

Town of Arlington

5854 Airline Road, Arlington TN 38002



Town Of Arlington
Board of Mayor and Aldermen
November 7, 2016
6:30 P.M.

MEETING MINUTES

I. Call to Order and Roll Call.

Present

Mike Wissman, Mayor
Larry Harmon, Alderman
Hugh Lamar, Alderman
Oscar Brooks, Alderman
Harry McKee, Vice Mayor
Brian Thompson, Alderman

Others Present

Gerald Lawson, Attorney
Jason Allen, Engineer
Angela Reeder, Planner
Catherine Durant, Town Administrator
Brittney Owens, Recorder

Excused Absence

Jeff McKee, Alderman

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

II. Opening Prayer.

Opening prayer was led by Hugh Lamar, Alderman.

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

The Pledge of Allegiance was led by Sebastian.

IV. Approval of the minutes from October 3, 2016.

Motion: Alderman Harmon made a motion to approve the Board of Mayor and Aldermen minutes of October 3, 2016. Alderman Lamar 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.

There were no further comments.

VI. Communication from the Mayor.

A. Shelby County Sheriff's Department Incident Report for the month of October.

Mayor Wissman recognized Lieutenant Crowder and Sergeant Reed from the Shelby County Sheriff's Department. They explained the crime report for the month of October which was provided to the Board. Sgt. Reed advised that one suspect was in custody after the string of robberies in Arlington. He stated that these cases were still under investigation and more suspects were being considered. He encouraged citizens to report anything that looks or sounds suspicious. The full report is on file at Town Hall.

Mayor Wissman thanked Lieutenant Crowder and Sergeant Reed for their time.

B. Arlington Fire Department report for the month of October.

Mayor Wissman recognized David Franks, Fire Chief. Chief Franks stated that for the month of October they went on 100 calls with 20 being south of I40. He gave an update on the ambulance intergovernmental agreement stating that December 31st, 2016 would be the last day with AMR. The full report is on file at Town Hall.

Mayor Wissman thanked Chief Franks for his time.

C. Committee Appointments.

Mayor Wissman reappointed Daniel Davidson, Susan Payne, and Jennifer Walls to the Design Review Committee for another term.

Mayor Wissman reappointed Tommy White and Oscar Brooks to the Planning Commission. Lee Mills resigned from the Planning Commission and Mayor Wissman will resume his position to be in compliance with the bylaws.

D. 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 advised that the Veterans Day Ceremony held on November 6th was a great program. He stated that Arlington had surpassed the \$50,000 goal for the West Tennessee Veterans Home by raising \$74,000. The new goal to be raised is \$100,000.
3. Mayor Wissman reminded citizens of the Christmas on the Square Event on November 19th from 3-7 PM.

4. Mayor Wissman stated that the Annual Christmas Parade would be held on December 3rd beginning at 3 PM. The route has been moved to Airline Road from Chester Street.
5. Mayor Wissman advised that Budget preparation for Fiscal Year 2017-2018 will begin in December.
6. Alderman Lamar advised that the new Librarian would start on November 15th.
7. Mayor Wissman reminded citizens about the Monthly Chamber Luncheon to be held on November 9th.
8. Mayor Wissman reminded all residents that Election Day would be on November 8th and to go out and vote.

VII. Committee Reports

Mayor Wissman advised that the Parks and Recreation Committee, Planning Commission and Arlington Community School Board met during the month of October. 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). He advised that the Finance Committee would be December 8th.

VIII. Old Business

A. Other as properly presented.

There was no further business brought before the Board.

IX. New Business

A. First Reading of Ordinance 2016-11 to amend Title 20, Chapter 1, Air Pollution Control Code of the Town of Arlington, Tennessee Municipal Code.

Mayor Wissman recognized Catherine Durant, Town Administrator. Ms. Durant explained that this Ordinance has been approved and recommended by the Shelby County Health Department. She stated that staff recommended approval and advised that all code enforcement regarding this matter is completed by the Shelby County Health Department.

Mayor Wissman called for a motion.

Main Motion: Vice Mayor McKee made a motion to approve first reading of Ordinance 2016-11. Alderman Thompson seconded the motion.

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

Vote on Main Motion: The motion carried unanimously.

B. First Reading of Ordinance 2016-12 to amend the Town of Arlington Zoning Map by Rezoning from E: Estate Residential and SC: Shopping Center to SC: Shopping Center and B-2: General Business, a portion of land located on the Southwest Corner of Milton Wilson Boulevard and Airline Road.

