

# Town of Arlington

5854 Airline Road, Arlington TN 38002



## Town Of Arlington Board of Mayor and Aldermen

October 5, 2015

6:30 P.M.

### MEETING MINUTES

#### I. Call to Order and Roll Call.

##### Present

Mike Wissman, Mayor  
Harry McKee, Vice Mayor  
Jeff McKee, Alderman  
Brian Thompson, Alderman  
Gerald McGee, Alderman  
Oscar Brooks, Alderman  
Larry Harmon, Alderman

##### Others Present

Gerald Lawson, Attorney  
Steve Hill, Engineer  
Heather Sparkes, Planner  
Catherine Durant, Town Administrator  
Brittney Owens, Clerk  
See List

Mayor Wissman called the meeting to order and advised that a quorum was established.

#### II. Opening Prayer.

Opening prayer was led by Phil Newberry, Campus Pastor of Bellevue Arlington.

#### III. Pledge to the Flag by Girl Scout Troop 13108.

The Pledge of Allegiance was led by the Girl Scouts Troop 13108.

#### IV. Approval of the minutes from September 8, 2015.

**Motion:** Alderman McGee made a motion to approve the Board of Mayor and Aldermen minutes of September 8, 2015. Vice Mayor McKee seconded the motion.

The motion carried unanimously.

#### V. Grievances and Comments from Citizens.

Mayor Wissman asked if any citizen wished to address the Board to please come to the podium, state your name and address for the record. He stated that this was not a Question and Answer session.

Danny Young of Melanie Creek Cove publicly thanked the Town staff and Board of Mayor and Aldermen for the support of the schools. He stated that the school

system would not be where they are today if it was not for the help and support from Town staff.

Mayor Wissman thanked Mr. Young for his time.

**VI. Communication from the Mayor.**

**A. Proclamation for Girl Scout Troop 13108.**

Mayor Wissman presented Girl Scout Troop 13108 with a Proclamation proclaiming that the month of October 2015 would be recognized as Girl Scout Month.

**B. Shelby County Sheriff's Department Incident Report for the month of September.**

Mayor Wissman recognized Lieutenant Lomax from the Shelby County Sheriff's Department. He explained the crime report for the month of September which was provided to the Board. He advised that between September 2014 and September 2015 the most frequent time that incidents were reported were between the hours of 2 PM and 6 PM on Tuesdays and Wednesdays. He encouraged citizens to report anything that looks or sounds suspicious. He advised that a police presence has been on Milton Wilson to address the issue of speeding which has resulted in numerous tickets being issued. The full report is on file at Town Hall.

Vice Mayor McKee thanked the Sheriff's Department for their presence at the Barbeque Festival.

Mayor Wissman thanked Lieutenant Lomax for his time.

**C. Arlington Fire Department report for the month of September.**

Mayor Wissman recognized David Franks, Fire Chief. Chief Franks stated that for the month of September they went on 74 calls with 18 being south of I40. He advised that the National Campaign of "Hear the Beep Where you sleep" is taking place and they are receiving entries from the schools for the Fire Prevention Poster Contest. He gave an update about the renovations at the Fire Department and explained that they are expected to move in within the next couple of days. He advised that at the pancake breakfast, which took place on October 3<sup>rd</sup>, over \$2,900 had been raised for the West Tennessee Veterans Home.

Mayor Wissman thanked Chief Franks for his time.

**D. Kevin Carter to report on Parks and Recreation.**

Mayor Wissman recognized Kevin Carter, Parks and Recreation Director. Mr. Carter gave an update on events that had taken place within the Town over the past several weeks. Some of the events included Music on the Square, PTSA Movie Night, Movie on the Square and the Barbeque Festival. Mr. Carter advised that 52 teams participated in the Barbeque Festival this year and he publicly thanked Jamie Hannah for his hard work on the event. He gave an update on the Forrest Street Park grant project. Mr. Carter stated that Basketball Registration had been completed and a total of 260 kids had been registered. He thanked Arlington Community Schools for allowing the Town to use the facilities for the basketball program. He presented information on starting a Memorial Bench and Tree Program and advised that it would be discussed through the Parks and Recreation Committee.

