

CITY OF HENDERSONVILLE
BOARD OF MAYOR AND ALDERMEN
MINUTES OF REGULAR MEETING
SEPTEMBER 22, 2015

PRESENT

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

AGENDA

Sprouse moved; seconded by Stamper to add for first reading Ordinance 2015-21 and Ordinance 2015-22 as it has not been two weeks since committee review.

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

Sprouse moved; seconded by Frost for acceptance of the agenda as amended above.

There was a unanimous vote for approval for acceptance of the agenda.

PUBLIC HEARING

A public hearing was held to hear comments on a request by Good Shepherd United Methodist Church Board to rezone from ER (Estate Residential) to MXC PD (Mixed Commercial Planned Development) and to approve a Preliminary Development Plan for Glenbrook North, Phase IV, Area F located on the west side of New Shackle Island Road, north of Glenbrook Way. Sumner County Property Tax Map 144, Parcel 104.01 containing 5.49 acres.

MINUTES OF REGULAR MEETING
SEPTEMBER 22, 2015
PAGE 2

Mike Crabb, 203 Southburn Drive, addressed the Board requesting a traffic study be completed to determine if a problem would be created with the rezoning of this property and requesting referral back to the Planning Commission.

David Luckey, 110 Clarendon Place, addressed the Board stating he has already agreed to provide a traffic study and make the necessary infrastructure improvements upon approval of the rezoning.

Jeremy Squires, 161 Grove Lane South, addressed the Board as Pastor of Good Shepherd United Methodist Church stating it has always been the intention of the Church to sell this property and the need to sell this property.

Steven Puckett, 228 Sanders Ferry Road, Apartment A-21, addressed the Board on the need for a traffic signal on Glenbrook Way and the risk of over-development and the lowering of property values.

Bill Nichols, 62 Valley Brook Drive, addressed the Board stating he is the owner of the property across from the proposed rezoning and spoke against allowing a drive-through restaurant. He further stated his concerns about a traffic hazard and the lack of a traffic study prior to being rezoned.

Todd Tillemous, 102 Creekwood Lane, addressed the Board citing flooding issues from the Glenbrook Development and his concern with traffic flow and the need for the infrastructure to be in place prior to development.

As there was no one else desiring to speak, Foster declared the Public Hearing closed.

MINUTES

Waters moved; seconded by Sprouse for approval of the September 8, 2015 meeting minutes.

There was a majority vote for approval with Stamper abstaining.

Foster declared the motion carried.

CITIZENS COMMENTS

Mike Crabb, 203 Southburn Drive, addressed the Board stating TDOT allowed the contract to expire without an extension on the Saundersville Road LIC Project.

Bobbie Schorsten, 104 Foxcross Drive, addressed the Board announcing the Dancing With Sumner County Stars benefit for the Sumner County Teen Center sponsored by the Women's Club to be held on September 26 at Bluegrass Country Club and that Sprouse would be a contestant.

Donna DeSopo, 101 Chambliss Court, addressed the Board on the lack of data to make sound decisions and that the rezoning request should be tabled for further information before proceeding.

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

REPORTS

Finance Committee – recommended an ordinance accepting a grant and appropriating funds in the amount of \$7,518.37 for bulletproof vests; recommended resolutions appropriating capital project funds in the amount of \$4,020,400.00, accepting a donation and appropriating funds from The Memorial Foundation in the amount of \$65,000 and authorizing an agreement for a Police Officer to accept retiring Police Dog Kilo.

General Committee – no report.

Public Safety Committee – no report.

Public Works Committee – winding up spring and summer projects; reviewed contracts for the Indian Ridge and Savannah detention ponds; reported the Drakes Creek Road S curve project is completed; reviewed the easement and geotechnical borings for the railroad pipe penetrations; discussed spring paving list; reported the city-wide traffic signal synchronization has been approved by the State; reported the New Shackle Island Road Widening Project is starting and will be reviewing possible changes to the garbage contract.

Capital Projects Committee – announced a meeting to be held on September 29, 2015 at 6:00 p.m.

Planning Commission – reported the upcoming agenda will include the Preliminary Development Plan for the Shute Lane Office Development; the addition of use to the Final Development Plan for Indian Lake Market, Lots DD, CC, BB, AA, U, V, X and Y; the Site Plan for Dr. Stewart Medical Office Facility, Drakes Creek Marina, Phase I and Rogers Group stockpile Expansion and Asphalt relocation.

