

CITY OF HENDERSONVILLE
BOARD OF MAYOR AND ALDERMEN
MINUTES OF REGULAR METING
SEPTEMBER 13, 2011

PRESENT

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

AGENDA

Elsten moved; seconded by Sprouse for acceptance of the agenda as presented. There was a unanimous vote for approval.

MINUTES

Frost moved; seconded by Forsythe for approval of the August 23, 2011 minutes. There was a unanimous vote for approval.

CITIZENS COMMENTS

E.P. Ausbrooks, 140 Fairways Drive, addressed the Board stating the standing committee meetings should be recorded and after the minutes are adopted, the tape can be destroyed. He stated the Chancellor has extended for 30 days the original order in regards to the Halo lawsuit.

Karl Gabrielle, 103 Sequoyah Drive, addressed the Board thanking the Board and staff for their work on his drainage issue on Cherokee Road.

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Michael Crabb, 204 Southburn Drive, addressed the Board thanking the members for their help with drainage issues and encouraged passage of the ordinance appropriating funds for the Cherokee Road drainage project.

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

REPORTS

Finance Committee – no report.

General Committee – requested a traffic study be completed by the developer for the requested amendment to the Preliminary Master Development Plan for Glenbrook North, Phase III and forwarded to the Board without a recommendation; recommended an ordinance requiring audio recording of committee meetings; reviewed submitted liquor store applications and announced a special meeting will be held on Tuesday, September 20 at 6:30 to continue review of the liquor store applications and proposed Ward redistricting.

Public Safety Committee – recommended an ordinance accepting a grant for the purchase of 17 tasers and recommended a resolution authorizing submission of a driver safety matching grant.

Public Works Committee – reviewed the Parks Department special projects budget; reviewed corrections to be made by the developer in the Mansker Farms and Savannah Subdivisions with a September 20 response deadline; discussed infrastructure needed in Iris Cove; distributed a Projected Drainage Projects list and reported the Rotary Club Fountain in Memorial Park will become the City's responsibility.

Hoback stated the Creekwood Subdivision and Savely and Volunteer Drives need to be included on the drainage list.

Elsten stated he would like to add to the drainage list, Masters Glen Subdivision that is receiving water from Saundersville Road, the Wynbrook Subdivision's houses behind Crooked Creek and Huntington Place in the Wyncrest Subdivision.

Capital Projects Committee – no report.

Planning Commission – at the August 16th meeting, recommended extensions on Site Plans for Stark Knob Place, Phase I, Hidden Oaks Subdivision, Phases I and II, Guthrie Place Subdivision, Phase I and Rogers Group scale house; at the September 6th meeting, recommended the parking lot expansion for Premier Park; reported the Final Plat for the Franklin Subdivision was withdrawn by the applicant; recommended the revised Preliminary and Final Master Development Plans for Glenbrook North and recommended the Site Plan for the Pain Management Building, east of New Shackle Island Road and north of Glen Oaks Boulevard.

Mayor – reported he is working with Rotary administration on a proposal for the City to take over the operation of the fountain in Memorial Park; expressed appreciation to the Parks Department and Chic-fil-A for a successful “Movie in the Park” on Saturday night; provided information on the RTA Express Bus Service that provides morning and afternoon transportation to Nashville from Gallatin and Hendersonville and explained the service is so successful, an additional bus is being provided in the afternoon; distributed preliminary ward redistricting maps that keep current Aldermen in their respective wards and cited the need to have this process completed in time for the March 2012 primary election; announced Premier Park will host its first event, a gun and knife show and efforts to keep traffic out of the nearby neighborhoods and announced the Festival by the Lake will be at Veteran’s Park this weekend along with the Cruise-In Car show.

ORDINANCES AND RESOLUTIONS

The caption of Ordinance 2011-25 was read on second and final reading, an Ordinance appropriating insurance proceeds for replacement of a Fire Department vehicle. Elsten moved; seconded by Stamper.

