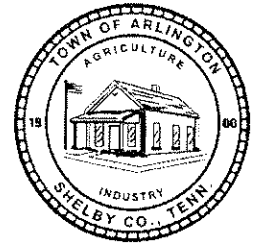


# Town of Arlington

5854 Airline Road, Arlington TN 38002



Board of Mayor and Aldermen  
May 7, 2018  
6:30 P.M.

## MEETING MINUTES

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

#### Present

Mike Wissman, Mayor  
Larry Harmon, Alderman  
Jeff McKee, Alderman  
Oscar Brooks, Alderman  
Harry McKee, Vice Mayor  
Cheryl Pardue, Alderman

#### Others Present

Catherine Durant, Town Administrator  
Brittney Owens, Recorder/Treasurer  
Angela Reeder, Town Planner  
Gerald Lawson, Town Attorney  
See List

#### Excused Absence

Jeremy Biggs, Alderman

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

### II. Opening Prayer.

Opening prayer was led by Alderman McKee.

### III. Pledge to the Flag.

The Pledge of Allegiance was led by Lt. Chad Wiseman.

### IV. Approval of the minutes from April 2, 2018

**Motion:** Alderman Pardue made a motion to approve the Board of Mayor and Aldermen minutes from April 2, 2018. Alderman Brooks 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 his/her name and address for the record. He reminded everyone this was not a question and answer session.

There were no further comments.

## **VI. Communication from the Mayor.**

### **A. Shelby County Sheriff's Department Incident Report for the Month of April 2018.**

Mayor Wissman recognized Sgt. Cockman, Shelby County Sheriff's Department. Sgt. Cockman noted that there were three (3) thefts from motor vehicles on April 4, 2018, located at 6055 Airline Road, Arlington, at Chemtainer Industries. Detectives are reviewing security video footage to develop suspects at this time. There was one (1) additional theft from motor vehicle, suspect information is on file. The full report is on file at Town Hall. Sgt. Cockman also stated that citizens are receiving phone calls in which the caller is asking for money under false pretenses, using Shelby County Sheriff or other agency names. He stated not to give them money, gift card or credit card information.

Mayor Wissman thanked Sgt. Cockman for his time.

### **B. Arlington Fire Department Report for the Month of April 2018.**

Mayor Wissman recognized James Harvill, Fire Chief. Chief Harvill stated that there was a total of 75 responses, with 38 being fire responses, and 37 being EMS responses. There were 16 calls on or south of I-40. The full report is on file.

Chief Harvill stated that a turnout extractor has been ordered and building repairs have been requested at Fire Station 71 to have the turnout extractor installed.

Chief Harvill stated that the Tornado Siren has been installed. It has been "growled" but further tests have been delayed due to overcast conditions on Wednesdays. The siren must go through a couple tests cycles before it is completed and operational.

Chief Harvill stated that TOSHA completed an audit within the Town of Arlington. There were a few findings, and the Arlington Fire Department is working with the department heads to correct the findings.

Chief Harvill noted that Arlington in April had a very nice turn out, which he credited to the nice weather and the APTA running the event.

Alderman McKee stated that in regard to the fatal accident on I-40, they receive questions about moving forward with a second station and second company. He asked if Chief Harvill had any updates.

Chief Harvill replied that he is hoping to have a full report by the end of the month. They are waiting on the last maps and statistics, as they had conflicts with the state reporting system but are planning on it being complete by the end of the month.

Mayor Wissman asked for an update on the fatal accident.

Chief Harvill replied that they had a second company on staff the day of Arlington in April, which they don't normally have but he staffed as a precaution. Report of an accident with a vehicle fire came in near the end of Arlington in April. They worked closely with Shelby County Sheriff's Department and Tennessee Highway Patrol on the calls. There was a total of six vehicles involved. One box truck and three cars severely damaged, and two fatalities. I-40 was closed for approximately 4 hours. Arlington Fire Department assisted the medical examiner and worked closely with Shelby County Fire.

Mayor Wissman thanked Chief Harvill for his time and asked that Chief Harvill relay his thanks to his staff as well.

