CITY OF SPRING HILL
BOARD OF MAYOR AND ALDERMEN
REGULAR MEETING MINUTES
APRIL 15, 2019
7:00 PM

Mayor Graham called the Regular Meeting to order at 7:09 p.m.

Members present:
Clint McCain, Matt Fitterer, Kevin Gargan, Bruce Hull, Mayor Graham, Vincent Fuqua, Susan Zemek, Jeff Graves and Amy Wurth.
Also present: Victor Lay, City Administrator; Chuck Downham, Assistant City Administrator; Patrick Carter, City Attorney; April Good, City Recorder; Patti Amorelli, Finance Director.

Pledge of Allegiance: Led by Alderman Zemek.

Invocation: Led by Vice Mayor Hul.

Approval of Agenda
Vice Mayor Hull made a motion to approve, seconded by Alderman Zemek. Motion carried 9/0.

Concerned Citizens
Chad Whittenburg - Thanked Clint McCain for serving. Vice Mayor Hull - pleasure serving with you. You provided a steady hand, guidance, reason and trust. To Susan we started as good friends and you served with passion and emotion and that's needed on this board at times. There are four items tonight 19-10, 19-11 and the MTP. Thanked staff and TAC. Hard topics at hand - challenge the new board with these decisions.
John Maher - Echo Chad's comments on Bruce and Susan. Please look strongly on the impact fees. Thank you.

Comments by the Mayor
Budget meetings on 16th and the 23rd at 6 pm here in the court room. Recommend the newly elected officials to be present.
Swearing in will be done at the Work session at 6 pm. Congratulations to the winners and to those who ran. Taegan Martin won a silver metal in the 50 meter relay 2019 World Special Olympics!
Library ladies are here in their blue shirts tonight.
On the May agenda we will be electing a Vice Mayor and a PC representative. Thank you very much to Clint McCain for filling in - he's done an outstanding job!

Recognition of Outgoing Vice Mayor & Alderman Bruce Hull
Mayor Graham recognized Vice Mayor Hull for 12 years of outstanding service on many commissions, the BOMA and as Vice Mayor. A light of common sense, reason, trust. A grand total going back to 2002 when he started on the Planning Commission!
The City of Spring Hill thanks you for your service!
Bruce thanked his family and the board.
Mayor Graham passed the gavel to Vice Mayor to finish the meeting.

Recognition of Outgoing Alderman Susan Zemek
Mayor Graham presented a plaque in recognition of Alderman Susan Zemek for her dedication and service for many years as Alderman for the City.

Proclamation recognizing Patricia Selle, founder of Spring Hill Library
Mayor Graham presented Ms. Patricia Selle with a proclamation in recognition for her dedication and hard work in founding the Spring Hill Library.
Mayor Graham declared May 4th, 2019 as Patricia Selle Day

Personal Orders
Alderman Zemek - Thanked staff for all their help. Thanked all the board, the Mayor and Vice Mayor.
Alderman McCain - Thanked his wife. Thanked Bruce. He appreciates what each of the board members do and the newly elected officials will bring to the table as well.

CONSENT AGENDA

Board Approval:
A. Financial Report March 2019
B. Public Hearing and Regular Meeting Minutes March 19, 2019
C. Special Call Public Hearing and Meeting Minutes of March 26, 2019  
D. Special Call Public Hearing and Meeting Minutes of February 4, 2019  
E. U-Haul Appeals Hearing Minutes February 4, 2019  

2. Departmental Reports March 2019  

3. Committee/Commission Minutes for March 2019  


6. Consider First Reading of Ordinance 19-14, to amend Ordinance 07-48, which previously amended Title 18, Chapter 1, Subsection 18-108, of the Spring Hill Municipal Code, to include fees for water meters, water irrigation meters, fire hydrants and associated components.  

7. Consider Resolution 19-50, to award bid for the purchase of a rear loader Garbage Truck.  

8. Consider Resolution 19-53, to authorize the Mayor to send a letter to TDOT regarding the LIC Program.  

9. Consider Resolution 19-54, to approve Subscriber Agreement with Williamson County Joint Communications Network Authority.  

10. Consider Resolution 19-55, to acknowledge the Spring Hill Sports Association as recognized provider of organized recreational sports within the city.  