Mayor – announced upcoming lane closures for the next three weeks on Drakes Creek Road to allow the pump station work for Durham Farms; announced the City has received approval for the issuance of the \$4,020,400 capital outlay note from the Office of State and Local Finance (a copy of this letter is attached to these minutes); announced the dedication ceremony for the Rock Castle Civil War Trails Marker is Thursday, September 24, 2015 at 5:00 p.m. and announced tonight at the Annual GNRC Awards Banquet, the City is receiving awards for its CDBG Consolidated Plan and the Domestic Violence Program and Honorable Mention awards for the SR 386 and Indian Lake Boulevard Interchange Program, the Safe Routes to School Project, the C.E.R.T. Program and the Mid-State Senior Softball League.

ORDINANCES AND RESOLUTIONS

The caption of Ordinance 2015-19 was read on second and final reading, an Ordinance rezoning the Glenbrook North property located on the west side of New Shackle Island Road, north of Glenbrook Way, and approving a Preliminary Master Development Plan to govern the development of said property. Frost moved; seconded by Sprouse.

Waters moved; seconded by Campbell to suspend the rules to allow David Luckey, developer of the project, to address the Board.

Luckey explained the traffic study will be limited to the specific area and submitted with the final Site Plan and Preliminary Master Development Plan. He further explained he is hopeful to have approval from TDOT on an additional access from New Shackle Island Road before approval of FMDP.

Ames called for the question.

There was a unanimous vote for approval.

The following voted on Ordinance 2015-19 on second and final reading:

Aye: Ames, Brown, Campbell, Cunningham, Frost, Skidmore, Sprouse, Taylor and Foster.

Nay: Long, Stamper, Waters and Woodcock.

Foster declared the motion carried.

Upon motion and second and followed by a unanimous vote for approval, a recess was taken at 9:25 p.m. The meeting reconvened at 9:32 p.m.

The caption of Ordinance 2015-21 was read on first reading, an Ordinance appropriating capital project funds in the amount of \$4,020,400.00. Brown moved; seconded by Campbell.

There was a majority vote for approval with Long voting nay and Woodcock abstaining for Ordinance 2015-21 on first reading.

Foster declared the motion carried.

The caption of Ordinance 2015-22 was read on first reading, an Ordinance accepting a donation from The Memorial Foundation and amending Budget Ordinance 2015-7 by appropriating \$65,000 for the Drakes Creek Park Baseball Field #3 Synthetic Turf Infield Project. Frost moved; seconded by Ames.

There was a unanimous vote for approval of Ordinance 2015-22 on first reading.

The caption of Resolution 2015-22 was read, a Resolution establishing a Records Management System. Frost moved; seconded by Ames.

There was a unanimous vote for approval of Resolution 2015-22.

The caption of Resolution 2015-23 was read, a Resolution to approve the Final Development Plan for Drakes Creek Marina. Ames moved; seconded by Woodcock.

There was a majority vote for approval of Resolution 2015-23 with Long and Skidmore voting nay.

Foster declared the motion carried.

The caption of Resolution 2015-24 was read, a Resolution to approve the Final Development Plan for Dr. Stewart Medical Office Facility. Frost moved; seconded by Stamper.

Brown moved; seconded by Sprouse to correct Section 1 to read "for Dr. Stewart Medical Office Facility".

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

There was a unanimous vote for approval of Resolution 2015-24.

The caption of Resolution 2015-25 was read, a Resolution accepting dedication of the completed streets in Volunteer Industrial Subdivision, Section 2, Hendersonville, Sumner County, Tennessee. Ames moved; seconded by Sprouse.

There was a unanimous vote for Resolution 2015-25.

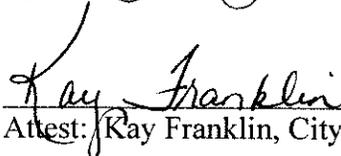
OTHER AGENDA ITEMS

Frost moved; seconded by Woodcock for the appointment of W. Michael DuMont to serve on the Municipal Board of Zoning and Appeals.

There was a unanimous vote for approval.

Upon motion and second and followed by a unanimous vote for approval, the meeting adjourned at 9:40 p.m.


Approved: Scott Foster, Mayor


Attest: Kay Franklin, City Recorder



RECEIVED SEP 17 2015

STATE OF TENNESSEE
COMPTROLLER OF THE TREASURY
OFFICE OF STATE AND LOCAL FINANCE
SUITE 1600 JAMES K. POLK STATE OFFICE BUILDING
505 DEADERICK STREET
NASHVILLE, TENNESSEE 37243-1402
PHONE (615) 401-7872
FAX (615) 741-5986

September 9, 2015

Honorable Scott Foster, Mayor
City of Hendersonville
101 Maple Drive North
Hendersonville, TN 37075

Dear Mayor Foster:

Please present a copy of this letter to each Alderman at the next Board meeting following receipt of this letter.

