

Town of Arlington

5854 Airline Road, Arlington TN 38002



Board of Mayor and Aldermen
July 5th, 2017
6:30 P.M.

MEETING MINUTES

I. Call to Order and Roll Call.

Present

Mike Wissman, Mayor
Larry Harmon, Alderman
Oscar Brooks, Alderman
Brian Thompson, Alderman
Jeff McKee, Alderman

Others Present

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

Excused Absence

Harry McKee, Vice Mayor

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

II. Opening Prayer.

Opening prayer was led by Brian Thompson, Alderman.

III. Pledge to the Flag.

The Pledge of Allegiance was led by Charles Perkins, Town Attorney.

IV. Approval of the minutes from June 5, 2017 and special called meeting on June 26, 2017

Motion: Alderman McKee made a motion to approve the Board of Mayor and Aldermen minutes of June 5, 2017 and June 26, 2017. Alderman Thompson 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 it this is not a question and answer session.

1. Mayor Wissman recognized Daniel Pound, 6093 Chester Street. Mr. Pound announced he was representing the new Arlington Community Theatre and asked for support from the Town and citizens. He advised that they are in the process of auditions and rehearsals for their first play have been in contact with Public Works concerning using the Amphitheatre at the Playground of Dreams. The first play opens the first weekend of August and features many local participants including Arlington High School Students.
2. Mayor Wissman recognized Monica Little, 5264 Summerwind Lane. Ms. Little would like to ask the town to be consistent in approving new buildings layouts. She is concerned with where the parking lots are being put on the buildings at Milton Wilson and Airline. They are not uniform. She also requested that staff look at sufficient detention basins in regards to the Palmetto Group Development.

There were no further comments.

VI. Communication from the Mayor.

A. Shelby County Sheriff's Department Incident Report for the Month of June.

Mayor Wissman recognized Lt. Crowder representing the Sheriff's Department. Lt. Crowder presented the report for the month of June. There were six reports of larceny theft, all cleared by arrest; three construction theft, all cleared by arrest; and two shoplifting reports cleared by arrest. The full report is on file at the Town Hall.

Mayor Wissman recognized Alderman Lamar. He asked if any businesses in Arlington were affected by the theft of construction materials. Lt. Crowder reported ten were affected and they were cleared by arrest.

B. Presentation from Advent Arlington Bless Arlington Committee

Mayor Wissman recognized Dwayne Gardner, a member of Advent Presbyterian Church. He explained that their Bless Arlington Committee raised money to bless the residents of Arlington. They presented \$5,000 to fund a lighted scoreboard for one of the athletic fields at the Arlington Sports Complex and another \$3,000 that will fund an early literacy station at the Sam T. Wilson Library.

Mayor Wissman thanked Advent Arlington, Pastor Kerns and the entire committee.

C. Arlington Fire Department Report for the Month of May.

Mayor Wissman recognized Assistant Chief McMillen. Assistant Chief McMillen stated that there were ninety-four (94) total calls, with 41 being EMS responses, and 53 being fire responses. There were twenty-two (22) calls were south of I-40. Mayor Wissman thanked Chief McMillen for his time and stated that the full report is on file at Town Hall.

D. Other as properly presented

1. Mayor Wissman recognized Alderman Thompson who spoke about the Star Spangled Spectacular. Alderman Thompson advised that the event went great and thanked staff and Tony Jackson for raising the money for sponsorships to help offset the cost of the fireworks.
2. Mayor Wissman thanked staff for the extra cleanup of the debris from recent storms.
3. Mayor Wissman reminded citizens that the Chamber Lunch would be next Wednesday.
4. Mayor Wissman stated there will be a work session for the Board of Mayor and Aldermen and Planning Commission on July 19, 2017.
5. Mayor Wissman advised that the Town had been issued a Notice to proceed and fully executed LPRF Grant contract for Forrest Street Park Phase 2 and 3.
6. Mayor Wissman reminded everyone that early Voting starts September 1st and Election Day is September 21st.
7. Mayor Wissman recognized Alderman Lamar. Alderman Lamar explained the creation of a Tennis Association in Arlington and the first meeting will take place July 20th at 6:30pm at Town Hall.
8. Mayor Wissman inquired about the Salary Survey that was previously requested by Alderman McKee. He also asked that staff look into a Benefits Survey that included insurance for Elected Officials.