Mayor Wissman thanked the staff for working long hours during the Barbeque Festival and for the success of the event. Alderman Thompson publicly thanked the staff and Chamber of Commerce for the event and Jamie Hannah for his hard work.

Mayor Wissman thanked Mr. Carter for his time.

**E. Other as Properly Presented.**

1. Mayor Wissman thanked everyone who was a part of the Arlington Barbeque Festival for their hard work in making the event a success.
2. Mayor Wissman reminded citizens that the last Music on the Square for the year would take place on October 17th.
3. Mayor Wissman thanked the Arlington Community Schools for putting together the first LEAD Arlington program. He stated that the next class would be hosted by the Town on December 10<sup>th</sup>.
4. Mayor Wissman stated that anyone interested in being a part of one of the committees to please submit their interest to him or Town Hall staff.
5. Mayor Wissman advised that the Board would vote on Vice Mayor at the November Meeting.
6. Mayor Wissman reminded citizens about the Annual Fish Fry and Harvest Gathering that will both take place on October 17<sup>th</sup>.

**VII. Committee Reports**

Mayor Wissman advised that the Planning Commission and Design Review Committee met during the month of September. The reports are on file at Town Hall and have been provided to the Board.

Vice Mayor McKee read the Treasurer's Report into the record (on file).

### VIII. Old Business

**A. Second and Final reading of Ordinance 2015-09 to amend the Town of Arlington, Tennessee Budget for Fiscal Year Ending June 30, 2016.**

Mayor Wissman recognized Catherine Durant, Town Administrator. Ms. Durant advised that there was a change between first and second reading due to a misprint on the Fire Department totals. She recommended approval of the amendments.

Mayor Wissman called for a motion.

**Main Motion:** Alderman Thompson made a motion to approve second and final reading of Ordinance 2015-09 to amend the budget ending June 30, 2016. Alderman McKee seconded the motion.

Mayor Wissman called for a motion to suspend the Board of Mayor and Aldermen Meeting and open a Public Hearing.

**Motion:** Alderman Thompson made a motion to suspend the Board of Mayor and Aldermen Meeting and open a Public Hearing. Alderman McKee seconded the motion.

**PUBLIC HEARING ORDINANCE 2015-09 to amend the Town of Arlington, Tennessee Budget for Fiscal Year Ending June 30, 2016.**

Mayor Wissman stated that notice of public hearing was published in The Commercial Appeal on September 14<sup>th</sup>, 2015. He asked that anyone wishing to speak for or against this request, to please stand to be recognized and state their name and address for the record. There were no further comments.

Mayor Wissman called for a motion to close the Public Hearing and resume the Board of Mayor and Aldermen meeting.

**Motion:** Alderman Thompson made a motion to close the Public Hearing and resume the Board of Mayor and Aldermen Meeting. Alderman Harmon seconded the motion.

Mayor Wissman called for discussion and questions. There were no further questions.

Mayor Wissman called for a vote on the Main Motion.

**Vote on Main Motion:** The motion carried unanimously.

**B. Resolution 2015-35 to approve the Planned Development Zoning Overlay and Master Development Plan for property located on the North side of Memphis-Arlington Road, West side of Airline Road, referred to as the High Point Planned Development.**

Mayor Wissman recognized Heather Sparkes, Town Planner. Ms. Sparkes stated that this Resolution came before the Board at the last meeting and it was back for approval after fulfilling certain requests from the Board. She gave a PowerPoint presentation that had pictures showing what the design ideas for the development looked like. She stated that conditions had been added. She recommended approval.

Mayor Wissman called for a motion.