11. Consider Resolution 19-56, to authorize purchase of twelve (12) Overloads for the Wastewater Treatment Plant.  


13. Consider Resolution 19-63, to authorize repairs on Ladder 1 for the Fire Department.  

Approval of Consent:  
Alderman Wurth made a motion to approve, seconded by Alderman Zemek.  
Motion carried, 9/0.  

PREVIOUS BUSINESS  

Alderman Wurth made a motion to amend to include police radios at a net of $204,000 - Screen system for WTP for $400,000 and Irrigation meters for $15,000 - total of $619,000.  
Alderman Gavigan seconded.  
Roll call to amend Second and Final Reading of Ordinance 19-06: Clint McCain, aye; Matt Fitterer, aye; Kevin Gavigan, aye; Bruce Hull, aye; Mayor, aye; Vincent Fuqua, aye; Susen Zemek, aye; Jeff Graves, aye; Amy Wurth, aye.  
Motion carried, 9/0.  
Roll call to approve Second and Final Reading of Ordinance 19-06 as amended: Clint McCain, aye; Matt Fitterer, aye; Kevin Gavigan, aye; Bruce Hull, aye; Mayor, aye; Vincent Fuqua, aye; Susen Zemek, aye; Jeff Graves, aye; Amy Wurth, aye.  
Motion carried, 9/0.  

2. Consider Second and Final Reading of Ordinance 19-07, (RZN 633-2019), to rezone property located on Depot Street, requested by Donnie Cameron  
Motion to approve made by Alderman Fuqua, seconded by Alderman Wurth.  
Roll call to approve Second and Final Reading of Ordinance 19-07: Clint McCain, Matt Fitterer, ; Kevin Gavigan, ; Bruce Hull, ; Mayor Graham, ; Vincent Fuqua, ; Susen Zemek, ; Jeff Graves, ; Amy Wurth, .  
Motion carried, 7/2.  

3. Consider Second and Final Reading of Ordinance 19-08, (RZN 634-2019), to rezone property located on Buckner Road, requested by Donnie Cameron.  
Motion to approve by Alderman Fuqua, seconded by Alderman Graves.
Alderman Zemek - She has heard from a lot of residents on this rezone. Putting higher density on Buckner Road when there is already high traffic and we are about to work on the road does not make common sense.
Alderman Fuqua - this does not fit in with future land use map.
Roll call to approve Second and Final Reading of Ordinance 19-08: Clint McCain, Matt Fitterer, Kevin Gavigan, Bruce Hull, Mayor Graham, Vincent Fuqua, Susan Zemek, Jeff Graves, Amy Wurtz. Motion carried 5/4.

4. Consider Second and Final Reading of Ordinance 19-09, to amend the Unified Development Code, Text Revisions (ZTA 639-2019), and Map Amendments (RZN 640-2019)
Motion to approve by Alderman Fuqua, seconded by Alderman Graves.
Roll call to approve Second and Final Reading of Ordinance 19-09: Clint McCain, aye; Matt Fitterer, aye; Kevin Gavigan, aye; Bruce Hull, aye; Mayor Graham, aye; Vincent Fuqua, aye; Susan Zemek, aye; Jeff Graves, aye; Amy Wurtz, aye. Motion carried, 9/0.

Motion to approve made by Alderman Fuqua, seconded by Alderman Zemek.
Mr. Lay - Last year the principal payment was in that operating budget not the interest. The interest was included in the base line that was already handed out. So as a value of 4 cents.
Alderman Wurtz - 26 cents was discussed to be included the first year and 40 cents the second year.
She makes an amendment for tax rates for 2020-2021, Maury .86 and Williamson 1.01, Vice Mayor Hull seconded.
Roll call to amend Second and Final Reading of Ordinance 19-10: Clint McCain, aye; Matt Fitterer, aye; Kevin Gavigan, aye; Bruce Hull, aye; Mayor Graham, aye; Vincent Fuqua, aye; Susan Zemek, aye; Jeff Graves, aye; Amy Wurtz, aye. Motion carried, 9/0.
Alderman Fuqua comments, in favor.
Roll call to approve Second and Final Reading of Ordinance 19-10 as amended: Clint McCain, aye; Matt Fitterer, aye; Kevin Gavigan, nay; Bruce Hull, aye; Mayor Graham, aye; Vincent Fuqua, aye; Susan Zemek, aye; Jeff Graves, aye; Amy Wurtz, aye. Motion carried, 8/1.