**D. Other as properly presented.**

1. Mayor Wissman stated that Ms. Durant is working with TDOT to get the Arlington signage replaced on the interstate where it was previously removed. Mayor Wissman stated that he had spoken with Congressman Kustoff's office to advise him of the issue.
2. Mayor Wissman recognized the APTA members present, as he heard nothing but great things about Arlington in April. He thanked the APTA for taking over the event and extended his appreciation for their work.
3. Mayor Wissman reminded everyone about the Chamber luncheon on Wednesday, May 9th.
4. Mayor Wissman stated that he and Tammy Mason, Superintendent of Arlington Community Schools, had attended an opioid roundtable with Congressman Kustoff and representatives from several other agencies.
5. Mayor Wissman stated that there are a lot of good things going on across town and a lot of new developments, and he wants to get an updated list to share with everyone.
6. Mayor Wissman recognized Tammy Mason, Superintendent of Arlington Community Schools. He reminded everyone that graduation is May 15<sup>th</sup>. Ms. Mason stated that they have a budget work session on May 10<sup>th</sup> at 5:30pm, and it will pass at the end of the month. The budget will seek Board of Mayor and Alderman approval on June 4<sup>th</sup>.
7. Mayor Wissman asked if the July 2<sup>nd</sup> Board of Mayor and Alderman meeting would be a conflict for any of the Board members, as it falls on the week of July 4<sup>th</sup>. Hearing no comments, the meeting will be held on July 2<sup>nd</sup>.
8. Mayor Wissman recognized Hugh Lamar. Mr. Lamar announced that the Arlington Cemetery will be holding their annual Memorial Day Service on May 28<sup>th</sup> at 9:00am. They will have a WWII POW speaker, a 21-gun salute, and live music. There will also be breakfast at the Church of Christ after the ceremony.
9. Vice Mayor McKee announced that the fireworks show would be Saturday, June 30<sup>th</sup> this year.

**VII. Committee Reports**

Mayor Wissman advised that the Planning Commission, Board of Zoning and Appeals, Finance Committee, Parks and Recreation Committee, Health and Safety Committee and Arlington Community School Board all met during the month of April. The reports are on file at Town Hall and have been provided to the Board.

Alderman Brooks read the Treasurer's Report into the record (on file).

## VIII. Old Business

### A. Other as properly presented.

There was no further business brought forward.

## IX. New Business

### A. First Reading of Ordinance 2018-05 adopting the Annual Budget, Board Compensation, and Tax Levy for the Fiscal Year beginning July 1, 2018 and ending June 30, 2019.

Mayor Wissman recognized Brittney Owens, Town Recorder/Treasurer. Ms. Owens presented the proposed Budget for the Fiscal Year 2018-2019:

Town of Arlington has 4 major accounts – the General Fund is the operating account; Street Aid and Solid Waste are special revenue accounts; and Sewer Fund is an enterprise account. The General Fund was discussed as it deals with day to day operations.

Ms. Owens stated that the projected revenue is \$8,437,551. This is an increase of \$313,000 over last fiscal year, due in large part to the certification of the census. The special census was certified at 13, 217 residents, an increase of 1,127 residents. Each \$.01 of tax rate generates \$38,970.80. This is an increase of \$1,596.67 over last year. Ms. Owens stated that property tax remains the majority source of revenue for the Town of Arlington at approximately 52%. It is proposed that the tax rate remain at \$1.15. Real and personal property tax has been calculated at a 95% collection rate, an increase of 5% on personal property tax.

Ms. Owens explained the General Fund expenditure breakdown. The General Fund is a balanced budget. Expenses per resident have decreased by \$33.55 per resident from last fiscal year. Salaries, Benefits, and Elected Officials make up approximately 42% of the General Fund expenses, which is significantly lower in comparison to other cities and counties. Two new positions are being proposed in the General Fund – 1 in Administration and 1 in Public Works.

The Fire Department is still the largest General Fund expense at 27%, down from 29% last year. Education is 7%, which is equivalent to the \$.15 rate required by law.

Ms. Owens stated that regarding Street Aid Revenue, the largest portion is the transfer from General Fund. The proposed transfer for this fiscal year is \$1,000,000. This is an increase from \$900,000 last year. Some of the Street Aid projects include widening Highway 70 and

widening Airline Road. The Right of ways are being acquired for the Airline Road project and have already been acquired for the Highway 70 project. State gasoline has increased 2%, due to the new fuel tax enacted effective July 1, 2018. Street Aid is a balanced budget. The largest portion of expenditures is Repair & Maintenance at 32%.