**Main Motion:** Alderman Brooks made a motion to approve Resolution 2015-35. Alderman Thompson seconded the motion.

Mayor Wissman called for discussion or questions. Mayor Wissman thanked the applicant and developers for the time that they put in to address the concerns of the Board. Alderman Thompson thanked the applicants for providing visual examples and taking the time to address the Board's concerns. Ms. Sparkes advised that the Planning Commission will look at the site plan when submitted and the Design Review Committee will look at the building elevations and landscaping. Alderman McGee stated that he appreciated the work that was put in, however comments from citizens show that they are not excited about another convenient store. Alderman McKee inquired about the depth of the walkways. Ms. Sparkes stated that this will be addressed at the Design Review Committee.

**Vote on Main Motion:** The motion carried unanimously.

**C. Other as properly presented.**

There was no further business.

**IX. New Business**

**A. First Reading of Ordinance 2015-10 to amend the Arlington Zoning Ordinance Chapter 10, Section 10.4.1, Composition and 10.4.6 Meetings, to change the number of Design Review Committee members from nine (9) members to seven (7) members and the required number of members to establish a quorum.**

Mayor Wissman recognized Heather Sparkes, Town Planner. Ms. Sparkes explained that this Ordinance is similar to the changes that were made to the

Planning Commission. There are two vacancies and with approval of this Ordinance, the positions will not be filled.

Mayor Wissman called for a motion.

**Main Motion:** Alderman Thompson made a motion to approve first reading of Ordinance 2015-10. Alderman Brooks seconded the motion.

Mayor Wissman called for discussion and questions. Alderman Thompson stated that he agreed with taking it down to 7 members however this meant that making sure the most qualified people fill those spots will be more crucial. He asked for Ms. Sparkes opinion on having only one Alderman serving on the committees. Ms. Sparkes stated that she was concerned with having two Aldermen on the Design Review Committee because any appeal from the DRC has to go before the Planning Commission. Any appeal of the Planning Commission has to go before the Board of Mayor and Aldermen. If there are two members on the DRC and two members on the PC that are Aldermen, then the majority has already formed an opinion before it makes it to the Board of Mayor and Aldermen. The discussion continued.

Gerald Lawson, Town Attorney will look into other municipalities and how they address the assignment of committees. Some municipalities have alternate members who can be called in when there are not enough members to have a quorum.

Mayor Wissman called for a vote on the main motion.

**Vote on Main Motion:** The motion carried unanimously.

**B. Resolution 2015-38 to amend the Lease Agreement of the Arlington Facility Provider Policy.**

Mayor Wissman recognized Kevin Carter, Parks and Recreation Director. Mr. Carter stated that the amendment to this Lease Agreement is in relation to the change in League participation fees. He noted the change in fees from \$10 for residents to \$15 and \$20 for non-residents to \$30. Staff recommended approval.

Mayor Wissman called for a motion.

**Main Motion:** Vice Mayor McKee made a motion to approve Resolution 2015-38. Alderman Brooks seconded the motion.

Mayor Wissman called for discussion or questions. Hearing no further discussion, Mayor Wissman called for a vote on the main motion.

**Vote on Main Motion:** The motion carried unanimously.

**C. Resolution 2015-39 to authorize the Town of Arlington to enter into an agreement with National Joint Powers Alliance (NJPA) for the contracting of goods and services.**

Mayor Wissman recognized Kevin Carter, Parks and Recreation Director. Mr. Carter stated that this agreement would allow the Town to access purchasing powers with other communities and open the door to national bids.

Mayor Wissman called for a motion.

**Main Motion:** Alderman Harmon made a motion to approve Resolution 2015-39. Alderman McGee seconded the motion.

Mayor Wissman called for discussion and questions. Vice Mayor McKee inquired about the bid process through NJPA. Mr. Carter stated that the lowest bid is chosen and each contract would be reviewed by Town staff and presented to the Board of Mayor and Aldermen for approval. Catherine Durant, Town Administrator stated that this agreement had been reviewed by the Auditors and is recognized by the State of Tennessee Comptroller of Treasury office. There was discussion regarding the ability to reach outside of this agreement for bids. Hearing no further questions, Mayor Wissman called for a vote on the main motion.