VII. Committee Reports

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

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

VIII. Old Business

A. Other as Properly Presented.

There was no old business brought forward.

IX. New Business

- A. Resolution 2017-27 to Approve a Master Development Plan for the Palmetto Arlington, an 18.29 acre, three phase Commercial Project on the southwest corner of Milton Wilson and Airline Road**

Mayor Wissman recognized Angela Reeder, Town Planner, who presented the staff report (on file). Mrs. Reeder stated this is a request to consider the Master Development Plan for Palmetto Arlington Planned Development. The project is on 18.29 acres on the southwest corner of Milton Wilson and Airline Road. The site was the subject of a zoning amendment last December and was approved for Shopping Center and B-2 zoning. The applicant is identifying it as a gateway project and states their intent is to create a first class commercial development. It will be developed with a variety of commercial activities. They have requested no exceptions from the currently allowed uses and would follow the underlying zoning put into place last December, including setbacks, height requirements, and parking requirements. She explained they have asked for one exception to bulk regulations, which is for a reduced internal lot line setback down to a zero. It's often seen with shopping centers and something similar was done with the nearby Shops building. She stated a note in the bulk regulations also says that due to the residential uses adjacent to this property on the west, special consideration for a buffer be taken when that site plan comes forward and a use is proposed.

The PD divides the project into three phases, with phase one on the corner and all phases between 5 and 6 ½ acres in size. Phase one has been divided into three lots. A preliminary plat was considered last month by the Planning Commission for this phase and is contingent on approval of the other portions of the project. Phases two and three would develop as market conditions allow. As there are no building layouts in the proposal given tonight, each of the lots or phases will require individual site plan review and be subjected to Town guidelines. Access for phase one has been identified with two driveways; one from Milton Wilson and one from Airline Road. Otherwise, internal access will be used on all the phases. Architectural guidelines are included in this PD. They call for complementary materials and identify as brick and stone as preferable. Color palates shall be neutral tones and complimentary design elements shall be used. Roadway dedication will be required for the project and improvements both on Milton Wilson and Airline. Similar to a residential PD, these will be installed with the phases unless there is a safety issue. Landscaping and 30% open space will be met with each phase to provide consistency.

Ms. Reeder introduced Jason Allen, the Town Engineer, to discuss drainage. Mr. Allen stated the majority of the site drains back to the west towards Summer Meadows and a portion on the southeast corner flows to the east and south. One requirement proposed by staff is that any drainage that will flow to the west be designed to a 100-year storm event for both underground piping and detention basin, not to exceed capacity for the downstream system. The rest of the property that flows east and does not drain into Summer Meadows, is okay to go ahead to design to the current town standards of a 25-year storm.

Ms. Reeder added there is a detention pond for phase one and the PD requires that each of the other phases have a detention pond to serve that phase. She added that signage calls for a comprehensive sign policy be provided for DRC to review to provide consistency. Two sign exceptions have been requested: internally illuminated logos be permitted on wall signs for tenants on individual lots or tenants over 10,000 square feet in size. This is similar to the

Kroger site. The second request is to allow reduced ground sign separation if there is a need for signs to be closer than 200 ft. from each other.

The Code sets out specific objectives for a PD. Ms. Reeder said staff agrees the proposal meets several of them, including quality architectural design and cohesiveness, landscaping and signage cohesiveness, a network of interconnected access throughout, minimized curve cuts on our streets, shopping opportunities in a commercial area intended for that, and allowing the flexibility for the developer to do the project in phases which they have stated is needed for this size site. Lastly, Ms. Reeder noted the Planning Commission heard this item last month and recommended approval with the conditions included.

Main Motion: Alderman Brooks made a motion to approve the Resolution 2017-27. Alderman Thompson seconded the motion

Mayor Wissman stated this project was well debated at Planning Commission and the largest concern from the Planning Commission was the drainage issues because of last year. The requirement has been increased to the 100 year standards instead of 25 year standards. Vice Mayor McKee added that Summer Meadows was built on a 10-year standard. They continued to discuss drainage and the June 3rd Event from 2016. The Commission asked why Phase 2 was in the back and Phase 3 in the middle. The applicant said it was because they were getting more interest on the back parcel as phase two. Mayor Wissman asked if they could share a specific use for Phase 2 at this time. The applicant said no, but explained it would be a low volume user.