6. Consider Second and Final Reading of Ordinance 19-11, an Ordinance to amend Title 5, Chapter 5-Impact Fee and Title 5, Chapter 6-Adequate Facilities Tax.
Alderman Fuqua made a motion to approve, seconded by Alderman Zemek.
Mayor Graham stated this one we need to consider softening with a lesser increase. We need to be concerned for the small businesses who don't have the start-up funds. We need to find a landing spot where we are pushing EDC and looking to attract office complexes, jobs which reduces traffic make us less of a bedroom community. We are concerned that this is too much. We need to do this. With this in mind I agree with the Mayor that this kills small businesses. We need to create sales tax. Not all developers are bad, we have some good developers here. Its a big jump for developers. I can not support this as it stands tonight. I understand we need to raise impact fees. I think there is another way.
Alderman Graves - echoes the thoughts of Mayor Graham and Alderman McCain. I think we need to be very careful.
Alderman Fuqua - Fees need to be raised more than 1.25.
Mr. Downham stated that there has been a lot of good discussion. We have to find a balance. Those road projects don't get less expensive.
The amendment you have before you is the input from Mrs. Wurtz where she adjusted from 5 years to 3 which is think is very prudent and also amendment from Mr. Fitterer in terms of the implementation of 67% the first year and then the balance the second year. Alderman Zemek - Doesn't matter what happened in the past. We're here now. We're going to increase fees on everyone. Is there a way to do this by square footage? Kind of like insurance to try and make it more fair?
Chuck Downham - discussed suggestions made by the Board that have already been incorporated. Alderman Zemek supports.
Much discussion.
Alderman Wurtz offered to flip the implementation of a 33% increase the first year and then 67% the second year which would give small businesses an opportunity to prepare and the BOMA to re-evaluate.
Vice Mayor agreed with Alderman Wurtz.
Alderman Gavigan stated that he thinks this is what we need to do, the expects we have paid have told us this is what we should do.
Alderman Wurtz made a motion to amend, Fee Schedule under Item A-1, the fee per unit at 33% effective July 1st, 2019; fee per unit at 100% effective July 1st, 2020, seconded by Alderman Graves.
Roll call to amend Second and Final Reading of Ordinance 19-11: Clint McCain, aye; Matt Fitterer, aye; Kevin Gavigan, nay; Bruce Hull, aye; Mayor, aye; Vincent Fuqua, nay; Susan Zemek, aye; Jeff Graves, aye; Amy Wurtz, aye. Motion carried, 7/2.
Roll call to approve Second and Final Reading of Ordinance 19-11 as amended: Clint McCain, nay; Matt Fitterer, aye; Kevin Gavigan, aye; Bruce Hull, aye; Mayor, aye; Vincent Fuqua, aye; Susan Zemek, aye; Jeff Graves, aye; Amy Wurtz, aye. Motion carried, 8/1.
Alderman Fitterer requested point of order to reconsider Item 5 19-10.
Roll call to reconsider Ordinance 19-10: Clint McCain, aye; Matt Fitterer, aye; Kevin Gavigan, aye; Mayor Graham, nay; Bruce Hull, aye; Vincent Fuqua, aye; Susan Zemek, aye; Jeff Graves, aye; Amy Wurtz, aye. Motion carried, 8/1.
Alderman Fitterer made a motion to amend 19-10 to replace the dollar figures in order .74 cents .7969 cents .96 cents and 1.0169 cents. Seconded by Alderman Graves.
Mr. Lay wanted to clarify what they are doing to a 36 cents total. 14 cents the first year the full amount the second year. He stated some concerns that the increase may not be enough to cover projects. His biggest concern is Buckner Road which could go over budget by as much as 10 million.
Alderman Fuqua asked about the risk if we don't have enough cushion for a project. We don't want to end up back here in three years. Alderman Fuqua asked that they rethink the amendment to add a 2.5 million cushion. The last thing he wants to do is set up a future board to have to raise taxes again.
Discussion to throw this amendment out.
Vice Mayor Hull stated that he would not support.
Roll call to amend Second and Final Reading of Ordinance 19-10: Clint McCain, nay; Matt Fitterer, aye; Kevin Gavigan, aye; Bruce Hull, nay; Mayor, nay; Vincent Fuqua, nay; Susan Zemek, aye; Jeff Graves, aye; Amy Wurth, nay.
Motion failed, 4/5.
Alderman Gavigan made a motion to reconsider Second and Final Reading of Ordinance 19-11. Seconded by Alderman Fuqua.
Roll call to reconsider Second and Final Reading of Ordinance 19-11: Clint McCain, nay; Matt Fitterer, aye; Kevin Gavigan, aye; Bruce Hull, nay; Mayor, nay; Vincent Fuqua, nay; Susan Zemek, nay; Jeff Graves, nay; Amy Wurth, nay.
Motion failed, 2/7.