Ms. Owens stated that regarding Solid Waste revenues, the largest portion comes from solid waste rates charged to residents. The largest Solid Waste expenditure goes to pay the contract for collection of solid waste.

Ms. Owens stated that regarding Sewer revenues, the largest portion is sewer service charges. The budget is being proposed with an 8% increase in sewer rates for residential, commercial, and industrial users. This equates to an increase of \$.23 per CCF and \$.61 on the base rate.

The budget also includes a proposed Sewer expenditure of \$400,000 from the retained earnings. This will include the purchase of a SCADA system, as the current system is outdated.

Ms. Owens stated that the Ordinance will change between the 1<sup>st</sup> and 2<sup>nd</sup> drafts, when numbers are received from the schools. They will have preliminary numbers by May 8<sup>th</sup> and are presenting their budget June 4<sup>th</sup>.

She advised that the Finance Committee and staff recommend approval.

Mayor Wissman called for a motion to approve.

**Main Motion:** Alderman Brooks made a motion to approve First Reading of Ordinance 2018-05. Alderman McKee seconded the motion.

Mayor Wissman called for discussion or questions.

Vice Mayor McKee asked to refer back to the General Fund revenues. He asked if the property taxes were normal. Ms. Owens replied yes, that property taxes, state shared taxes, and local taxes are generally the largest portion of revenue.

Alderman Brooks stated that Sewer particularly stood out to him as it was not paying its own way, and that he hates to raise fees but will be glad to do it because it needs to fund itself.

Mayor Wissman applauded the staff, Finance Committee, and Alderman as it was the most well-attended committee meeting they have had.

Alderman McKee thanked Ms. Owens, Catherine Durant – Town Administrator, and the staff for leading the Finance Committee, and stated that the Finance Committee did a great job. He also thanked the department heads for working as a team to get our budget where it needs to be. Alderman McKee stated that it is nice to see a balanced budget in a government.

Ms. Owens further explained that the Ordinance, Section 5 states “during coming fiscal year the governing body has planned capital projects and proposed funding.” This statement refers to the previously referenced grants and projects, including the Highway 70 project. Also, the tennis complex is not in the budget but is in the Ordinance and will come out of reserves if it moves forward.

Mayor Wissman called for further 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.

**B. Resolution 2018-26 to enter into a Development Agreement with H. Saga International, Inc. for the Construction of Haysville-Arlington Commons PD, located on the Eastern end of Mott Street.**

Mayor Wissman recognized Ms. Angela Reeder, Town Planner, who presented the development staff report (on file) for a standard development agreement for the Haysville-Arlington Commons PD. This project is located on the Eastern end of Mott Street in Depot Square, adjacent to the TDOT maintenance yard and the CSX railroad line.

Ms. Reeder reminded everyone that the project is for a mixed-use development with commercial and office space on the first floor and 10 single-family units above. The applicant most recently received approval of a Final Plat and Construction Plans at the April 2018 meeting of the Planning Commission.

Ms. Reeder stated that this resolution would authorize Mayor Wissman to enter into a standard development agreement due to some public improvements on the property. The development fees that would be due total \$4,252 in addition to the Town Engineer’s estimate, as well as a \$3,000 payment-in-lieu to cover off-site detention costs.

Mayor Wissman called for a motion to approve.

**Main Motion:** Alderman Pardue made a motion to approve Resolution 2018-26.  
Alderman McKee seconded the motion.

Mayor Wissman called for discussion or questions.

Alderman McKee asked if all property owners are in agreement regarding the driveway, as he is aware that there were concerns about The Grapevine and the railroad tracks and the driveway. Catherine Durant, Town Administrator replied that she had spoken last week with Ms. Wooley, owner of The Grapevine, who stated that she is in the process of hiring an architectural firm to lay out the site.

Vice Mayor McKee asked if the driveway coming from the railroad tracks turning right into the lot, that he was concerned with, has been discussed.

Steven Hill, Town Engineer replied that there will be no holdup traveling Northbound turning right into the lot. It has also been proposed to have a connection into the Dollar General lot, providing direct access to Highway 70.

Mayor Wissman called for further 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 2018-27 to authorize Mike Wissman, in his capacity as Mayor of the Town of Arlington, Tennessee, to execute documentation necessary to authorize the Town Attorney to file Condemnation Lawsuits to obtain Right-of-way and the necessary Easements, for a project known as Depot Square Road Realignment.**

Mayor Wissman recognized Steven Hill, Town Engineer. Mr. Hill stated this project has been going on for a few years now. It originated 4-5 years ago to try to provide safer conditions for traffic in this area.

