

Town of Nolensville
Board of Mayor and Aldermen Meeting
Date: October 2, 2008, Time 7:00 p.m.
Nolensville Elementary School

Vice-Mayor Tommy Dugger opened the meeting at 7:06 p.m. Members present were Aldermen Jimmy Alexander, and Ken Thomas. Mayor Beth Lothers and Alderman Joe Curtsinger were absent. Staff present: Counsel Robert Notestine, Town Planner Henry Laird, Town Engineer Don Swartz, Engineer Consultant Tom Allen, and Recorder Cindy Lancaster. There were 18 citizens present.

Alderman Ken Thomas led the Prayer and Pledge.

Vice-Mayor Dugger asked that everyone keep Pat Aldred in their thoughts due to the passing of her husband Bunky. He noted that the funeral would be at 10:00 in the morning.

Vice-Mayor Dugger advised the audience that early voting would begin on October 15th. Additionally he advised them that the Candidates forum would be held on Thursday, October 9th, at the Jenkins Cumberland Presbyterian Church.

Citizens Input:

Reverend Alfred Bennett, 7186 Nolensville Road, said he was still learning. He stated that a lot of people get irritated with rules. Reverend Bennett noted that the Town has a Design Review Committee and he is thankful for this group. He requested that the Board reduce the length of time it takes for a business to obtain a sign permit. Reverend Bennett stated that he thinks it would be good for Town Planner Henry Laird and Design Review Chairman Matt Happel to approve a sign rather than taking an entire month for review. Reverend Bennett added that when you make phone calls to Town Hall it is important to make a good impression to the caller. He stated that he likes the ladies that answer the phone at Town Hall.

Vice-Mayor Dugger noted that the August minutes were deferred for research. Vice-Mayor Dugger made a motion to approve the regular meeting minutes of August 7, 2008 with the insertion of the first 4 sentences on the transcripts beginning at the end of page 30, and on page 49 to add "are we in a big hurry not to defer this one meeting". Alderman Alexander asked for clarification where Vice-Mayor Dugger wanted this inserted. Vice-Mayor explained to the audience that he had questions on the minutes from the August meeting and the Mayor had the entire meeting transcribed verbatim. He stated that Counsel recommended that the Board should not approve the transcribed version; therefore they are making changes to the minutes that were originally presented in September from the August meeting.

Vice-Mayor Dugger clarified that the portion he would like to be inserted, "one of the reasons I initially came to the conclusion that this was the correct place to site Town Hall was our garbage pick up on Saturday's and when baseball starts I have to change my garbage pick up because there is 200 cars parked in the back of the building", and the next sentence. Alderman Alexander clarified ending where it states, "It certainly is the perfect place for parking and the use of all the fields." Vice-Mayor Dugger stated that was correct. Vice-Mayor Dugger clarified it would be inserted at the end of page 7.

Alderman Thomas stated that he wanted the minutes to reflect what was said. He added that he knew Vice-Mayor Dugger did not want to infer that this was the reason Mr. Tisano wanted Town Hall at this location. Alderman Thomas stated that he felt Mr. Tisano was back there one day and saw the cars. Vice-Mayor Dugger stated that if he did not want it to be taken out of context he would use the entire paragraph from the transcribed minutes. Alderman Thomas said he thought that would be good.

Alderman Alexander stated that the entire paragraph should be replaced due to duplication of verbiage. Vice-Mayor Dugger agreed and stated that the entire paragraph could be inserted to replace the fourth paragraph on page 6. Alderman Alexander seconded the approval of the minutes with these two amendments. The vote was taken with the August 7, 2008 minutes being approved unanimously as amended.

Alderman Thomas made a motion to approve the September 4, 2008, minutes, Alderman Alexander seconded, and the minutes were approved unanimously.

Counsel Notestine noted that the Beer Board minutes were not on the agenda, although they were in the Board's packet distributed last week. He stated that by acclamation these could be addressed. The Board agreed by acclamation to vote on the Beer Board minutes. Recorder Lancaster noted that the minutes should reflect Alderman Curtsinger being absent. With this correction Alderman Alexander made a motion to approve the September 11, 2008, Beer Board Minutes, Alderman Thomas seconded and the minutes were approved unanimously.

Vice-Mayor Dugger noted that the Board received a letter from the Comptroller and Auditor John Poole has stated that he would correct this error. He asked for verification from Recorder Lancaster. Recorder Lancaster stated that was correct.

Alderman Thomas inquired about the next three months and the revenue situation for the Town. Vice-Mayor Dugger stated that there was nothing known that would make a significant change. He added that he had recently spoken to Building Official Michael Blanks and he told him that permits were down. Vice-Mayor Dugger made a motion to approve the Treasurer's Report for August 2008, Alderman Thomas seconded and this was approved unanimously.

COMMITTEE REPORTS:

Chair Rick Owens reported for the Planning Commission.

- Haley Industrial Park was reviewed
- Zoning Ordinance amendment was approved to remove the Floodplain regulations to be a "stand alone" document
- Monthly bond report was approved with some extensions granted
- Request for a Daycare on the out parcel of Brentwood East was reviewed and staff was asked to review and make recommendations

Mr. Bob Crigger reported for the Historic Commission

- Noted that Alderman Thomas and he are the only members that attend the monthly BOMA meetings on a regular basis and he makes the report to the Board

- Met on September 25th to consider Shop Girl request in regards to door color and sign
- The sign was approved but not the lettering and pre-approved colors had to be re-selected

Alderman Thomas added that the Historic Commission has asked the Design Review Committee to work in conjunction with the Historic Commission to come up with a color palette that would be at Town Hall. He stated there was some confusion and the owners of Shop Girl are going to correct the color.

