

Town of Nolensville  
Board of Mayor and Aldermen Meeting  
Date: March 6, 2008, Time 7:00 p.m.  
Nolensville Elementary School

Mayor Beth Lothers opened the meeting at 7:04 p.m. Members present were Mayor Lothers, Aldermen Jimmy Alexander, and Tommy Dugger. Aldermen Joe Curtsinger and Ken Thomas were absent. Staff present: Counsel Robert Notestine, Town Planner Henry Laird, Engineer Don Swartz, and Recorder Cindy Lancaster. There were 29 citizens present.

Pastor Sandy Shawhan with the Nolensville United Methodist Church delivered the prayer. Boy Scout Troop 298 led the Pledge.

Mayor Lothers presented and read a proclamation to Mrs. Olivia Haley who will be representing the State of Tennessee in the Ms. Senior Pageant.

Citizens Input:

Mrs. Evelyn Bennett, 7286 Nolensville Road, A Home Place Bed & Breakfast, addressed the audience noting that she was representing the Historical Society. She noted that a document was initially written in 2005 describing the many families within Nolensville. Mrs. Bennett said that in the year 2007 a third book was written and currently in 2008 a new book will be forthcoming. She stated that there have been numerous requests for the First Edition in 2005. Mrs. Bennett stated that she will be placing an order in the near future so if you would like to get on the list to please contact her. She added that last year's book was about Sunset Park.

Alderman Dugger made a motion to approval the regular meeting minutes of February 7, 2008, Alderman Alexander seconded. The vote was taken and the minutes were approved unanimously.

Alderman Dugger made a motion to approve the treasurer's report for January, Alderman Alexander seconded the motion. The vote was taken and this report was approved unanimously.

COMMITTEE REPORTS:

Chairman Rick Owens reported for the Planning Commission.

- The Brentwood East Regency Center was approved with conditions
- Zoning of Yazdian property was passed unanimously
- Well's Subdivision dedication was changed to reservation unanimously
- Bond report was passed unanimously

Historic Commission Member Bob Crigger reported for the Historic Commission.

- Noted there was no meeting/report

Fire Fighter Harold Shaffer reported for the Nolensville Volunteer Fire Department.

- Due to the Chief attending a First Responders Class

Planner Henry Laird noted there was no report for the Planning Department.

Engineer Don Swartz reported for the Engineering Department

- Met with Mr. Eddie Hood with the Williamson County Highway Department
- Four roadway repairs were discussed including the large hole on Clovercroft Road to be repaired.

Mayor Lothers spoke with Bobby Garland, Engineering Management Consultant for the Rocky Fork Road Realignment project regarding some discussion amongst board members regarding the bidding process and the availability of information when the board awarded the construction contract back on August 2<sup>nd</sup>.

As attempted to clarify at several meetings, when the town goes through a bidding process there are legal requirements that are met all along the way. The construction bidding process is different than the request for proposals process.

In the bid process, each bid that's submitted by each contractor is identical except for the bid amount. Mayor Lothers entered an e-mail response by Mr. Garland into the record.

“The bid proposal consisted of Specifications and Special Provisions detailing the requirements of the actual work being performed on this project and was with the help from others put together under my supervision as per the contract requirements between the Town and F & H.

The Town with the assistance of F & H sold these documents to prospective bidders. We went through numerous processes to ensure that all bid proposals were exactly the same including distribution of addendums between the time of document sales and actual bid opening. Our ultimate goal which we obtained was to ensure all bidders were in fact bidding on the same project.

Bids were received at the Town Hall by Town representatives and were publicly opened and read aloud. All bid proposals were identical except for entries required of the bidder and his bonding company (Contractor's bid and bid bond). The actual bid proposals were presented at the Board of Mayor and Aldermen in which Mountain States Contractors was awarded the contract.”

Mayor Lothers stated as discussed before, the bid opening was publicized so that anyone could attend. Because the bid documents were large and identical, they were available at Town Hall for board members or citizens to look over. The engineering consultant had never been asked to duplicate entire bid packages that are identical for other municipal boards before, but if that is something this board would like to do in the future it could be done.

Mayor Lothers noted that if there is any further confusion or questions, she wanted to make that a part of the public record and happy to address them.

Police Chief Paul Rigsby reported for the Police Department.

- Written statistics were distributed to Board
- Radar trailer has been set up with a chart distributed to the board
- Police cars have had some mechanical problems this month

Mayor Lothers asked if the chart document could be scanned and placed on the power point for the citizens to view.

Mr. Bob Hayes reported for the Public Works Department.

- Only working approximately four hours a day due to weather and lack of work
- Have patched various roads that needed minor repair
- Several signs have blown over due to weather
- Working on police cars
- He told the board that he appreciated and is enjoying the truck recently purchased

In Chair Suzie Lindsey and Alderman Thomas absence, Mayor Lothers reported for the Events Committee

- Work has begun on the 4<sup>th</sup> of July event
- Have been meeting twice a month to prepare for events
- Some sponsorships have been obtained
- Volunteers are needed for this event
- The Prom event at the Rec Center has been cancelled

Mayor's Report:

- a. Other

The Trees and Trails Committee has had several volunteers that have come forward.

Budget Sub-committee Chair and Vice-Mayor Dugger noted that this group has met a couple of times and will be meeting three more times in March at 8:30 a.m. Mayor Lothers noted that this year will be a "bare bones" year. Hopefully this will change next year. She added that the expenditure side currently looks very good, although the revenues are mainly generated with the residential development. She added that the residential is down from the projections last year.