There was a unanimous vote for approval of Ordinance 2011-25 on second and final reading.

The caption of Ordinance 2011-26 was read on second and final reading, an Ordinance appropriating \$270,370.00 for the purchase of police vehicles. Frost moved; seconded by Cunningham.

There was a unanimous vote for approval of Ordinance 2011-26 on second and final reading.

The caption of Ordinance 2011-21 was read on first reading, an Ordinance appropriating General Funds in the amount of \$140,858.00 for infrastructure improvements with respect to Cherokee Road. Gallaher moved; seconded by Elsten.

Foster cited the drainage list that had been distributed and stated the City is taking a systematic approach to these projects. He stated the Cherokee Road project is number 25 on the list and the projects that affect the most people should be selected. He cited the criteria for listing the projects and felt a higher number project should be selected.

Public Works Director Jerry Horton explained in order to be consistent, the City’s drainage engineer used a point criteria as suggested by the Public Works Committee including the cost factor to score the projects.

Long stated he understands the need to replace the culvert but cannot spend money on this project when there is a much greater need in the Southburn Drive area.

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Foster explained the silt removal at the CSX Railroad Bridge will be done in-house once the ARAP permit is received.

Forsythe questioned taking funds from the Stop 30 Road Bridge and traffic signal upgrade projects to fund this drainage project.

Horton explained the money will have to be replaced for these projects to fund the City's match.

Cunningham questioned the estimated cost for the Tributary 2 project along Southburn Drive and the number of people impacted. She also questioned the effect of Sam's Warehouse construction on this area.

Horton stated there is an estimate of \$240,000 for this project that affects 25-30 people. He explained the Southburn neighborhood is not affected by the Sam's construction but is near the railroad tracks and another pipe is needed under the railroad tracks to alleviate some of the flooding. He stated that although a couple of projects have been done to help with flooding, there are at least a couple more that need to be done.

Cunningham stated she feels projects that get the most bang for the buck should be the first considered.

Horton explained the cost for removing the silt at the bridge will be minimal and that drainage structures escalates the costs of projects. He stated he hopes to have the silt removed by spring.

Cunningham questioned if additional funds could be added to the funds already allocated in the budget for drainage projects could be used to fund the Tributary 2 project.

Horton explained the additional funds would have to come from the General Fund or from other capital projects. He explained there are emergencies that can develop during the year that would necessitate using the drainage funds and cited a recent collapsed culvert on Evergreen Circle.

Elsten questioned if the silt removal would prevent the Southburn Drive area from flooding during another major flood event.

Horton stated it would make a significant impact by allowing water to flow under the bridge into the park and not behind the homes on Southburn.

Elsten stated he does not like rating any of the projects. He further stated work has been ongoing on the Cherokee Road box culvert for over a year and is the only project on the list this far along. He stated there are differences between drainage issues and flooding problems.

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Horton explained the projects are not ranked but are scored to show the impact of spending money on the individual projects.

Hoback stated the Cherokee Road drainage project also affects Hendersonville High School if water gets across the road.

Hoback called for the question.

Foster stated there are still several speakers in the queue.

Sprouse stated the drainage list was scored by professional Public Works staff and feels the ranking numbers are important. He cited the costs associated with the projects and the availability of funding and does not feel it a sufficient argument to say this project has been in the works for a year. He stated the larger issues should be looked at and take care of people who get water in their homes.

Long questioned if the detention pond in Indian Ridge has been inspected.

Horton stated the final inspection has not been completed but will impact the Cherokee Road issue.

There was a unanimous vote not to approve calling the question.

Elsten stated as per the drainage report, even if the detention pond was properly built, the box culvert was undersized and needed to be enlarged.

Brown questioned the cost for removing the large stones in the drainageway around Ervin Street.

Horton explained this project is being reviewed to do in-house. He further explained this cost is an estimate should a contractor do the job.

Brown questioned when this particular project could be done.