This Office received a request from the City of Hendersonville (the "City") on September 8, 2015, for approval to issue ten-year capital outlay notes in an amount not to exceed \$4,020,400 to be known as the Capital Outlay Notes, Series 2015 (the "Notes").

This Office received a copy of Resolution No. 2015-17 adopted on August 25, 2015, authorizing the issuance of the Notes to finance the following public works projects: parks and golf course projects, IT software, a new fire engine, and equipment (the "Projects"). The proposed note form was not included with the resolution. Please include the note form with all future capital outlay note approval requests. Please send a copy of the executed note to us along with the completed Report on Debt Obligation.

Debt Management Policy

The City provided a copy of its debt management policy, and within forty-five (45) days of issuance of the debt approved in this letter, is required to submit a Report on Debt Obligation that indicates that this debt complies with its debt policy. If the City amends its policy, please submit the amended policy to this office.

Note Approval

This letter constitutes approval for the City to issue the Notes by competitive sale pursuant to T.C.A. §§ 9-21-608 and 9-21-609. Approval of the sale of the Notes is conditioned upon the City's compliance with all relevant provisions of Tennessee law.

This Office has relied upon the City's determination and representation as to the cost of the public works Project.

The City is responsible for insuring compliance with Title 9 Chapter 21 Parts 1, 4, and 6 of the Tennessee Code Annotated, its debt management policy, and the timely payment of outstanding note principal and interest in accordance with the note provisions.

This letter and the approval to issue debt do not address the compliance with federal tax regulations and should not be relied upon for that purpose. The City should discuss these issues with a tax attorney or bond counsel.

This approval is valid for six months after the date of this letter. If the Notes have not been issued within that time, a new note resolution must be passed by the Governing Body and submitted to this Office for approval.

Purpose, Terms, and Life

These Projects meet the definition of public works projects in T.C.A. § 9-21-105, and the City may issue notes under the authority of Title 9 Chapter 21 of the Tennessee Code Annotated to finance such projects. The maturity of the Notes does not exceed the lives of the proposed Projects as attested by the local governing body. The submitted certified resolution and supporting documents appear to meet the requirements for the issuance of notes in Title 9 Chapter 21 Parts 1, 4, and 6 of the Tennessee Code Annotated. The maximum maturity for the Notes as authorized by the governing body is ten years after the date of issuance.

Not less than level debt service is to be paid each year after date of issuance with the balance being paid in the final year of the Notes. In its resolution, the City committed to pay annual principal amounts with interest that results in level debt service payments. This repayment schedule meets the requirements of T.C.A. § 9-21-608. This repayment schedule meets the requirements of statute. If the City does not pay the minimum fiscal year principal payments stated in its resolution, the City will not be permitted to convert the Notes to bonds after the two (2) year period commencing on the date of issuance (T.C.A. § 9-21-610).

Nonconforming Obligations

Notes issued contrary to Title 9 Chapter 21 Parts 4 and 6 of the Tennessee Code Annotated or Notes not properly extended are nonconforming obligations. The Comptroller has the option to levy a penalty for notes deemed nonconforming obligations.

Director’s Approval Requirement

By issuing debt pursuant to Title 9 Chapter 21 of the Tennessee Code Annotated the City has placed itself under the budget approval authority of the Director of the Office of State and Local Finance (the “Director”) for the life of any debt. This authority requires you, as Chief Executive Officer, to submit to the Director, the appropriation resolution for official budget approval within 15 days of adoption, with any necessary supporting documents that substantiate:

- the City’s budget is balanced as required by state law,
- the City intends to pay all of its outstanding debt obligations, and
- the annual budget is prepared in a form consistent with accepted governmental standards and as approved by the Director.

This Office can require the City to provide any information or perform any audits necessary to ascertain that the City maintains a balanced budget and make payments on its outstanding debt obligations. If the government is unwilling to submit information to comply with the requirements of T.C.A. § 9-21-403, the approval to issue the Notes is rescinded.

Municipal Securities Rulemaking Board (MSRB) Voluntary Disclosure of Bank Loans

The Municipal Securities Rule Making Board (MSRB) released regulatory notices: MSRB Notice 2011-52, providing guidance on the use of “bank loans” that could be a private placement of municipal securities subject to specific regulatory requirements including disclosure; and MSRB Notice 2012-18, encouraging the voluntary disclosure of bank loan financings through the MSRB’s Electronic Municipal Market Access (EMMA®) website (emma.msrb.org). For more information see the preceding notices on the MSRB’s website (msrb.org). To learn how to submit disclosure see the link at the bottom of the EMMA website labeled Submit Documents or the Education Center of the MSRB’s website.

