

CITY OF HENDERSONVILLE  
BOARD OF MAYOR AND ALDERMEN  
MINUTES OF REGULAR MEETING  
JUNE 12, 2012

PRESENT

SCOTT FOSTER, MAYOR  
GARRY FORSYTHE, VICE-MAYOR  
STEVE BROWN, ALDERMAN  
ARLENE CUNNINGHAM, ALDERMAN  
TOMMY ELSTEN, ALDERMAN  
HAMILTON FROST, ALDERMAN  
JIM HOBACK, ALDERMAN  
JACK LONG, ALDERMAN  
FRED QUALLS, ALDERMAN  
SCOTT SPROUSE, ALDERMAN  
MATT STAMPER, ALDERMAN  
LISA WEST, ALDERMAN  
JOHN BRADLEY, CITY ATTORNEY  
KAY FRANKLIN, INTERIM CITY RECORDER

AGENDA

Sprouse moved; seconded by Stamper for approval of the agenda.

Long moved; seconded by Sprouse to withdraw first reading of Ordinance 2012-18, an Ordinance appropriating performance bond funds in the amounts shown in Exhibit A for the installation of public works infrastructure.

There was a unanimous vote for approval to withdraw Ordinance 2012-18 from the agenda.

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

PUBLIC HEARING

A public hearing was held to hear comments on the proposed 2013 fiscal year budget.

Michael Crabb, 203 Southburn Drive, addressed the Board stating he does not understand the purpose of the budget amendment made during the first reading adding \$30,000 for a drainage engineering study. He further stated the \$30,000 would be better spent on the projects.

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

### MINUTES

Sprouse moved; seconded by West for approval of the May 22, 2012 minutes.

There was a unanimous vote for approval.

### CITIZENS COMMENTS

Ray Moore, 104 Oak Court, addressed the Board stating he has been told by the Planning Department he is not allowed to operate a hot dog stand in the parking lot of a local business. He stated he inquired on how to proceed to open this business and was told he did not need a U&O. Moore stated approximately two weeks later he was told his business was not allowed at this location. He explained the Planning Department has told him he can only obtain three three-week permits to operate at the business location. He cited the investment in equipment and merchandise he has made in order to operate his business. He further stated he wants to do what is right and have this issue resolved.

E.P. Ausbrooks, 140 Fairways, addressed the Board stating MTAS and TASIR are available at no cost to assist the City with engineering issues and the City should take advantage of these services. He further stated a proper drainage study cannot be completed without including the cities of Gallatin and Goodlettsville.

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

### REPORTS

Finance Committee – recommended ordinances accepting FEMA Port Security Grants; recommended ordinances adopting fiscal year 2013 budget, tax rate and garbage assessment; recommended ordinances accepting FEMA Assistance to Firefighters Grants; recommended a resolution transferring Fire Department funds for revision costs on the new fire engine; recommended a resolution authorizing contributions to certain non-profit organizations; recommended resolutions of intent for the Fire Department to apply for FEMA Assistance to Firefighting Grants; reviewed the May financial reports reporting sales tax revenue is up; reviewed the Country Hills Golf Course fiscal year 2013 budget and reported no contributions to the City are expected and the future need for some capital purchases and reported the TIF is performing as scheduled with the May TIF payment being paid.

General Committee – no report.

Qualls stated if necessary, the General Committee will meet to discuss the Ward 3 Alderman appointment process.

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Public Safety Committee – recommended resolutions of intent for the Fire Department to apply for FEMA Assistance to Firefighting Grants and recommended the transfer of funds in the Fire Department for revision costs for the new fire engine.

Public Works Committee – received an update on the Mansker Farms Subdivision; recommended for acceptance the streets in Van Lang Estates; deferred discussion on the release of letters of credit for The Streets of Indian Lake and reported the consultant requested to discuss making a drainage study did not respond.

Capital Projects Committee – no report.

Planning Commission – recommended the Site Plan for New Island Center, Phase II; recommended the Preliminary Plat for Windstar Bay, Section 5A; denied recommendation for the Preliminary and Final Master Development Plan for Hawthorne at Indian Lake (apartments behind Cracker Barrel).