**Vote on Main Motion:** The motion carried unanimously.

**D. Resolution 2015-40 to re-adopt the Official Municipal Zoning Map of Arlington, Tennessee, superseding and replacing the Map adopted February 9<sup>th</sup>, 2010.**

Mayor Wissman recognized Heather Sparkes, Town Planner. Ms. Sparkes advised that this map included all previous changes that had previously been approved to the Zoning Map. She stated that the re-adoption is necessary to clean up the files and keep the zoning map current.

Mayor Wissman called for a motion.

**Main Motion:** Alderman McGee made a motion to approve Resolution 2015-40. Alderman Thompson seconded the motion.

Mayor Wissman called for discussion and questions. Hearing no further comments, Mayor Wissman called for a vote on the main motion.

**Vote of Main Motion:** The motion carried unanimously.

**E. Resolution 2015-41 to execute a Warranty Deed and any other necessary documents to convey to the Arlington Community Schools Board of Education a 2.16 Acre parcel of property for the purpose of constructing a Central Office.**

Mayor Wissman recognized Gerald Lawson, Town Attorney. Mr. Lawson stated that the Board of Mayor and Aldermen had previously asked staff to inventory all property owned by the Town. This 2.16 acre parcel is located South of I-40 near the visitor's center. Mr. Lawson stated that the Town and School Board have been working together to determine the best location for a Central Office. Mr. Lawson explained that this would be an in-kind donation and the Town would deed the property over to the Arlington Community Schools Board of Education. If it is decided that it will not be used for a Central Office, it will be deeded back to the Town of Arlington.

Mayor Wissman called for a motion.

**Main Motion:** Vice Mayor McKee made a motion to approve Resolution 2015-41. Alderman Thompson seconded the motion.

Mayor Wissman called for discussion and questions. Mayor Wissman thanked the School System for being frugal with their money and making work space available in High School. Alderman McGee inquired about the current zoning for this property. Ms. Durant, Town Administrator, stated that this property was currently zoned B2 General Commercial and this was an allowable use. Vice Mayor McKee addressed Tammy Mason, School Superintendent regarding the Capital Improvement Plan for the school system. Ms. Mason explained that land acquisition for the Central Office was in the CIP for 2015 and development was to take place in 2017. The discussion continued.

Alderman McKee requested that the Design Review Committee have an input on the design of the building. Alderman Thompson stated that he would like to see this building set the standard for future Town buildings. After no further discussion, Mayor Wissman called for a vote on the main motion.

**Vote on Main Motion:** The motion carried unanimously.

**F. Resolution 2015-42 to execute a Ground Lease between the Town of Arlington, Tennessee and the Arlington Community Schools Board of Education for approximately 2 acres on the Public Works Property along Memphis-Arlington Road for the future construction of a bus lot.**

Mayor Wissman recognized Gerald Lawson, Town Attorney. Mr. Lawson explained that Town staff met at the site with Ms. Mason and school staff to discuss the future construction of a bus lot on the property of Public Works.



This will be a 30-year Ground Lease for a building and a parking lot for the school buses.

Mayor Wissman called for a motion.

**Main Motion:** Alderman McGee made a motion to approve Resolution 2015-42. Alderman McKee seconded the motion.

Mayor Wissman called for discussion and questions. Alderman McGee inquired about the type of fuel tank that would be placed on the property. Ms. Durant stated that the tank would be above ground and resemble the current one used by Public Works. Alderman Thompson stated that it would be leased by Arlington Community Schools and used by Durham Services. There was discussion about the insurance liability put on the Board of Education and Town by leasing to Durham Services. Mr. Lawson stated that the company would have to provide insurance to cover the costs of injuries on the property. Mayor Wissman called for a vote on the main motion.