7. Consider Second and Final Reading of Ordinance 19-12, increasing the sales tax and use tax from 2.25% to 2.75% in the City of Spring Hill, Maury County, Tennessee and request a referendum for citizen approval.
Alderman Wurth made a motion to approve, seconded by Alderman Zemek.
Mayor Graham reminded that this is a not a vote to do this. This is to begin steps and the citizens get to make the final call on a referendum.
Roll call to approve Second and Final Reading of Ordinance 19-12: Clint McCain, aye; Matt Fitterer, aye; Kevin Gavigan, aye; Mayor Graham, aye; Bruce Hull, aye; Vincent Fuqua, aye; Susan Zemek, aye; Jeff Graves, aye; Amy Wurth, aye.
Motion carried, 9/0.

NEW BUSINESS

1. Consider Resolution 19-41, to adopt City of Spring Hill Major Thoroughfare Plan.
Alderman Fuqua made a motion to approve, seconded by Alderman Wurth.
Roll call to approve Resolution 19-41: Clint McCain, aye; Matt Fitterer, aye; Kevin Gavigan, aye; Mayor Graham, aye; Bruce Hull, aye; Vincent Fuqua, aye; Susan Zemek, aye; Jeff Graves, aye; Amy Wurth, aye.
Motion carried, 9/0.

2. Consider Resolution 19-46, accepting a donation of miscellaneous hardware and pine straw from Lowes.
Alderman Fuqua made a motion to approve, seconded by Alderman Zemek.
Roll call to approve Resolution 19-46: Clint McCain, aye; Matt Fitterer, aye; Kevin Gavigan, aye; Mayor Graham, aye; Bruce Hull, aye; Vincent Fuqua, aye; Susan Zemek, aye; Jeff Graves, aye; Amy Wurth, aye.
Motion carried, 9/0.

3. Consider Resolution 19-51, adopting a Plan of Services for and annexing a portion of Maury County known as Maury County Tax Map 029, Parcels 011.00 and 011.01, consisting of approximately 103 acres into the corporate limits of Spring Hill, TN.
Alderman Fuqua made a motion to approve, seconded by Alderman Graves. Alderman Wurth is not supporting this. Plan of Services used is a boiler plate and is not calling out the impact to the city, the impact to fire, police and other services.
Alderman McCrae - questioned why terms were deleted from the Planning Commission. Discussion.
Mr. Lay discussed standards for impacts to city services.
Mr. Downham added that there is a sewer lift station at this intersection of Pratt so you'll be seeing a subsequent annexation request to the Planning Commission and the BOMA for the lift station.
Roll call to approve Resolution 19-51: Clint McCain, nay; Matt Fitterer, aye; Kevin Gavigan, nay; Bruce Hull, aye; Mayor Graham, aye; Vincent Fuqua, aye; Susan Zemek, ray; Jeff Graves, nay; Amy Wurth, nay.
Motion failed, 4/5.

(Previous Business 5.) Reconsider Second and Final Reading of Ordinance 19-10, to set property tax rates for the City of Spring Hill for fiscal years July 1, 2019 - June 30, 2020 and July 1, 2020 - June 30, 2021.
Vice Mayor Hull explained.
Roll call to approve Second and Final Reading of Ordinance 19-10 as amended: Clint McCain, aye; Matt Fitterer, nay; Kevin Gavigan, nay; Bruce Hull, aye; Mayor Graham, aye; Vincent Fuqua, aye; Susan Zemek, aye; Jeff Graves, aye; Amy Wurth, aye.
Motion carried 7/2.