Economic Development member Alderman Alexander updated the board on this Committee's progress. He noted that a few months ago the Mayor thought forming this committee would be worthwhile. She appointed various members and they have met for the past couple of months. He stated that currently they have been working on an updated survey. He stated that one would be a business survey, with another one focused on residents. He added that the survey would determine what the businesses need and if there is anything the Town can do to help. Alderman Alexander stated that the residents will be surveyed and their input will assist in decisions that will be made in the future. He stated that this committee has obtained various sample surveys, adding that currently someone in this profession lives in Nolensville and will be assisting this committee with this endeavor.

Second reading on ordinance 08-01 an ordinance to amend the Zoning Ordinance 04-09, in regards to permitted uses in the Office Industrial (OI) district as it pertains to religious institutions and animal boarding facilities, Mayor Lothers made a motion to approve this ordinance, Alderman Alexander seconded. With no comments this approved unanimously.

First reading of ordinance 08-04, an ordinance to amend the zoning map to rezone property located at 7167 and 7171 Nolensville Road. Planner Henry Laird noted that the two lots, 7167 and 7171 Nolensville Road, are north of Brittan Plaza. He added that these are two residential properties on the west side of Nolensville Road past the recently constructed Brittain Plaza. Planner Laird noted that in the Land Use Plan this property is zoned for commercial use. Mr. Laird added that other properties have been zoned commercial that are adjacent to these properties. Planner Laird stated that they must still meet the Town's regulations. It was noted that the Planning Commission unanimously approved this amendment to the zoning map.

Mr. Mike Anderson, engineer for this project, was in attendance and stated that if the Board had any questions he would be happy to answer.

Alderman Dugger reiterated that this is in the Town's Land Use Plan and commercial zoning is adjacent to this property. Alderman Alexander noted that the Planning Commission approved this unanimously.

Alderman Dugger made a motion to approve this ordinance, Alderman Alexander seconded and this passed unanimously.

Reading of Resolution 08-02, a resolution to accept the newly constructed Sam Donald Road. Town Planner Henry Laird noted that the Town Engineer, Don Swartz, had recommended this to the Planning Commission. He stated that the developer had made this request and the Planning Commission approved this road.

Counsel Bob Notestine asked for clarification in regards to Resolution 06-09. Engineer Swartz stated that resolution was an acceptance with the Maintenance Bond being phased out. Mayor Lothers asked for clarification from the Town Engineer in regards to the Town accepting the road, what judgment did he use to remove the bond? Mr. Swartz stated that it was through the ordinances and resolutions adopted by the Town. He noted that this road was built according to the plans and did not think it was reasonable to hold this developer responsible for a roadway that is used excessively.

Counsel Notestine recommended the board change the title from dedicate to release CK Developments maintenance bond, additionally change the second "Whereas" to delete "offered to dedicate, and replace with "dedicated", and delete the third, fourth, fifth and sixth paragraph in it's entirety.

Alderman Dugger made a motion approve this resolution with the amendment that was recommended by counsel. Alderman Alexander seconded. The amendment and resolution passed unanimously.

Reading of resolution #08-03, a resolution to approve funding for construction of the eastern access to the county ball park in conjunction with Rocky Fork Road realignment project. Mayor

Lothers noted that there was discussion at the last board meeting in regards to this issue. Mayor Lothers asked for clarification and a recommendation from Counsel Notestine in regards to the wording of the resolution. Counsel Notestine stated that either of the options are dependent upon the property owners willingness to sell the right of way. He noted that this resolution will give Mountain States direction for a cost estimate. Counsel Notestine stated that in regards to the wording within the resolution the only change that he would make would be to the dollar amount. He noted that this document should be a resolution for the Mayor to move forward on this project with a change order. Counsel stated that it is, “did the chicken or egg come first” situation. He added that contractors can not move forward without knowing which option the board wishes to pursue and the Board cannot move forward without an amount. He added that this resolution without an amount will allow Mayor Lothers to move forward.

Mr. Swartz noted that Florence and Hutcheson has agreed to do the design work with out an additional cost to the town. Florence and Hutcheson will provide the design to the contractor to get an accurate cost. Mr. Swartz stated they need to know which option the board wishes to pursue prior to initiating plans. Each option was shown to the audience/board via the power point presentation.

Alderman Alexander noted that he recalled the board had settled on option two with the town contacting the owner to see what would happen from there. Alderman Dugger stated that before the Town can get Florence and Hutcheson to begin their process they must have direction on what this Board desires.

Mayor Lothers made a motion to approve this resolution with the recommended changes from Counsel Notestine to change the title of the Resolution by deleting “to enter into an agreement” and adding in it’s place “to request a change order”, and the final paragraph, second sentence again replace “enter into an agreement” to “to request a change order”, remove the last portion of the sentence within this paragraph “with an additional cost of this project not exceeding \$80,000.00” and replace with, “the first choice property being proposal #2, and the second choice property being proposal #1 with a change order to be approved by Board. Alderman Dugger seconded and this passed unanimously.

Other:

Mayor Lothers reported that the recycling bins have been received and Mrs. Lee Rowland is working hard on this project. She noted that Public Works will be working on this project in addition to getting the information out before the public.

The meeting adjourned at 7:54 p.m. by acclamation.

Respectfully submitted,

Approved,

Cindy Lancaster  
Town Recorder

Beth Lothers  
Mayor