Report on Debt Obligation

Enclosed is the Report on Debt Obligation. This form must be filed with the governing body of the public entity issuing the Debt not later than forty-five (45) days following the issuance or execution of a debt obligation by or on behalf of any public entity, with a copy (including attachments, if any) filed with the Director of the Office of State and Local Finance by mail to the address on this letter, or by email to StateandLocalFinance.PublicDebtForm@cot.tn.gov. No public entity may enter into additional debt if it has failed to file the Report on Debt Obligation.

Please notify us if the City decides not to issue the Notes. If we may be of further assistance, please feel free to call us.

Sincerely,



Sandra Thompson
Director of State & Local Finance

Cc: Mr. Jim Arnette, Director of Local Government Audit

Enclosure: Report on Debt Obligation

REPORT ON DEBT OBLIGATION

(Pursuant to Tennessee Code Annotated Section 9-21-151)

1. Public Entity:
 Name: _____
 Address: _____

 Debt Issue Name: _____
 If disclosing initially for a program, attach the form specified for updates, indicating the frequency required.

2. Face Amount: \$ _____
 Premium/Discount: \$ _____

3. Interest Cost: _____ % Tax-exempt Taxable
 TIC NIC
 Variable: Index _____ plus _____ basis points; or
 Variable: Remarketing Agent _____
 Other: _____

4. Debt Obligation:
 TRAN RAN CON
 BAN CRAN GAN
 Bond Loan Agreement Capital Lease
 If any of the notes listed above are issued pursuant to Title 9, Chapter 21, enclose a copy of the executed note with the filing with the Office of State and Local Finance ("OSLF").

5. Ratings:
 Unrated
 Moody's _____ Standard & Poor's _____ Fitch _____

6. Purpose:

	BRIEF DESCRIPTION
<input type="checkbox"/> General Government _____ %	_____
<input type="checkbox"/> Education _____ %	_____
<input type="checkbox"/> Utilities _____ %	_____
<input type="checkbox"/> Other _____ %	_____
<input type="checkbox"/> Refunding/Renewal _____ %	_____

7. Security:
 General Obligation General Obligation + Revenue/Tax
 Revenue Tax Increment Financing (TIF)
 Annual Appropriation (Capital Lease Only) Other (Describe): _____

8. Type of Sale:
 Competitive Public Sale Interfund Loan _____
 Negotiated Sale Loan Program _____
 Informal Bid

9. Date:
 Dated Date: _____ Issue/Closing Date: _____

REPORT ON DEBT OBLIGATION
(Pursuant to Tennessee Code Annotated Section 9-21-151)

12. Recurring Costs:

No Recurring Costs

	AMOUNT (Basis points/\$)	FIRM NAME (If different from #11)
Remarketing Agent	_____	_____
Paying Agent / Registrar	_____	_____
Trustee	_____	_____
Liquidity / Credit Enhancement	_____	_____
Escrow Agent	_____	_____
Sponsorship / Program / Admin	_____	_____
Other _____	_____	_____

13. Disclosure Document / Official Statement:

None Prepared

EMMA link _____ or

Copy attached _____

14. Continuing Disclosure Obligations:

Is there an existing continuing disclosure obligation related to the security for this debt? Yes No

Is there a continuing disclosure obligation agreement related to this debt? Yes No

If yes to either question, date that disclosure is due _____

Name and title of person responsible for compliance _____

15. Written Debt Management Policy:

Governing Body's approval date of the current version of the written debt management policy _____

Is the debt obligation in compliance with and clearly authorized under the policy? Yes No

16. Written Derivative Management Policy:

No derivative

Governing Body's approval date of the current version of the written derivative management policy _____

Date of Letter of Compliance for derivative _____

Is the derivative in compliance with and clearly authorized under the policy? Yes No

17. Submission of Report:

To the Governing Body: on _____ and presented at public meeting held on _____

Copy to Director to OSLF: on _____ either by:

Mail to: _____ **OR** Email to: StateAndLocalFinance.PublicDebtForm@cot.tn.gov

505 Deaderick Street, Suite 1600
James K. Polk State Office Building
Nashville, TN 37243-1402

18. Signatures:

	AUTHORIZED REPRESENTATIVE	PREPARER
Name	_____	_____
Title	_____	_____
Firm	_____	_____
Email	_____	_____
Date	_____	_____