

Town of Nolensville  
Board of Mayor and Aldermen Meeting  
Date: July 7, 2016 Time 7:00 p.m.  
Nolensville Town Hall, 7218 Nolensville Road

Mayor Jimmy Alexander opened the meeting at 7:01 p.m. Members present were Mayor Alexander, Aldermen Tommy Dugger, Larry Felts, Jason Patrick and Brian Snyder. Staff present: Administrator Ken McLawhon, Counsel Robert Notestine, Town Engineer Don Swartz, Planner Henry Laird, and Recorder Kali Mogul. There were 46 citizens present.

Alderman Bryan Snyder said the prayer and led the Pledge of Allegiance.

Mr. Terry Adams 1214 Creekside Dr. expressed his concern about rezoning the property at 7223 Nolensville Road. He said he would like to see the parcel remain with the current zoning.

Mr. Lewis Green echoed Mr. Adams's statement but asked the Board to consider the future and the increasing possibility for flooding with the increase of rooftops and blacktop.

Ms. Katy Jones also asked that the Board leave the parcel at 7223 with its current zoning due to the flooding that has happened in the past.

Ms. Jean Newcom from Sam Donald Road said she fears for the people who live in the trailer park when it rains. She said she would like the property to remain with the current zoning.

Next, Alderman Felts made a motion to approve the minutes from the Board meeting of June 2<sup>nd</sup>, 2016, seconded by Alderman Dugger. The motion passed unanimously.

Alderman Dugger moved to approve the Treasurer's Report through May, 2016. Alderman Snyder seconded, and the report was approved unanimously.

Mayor Alexander then appointed Arthur J. "Trey" Gay, III to the Board of Zoning Appeals.

#### COMMITTEE REPORTS:

Town Planner Henry Laird reported for the Planning Commission:

- Sketch Plan, Dylan Woods—no action required
- Final Plat for Eulas Glen, Phase 2, approved with performance bond
- Final Plat for Summerlyn, Section 3, approved with performance bond
- Preliminary Plat/Final PUD Plan for The Woods at Burberry Glen, approved with conditions
- Nolensville Business Office Site Plan, approved with revisions to building elevations and performance bond

Town Engineer Don Swartz provided updates on the following:

- Full construction plans of Sunset Road were provided to the utility companies last month. The utilities have 120 days to coordinate the movement. Right-Of-Way discussions have begun with Winterset Woods and Benington homeowner's associations.

- The markings on the roadways affected by the fog sealing and road work will be replaced.
- The Stonebrook Safe Route to School project received utility clearance from TDOT. Mr. Swartz said he is confident the project will be in the ground this summer.
- Two proposals were received for work on the Creekside Safe Route to School.
- The delay on the pedestrian bridge in Bent Creek is weather-related.

On behalf of the Nolensville Fire Department, former Chief and current President of the Board of Directors Chris Bastin reported statistics for June. Mark Hall was re-elected as chief.

Police Chief Troy Huffines presented his report on monthly offenses, stop data, and management report for June. Chief Huffines thanked Williamson County Sheriff's Office, EMS and volunteers for helping at the Star Spangled Celebration.

Mr. Bryan Howell reported for the Public Works Department. He concurred with Chief Huffines on the July 2 holiday event. The tractor is currently out of service, so mowing is delayed.

Ms. Betty Friedlander reported that in June the Historic Zoning Commission approved a certificate of appropriateness for demolition of the homes at 7332, 7336 and 7340 Nolensville Road. The three homes are not of historic significance. There was also a submittal to build a new mixed use development where the homes are located, but the developer must first seek a variance from the Board of Zoning Appeals.

In Mr. Tyler Thayer's absence, Town Administrator Ken McLawhon reported the Economic Development Committee would like to hold a follow-up meeting with The Retail Coach either on July 14<sup>th</sup> or July 18<sup>th</sup>.

Ms. Suzanne Honeycutt reported for the Town Events Committee. She estimated about 8,000 people attended the Star Spangled Celebration. She thanked the volunteers on the committee. She also thanked the Police Department, Public Works Committee, Kim Hardison, and the Fire Department. Ms. Honeycutt said they will begin planning for the Veteran's Day Parade next. Administrator McLawhon also thanked the sponsors.

On behalf of the Trees for Trails Committee Ms. Joyce Powers asked Town Engineer to provide an update on the Small Town Connections project. He replied that it is still in plans review with TDOT. More money was approved by the MPO to cover a potential shortfall, but now it appears that there will be excess money.

Mayor Alexander announced Court Clerk Cathi Little recently turned in her resignation, as she will be moving back to her home state of Michigan.

At 7:42 p.m., Mayor Alexander opened a Public Hearing on Ordinance 16-08, an ordinance to rezone property at 7223 Nolensville Road from Estate Residential (ER) to Commercial Services (CS) with a Commercial Corridor Overlay.

Ms. Peggy Jackson of 1698 Sunset Road said she had worked for TDOT for ten years and also worked for engineering firm Gresham Smith when Winterset Woods and Benington were being developed. Her home flooded in 2010. She wanted to know what to expect from a development on the corner of Nolensville Road and Sunset Road.

Ms. Lynda Moses of 2230 Rock Springs Road said Mill Creek is in her front yard. She pointed out that the parcel floods over Nolensville Road into the Old School and onto the Rec Center property. Rezoning will not make flooding worse; building on the property will make flooding worse.

Dr. James Clark of 921 Oldham Road said there was no justification for rezoning the property to commercial and feels rezoning would come back to “bite the town” in the future.