Mayor Wissman recognized Angela Reeder, Town Planner. Ms. Reeder advised that Ms. Cara Martin, on behalf of the property owner, is requesting the rezoning of 18.88 acres located on the Southwest corner of Milton Wilson Boulevard and Airline Road. The property consists of two parcels currently zoned E: Estate Residential and SC: Shopping Center. She stated that the purpose of this request is to allow for future commercial development of the property. She advised that any future development of this property would be required to come back before the Town for site plan review.

Mayor Wissman called for a motion.

Main Motion: Alderman Brooks made a motion to approve First Reading of Ordinance 2016-12. Vice Mayor McKee seconded the motion.

Mayor Wissman called for discussion or questions. Alderman Thompson asked that the developer and applicant be mindful of what B-2 zoning is meant for. Ms. Reeder stated that the applicant noted difficulties in obtaining developers because of the current zoning. Alderman Harmon inquired about the water runoff that would be enhanced from development on the residential neighbors to this property. Jason Allen, Town Engineer advised that current infrastructure is designed to allow a 25-year storm. He stated that with any new project, Town engineers review plans to ensure runoff is not increased as a result of development. Hearing no further discussion, Mayor Wissman called for a vote on the main motion.

Vote on Main Motion: The motion carried unanimously.

C. First Reading of Ordinance 2016-13 to amend the Town of Arlington Zoning Map by Rezoning from B-3: Downtown Business to B-2: General Business, a portion of land located at 11998 Highway 70, on the North side of Highway 70, East of Collierville Arlington Road.

Mayor Wissman recognized Angela Reeder, Town Planner. Ms. Reeder advised that Mr. Jim Pederson, on behalf of the property owner, is requesting the rezoning of 1.98 acres located on the North side of Highway 70, across the

street from Dollar General. The property consists of one parcel improved with an 11,160 square foot metal building and currently zoned B-3: Downtown Business. This property is also within the Depot Square Master Plan. She stated that this proposal is to rezone the lot to B-2: General Business, similar to the property to the East. The purpose of this request is to allow for a proposed commercial redevelopment of the property and the applicant submitted an accompanying Site Plan proposal for a self-service auto repair shop. However, that application has not gone before the Planning Commission yet, as it relies on approval of a zone change to proceed as auto related uses are not permitted in the B-3 zone.

Mayor Wissman called for a motion.

Main Motion: Vice Mayor McKee made a motion to approve First Reading of Ordinance 2016-13. Alderman Brooks seconded the motion.

Mayor Wissman called for discussion and questions. Alderman Thompson explained that the Town spent a lot of time working on a vision, and specifically removed particular uses from the downtown area. Ms. Reeder noted the applicant plans to improve the buildings. Jim Pederson, 11889 Highway 70, described the type of business that he would like to develop. He explained that he would bring the building up to code, redesign the landscaping, and that he planned on being at that site for likely only five years. Mayor Wissman stated that Depot Square is very important to the Town and that the rezoning could erode our plans and is not something he can support at this time. Alderman Thompson stated that the Board has to think long term about what is best for the Town. Alderman Lamar inquired about the terms of the current car lot being grandfathered. Ms. Reeder advised that if the property was to switch hands and sit vacant for six (6) months then it would have to change to comply with an allowable use. The discussion continued.

Mayor Wissman called for a vote on the main motion.

Vote on Main Motion: The motion failed.

D. First Reading of Ordinance 2016-14 to amend the Town of Arlington Zoning Map by Rezoning from E: Estate Residential to RS-15: Medium Density Residential, a portion of land located 770' West of Airline Road on the South side of Donelson Farms Parkway.

Mayor Wissman recognized Angela Reeder, Town Planner. Ms. Reeder advised that Mr. David Porter, on behalf of the property owner, is requesting the rezoning of 12.84 acres located on the South side of Donelson Farms Parkway, opposite Donelson Elementary School. The property consists of one parcel currently zoned E: Estate Residential and the proposal is to rezone it to

RS-15: Medium Density Residential. The purpose of this request is to allow for future single-family residential development of the property. While no corresponding application has been submitted at this point, as with any residential subdivision, future development on this site will be required to come back before the Town for review and approval. Staff feels suburban residential use is appropriate on this site. The proposed RS-15 zoning is a suitable transition for residential zoning in this area, as it is less dense than the RS-13 zoning to the north and slightly more dense than the RS-18 Dawson Landing zoning to the south. Additionally, while the homes are quite large in Dawson Landing, the average lot size is only 13,100 square feet, with almost half less than 12,000 square feet in size, providing further support for consistency with the requested RS-15 zoning. This request is in agreement with the Future Land Use Plan, which intends for moderately dense suburban neighborhood on this site; the current Estate lot zoning is not consistent.

