CITY OF SPRING HILL
BOARD OF MAYOR AND ALDERMEN
REGULAR MEETING MINUTES
SEPTEMBER 21, 2020
7:00 PM

Important Notice regarding Public Comments

Mayor Graham called the Regular Meeting to order at 7:21 p.m.

Stipulation of members present
Matt Fitterer, Kevin Gavigan, Hazel Nieves, Vincent Fuqua, Dan Allen, Jeff Graves, Amy Wurth. Absent: John Canepari.
Also present: Victor Lay, City Administrator; Chuck Downham, Assistant City Administrator, Patrick Carter, City Attorney; April Goad, City Recorder; Tonya Travis, Finance Director.

Based upon the ongoing COVID-19 pandemic and Executive Order #60 issued by Governor Lee, the Spring Hill Board of Mayor and Aldermen has made the determination that conducting the meeting by electronic means is necessary to protect the public health, safety, and welfare of Tennesseans and the citizens of Spring Hill. Therefore, "I [Mayor Graham] make a motion to conduct the meeting by electronic means based upon the determination that doing so is necessary to protect the public health, safety, and welfare of Tennesseans and citizens of Spring Hill in consideration of the COVID-19 pandemic."

Mayor Graham made a motion, seconded by Vice Mayor.
Roll call to approve to conduct this meeting by electronic means: Matt Fitterer, aye; Kevin Gavigan, aye; Hazel Nieves, aye; Vincent Fuqua, aye; Mayor, aye; Dan Allen, aye; Jeff Graves, aye; Amy Wurth, aye.
Motion carried, 8/0.

Pledge of Allegiance- Led by Mayor Graham.

Approval of the Agenda
Mayor Graham made a motion to approve the agenda, seconded by Vice Mayor Wurth.
Roll call to approve the agenda: Matt Fitterer, aye; Kevin Gavigan, aye; Hazel Nieves, aye; Mayor, aye; Vincent Fuqua, aye; Dan Allen, aye; Jeff Graves, aye; Amy Wurth, aye.
Motion carried, 8/0.

Invocation - Led by Alderman Fitterer

Mayor's Comments
A survey on Zippa came out last week and Spring Hill was ranked best city for remote workers in the state and #9 in the the US. The Well is doing a fund raiser at Oaklawn on Oct. 16th - it will be a drive in concert with For King and Country. This Thursday the Chamber is having a legislative panel.
Chief Hood - they will have the final inspection on their truck.

Personal Orders

DISCUSSION ITEMS

1. Discussion of Ward 4 Seat
Ward 4 seat:
Mr. Carter explained Mayor Graham came to him with the situation of complaints that Alderman Nieves had not been living in her ward while building a new home in Ward 4. This is a requirement per our city charter, code, TCA residency. He reached out to MTAS attorney for direction on the matter. This could become a Declaritory Judgement.
Alderman Nieves - Her position is she has not vacated her office. If it weren't for the COVID-19 situation, which has caused the delay in the construction, I would already be living in my new home. During the delay I've been living between my two grown children's homes. One is in Ward 4 the other is not.
Mayor Graham discussed other alderman who have handled moving and or building a new home in the correct way.
Alderman Nieves - the builder says the CO should be ready in mid October.
Mayor - we will have a Special Call meeting at 6:00 pm on October 5th.
Mr. Carter will prepare a resolution. He will not be here in person but will be available virtually.

2. Discussion of potential purchase and funding of 507 acres east of I-65.
Property near Jim Warren Road, I-65. What was the "Festival TN" land.
Original price $12M, got it down to $9M. Currently owned by an investor group of about 80 people.
Would have to do a budget amendment tonight.
Mayor Graham explained the amendment tonight would only be a place marker.
CONSENT AGENDA

Board Approval:
2. BOMA Meeting Minutes August 2020
3. Departmental Report for August 2020
4. Committee/Commission Minutes and Reports for August 2020
5. Consider Resolution 20-105, to approve contract with Cintas for Annual Uniform Service and Janitorial Supply Services.
6. Consider Resolution 20-120, to accept a Tennessee Highway Safety Office Grant to the Police Department.
7. Consider Resolution 20-121, to authorize the Mayor to sign and electric service contract with Duck River Electric Membership Corporation for Sanitary Sewer Pump Station.
9. Consider Resolution 20-125, to accept Grant Award from the Arts Build Communities (ABC) Grant Program for the Brilliant Strokes Intergenerational Arts Program
10. Consider Resolution 20-126, to authorize the purchase of DJI Matrice UAV for the Police Department.
11. Consider Resolution 20-127, authorizing an expenditure for Microsoft Office 365 G1 Annual Subscriptions.
12. Consider Resolution 20-128, to authorize Offer of Dedication of Road Rights of Way and Public Improvements shown on the existing Plat for Arbors at Autumn Ridge, Phase 12, Section 2 and Phase 13.
13. Consider Resolution 20-129, to authorize acceptance of Offer of Dedication of Road Rights of Way and Public Improvements shown on the existing Plat for Cherry Grove Addition, Phase 6, Section 2.
14. Consider Resolution 20-130, to authorize the installation of dedicated left turn arrow traffic signal heads at intersections on Duplex Road.
16. Consider Resolution 20-132, to authorize reimbursement to Healthy Petz Veterinary Hospital LLC for the installation of an oversized water main to provide service and meet sprinkler system requirements for the existing building and expansion and for the future development of the surrounding properties.
17. Consider Resolution 20-133, to authorize the purchase of Ecoray Ultraviolet Lamps from Xylem Water Solutions for the Wastewater Treatment Plant.
18. Consider First Reading of Ordinance 20-17, to establish an updated Occupational Safety and Health Program Plan, devise rules and regulations, and to provide for a Safety Director and the implementation of such program.