The plan includes proposing that the street on the East to be a 2-way thru street, giving free flow of traffic coming over the railroad tracks. He stated that the plan is to try to eliminate confusion. Pedestrian safety and accessibility is a big factor.

Mr. Hill stated that the plan is being presented to improve safety of vehicles and pedestrians as well as improvement of drainage, to resolve flooding issues in the Depot Square area.

Mr. Hill explained that acquiring the Right-of-ways is a process of trying to clean up the records when looking back through the history of the area, as the deeds do not always reference public or private streets. The approach is to be fair to the property owners and lay out the property lines.

Mr. Hill stated that they will also be controlling access where there is currently uncontrolled access to the parking lot. There will be two driveways going in and out of the parking lot. This is to improve safety for vehicles, pedestrians, and for the development that is taking place.

Mayor Wissman called for motion.

**Main Motion:** Alderman Brooks made a motion to approve Resolution 2018-27. Alderman McKee seconded the motion.

Mayor Wissman called for discussion and questions.

Alderman Harmon stated that safety is the main issue, as all development occurring in Depot Square will mean more and more people in the area. This plan will greatly enhance the walkability and the safety.

Alderman Harmon suggested that Engineering look at the speed limits within the Depot Square area. Alderman Harmon recommended a 20mph speed limit due to the pedestrians in the area.

Mr. Hill replied that he knows there are issues with speed limits and the enforcement by Shelby County Sheriff's Department, but they want it as slow as they can make it. Mr. Hill added that there will be crosswalk signs installed, and they will emphasize the crosswalk area using brick paver surfaces and white lines.

Mayor Wissman recognized Brittney Owens, Recorder/Treasurer. Ms. Owens read a statement from Alderman Biggs, who was unable to attend the meeting:

"I support resolution 2018-27 for the Mayor to authorize the Town Attorney to file condemnation lawsuits to obtain Right-of-way and necessary Easements for the Depot Square road realignment project. I trust the Town has made a good faith effort to obtain this property at fair market value through negotiations with the property owners. The plan to add curb and gutter, sidewalk, and parking spaces for this project will enhance the focal point of our Town, Depot Square. The proposed project will alleviate some drainage concerns, increase safety in the area for pedestrians by providing sidewalks, will produce safer interchanges, and will add additional parking for local businesses and Town events."

Mayor Wissman recognized Gerald Lawson, Town Attorney. Mr. Lawson stated that this project has been going on for several years. In order to not delay the project, the Right-of-ways need to be secured, through condemnation if necessary.

Mayor Wissman called for further discussion or questions.

Alderman Pardue stated that it is important at this point in the game, with the future development of the area, to get the safety in this area addressed due to the amount of foot traffic and increased vehicle traffic. Alderman Pardue added that she is impressed with the proposal, as it addresses all of the needs of the Town, and it is fair to the businesses in the area. Alderman Pardue approves moving forward with the proposal.

Mayor Wissman asked Gerald Lawson, Town Attorney to address the discrepancy with these two parcels.

Mr. Lawson explained the issue with the two parcels is that the property owners' deeds go to the center line of the road, which is not uncommon with old deeds. The Town has prescriptive Right-of-way, and the Town has maintained the prescriptive Right-of-way. The compensation is for additional small areas of right of way, some drainage Easements, and temporary construction Easements. To determine compensation, appraisals were done on the properties and the property owners were offered fair market value.

Mayor Wissman asked if any of the Right-of-ways would be detrimental or harmful to the property owners.



Mr. Lawson replied that the roads are staying where they have been located and this project will just define the property lines and Right-of-ways.

Vice Mayor McKee asked how many additional parking spaces this will add.

Catherine Durant, Town Administrator replied that it will add 13 additional public parking spaces.

Vice Mayor McKee asked if this will affect stormwater regulations.

Mr. Hill replied that they are not required to have stormwater detention for road projects, but in this case they are actually reducing the footprint of pavement when excess pavement is taken out, and it will revert back to pavement. The additional parking spaces will allow the previous area to be turned into landscaping or grass. They will not be changing the impervious area with the project.