Ms. Barbara Bartlett of 7201 Nolensville Road has lived in Nolensville since 1977. Her concern also had to do with flooding. She was pulled out of the old Nolensville Elementary School by the fire department when the property at 7223 Nolensville Road flooded. Ms. Bartlett’s parents own the mobile home park at 7201 Nolensville Road, located downstream from the property, where 24 units are affected by the creek when it floods. She asked the Board members to consider leaving the property zoned ER.

Ms. Kristin Pierson of Clovercroft Road mentioned that she was present when the Land Use Plan Committee was deliberating the updates. She said she heard many discussions on the parcel in question. She said rezoning the property would be contrary to the Land Use Plan and would circumvent the land use process.

Mr. Larry Gardner of 105 Mill Creek also reiterated that rezoning is contrary to the Land Use Plan and asked that the Board consider leaving the parcel ER.

Mr. Ken Premo, owner of the parcel at 7223 Nolensville Road, asked that the Board vote yes on rezoning, so more businesses and services can come to Nolensville.

Mr. Doug Schenkel of 6604 Christiansted Lane said he does not feel that any BOMA or Planning Commission member would allow building on a property that would be detrimental to the Town. He asked the Board to decide whether the property is commercial or residential.

Mr. E.J. Kerr of Aunt Nannies Place underscored that commercial development will bring money to the Town to help pay for better roads. Only human engineering can divert water away from the property to prevent flooding.

Mr. Bill Berkley of Williamson County spoke in favor of the rezoning.

Ms. Jones spoke again, saying that water cannot be “converted and has to go somewhere.”

Mayor Alexander closed the public hearing on Ordinance 16-08 at 8:19 p.m. He opened a public hearing on Ordinance 16-09, an ordinance to rezone Gary Smalley property adjacent to Summerlyn Subdivision at 2524 York Road from Estate Residential (ER) to Suburban Residential (SR) at 8:19 p.m.

Mr. Larry Gardner supported the ordinance to rezone the property.

Ms. Dianne Shelbrack of 1319 Maplesong Court represented the owner of the property. She said the property does not meet the ER zone requirements and would fit in nicely zoned SR.

Mayor Alexander closed the public hearing on Ordinance 16-09 at 8:22 p.m. and opened a public hearing on Ordinance 16-10, an ordinance to enter into a franchise agreement with Atmos

Energy Corporation for a period of 20-years. With no public comments, Mayor Alexander closed the hearing of Ordinance 16-10 at 8:23 p.m.

Mayor Alexander then made a motion to approve Ordinance 16-09, an ordinance to rezone Gary Smalley property adjacent to Summerlyn Subdivision at 2524 York Road from Estate Residential (ER) to Suburban Residential (SR). Alderman Patrick seconded the motion, which passed unanimously.

Mayor Alexander made a motion to approve the first reading of Ordinance 16-11, an ordinance to amend Title 9 of the Nolensville Municipal Code regulating solicitors in the Town of Nolensville, Tennessee. Alderman Snyder seconded the motion. When the vote was taken, the approval passed unanimously.

Mayor Alexander made a motion to approve the first reading of Ordinance 16-12, an ordinance to amend Title 15 of the Town of Nolensville Municipal Code regarding motor vehicles, parking, traffic, and speeding. Town Engineer Don Swartz clarified that this ordinance will make the right-in/right-out only at the Twice Daily location on Nolensville Road enforceable. Alderman Felts seconded the motion, which passed by unanimous vote.

Mayor Alexander made a motion to approve the first reading of Ordinance 16-13, an ordinance levying a tax rate in excess of the certified rate for tax year 2016, with a public hearing scheduled for August 4, 2016. Alderman Dugger seconded. After a brief discussion, the motion passed unanimously.

Next, Mayor Alexander made a motion to approve the first reading of Ordinance 16-14, an ordinance to amend Title 1 of the Town of Nolensville Municipal Code regarding the regular meeting place and time of the Board of Mayor and Aldermen, seconded by Alderman Felts. Upon a vote, the motion passed unanimously.

Mayor Alexander asked Mr. Collin Dougherty with nCourt, LLC to provide pertinent details for consideration of Resolution 16-20 allowing credit card payments for municipal court fees, fines and costs and entering the agreement with nCourt to process the payments. After discussion of the services provided by nCourt, encryption and security, Mayor Alexander made a motion to approve Resolution 16-20, seconded by Alderman Patrick. After further discussion on security, the resolution passed unanimously.

Mayor Alexander asked Treasurer Kim Hardison to explain the internal control policy and procedure manual referenced in Resolution 16-21. Ms. Hardison mentioned in her summary that this manual was required by the State of Tennessee. Mayor Alexander made a motion to approve Resolution 16-21 adopting an internal control policy and procedure manual. Alderman Dugger seconded and pointed out some minor typographical errors. When a vote was taken, the resolution passed unanimously.

Mayor Alexander made a motion to approve Resolution 16-22, a resolution to release CK Development from maintenance bonding and accept the roads and public improvements within Bent Creek Phase 4, Section 1A for maintenance. Alderman Felts seconded the motion, which passed unanimously.

Mayor Alexander then announced that a ribbon cutting ceremony for the new schools is scheduled for July 24<sup>th</sup>. He also said there were 56 new residential dwelling permits, and a total of 250 permits processed for the month of June.

Mayor Alexander adjourned the meeting at 8:56 p.m.

Respectfully submitted,

Approved,

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Kali Mogul  
Town Recorder

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Jimmy Alexander  
Mayor