

CITY OF HENDERSONVILLE
BOARD OF MAYOR AND ALDERMEN
MINUTES OF REGULAR MEETING
MARCH 24, 2015

PRESENT

SCOTT FOSTER, MAYOR
MATT STAMPER, VICE-MAYOR
DON AMES, ALDERMAN
STEVE BROWN, ALDERMAN
PAT CAMPBELL, ALDERMAN
ARLENE CUNNINGHAM, ALDERMAN
HAMILTON FROST, ALDERMAN
PAUL R. GOODE, ALDERMAN
ROSA LONG, ALDERMAN
MARK SKIDMORE, ALDERMAN
SCOTT SPROUSE, ALDERMAN
JIM WATERS, ALDERMAN
DARRELL WOODCOCK, ALDERMAN
JOHN R. BRADLEY, CITY ATTORNEY
KAY FRANKLIN, CITY RECORDER

AGENDA

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

Goode moved; seconded by Woodcock to add reading of Resolution 2015-8 to the agenda as it has not been two weeks since committee review.

There was a unanimous vote for approval to add reading of Resolution 2015-8 to the agenda.

Foster announced the sponsor of Resolution 2015-5 has requested this item be pulled from the agenda.

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

PRESENTATION

Foster read a proclamation naming April as "Child Abuse Prevention Month".

MINUTES

Sprouse moved; seconded by Woodcock for approval of the March 10, 2015 minutes.

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There was a majority vote for approval with Stamper abstaining.

Foster declared the motion carried.

CITIZENS COMMENTS

Oliver Barry, 402 Private Drive, addressed the Board supporting the proposed ordinance on citizens' comments.

Terry Smith, 219 Curtis Crossroads, addressed the Board opposing the rezoning of the Drakes Creek Marina property.

Bobby Williams, 120 Shiloh Ridge, addressed the Board supporting the proposed ordinance on citizens' comments.

Jonathan Hayes, 120 Governors Point Boulevard, addressed the Board supporting the proposed ordinance on citizens' comments.

Chris Spencer, 104 Riverchase, addressed the Board opposing the proposed ordinance on citizens' comments.

Kevin Baigert, 424 A.B. Wade Road, Portland, addressed the Board opposing the proposed ordinance on citizens' comments.

Natasha Beltran, 80 Valleybrook Drive, addressed the Board opposing the proposed ordinance on citizens' comments.

Donna DeSopo, 101 Chambliss Court, addressed the Board opposing the proposed ordinance on citizens' comments.

Ken Jakes, 5920 Clarksville Highway, Joelton, addressed the Board opposing the proposed ordinance on citizens' comments.

Brenda Payne, 100 N. Country Club Drive, addressed the Board as President of the Hendersonville Area Chamber of Commerce supporting the proposed ordinance on citizens' comments.

Pat Collins, 139 Chiroc Road, addressed the Board opposing the proposed ordinance on citizens' comments.

Jerry Horton, 225 Shivel Drive, addressed the Board opposing the proposed ordinance on citizens' comments.

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

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REPORTS

Finance Committee – recommended an ordinance appropriating State Street Aid Funds for the Drakes Creek Road Re-alignment Project with an amendment that any funds recovered from developers be designated for paving and drainage work; sent to the Board with a negative recommendation an ordinance regarding reimbursement to City officials and employees and reviewed the revenue reports.

General Committee – no report.

Public Safety Committee – no report.

Public Works Committee – no report.

Capital Projects Committee – held a joint meeting with the Public Works Committee to review projects; elected Cunningham Vice-chairman and determined meetings would be held quarterly.

Planning Commission – reported the upcoming agenda includes public hearings to hear comments on a request by CT Hendersonville to add climate controlled storage as a permitted use to Indian Lake Market, Lot P and to hear comments on a request to add professional office space as a permitted use in Indian Lake Center, Phase I (Publix Shopping Center); Final Plats on Gerry Baggett property located on the west side of Old Shackle Island Road, at the east end of Sunset; MARJ Properties located at the east end of Molly Walton Drive and Indian Lake Village, Phase 8, Section B, re-subdivision of Lot 52; Preliminary and Final Development Plans for Indian Lake Market, Lot P for the addition of climate controlled self-storage and Sellars Funeral Home located on the north side of West Main, east side of Monthaven Boulevard and Site Plans for Indian Lake Center, Phase 5, Lot C, JEA Senior Living, Murphy Oil Fuel Center and C store, the Owens Building located on the north side of Music Village Boulevard, east side of Bluegrass Commons Boulevard and Sellars Funeral Home.

Mayor – encouraged residents to sign up for the CodeRed emergency notifications; reported Stop 30 Road is temporarily closed for an Our Lady of the Lake construction project and reported upcoming road work that will take place on Drakes Creek Road requiring motorists to seek alternate routes.

ORDINANCES AND RESOLUTIONS

The caption of Ordinance 2015-2 was read on second and final reading, an Ordinance amending Ordinance 2014-10 by appropriating State Street Aid Funds in an amount not to exceed \$563,858.00 for the Drakes Creek Road Re-alignment Project. Goode moved; seconded by Waters.