Ms. Durant added that they will be creating positive drainage, as currently the area near the log cabin and post office are very wet and stays very wet. This project will create positive drainage by taking it to a centralized area using the underground pipes.

Vice Mayor McKee asked if it will help the flooding issue to the old Celeste building.

Mr. Hill replied that this should help it, as the water comes down Chester Street and when it gets to that corner the building is currently level with the street. The project will lower that part of the street and put in a curb and a drain inlet, and all the water will be directed to the drain inlet and then piped out to the ditch. This will be a way to hopefully fix the situation and make the building usable and avoid tearing it down.

Vice Mayor McKee stated that he would only support this with safety and stormwater improvements to the area.

Alderman McKee stated that there is construction on the West and East sides of this area, they are improving everything from an aesthetic standpoint, and there is no reason to delay this central area when everything around it is being improved. There is already slated to be construction in Depot Square for the next couple years, it should be done now instead of addressing it in another 5 or 6 years. Alderman McKee stated that he is favor of moving forward with the project.

Vice Mayor McKee asked if there is going to be stamped concrete on the walkway across the street from those installed years ago. Vice Mayor McKee added that it needs to be recoated.

Ms. Durant replied that they were recoated last year, and technology has come a long way in stamped concrete. What is currently there is very uneven, which can be a problem. Ms. Durant is looking into something that will be better but will match what is currently there.

Mr. Hill stated that they are looking at using stamped asphalt, which adheres to the concrete and allows overlay later. It can be seen in Memphis on Tiger Lane and East Parkway. It was installed in these heavy traffic areas several years ago and it still looks almost new. It looks like brick but is epoxy on top of asphalt, with an imprint.

Mayor Wissman called for further 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.

**D. Motion to amend the agreement known as Shelby County Dispatch Fee Contract.**

Mayor Wissman recognized Brittney Owens, Recorder/Treasurer. Ms. Owens stated that this is a motion to amend the contract to show a reduction in fees. The agreement reduced by \$3,059.88 this year over last fiscal year.

Ms. Owens stated that staff recommends approval.

Mayor Wissman called for a motion to approve.

**Main Motion:** Alderman McKee made a motion to approve to amend the agreement known as Shelby County Dispatch Fee Contract. Alderman Harmon seconded the motion.

Mayor Wissman asked for clarification on the total cost of the contract.

Catherine Durant, Town Administrator replied that the total cost of the Shelby County Dispatch Fee Contract is \$82,779.30.

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.

**E. Acknowledge the Certified Tax Recapture Rate as determined by the Comptroller of the Treasury of the State of Tennessee, after appeals allowance by the Board of Equalization, as \$1.136985 and authorize the Recorder to publish notice of intent to exceed the Certified Tax Recapture Rate and a Public Hearing for June 4, 2018.**

Mayor Wissman recognized Brittney Owens, Recorder/Treasurer. Ms. Owens stated that last year they did a notice of intent to exceed the certified tax rate. It was at \$1.0748, and after all appeals allowances, it was recalculated at \$1.136985. This is authorization for the Recorder to publish another notice of intent to exceed the certified recapture rate, and they will hold a public hearing at the June 4<sup>th</sup> meeting.

Mayor Wissman called for a motion to approve.

**Main Motion:** Vice Mayor McKee made a motion to authorize the Recorder to publish notice of intent to exceed the certified recapture rate and public hearing on June 4<sup>th</sup>. Alderman Pardue seconded the motion.

Mayor Wissman stated that for clarification, when the appraisals and the articles in the paper came out, they showed a perceived \$.08 tax increase from \$1.07. Ms. Owens stated that it was really only an increase of \$.015, not \$.08. Mayor Wissman stated that the rate will still remain at \$1.15, and the Town has been operating on that rate for 6-7 years.

Mayor Wissman called for further 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.

**F. Other as property presented.**

There was no further business brought forward.

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

Mayor Wissman called for a motion to approve.

**Main Motion:** Alderman Brooks made a motion to approve the bills for payment. Alderman Pardue seconded the motion.

Mayor Wissman called for a vote on the main motion.

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

**XI. Adjournment:**

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

**Meeting Adjourned.**

  
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Mike Wissman, Mayor

JUNE 4<sup>th</sup>, 2018  
\_\_\_\_\_  
Date

BMA Meeting  
May 7, 2018  
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Brittney Owens  
Brittney Owens, Recorder

June 4<sup>th</sup>, 2018  
Date