITEMS

Ames moved; seconded by Goode for the approval of the appointment of Andrew Bolt to serve on the Municipal Board of Zoning Appeals.

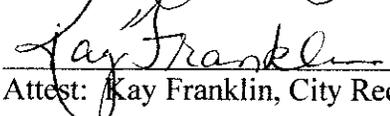
There was a unanimous vote for approval of the above appointment.

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Upon motion and second and followed by a unanimous vote for approval, the meeting adjourned at 11:30 p.m.



Approved: Scott Foster, Mayor



Attest: Kay Franklin, City Recorder