Horton explained the developer is being requested to make the repair as they were part of the problem that created the situation.

West encouraged input to the drainage project list. She stated this list is a barometer of projects and can change in the future. She stated her desire to replace the culvert but feels the system should be followed.

Qualls questioned the liability on the part of the developer downstream from Ervin Street.

Horton explained the City is holding a letter of credit and the developer has been put on notice for silt control. He stated he feels the developer has the responsibility to re-

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establish the drainageway. He stated the developer is not responsible for the size of the Timberline Drive box culvert. He further stated there is a crew of three working on all drainage in the City.

Stamper cited his efforts to include funds in the current budget for the Cherokee Road drainage project and his feelings that the City needs to be moving forward. He stated at this time, drainage takes precedence over other things in the City.

Gallaher questioned if there are more homes upstream affected by the Cherokee Road box culvert.

Horton stated not as per the criteria used. He stated he is not aware of any homes or schools that had water get inside the structure in the area. He explained this is a major drainageway and water is supposed to get out of the creek banks. He stated the City tries to prevent homes from being built in low areas.

Sprouse stated there are homes on the drainage list that have had water in the living spaces. He stated failure to pass this ordinance tonight is not to say this issue does not need to be resolved but to vote approval would be an act of poor governance.

Elsten stated there have been drainage issues in the City for years but only now have a list and questioned the rankings on the list.

Foster stated the list was generated and reviewed by the Public Works Committee numerous times and any Alderman could contribute to it.

Hoback called for the question.

Foster stated there is another speaker in the queue.

Qualls stated he cannot see this project taking precedence over higher ranked drainage projects or using funds for projects that will be need to be replaced.

There was a majority vote for approval on calling for the question with Cunningham and Qualls voting nay.

Foster declared the motion carried.

The following voted on Ordinance 2011-21 on first reading:

Aye: Brown, Elsten, Frost, Gallaher, Hoback and Stamper.

Nay: Cunningham, Forsythe, Long, Qualls, Sprouse, West and Foster.

Foster declared the motion failed.

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The caption of Ordinance 2011-27 was read on first reading, an Ordinance regarding the purchase of a fairway mower for Country Hills Golf Course. Forsythe moved; seconded by Stamper.

Foster explained the Raskin Management Group has made the final payment on the golf carts and requested purchasing the fairway mower.

Sprouse explained it is the desire of the Golf Course Committee to make monthly payments for the mower and waited for the golf cart loan to be paid before purchasing the mower.

Long questioned why a bank was not contacted to purchase the mower.

Foster explained the golf course is owned by the City and is managed by the Raskin Group. He further explained the management company has paid the City from profits made but lately there have been no profits.

Hoback called for the question.

Foster stated there are speakers in the queue.

Frost questioned if there are any other anticipated golf course expenses in the near future.

Sprouse stated there has been no other discussion by the Golf Course Commission for future purchases. He explained by purchasing the mower in-house, money is being saved.

Brown stated the golf course is a City asset and the need to keep the fairways mowed.

Brown moved; seconded by Sprouse to amend Ordinance 2011-27 to remove the 1% interest rate.

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

Forsythe stated he is unaware of any imminent purchases but did advise the Board that the golf carts are five years old.

There was a unanimous vote for approval of Ordinance 2011-27, as amended, on first reading.

The caption of Resolution 2011-14 was read, a Resolution waiving new permit fees for Linden Drive property owners. Gallaher moved; seconded by Forsythe.

There was a unanimous vote for approval of Resolution 2011-14.

OTHER AGENDA ITEMS

Upon motion and second, the following appointments were approved by a unanimous vote.

- Vote on the reappointment of Wilda Roach to serve on Beautiful Hendersonville;
- Vote on the reappointment of John Zobl to serve on the Industrial Development Board.

Upon motion and second and followed by a unanimous vote for approval, the meeting adjourned at 9:00 p.m.

Approved: Scott Foster, Mayor

Attest: Kay Franklin, Interim City Recorder