**Vote on Main Motion:** The motion carried unanimously.

**G. Appoint Town Recorder/Treasurer.**

Mayor Wissman recognized Gerald Lawson, Town Attorney. Mr. Lawson stated that Ms. Durant has been the Town Recorder and Treasurer, Town Administrator and multiple other roles throughout the Town. An Ordinance was passed giving the ability to hire and fire employees and Department Heads to the Town Administrator. Mr. Lawson stated that the Recorder/Treasurer was a position that was appointed by the Board of Mayor and Aldermen. This position will report directly to the Town Administrator for day to day operations and the Board of Mayor and Aldermen appoints and gives direction.

Mayor Wissman recognized Catherine Durant, Town Administrator. Ms. Durant stated that she has sought the advice of MTAS regarding the position and whether the Recorder and Treasurer should be separate positions. They stated that the Town of Arlington was not large enough to support the separation of the positions. Ms. Durant stated that the Town has many wonderful employees that could be considered for the position. Trisha Lowers has recently received her CMFO certificate and works with all of the bookkeeping in the Town. Brittney Owens puts together all Board of Mayor and Aldermen packets and types minutes for each meeting. Shelley Hardee is the Town's tax specialist and in charge of all accounts payables and receivables. Lena Wells oversees Business Tax, Utility Billing and is the face of Customer Service. Ms. Durant stated that the Board can decide to promote from within or to look outside of current employees. She also noted that a licensed CPA was interested in the position and knows the books of the Town.

She would have to go through her certifications required to be a Recorder. Ms. Durant said that she recommends someone that can manage day to day operations, a large range of contracts, be constantly interrupted, stay on task, deal with the public in a professional manor, be able to obtain Recorder and CMFO Certifications and be a leader. She recommended Brittney Owens.

Mayor Wissman called for a motion.

**Main Motion:** Alderman Brooks made a motion to appoint Brittney Owens as the Town Recorder and Treasurer. Alderman Thompson seconded the motion.

Mayor Wissman called for discussion or questions. Mayor Wissman stated that he talked extensively with Ms. Durant about this position and he supported her decision 100%. Vice Mayor McKee expressed that he relied on recommendation from Ms. Durant. Alderman Harmon stated that we should promote from within because those employees will eventually invest in Arlington and he agrees that Ms. Durant should be able to build a successful team with support from the Board. Alderman Brooks advised that he takes Ms. Durant's advice to heart and he would like to promote from within. Alderman Thompson stated that the Board is not around for the day to day operations and he would like to defer to Ms. Durant. He stated that this is not an insult to any of the other employees; it is simply what is in the best interest of the Town of Arlington.

Vice Mayor McKee inquired about the salary for this position. Mr. Lawson advised the MTAS creates salary ranges and that this position would be hired in at a lower range due to lack of experience. This range can be increased at a later date. Mayor Wissman stated that this would be the same case for the new Town Planner position because the employees will not be as experienced as the current position employees. The new hires will have to train and gain experience. Vice Mayor McKee inquired about the performance evaluations for this position. Mr. Lawson stated that Ms. Durant would perform the evaluations and recommend raises and increases in salaries. Mayor Wissman called for a vote on the main motion.

**Vote on Main Motion:** The motion carried unanimously.

**H. Other as properly presented.**

There was no further business.

**X. Approval of the bills for payment.**

Mayor Wissman called for a motion.

**Main Motion:** Alderman Thompson made a motion to approve bills for payment.  
Vice Mayor McKee seconded the motion.


Mayor Wissman called for a vote on the main motion.

**Vote on Main Motion:** The motion carried unanimously.

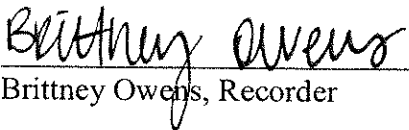
**XI. Adjournment**

**Motion:** Alderman Thompson made a motion to adjourn.  
Alderman Brooks seconded the motion.

Meeting adjourned.

  
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Mike Wissman, Mayor

11/2/15  
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Date

  
\_\_\_\_\_  
Brittney Owens, Recorder

11/2/15  
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Date