Alderman Brooks added that some suggestions were made about the corner lot and the appearance of the building. They were assured the buildings would be just as appealing along Milton Wilson as it will along Airline. They were all in agreement. The historical flooding in regards to the neighborhood was discussed.

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

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

Mayor Wissman explained the notice of the public hearing was published in the Commercial Appeal on June 22, 2017. He invited anyone wishing to speak for or against the request to come forward to be recognized.

Mayor Wissman recognized William Byrd, 5216 Summerwind Lane. Mr. Byrd explained that recently flooding has cost him \$51,000 to redo his house. He asked if phase two would tie in to the existing drainage system or build a new one. He said the water came down Summerwind Lane, but it never has before. Nine people in the neighborhood lost their

whole downstairs. He knew construction was going to come but asked that we make them put their own drainage system in.

Mayor Wissman recognized Kelly Johnson, Accord Cove. Ms. Johnson said her lot is at the corner of the bus lane at Milton Wilson so her backyard will face phase 2. She noted a concern with lighted signs when she is enjoying her backyard. Also, in regards to the drainage, she said today the detention pond at Arlington High School overflowed to Milton Wilson again. Her cove flooded last year too and was six feet from being in her house. Something has to be done.

Mayor Wissman recognized Aurora Wright, 5110 Mabry Lane. Ms. Wright said their lot is on the lower end of Summer Meadows. Her concern is that a lot of the trees were taken out recently and they now have a rat problem. She wants to make sure that as the clearing happens, there are provisions made for the rodent issue.

After hearing 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 McKee seconded the motion.

Mayor Wissman addressed Mrs. Wright's question, stating the trees that were cut done were not part of this development and he can't tell people not to cut their trees. He understands rodents are an issue but some things are out of the town's control.

Mayor Wissman recognized Mr. Allen to address Mr. Byrd's drainage concerns. Mr. Allen stated we do not know at this point if the drainage will be a new system or tie in to an existing system. No construction or site plans have been submitted. He said they will check plans and the information available and provide it to the design consultant to make sure its considered.

Mayor Wissman asked Mr. Allen to explain what it means to tell someone they have to design to a one hundred year flood as far as retaining the water.

Mr. Allen explained that design storms are based on certain intensity or an amount of water that comes down in a given period of time. As the year number gets higher, it equals a higher intensity, stronger storm event and also less likely storm event. By holding them to tighter standards and requirements, it will create a larger basin, most likely, to hold more water and will let it out at a slower rate that the existing system is more capable of carrying.

Mayor Wissman recognized Cathy Durant, Town Administrator. She summarized what a hundred year design will do is make the system better than it was, as its all flowing unchecked into their system now.

Ms. Durant spoke to the past flooding and explained the June 3rd event affected the entire town and was unprecedented. Alderman McKee explained water is already heading there now, so developing it will detain it and slow it down.

Mr. Allen noted he has heard concerns about the Arlington High School detention basin and they are going to look into it and see if anything can be done.

Alderman Lamar noted the new Kroger parking lot was flooded that morning. Ms. Durant explained the two drain inlets, in the Kroger parking lot were intentionally blocked to keep them from filling up with mud. They will drain properly when the site is complete and they are uncovered.

Alderman Lamar asked about the drainage impact of another building on the northeast corner of the intersection. Mr. Allen explained they would be held to the same requirements a 25-year design event. He has not studied the lay of the land on the northeast corner, but guessed it drains east and that none of the northeast corner would drain into Summer Meadows.

Alderman Harmon asked if the 100 year flood requirements is going to be paid for by developers with no cost to the town, and what is the size difference and the cost difference. Mr. Allen added that without the numbers, he could not put a cost to it. Mayor Wissman asked the difference in the design.

Mr. Allen added no municipality holds to a 100 year design, as it prices out all development. Twenty five years is stricter than the City of Memphis and most municipalities in Shelby County.

Alderman Harmon added he wants to protect the low lying areas and neighborhoods. He explained that our topography is different from other areas and with more development he's concerned that it will get worse. Ms. Durant explained the only basin that did not overflow during the 500 year event of June 3rd was the one at Summer Meadows, because it drains straight into Hall Creek.