Mayor – reported the City’s parks will be hosting the Music City Hits Softball Tournament this weekend with 36 teams from seven states playing 100 games; announced the Freedom Festival and fireworks will be held on July 3 with activities beginning at 4:00 and fireworks at 9:00; announced the Big Bubba Bash for Make a Wish will be held July 6-8; reported pavement patching is taking place on Anderson Lane; reported roadway improvement work is ongoing on Indian Lake Boulevard and the bypass and reported memorial signs have been placed along the bypass in honor of Sumner County military personnel who lost their lives while serving.

Hoback questioned the delay in starting the roadway widening on New Shackle Island Road.

Public Works Director Jerry Horton explained the State is still in right-of-way acquisition phase.

Elsten questioned Moore’s comments about his hot dog vendor business.

Foster explained the City banned portable businesses some time ago and would allow Moore the three three-week permits.

Foster requested second reading of the budget be held at this time followed by the other housekeeping agenda items that will need to amend the adopted budget.

## ORDINANCES AND RESOLUTIONS

The caption of Ordinance 2012-13 was read on second and final reading, an Ordinance to adopt a City budget and to appropriate funds for Fiscal Year 2012-2013. Sprouse moved; seconded Stamper.

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Sprouse stated he cannot justify spending \$30,000 for an engineering study which just doubles up on work already done. He further stated other departments were denied budget requests for items \$30,000 or less.

Sprouse moved; seconded by Elsten to remove \$30,000 from the Public Works Department professional services budget for an engineering study.

Frost stated he is not denying the Southburn Drive area is the primary drainage issue or trying to remove it from the drainage list. He stated he feels it would be an investment to have an independent engineer provide insight as to what the best answer is to relieve the problems with the amount of money the City has. He further stated the citizens need relief and maximized benefit.

Brown stated he feels it would be money well spent in order to see how best to spend the bond money.

Horton explained there is a City-wide drainage study completed by the Public Works Department using FEMA mapping and information from previous flooding. He stated such a study done by an outside consultant would cost approximately \$200,000.

Hoback stated he feels spending \$30,000 to hear from an outside consultant would be a waste of money that won't fix any problems. He stated the City already has the Right Bank Tributary Study.

West stated the Public Works Committee has reviewed additional information on this subject and she cannot support spending the money for an outside consultant.

Stamper stated he understands the need for prudence when utilizing tax dollars but cannot see the benefit of an additional study.

There was a unanimous vote for approval to remove \$30,000 from the Public Works Department professional services budget for an engineering study.

Forsythe stated the City is already committed to borrowing \$1 million for the Walton Ferry Road and Old Shackle Island Road intersection improvement and cited the need for an additional fire hall. He stated his concern with the City's general fund balance. He further stated he feels including the \$1.2 million bond in the budget is pre-mature.

Forsythe moved; seconded by Long to amend Ordinance 2012-13 by removing the \$1.2 million bond from the budget and to appropriate at the time the funds are borrowed.

Foster stated if the bond issue remains in the budget ordinance, the Public Works Committee can begin moving on projects.

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Brown stated he does not see a reason to delay action on the bond as these projects have been prolonged for a long time.

Sprouse stated the Board has limited opportunities to show it is taking action on some projects. He further stated the bond issuance still must be approved by the Board.

Qualls stated he does not see a reason to remove the bond issue at this time.

Elsten stated the City is trying to get some projects done and he is not in favor of turning back now.

Long stated with the upcoming election, there will be new Board members who may not be familiar with the projects or the needs.

Forsythe stated he is not advocating the removal of the projects from the budget but would like to see bond issue come forth at a more appropriate time.

Foster stated discussion has been ongoing on a seventh fire hall for several years and the City has done a good job building and manning them so far. He stated if the Board wants staff to move forward on some infrastructure projects, the bond is needed.

Stamper stated the City has made a commitment to pursue public safety grants and a commitment to get some infrastructure projects done. He stated including the bond issue in the budget at this time will not affect the general fund in the end and he does not want to delay it further.

Sprouse called for the question.

There was a majority vote against the amendment to remove the \$1.2 million bond from the budget with Cunningham and Forsythe voting in favor.

Foster declared the motion failed.

Forsythe moved; seconded by Frost to amend Ordinance 2012-13 by increasing the gasoline/diesel line item in the Police Department from \$250,000 to \$350,000.

