CITY OF HENDERSONVILLE
BOARD OF MAYOR AND ALDERMEN
MINUTES OF REGULAR MEETING
AUGUST 27, 2013

PRESENT

SCOTT FOSTER, MAYOR
SCOTT SPROUSE, VICE-MAYOR
DON AMES, 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
JOHN BRADLEY, CITY ATTORNEY
KAY FRANKLIN, CITY RECORDER

ABSENT

ARLENE CUNNINGHAM, ALDERMAN
DARRELL WOODCOCK, ALDERMAN

AGENDA

Goode moved; seconded by Skidmore for acceptance of the agenda as presented.

There was a unanimous vote for approval.

PRESENTATIONS

Foster presented a proclamation to members of the Sumner Academy Student Council proclaiming August 27, 2013 as "Sumner Academy Day" in honor of its 40th year of operation.

Foster presented a proclamation to Christine Bakey proclaiming September 2 through September 6, 2013 as "National Payroll Week".

PUBLIC HEARING

A public hearing was held to hear comments on a request by Randall Durham and Vastland Eatherly-McClung Partnership to approve a new Preliminary Master Development Plan for

property located on the south side of Donna Drive and west of Walton Ferry Road, Sumner County Property Tax Map 163L, Group D, Parcel 21.00 containing 2.210 acres and zoned High Density Residential District Planned Unit Development (RM-1 PUD), said new plan is to establish 14 single family residential lots.

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

MINUTES

Waters moved; seconded by Ames for approval of the August 13, 2013 minutes.

There was a majority vote for approval of the minutes with Frost and West abstaining. Foster declared the motion carried.

CITIZENS COMMENTS

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

REPORTS

Finance Committee – recommended a resolution declaring certain assets as surplus and directing disposal of those items; reviewed budget overages and the July revenue and sales tax reports noting a positive trend.

General Committee – no report.

Public Safety Committee – no report.

Public Works Committee – no report.

Capital Projects Committee – reported on a conversation with a member of the County's committee in reference to the library and his understanding the County has dismissed the proposed resolution from the City and wants to hold another meeting.

Planning Commission – reported a public hearing will be held on a rezoning request to Multiple Residential/Office District PUD for property located on Andrews Run, north of Glenbrook Shopping Center and south of Goshentown Road to be known as the Fountains of Glenbrook; will hold a public hearing on a request to rezone property to Low Density Residential District PUD located on the east side of Sanders Ferry Road at LaSabre Drive; will hold a public hearing on adding Bakeries as a permitted use in the Publix Shopping Center; will hold a public hearing on a rezoning request to Office Professional Services for property located on the east side of Stop 30 Road and on the north side of Vietnam Veterans Boulevard; will hold a public hearing on a rezoning request to Mixed Use Commercial District property located at 13 Industrial Park Drive; will hold a public hearing on the annexation and proposed plan of services for property located on Andrews Run, north of Glenbrook Shopping Center and south of Goshentown Road; will

review the Preliminary Master Development Plans for the Fountains of Glenbrook and The Retreat and the amendment to the Publix Final Master Development Plan to add the use for Bakeries; will review Site Plans for the Millstone sewer pump station and Elite Properties parking lot addition; will review the Preliminary Plat for Millstone, Phase 1 and will review rezoning requests for the property located on the east side of Stop 30 Road and the north side of Vietnam Veterans Boulevard and property located at 13 Industrial Park Drive.

Mayor – reported the remaining easements for the widening of New Shackle Island Road have been acquired and now TDOT will issue the construction plans; reported the Indian Lake Boulevard Bridge is open and the dedications of the Civil War Trails markers at Hazel Path and Monthaven will be held on September 6.

Stamper questioned the status of the Walton Ferry and Old Shackle Island Roads realignment.

Foster stated the City has issued a check for over $1 million for this project but has not heard from TDOT. He stated TDOT will be contacted about moving forward on this project.

ORDINANCES AND RESOLUTIONS

The caption of Ordinance 2013-32 was read on second and final reading, an Ordinance approving a new Preliminary Master Development Plan for Walton Park Planned Unit Development (formerly Donna Drive Townhomes). Skidmore moved; seconded by Long.

There was a unanimous vote for approval of Ordinance 2013-32 on second and final reading.

The caption of Ordinance 2013-34 was read on first reading, an Ordinance regulating wrecker service companies on the police call list. Frost moved; seconded by Stamper.

Sprouse stated his concern with the language in the ordinance over the way some felony convictions are to be treated differently than others. He explained his concern that as long as violent offenses were committed seven years ago, they would be eligible for the call list. He suggested language that would differentiate between crimes against a person versus property.

Skidmore stated he echoed Sprouse's comments and wanted to make sure the wrecker company owners are included in the background checks.

Goode moved; seconded by Skidmore to defer Ordinance 2013-34 for two meetings.

Ames stated the Public Safety Committee heard from Police Department representatives and the City Attorney on this issue and that the language is similar to what is required by other agencies. He stated he does not think this language should be made any more technical than what is being presented.

The following voted on the motion to defer:

Aye: Goode, Long, Skidmore, Sprouse, West and Foster.

Nay: Ames, Frost, Qualls, Stamper and Waters.

Foster declared motion to defer failed due to lack of two-thirds vote.

Bradley explained the language included in the ordinance is what was requested by Cunningham but can certainly be amended. He explained it was his understanding that the Public Safety Committee recommended no permit would be issued if a person had ever been convicted of a sex offender offense. He stated permits would not be issued to individuals for other felony convictions within the last seven years.

Frost questioned how far felony is defined. He stated he understands some Board members want to disallow any felonies.

Goode asked if Bradley was comfortable with the proposed language in this ordinance.

Bradley stated he was comfortable with the ordinance language before the proposed change. He stated this is the language requested as relayed by the Public Safety Committee.

Sprouse stated he feels legislation amended on the fly produces a questionable product and feels this should go back to the committee for further review.

Sprouse moved; seconded by Stamper to refer Ordinance 2013-34 back to the Public Safety Committee.

There was a majority vote for approval with Ames voting nay.

Foster declared the motion carried.

The caption of Resolution 2013-18 was read, a Resolution to declare certain assets owned by the City to be surplus to the City's needs and directing disposal of same. Qualls moved; seconded by Frost.

Skidmore questioned the method of disposal.

Foster explained these items would be sold on-line.

There was a unanimous vote for approval of Resolution 2013-18.

Waters complimented last Sunday's "Bonnie Sloan Day" ceremony. He explained Bonnie Sloan was the NFL's first deaf player and is now a Hendersonville resident.

Upon motion and second and followed by a unanimous vote for approval, the meeting adjourned at 8:00 p.m.

Approved: Scott Foster, Mayor

Attest: Kay Franklin, City Recorder