Mayor Wissman reminded us that this issue is sensitive but we need to listen to our engineers. He asked on Phase One if the water runs south. Mr. Allen said it flows south, west and to the east.

Alderman Brooks asked if the improvements make it better or worse. Mr. Allen responded it will not make it worse. Alderman McKee asked if this would be the first 100 year set up in Arlington. Mr. Allen responded yes as far as the detention basin.

Mayor Wissman asked if there would be any more questions regarding the drainage issue and moved on to the point Mrs. Johnson made about the sign regulations. He noted the ordinance requires reverse channel lit signs. Mrs. Reeder added language in the Planned Development that calls for a buffer there through landscaping and fencing to also screen

homeowners yards. Mayor Wissman noted we only allow lights with full cutoff which point downward and all projects that come through have to do a photometric plan.

Mrs. Reeder confirmed they will look at that, and stated that Phase 2 would not have a sign facing the back of the Summer Meadows homes. Alderman Thompson assured Mrs. Johnson that he will be thinking about the residents when things go through to the committee.

Alderman Brooks asked if the corner lot would be at the street like the Dermatology Clinic. Mrs. Reeder explained there is a 25 foot set back/landscaping plate and Town guidelines call for no more than a single row of parking at the street. Staff will look to mirror that for the corner lots to frame that intersection.

Mayor Wissman added that our goal is to mimic what's going on that one corner on the rest of them. We were trying to do something unique and interesting but it doesn't always work. The comment about trying to minimize the rows of parking is always the intention of bringing things closer to the road. If it turns out great there, maybe we can do it in other places based on the usage when those come through. It will create an interesting intersection.

Alderman McKee explained it improves walkability when you have the buildings closer to the sidewalks. Hopefully, the neighborhoods are proud of what goes on there and being able to walk to the locations. We want to see more foot traffic in the town, more community involvement. Alderman McKee asked about the signage variances and if it was the same square footage as the Kroger PD. Ms. Reeder responded the square footage is the same.

Alderman Harmon asked where the sidewalk would be in relation to the trees. Mrs. Reeder responded the trees will be behind the sidewalk. Alderman Harmon explained that in his past experience, with buildings close to a wide street he's seen cars drive into buildings. There's a lot of speed on those roads. Alderman Harmon asked if we require one hundred year design, at a later date, can the Town require them to do more.

Mr. Allen responded once they approve a set of construction documents and it's installed, it's going to be very hard to ask them to go back and do anything at that point. They will do a very thorough review and work to make sure they get it right the first time. Alderman Harmon asked if the Town wanted them to create a new system would it need to be done now. Mr. Allen explained that it would, because of the cost and where the system would start and stop.

Mayor Wissman explained that for the homeowners, we completely understand the concern. We are doing everything we can and then some to go above the standards and make sure we address this in every way.

Alderman Thompson stated developers are obligated to retain the water that falls on their site for some period of time so that it does not adversely impact surrounding property owners and he feels like it is going to improve the situation.

Mayor Wissman asked if the driveway proposed between lot one and three will be a right in and right out only. Mr. Allen commented that it would not. It meets the town separation requirement.

Mayor Wissman noted the benefits of a PD are amenities and benefits we might not otherwise get. He asked if there had been any talk about that. Angela Reeder explained we would keep that in mind when the individual phases are reviewed.

Mayor Wissman noted that he's not asking that anything be added, but verbalizing that as landscape plans come forward and as the phases develop, that they could do some stuff like that. He is putting out the expectation that they would like to see some.

Mrs. Reeder added with the PD, we get some consistency in the landscaping and in the buildings. Also, it does call for outdoor seating restaurants where it makes sense to incorporate that.

Mayor Wissman asked if there were any more questions or comments for staff. Hearing none, he called for a vote on the main motion.

Vote on Main Motion: The motion passed with 6 yes and 1 no.

B. Resolution 2017-28 to declare equipment owned by the town to be surplus to the town's needs and directing the order of the same

Mayor Wissman recognized Terry Perkins, Interim Public Works Director. Mr. Perkins stated that this was a request to surplus one of the vehicles that is old and in very bad shape. It will cost more to make repairs to the vehicle to make it serviceable than to replace it. He advised that staff recommended approval.

Main Motion: Alderman Thompson made a motion to approve Resolution 2017-28. Alderman Brooks seconded the motion.