Approval of Consent:
Mayor Graham made a motion to approve the Consent Agenda, seconded by Vice Mayor.
Roll call to approve Consent Agenda: Matt Fitterer, aye; Kevin Gavigan, aye; Hazel Nieves, aye; Mayor, aye; Vincent Fuqua, aye; Dean Allen, aye; Jeff Graves, aye; Amy Wurth, aye.
Motion carried, 8/0.

PREVIOUS BUSINESS

1. Consider Second and Final Reading of Ordinance 20-13, amending the fiscal year 2020-2021 Budget Ordinance 20-10, providing for revisions to the General, State Street Aid, Adequate Facilities, Tourism, and Water and Sewer Funds.
   Mayor made a motion, seconded by Alderman Gavigan.
   Alderman Allen made a motion to amend to increase expenditures by $132,000 for site acquisition to General Fund line item 110-41100-911, seconded by Mayor Graham.
   Vice Mayor Wurth - has concern about spending these funds when we still don't know what's happening with Northfield and we have needs for Police Station and Fire Station. I'm not sure that this land will fit those needs. So I can't support this now.
   Mayor - this is just a placeholder.
Roll call to approve amendment to Second and Final Reading of Ordinance 20-13: Matt Fitterer, aye; Kevin Gavigan, aye; Hazel Nieves, aye; Mayor, aye; Vincent Fuqua, aye; Dan Allen, aye; Jeff Graves, aye; Amy Wurth, nay.
Motion carried, 7/1.
Alderman Fitterer made a motion to further amend in the amounts of $11,265 to State Street Aid Fund and $23,000 to Waste Water Treatment Plant, seconded by Mayor Graham.
The SSA monies are for Kedron Rd and Saturn Pkwy and the $23,000 are for the UV bulbs needed at WWTP as already discussed and approved in August.
Roll call to approve second amendment to Second and Final Reading of Ordinance 20-13: Matt Fitterer, aye; Kevin Gavigan, aye; Hazel Nieves, aye; Mayor, aye; Vincent Fuqua, aye; Dan Allen, aye; Jeff Graves, aye; Amy Wurth, aye.
Motion carried, 8/0.
Roll call to approve Second and Final Reading of Ordinance 20-13 as twice amended: Matt Fitterer, aye; Kevin Gavigan, aye; Hazel Nieves, aye; Mayor, aye; Vincent Fuqua, aye; Dan Allen, aye; Jeff Graves, aye; Amy Wurth, aye.
Motion carried, 8/0.

2. Consider Second and Final Reading of Ordinance 20-14, to adopt the Violation-Penalty Provision of Chapter 9-Civil Emergencies of the Tennessee Code Annotated Located at TCA 38-9-105.
Mayor Graham made a motion to approve, seconded by Vice Mayor Wurth.
Alderman Gavigan commented against.
Roll call to approve Second and Final Reading of Ordinance 20-14: Matt Fitterer, aye; Kevin Gavigan, nay; Hazel Nieves, nay; Mayor Graham, aye; Vincent Fuqua, aye; Dan Allen, aye; Jeff Graves, nay; Amy Wurth, aye.
Motion carried, 5/3.

3. Consider Second and Final Reading of Ordinance 20-15, to amend Title 12, Chapter 8, Section 11-804, Wearing Masks.
Mayor Graham made a motion to approve, seconded by Vice Mayor Wurth.
Alderman Gavigan spoke against.
Roll call to approve Second and Final Reading of Ordinance 20-15: Matt Fitterer, aye; Kevin Gavigan, nay; Hazel Nieves, nay; Mayor, aye; Vincent Fuqua, nay; Dan Allen, aye; Jeff Graves, nay; Amy Wurth, aye.
Motion failed, 4/4.

4. Consider Second and Final Reading of Ordinance 20-16, to amend Title 7, Chapter 2, Fire Code and Title 12, Chapters 1, 2, 3, 4, 5, and 6, Building, Utility Codes and the Like, and adding Chapter 7, Swimming Pool and Spa Code, of the City of Spring Hill, Tennessee Code of Ordinances.
Mayor Graham made a motion to approve, seconded by Alderman Allen.
Roll call to approve Second and Final Reading of Ordinance 20-16: Matt Fitterer, aye; Kevin Gavigan, aye; Hazel Nieves, aye; Mayor, aye; Vincent Fuqua, aye; Dan Allen, aye; Jeff Graves, aye; Amy Wurth, aye.
Motion carried, 8/0.