4. Consider Resolution 19-52, to authorize the Mayor to sign a lease agreement for Project Root Beer at Northfield.
Motion to approve made by Alderman Fuqua, seconded by Alderman Zemek.
Mrs. Williams - The leaseholder is not in favor of extending the terms. They are only willing to do a one year renewal.
Vice Mayor stated he will not support.
Mrs. Williams reminded the shortfall would be $518,110.92
Roll call to approve Resolution 19-52: Clint McCain, nay; Matt Fitterer, nay; Kevin Gavigan, aye; Bruce Hull, nay; Mayor Graham, aye; Vincent Fuqua, aye; Susan Zemek, aye; Jeff Graves, aye; Amy Wurth, nay.
Motion carried 5/4.

Alderman Fuqua made a motion to approve, seconded by Alderman Graves.
Roll call to approve Resolution 19-58: Clint McCain, aye; Matt Fitterer, aye; Kevin Gavigan, aye; Bruce Hull, aye; Mayor Graham, aye; Vincent Fuqua, aye; Susan Zemek, aye; Jeff Graves, aye; Amy Wurth, aye.
Motion carried, 9/0.

6. Consider Resolution 19-59, to authorize acceptance of donation to the Fire Department from Reed Landscaping.
Alderman Wurth made a motion to approve, seconded by Alderman Fuqua.
Roll call to approve Resolution 19-59: Clint McCain, aye; Matt Fitterer, aye; Kevin Gavigan, aye; Bruce Hull, aye; Mayor Graham, aye;
7. Consider Resolution 19-60, to approve contract with Waste Management for City sanitation and recycling services.
Alderman Zemek made a motion to approve, seconded by Alderman Fuqua.
Roll call to approve Resolution 19-60: Clint McCain, aye; Matt Fitterer, aye; Kevin Gavigan, aye; Bruce Hull, aye; Mayor Graham, aye; Vincent Fuqua, aye; Susan Zemek, aye; Jeff Graves, aye; Amy Wurth, aye.
Motion carried, 9/0.

Alderman Zemek made a motion to approve, seconded by Alderman McCain.
Roll call to approve Resolution 19-62: Clint McCain, aye; Matt Fitterer, aye; Kevin Gavigan, aye; Bruce Hull, aye; Mayor Graham, aye; Vincent Fuqua, aye; Susan Zemek, aye; Jeff Graves, aye; Amy Wurth, aye.
Motion carried, 9/0.

9. Consider First Reading of Ordinance 19-13, to change the zoning classification of approximately 46 acres of land from C-4, General Commercial, to Planned Development (PDP 646-2019) with the underlying zoning district of C-4 and adopting the Preliminary Plan for Derryberry Mixed Use Development, being Maury County Tax Map 44, Parcels 003, 003.02, and 003.03.
Motion to approve made by Alderman Zemek, seconded by Alderman Wurth.
Alderman Fuqua made a motion to suspend the rules.
Mayor Graham supports - close to assisted living, convenient.
Roll call to suspend the rules: Clint McCain: nay; Matt Fitterer, nay; Kevin Gavigan, aye; Bruce Hull, nay; Mayor Graham, aye; Vincent Fuqua, aye; Susan Zemek, aye; Jeff Graves, aye; Amy Wurth, nay.
Motion carried, 5/4.
Developer Steve Bryan with Mid South Companies spoke on behalf of the Derryberry Mixed Use Development.
NETWORK ERROR with recording
Alderman Fitterer called for orders of the day.
Roll call to approve First Reading of Ordinance 19-13: Clint McCain, nay; Matt Fitterer, nay; Kevin Gavigan, nay; Bruce Hull, aye; Mayor Graham, aye; Vincent Fuqua, aye; Susan Zemek, nay; Jeff Graves, nay; Amy Wurth, nay.
Motion failed, 3/6.

Concerned Citizens
Elliot Mitchell - Raising taxes was the right thing to do. High density on Buckner is the wrong thing to do, it doesn't fit the area. Thank you all for your service. Congratulated Susan, Bruce and Clint.
Doug Holtz - Raising taxes needed to be done.

Consider Resolution 19-49, City Administrator Employment Contract.
Mr. Lays contract $145,000

Adjourn

April Goad, City Recorder

Rick Graham, Mayor