Sprouse moved; seconded by Waters to amend Ordinance 2015-2 by adding the following: “that to the extent that funds are recovered from any developer on Drakes Creek Road, these funds shall be designated for road paving and drainage use”.

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

There was a unanimous vote for approval of Ordinance 2015-2, as amended, on second and final reading.

The caption of Ordinance 2015-3 was read on first reading, an Ordinance rezoning the Drakes Creek Marina, LLC property located on the east and north sides of Sanders Ferry Road, and approving a Preliminary Master Development Plan to govern the development of said property. Woodcock moved; seconded by Ames.

Waters moved; seconded by Skidmore to suspend the rules to allow developer Darby Campbell to address the Board.

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

Campbell explained he is building a restaurant and not a bar and does not intend for patrons to stay long term.

Goode called for the question.

There was a majority vote for approval of Ordinance 2015-3 on first reading with Frost voting nay.

Foster declared the motion carried.

Upon motion and second and followed by a unanimous vote for approval, there was a ten minute recess at 9:00 p.m. The meeting reconvened at 9:10 p.m.

The caption of Ordinance 2015-4 was read on first reading, an Ordinance amending the Hendersonville Municipal Code, Section 10-102, Order of Business, Guidelines for Public Comments. Brown moved; seconded by Frost.

Brown moved; seconded by Frost to amend Ordinance 2015-4 by adding to Guidelines for public comments (8) "Immediately after adjournment of the regular meeting, public comments will be open to any citizen wishing to speak on any topic of their choosing for a period of three minutes".

The following voted on the above amendment:

Aye: Ames, Brown, Frost, Goode, Sprouse and Foster.

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

Foster declared the motion failed.

Waters moved; seconded by Campbell to amend Ordinance 2015-4 by amending Section 1-102, Guidelines for public comments (6) to include “excessively repetitive” and amending Section 1-102 to allow for two sets of public comments with the first set staying in its regular position of the agenda to speak on agenda items only and the second set of public comments on non-agenda items for three minutes prior to the meeting adjourning.

Waters and Campbell withdrew their motion and second.

Waters moved; seconded by Campbell to amend Ordinance 2015-4 by amending Section 1-102, Guidelines for public comments (6) to include “excessively repetitive”.

The following voted on the above motion:

Aye: Campbell, Goode, Sprouse, Waters and Foster.

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

Foster declared the motion failed.

Waters moved; seconded by Campbell to amend Ordinance 2015-4 by amending Section 1-102 to allow citizens’ comments on agenda items only and having citizens’ comments on non-agenda items with a three minute limit prior to adjournment.

The following voted:

Aye: Brown, Campbell, Goode, Sprouse, Waters, Woodcock and Foster.

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

Foster declared the motion carried.

Stamper moved; seconded by Woodcock to amend citizens’ comments on non-agenda items with a three minute limit prior to adjournment to “five minutes”.

The following voted:

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

Nay: Ames, Brown, Campbell, Frost, Goode, Sprouse, Waters and Foster.

Foster declared the motion failed.

The following voted on Ordinance 2015-4, as amended, on first reading:

Aye: Campbell, Sprouse, Waters and Woodcock.

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Nay: Ames, Brown, Cunningham, Frost, Goode, Long, Skidmore, Stamper and Foster.

Foster declared the motion failed.

Goode moved; seconded by Sprouse for reconsideration of Ordinance 2015-4, as amended, on first reading.

The following voted:

Aye: Ames, Brown, Campbell, Cunningham, Goode, Sprouse, Stamper, Waters and Foster.

Nay: Frost, Long, Skidmore and Woodcock.

Foster declared the motion carried.

Goode moved; seconded by Sprouse to amend Ordinance 2015-4 by adding to Guidelines for public comments (8) "immediately after adjournment of the regular meeting, public comments will be open to any citizen wishing to speak on any topic of their choosing for a period of five minutes".

The following voted on the above amendment:

Aye: Brown, Frost, Goode, Sprouse and Foster.

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

Foster declared the motion failed.

The caption of Resolution 2015-8 was read, a Resolution to create an Adventure Tourism District in Hendersonville, Tennessee, and to develop an Adventure Tourism District Plan for submission to the Tennessee Department of Economic and Community Development and to the Tennessee Department of Revenue for joint approval as an Adventure Tourism District pursuant to the Tennessee Adventure Tourism and Rural Development Act of 2011. Goode moved; seconded by Waters.

Goode called for the question.

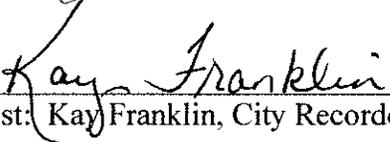
There was a unanimous vote for approval of Resolution 2015-8.

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Upon motion and second and followed by a unanimous vote for approval, the meeting adjourned at 10:38 p.m.



Approved: Scott Foster, Mayor



Attest: Kay Franklin, City Recorder