Ms. Reeder stated that it should be noted that this site is one of the last large properties South of I-40 that can currently be serviced by municipal sewer. Along with extensive on-site improvements (grading, drainage, sewer), development of the site will also require public improvement along Donelson Farms Parkway, including construction of travel lanes, a center landscaped median, and sidewalks to get it to the final improved width.

Ms. Reeder stated that no adverse effect on adjacent properties is identified, and that all municipal services are accessible to the subject property. The Planning Commission considered the request at a Public Hearing on October 17, 2016 and recommended denial of the request based on the density. As noted in a previous staff report, staff recommends approval of the request, finding it meets all requirements for an amendment to the Zoning Ordinance.

Mayor Wissman called for a motion.

Main Motion: Alderman Brooks made a motion to approve First Reading of Ordinance 2016-14. Alderman Thompson seconded the motion.

Mayor Wissman called for discussion and questions. Alderman Brooks inquired about the differences between RS-13, RS-15, and RS-18. Ms. Reeder responded. Mayor Wissman inquired about the phase in which Donelson Farms Parkway is in for TDOT funding. Jason Allen, Town Engineer, advised that funding for the Right of Way would be available within the next four years. He stated that construction funding would not be available until the next four year cycle beginning in 2020. Vice Mayor McKee asked Gerald Lawson, Town Attorney about the next steps for the applicant if this was denied. Mr. Lawson stated that the applicant could not bring RS-15 back before the Board for one calendar year, however they could bring a different zoning. Vice Mayor McKee noted that this road, when fully built, would someday be the gateway to Arlington off HWY 385. He went on to say that

the Future Land Use Plan calls for Suburban Residential. He feels that RS-18 is more in keeping with the surrounding areas and the vision of the Town for this corridor; and that anything less could have an adverse effect on surrounding properties. Discussion continued. Mayor Wissman called for a vote on the main motion.

Vote of Main Motion: The motion failed, with 4 no and 2 yes.

E. Resolution 2016-37 to enter into an intergovernmental agreement for Ambulance Services with Shelby County Government, City of Lakeland, and City of Millington, Tennessee.

Mayor Wissman recognized Gerald Lawson, Town Attorney. Mr. Lawson stated that this Resolution is for an Ambulance Agreement with Shelby County, Lakeland, and Millington that would last for five years. He explained the details of the agreement and the termination requirements. He advised that this agreement would guarantee that an ambulance would be stationed at the Arlington Fire Department.

Mayor Wissman called for a motion.

Main Motion: Vice Mayor McKee made a motion to approve Resolution 2016-37. Alderman Lamar seconded the motion.

Mayor Wissman called for discussion and questions. Alderman Harmon inquired if the ambulance would only be designated for Arlington City Limits. Mr. Lawson stated that it would cover the same areas that the current contract with AMR allows, including unincorporated Northeast Shelby County. After no further discussion, Mayor Wissman called for a vote on the main motion.

Vote on Main Motion: The motion carried unanimously.

F. Resolution 2016-38 to authorize Mike Wissman, in his capacity as Mayor of the Town of Arlington, Tennessee to execute a Payment Agreement with Canale Properties, LLC for the section of roadway known as Milton Wilson Middle from the Villages of White Oak Phase I Subdivision to Kensington Subdivision.

Mayor Wissman recognized Gerald Lawson, Town Attorney. Mr. Lawson explained the current agreement with the Canale's and the remaining costs to be recovered from the construction of Milton Wilson Middle. He advised that this new agreement would divide the costs between annual payments instead of between phases.

Mayor Wissman called for a motion.

Motion: Alderman Lamar made a motion to approve Resolution 2016-38. Alderman Thompson seconded the motion.

Mayor Wissman called for discussion and questions. Alderman Thompson inquired about the transfer of property. Mr. Lawson stated that if the Canale's are to sell the property, the Town will be paid due to the transfer of ownership. After hearing no further discussion, Mayor Wissman called for a vote on the main motion.

Vote on Main Motion: The motion carried unanimously.

G. Resolution 2016-39 to adopt the Americans with Disabilities Act (ADA) Implementation Plan for the Town of Arlington, Tennessee.