Fire Chief Presley Hughes reported for the Nolensville Volunteer Fire Department.

- Fire prevention week is October 5 -11
- December and January are peak months for home fires
- Extrication class ends this Saturday
- First responder classes run through mid-November

Town Engineer Don Swartz reported for the Engineering Department noting that Rocky Fork Road realignment should be open tomorrow late in the day. He noted that there will be a supplement in the Dispatch and an article in the Tennessean outlining the transition.

Alderman Alexander clarified by asking will the traffic not be able to come through Newsome Lane to the park? Engineer Swartz stated that was correct for the interim, but noted this will just be temporary.

Mr. Frank Wilson, from the audience, stated that there is a family on the Rocky Fork Road to the park (from Nolensville Road), so that Road cannot be closed. Mr. Swartz stated that those two property owners will be allowed access.

Police Chief Paul Rigsby reported for the Police Department.

- Written statistics were distributed to the Board
- Officer Lee was activated to New Orleans last month by the National Guard, but is scheduled back tomorrow
- New car is at radio shop getting lights and radio installed
- Rifles have arrived, currently waiting on ammunition
- Hazardous material suits have been placed in each patrol car
- Street sweeper was sold for \$735
- Awarded full scholarship for classes that begin Monday for Chief
- The Board or Chief will not have to pay for this education

Chair Suzie Lindsey reported for the Town Events Committee.

- September 8th, this Committee met and finalized Veteran's Day plans
- Parade will be on November 8th
- Sponsorship has been obtained and Town funds will not be needed
- Breakfast will be provided to the Veterans
- Parade will begin at 11:00 and end at the Park on Rocky Fork Road

Vice-Mayor Dugger commended this Committee on their hard work and last years' Parade success.

Mayor's Report:

a. Historic Commission Appointment

Vice-Mayor Dugger stated that this item would be deferred until next month.

Public hearing of Ordinance #08-09, an Ordinance to amend Zoning Ordinance #04-09, regarding sign regulations in Appendix A opened at 7:44.

Planner Laird noted that the Ordinance, in addition to an informational sheet was on the Town's website. He noted that this ordinance was created to simplify the process for a window sign. Mr. Laird said that the web-site has good information regarding this ordinance. He encouraged anyone with questions to review.

Alderman Thomas asked for clarification on how it would be handled for the 10% for permanent and 25% for temporary. Planner Laird stated that if the Town receives a complaint it will physically go to the establishment and measure the sign. He added that currently the way it is written, it is not clear. Mr. Laird stated that the amendment is in between Franklin's and Brentwood's regulations.

There was no public comment and the public hearing closed at 7:46.

Reading of Resolution #08-12, a resolution to initiate an identity theft policy. Counsel Notestine noted that this Resolution was an MTAS recommendation. He noted that a Federal Law was passed that this must be implemented by November 1.

Alderman Thomas noted that these are pretty stringent guidelines and if we do not abide there could be repercussions. He stated that he felt it was the right thing to do, but it will take work to oversee that there is proper training and locked filing cabinets. He asked who would be performing the training. Recorder Lancaster noted that MTAS will hold the training and they are currently working on a class to fulfill this requirement.

Vice-Mayor Dugger noted that it addresses credit cards. He stated that he did not think the Town currently utilizes credit cards. Recorder Lancaster stated that the Court Clerk would like to implement the use of a credit card for tickets. Although she realized that the Town did not currently use these, she wanted to keep this section in due to the possible implementation of this form of payment in the near future.

Alderman Alexander made a motion to approve this Resolution, Alderman Thomas seconded, and this passed unanimously.

Reading of Resolution #08-13, a Resolution to explore federal sewer funding options. Counsel Notestine noted that he spoke to the Mayor today and she wants to explore every avenue of possible funding for the sewer project. Alderman Thomas made a motion to approve this Resolution, Alderman Alexander seconded, and this passed unanimously.

First reading of Ordinance #08-11, an Ordinance to amend Ordinance #04-09, pertaining to the floodplain. Planner Laird noted this Ordinance on the agenda, in addition to the following Ordinance, goes hand in hand. He noted that it takes the flood plain section out of the Zoning Ordinance and makes it a “stand alone” Ordinance within the Municipal Code.

Alderman Alexander made a motion to approve this on first reading, Alderman Thomas seconded, and this approved unanimously.

Second reading of Ordinance #08-10, an Ordinance to amend Title 18, of the Municipal Code to add Chapter 3. Engineer Consultant Tom Allen stated that this is the Ordinance that will be placed in the Municipal Code. He noted that currently this section is within the Zoning Ordinance and requires an appeal to go before the Board of Zoning Appeals. Mr. Allen noted that the Town has a Storm Water Committee and any appeals should go before this Board. This Ordinance directs any appeal to the Storm Water Committee.

Vice-Mayor Dugger made a motion to approve this Ordinance, Alderman Alexander seconded, and this passed unanimously.

Other:

With no further business the meeting adjourned at 7:55 p.m. by acclamation.

Respectfully submitted,

Approved,

Cindy Lancaster
Town Recorder

Beth Lothers
Mayor