Mayor Graham made a motion to defer to December, seconded by Alderman Fuqua.
Roll call to defer Resolution 20-76: Matt Fitterer, aye; Kevin Gavigan, aye; Hazel Nieves, aye; Mayor, aye; Vincent Fuqua, aye; Dan Allen, aye; Jeff Graves, aye; Amy Wurth, aye.
Motion carried, 8/0.

NEW BUSINESS

1. Consider Resolution 20-123, to authorize the Mayor to sign a Lease-to-Own Contract with Caterpillar for Mini Excavator.
Mayor made a motion to approve, seconded by Alderman Fuqua.
Tyler Scroggins
Roll call to approve Resolution 20-123: Matt Fitterer, aye; Kevin Gavigan, aye; Hazel Nieves, aye; Mayor, aye; Vincent Fuqua, aye; Dan Allen, aye; Jeff Graves, abstain; Amy Wurth, absent.
Motion carried, 6/0/1

2. Consider Resolution 20-124, to accept donation of protective face masks from General Motors Corporation.
Mayor Graham made a motion to approve, seconded by Alderman Fuqua.
We thank GM for the gift of these masks.
Roll call to approve Resolution 20-124: Matt Fitterer, aye; Kevin Gavigan, nay; Hazel Nieves, aye; Mayor, aye; Vincent Fuqua, aye; Dan Allen, aye; Jeff Graves, aye; Amy Wurth, absent.
Motion carried, 6/1.

3. Consider Resolution 20-134, to approve extension of water sales agreement with CPWS for long term supply.
Mayor made a motion to approve, seconded by Alderman Fuqua.
Roll call to approve Resolution 20-134: Matt Fitterer, aye; Kevin Gavigan, aye; Hazel Nieves, aye; Mayor, aye; Vincent Fuqua, aye; Dan Allen, aye; Jeff Graves, aye; Amy Wurth, absent.
Motion carried, 7/0.

4. Consider Resolution 20-136, authorize the Mayor to execute a Non-Binding Letter of Intent to establish a 100-year lease for the
purpose of discharging treated effluent from the City of Spring Hill Wastewater Treatment Plant.
Mayor made a motion to approve, seconded by Alderman Allen.
Roll call to approve Resolution 20-136: Matt Fitterer, aye; Kevin Gavigan, aye; Hazel Nieves, aye; Mayor, aye; Vincent Fuqua, aye Dan Allen, aye; Jeff Graves, aye; Amy Wurth, absent.
Motion carried, 7/0.

5. Consider Resolution 20-137, accepting a donation of CMC MPD (Multi-Purpose Device) from Spring Hill Knight Foundation.
Mayor Graham made a motion to approve, seconded by Alderman Fuqua.
Roll call to approve Resolution 20-137: Matt Fitterer, aye; Kevin Gavigan, aye; Hazel Nieves, aye; Mayor, aye; Vincent Fuqua, aye Dan Allen, aye; Jeff Graves, aye; Amy Wurth, absent.
Motion carried, 7/0.

6. Consider Resolution 20-138, to authorize the Mayor to sign a two-year renewal contract for municipal street sweeping with Sweeping Corporation of America.
Mayor made a motion to approve, seconded by Alderman Fuqua.
Roll call to approve Resolution 20-138: Matt Fitterer, aye; Kevin Gavigan, aye; Hazel Nieves, aye; Mayor, aye; Vincent Fuqua, aye Dan Allen, aye; Jeff Graves, aye; Amy Wurth, absent.
Motion carried, 6/1.

7. Consider Resolution 20-139, to authorize and ratify the Mayor’s execution of an amendment to the contract and all ancillary documents related thereto to effectuate the sale of the Northfield Building.
Mayor made a motion to approve, seconded by Alderman Fuqua.
Roll call to approve Resolution 20-139: Matt Fitterer, aye; Kevin Gavigan, aye; Hazel Nieves, aye; Mayor, aye; Vincent Fuqua, aye Dan Allen, aye; Jeff Graves, aye; Amy Wurth, absent.
Motion carried, 7/0.

8. Consider First Reading of Ordinance 20-18, to amend the Employee Handbook of the City of Spring Hill Regarding Hiring Process.
Mayor Graham made a motion to approve, seconded by Alderman Fuqua.
Roll call to approve First Reading of Ordinance 20-18: Matt Fitterer, aye; Kevin Gavigan, aye; Hazel Nieves, aye; Mayor, aye; Vincent Fuqua, aye Dan Allen, aye; Jeff Graves, aye; Amy Wurth, absent.
Motion carried, 7/0.

Adjourn
Mayor Graham made a motion to adjourn, seconded by Alderman Fuqua.
Vote was unanimous.
Meeting adjourned at 8:39 p.m.

April Goad, City Recorder
Rick Graham, Mayor