Mayor Wissman recognized Brittney Owens, Town Recorder and Treasurer. Ms. Owens stated that the Town evaluated Town facilities and pedestrian circulation paths for accessible features as required by the Americans with Disabilities Act (ADA). She stated that the evaluation included, but was not limited to, buildings, sidewalks, curbs, curb ramps, the portion of the street surface in the crosswalk area and pedestrian signals. She advised that Public input was obtained in the development of this transition plan by soliciting comments for the Board of Mayor and Alderman, and the general public for thirty days from October 1st to November 1st, 2016. This transition plan outlines the steps the Town will take to provide new, or upgrade existing, ADA compliant facilities as required by the ADA and its implementing regulations. She stated that this plan is required to receive Federal Grant money.

Mayor Wissman called for a motion.

Motion: Alderman Brooks made a motion to approve Resolution 2016-39. Alderman Thompson seconded the motion.

Mayor Wissman called for 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. Resolution 2016-40 to authorize the Award of Bid for Project known as, Gulf Stream Sanitary Sewer Line Replacement.

Mayor Wissman recognized Jason Allen, Town Engineer. Mr. Allen advised that it is necessary, for the integrity of the sanitary sewer line, to stabilize and support the line as it crossed the flow line of said drainage/creek, before further damage may occur; and has engineered and designed the scope of work to be performed. He stated that the Town of Arlington published a

request for sealed bids in The Daily News on October 11th, 2016. Bids were received until 2 PM on Monday October 31st, at which time six (6) bids were publicly opened and read aloud. Mr. Allen advised that staff carefully reviewed the bids and recommends the bid be awarded to Northwest Contracting in a lump sum bid of \$68,980.

Mayor Wissman called for a motion.

Motion: Alderman Lamar made a motion to approve Resolution 2016-40.
Alderman Harmon seconded the motion.

Mayor Wissman called for 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.

I. Resolution 2016-41 to authorize Mike Wissman, in his capacity as Mayor of the Town of Arlington, to enter into a Development Agreement with Wilsons Crossing Partners, LLC for work associated with a Land Disturbance Permit for Wilson's Crossing PD, located on the East side of Milton Wilson Boulevard, just South of Highway 70 and the CSX Railway.

Mayor Wissman recognized Angela Reeder, Town Planner. Ms. Reeder advised that this Resolution allows for the execution of a Development Agreement for work associated with a Land Disturbance Permit for the balance of the Wilson's Crossing PD site. A Land Disturbance Permit was approved by the Planning Commission on October 17th which includes the balance of the area approved in Phase 2 and mass grading of the remaining two phases of development. She noted that the applicant stated excess rainfall this year led to delays excavating the existing lake for fill for Phase 2, which resulted in their request to coordinate the remaining grading on site before the rainy season. In addition, the excavation of an additional lake is needed to provide the dirt necessary to complete the Phase 2 grading. Ms. Reeder advised that no development fees would be paid in association with this Agreement, as no new lots or homes are permitted through the Land Disturbance Permit. However, a bond will be required for the improvements and the Town Engineer's estimate of the cost of improvements is attached to this resolution.

Mayor Wissman called for a motion.

Motion: Alderman Brooks made a motion to approve Resolution 2016-41. Alderman Lamar seconded the motion.

Mayor Wissman called for discussion or questions. Alderman Thompson inquired as to if there was a loss of lots. Keith Grant, Developer, stated that some lots were lost due to this permit. After hearing no further discussion or questions, Mayor Wissman called for a vote on the main motion.

Vote on Main Motion: The motion carried unanimously.

J. Resolution 2016-42 to authorize Mike Wissman, in his capacity as Mayor, to enter into a Development Agreement with Arlington Investors Group, LLC for the construction of the Villages at White Oak 1st addition, Phase 1A and 1B, located on the East and West sides of Milton Wilson Boulevard, just South of Kensington PD.

Mayor Wissman recognized Angela Reeder, Town Planner. Ms. Reeder advised that this Resolution allows for the execution of a standard Development Agreement for the Villages at White Oak 1st Addition Planned Development, Phase 1A and 1B. She stated that this phase of development will include 68 single-family lots on around 32 acres.

Mayor Wissman called for a motion.

Motion: Vice Mayor McKee made a motion to approve Resolution 2016-42. Alderman Brooks seconded the motion.

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

Vote on Main Motion: The motion carried unanimously.

K. 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 Lamar made a motion to approve bills for payment. Alderman Thompson 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.

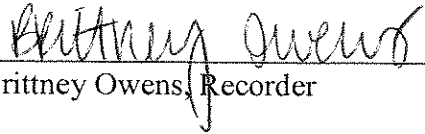
Meeting adjourned.



Mike Wissman, Mayor

12/5/16

Date



Brittney Owens, Recorder

12/5/16

Date