Mayor Wissman called for further discussion. Hearing none, he called for a vote on the main motion.

Vote on Main Motion: The motion carried unanimously.

C. Resolution 2017-29 to amend the contract for the engineering services between the town of Arlington and Fisher Arnold Inc. for project known as SR. 205 Airline Road north widening project. TDOT Pin # 120178.00

Mayor Wissman recognized Jason Allen, Town Engineer. Mr. Allen explained that as development has happened along Airline Road, there has been some design changes that Fisher Arnold has had to make to accommodate these developments which is outside the original scope of work and fees. He advised that staff is recommending approval of the amendment in the amount of \$28,142.

Mayor Wissman called for a motion.

Main Motion: Alderman Lamar made a motion to approve Resolution 2017-29. Alderman Thompson seconded the motion.

Mayor Wissman called for further discussion, and hearing none, he called for a vote on the main motion.

Vote on Main Motion: The motion carried unanimously.

D. Resolution 2017-30 to amend the Arlington Community Schools Board of Education 2016-2017 Operating Budget

Mayor Wissman recognized Brittney Owens, Town Recorder and Treasurer. Mrs. Owens explained that Resolution 2017-30 is a request to approve budget amendments for Arlington Community Schools Fiscal Year ending June 30, 2017. She advised that the School Board approved the amendments board meeting on June 27 for both revenues and expenses due to an allocation and appropriation of capital funds from the Shelby County Commission.

Mayor Wissman called for a motion.

Main Motion: Alderman Lamar made a motion to approve Resolution 2017-30. Alderman Harmon seconded the motion.

Mayor Wissman called for further discussion, and hearing none, he called for a vote on the main motion.

Vote on Main Motion: The motion passed carried unanimously.

E. Resolution 2017-31 authorize the transfer of monies set aside in FY ending June 30, 2017, for projects listed in Section 1 to make the funds available for project completion in FY 2017-2018.

Mayor Wissman recognized Brittney Owens, Town Recorder and Treasurer. Mrs. Owens explained the board approved Resolution 2017-26 which did set aside unused monies for two projects for June 30, 2017. She advised that this request is to allow these funds to be made available for use in Fiscal Year 2017-2018.

Mayor Wissman called for a motion.

Motion: Aldermen Brooks made a motion to approve Resolution 2017-31. Alderman Lamar seconded the motion.

Mayor Wissman called for further discussion, and hearing none, he called for a vote on the main motion.

Vote on Main Motion: The motion carried unanimously.

F. First Reading of Ordinance 2017-09 to further amend the Town of Arlington, Tennessee Budget for Fiscal Year ending June 30, 2017.

Mayor Wissman recognized Brittney Owens, Town Recorder and Treasurer. Mrs. Owens explained that this is the first reading to amend the Town of Arlington Budget to account for the Arlington Community Schools budget amendments approved by Resolution 2017-30. Staff recommends approval.

Mayor Wissman called for a motion.

Motion: Aldermen McKee made a motion to approve Ordinance 2017-09. Alderman Brooks seconded the motion.

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

Vote on Main Motion: The motion carried unanimously.

G. First Reading of Ordinance 2017-10 to amend the Municipal Code Title 5 Chapter 1 Section 5-101 Official depository for town funds.

Mayor Wissman recognized Brittney Owens, Town Recorder/Treasurer. Ms. Owens explained that this request is to add First Tennessee Bank as an additional depository for the Town of Arlington and remove Arlington Community Bank which is no longer in business from the Municipal Code. First Tennessee Bank is a member of the collateral pool.

Mayor Wissman called for a motion.

Motion: Aldermen Thompson made a motion to approve Ordinance 2017-10. Alderman McKee seconded the motion.

Mayor Wissman called for further discussion or questions. After hearing no further discussion, 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 brought before the Board.

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. Alderman Harmon seconded the motion.


Mayor Wissman called for a vote on the main motion.

Vote on Main Motion: The motion carried unanimously.

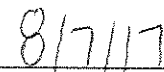
XI. Adjournment

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

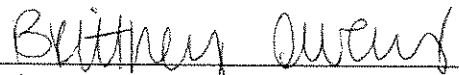
Meeting adjourned.



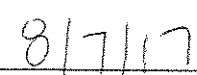
Mike Wissman, Mayor



Date



Brittney Owens, Recorder



Date