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

There was a unanimous vote for approval of Ordinance 2012-13, as amended on second and final reading.

Sprouse moved; seconded by Stamper and followed by a unanimous vote for approval to group the following:

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- Second reading of Ordinance 2012-10, an Ordinance accepting a Federal Emergency Management Agency 2008 Port Security Grant Program for the purchase of public safety equipment;
- Second reading of Ordinance 2012-11, an Ordinance accepting a Federal Emergency Management Agency 2011 Port Security Grant Program for the purchase of equipment for the Fire Department;
- Second reading of Ordinance 2012-12, an Ordinance amending Ordinance 2011-08 accepting a Federal Emergency Management Agency 2010 Port Security Grant Program for the purchase of a fire and rescue boat;
- Second reading of Ordinance 2012-16, an Ordinance accepting Federal Emergency Management Agency (FEMA) Funds for the Assistance to Firefighters Grant (AFG) for a replacement pumper/engine;
- Second reading of Ordinance 2012-17, an Ordinance accepting Federal Emergency Management Agency (FEMA) Funds for the Assistance to Firefighters Grant (AFG) to purchase replacement extrication equipment.

Sprouse moved; seconded by Elsten for approval of the above items.

There was a unanimous vote for approval of the above items on second and final reading.

Sprouse moved; seconded by Qualls and followed by a unanimous vote for approval for reconsideration of Ordinance 2012-13 to reflect the above approved amendments to the fiscal year 2012 and 2013 budgets.

Qualls moved; seconded by Sprouse followed by a unanimous vote for approval to adopt the above changes.

The caption of Ordinance 2012-14 was read on second and final reading, an Ordinance fixing the rate of taxation in the City of Hendersonville, Sumner County, Tennessee. Cunningham moved; seconded by West.

There was a unanimous vote for approval of Ordinance 2012-14 on second and final reading.

The caption of Ordinance 2012-15 was read on second and final reading, an Ordinance imposing a fee in the amount of \$255.00 for the purpose of funding "A Universal System of Domestic Garbage Collection and Disposal". Elsten moved; seconded by Sprouse.

Hoback questioned the \$3 increase for this service over last year.

Foster explained more houses are added each year for service and the contract allows for a fuel sur-charge.

There was a unanimous vote for approval of Ordinance 2012-15 on second and final reading.

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The caption of Ordinance 2012-19 was read on first reading, an Ordinance amending the fiscal year 2012 budget to appropriate funds for the demolition and purchase of flooded properties on Linden Drive. Elsten moved; seconded by Stamper.

There was a unanimous vote for approval of Ordinance 2012-19 on first reading.

The caption of Resolution 2012-10 was read, a Resolution authorizing the Fire Chief to transfer \$22,716.00 within the Fire Department fiscal year 2012 budget for revision costs regarding the purchase of a new fire engine. Frost moved; seconded by Long.

There was a unanimous vote for approval of Resolution 2012-10.

The caption of Resolution 2012-11 was read, a Resolution authorizing the City of Hendersonville to contribute to certain non-profit organizations by appropriations in the annual general fund operating budget. Frost moved; seconded by Elsten.

Brown state he does have a conflict of interest as he is employed by one of the non-profits but did vote for the budget and will vote for Resolution 2012-11.

Sprouse stated the contribution to the Hendersonville Public Library is for additional materials to supplement the County's funding. He cited the County cutting funding for the library in their budget creating frustration as City taxpayers are being shorted.

There was a unanimous vote for approval of Resolution 2012-11.

The caption of Resolution 2012-12 was read, a Resolution of Intent to apply for a FEMA Assistance to Firefighting Grant Funding (AFG) for the grant cycle 2012. Elsten moved; seconded by Stamper.

There was a unanimous vote for approval of Resolution 2012-12.

The caption of Resolution 2012-13 was read, a Resolution of Intent to apply for a FEMA Assistance to Firefighting Grant Funding (AFG) for the grant cycle 2012. Cunningham moved; seconded by Hoback.

There was a unanimous vote for approval of Resolution 2012-13.

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Upon motion and second and followed by a unanimous vote for approval, the meeting adjourned at 8:54 p.m.

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Approved: Scott Foster, Mayor

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Attest: Kay Franklin, Interim City Recorder