

Town of Arlington

5854 Airline Road, Arlington TN 38002



Board of Mayor and Aldermen

November 6, 2017

6:30 P.M.

MEETING MINUTES

I. Call to Order and Roll Call.

Present

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

Others Present

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

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

II. Opening Prayer.

Opening prayer was led by Alderman Harry McKee.

III. Pledge to the Flag.

The Pledge of Allegiance was led by Gil River, Waste Water Director.

IV. Approval of the minutes from October 2, 2017

Motion: Alderman Harmon made a motion to approve the Board of Mayor and Aldermen minutes of October 2, 2017. 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 is not a question and answer session. No one came forward.

VI. Communication from the Mayor.

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

Mayor Wissman recognized Sargent Cockman, who presented an overview of the Sheriff's report and asked for any questions. The full report is on file at Town Hall.

B. Arlington Fire Department Report for the Month of September.

Mayor Wissman recognized Chief Harvill, who gave the monthly Fire report and asked if there were any questions. The full report is on file at Town Hall.

C. Elect Vice Mayor.

Mayor Wissman explained that the election for Vice Mayor occurs every two (2) years concurrent with the election cycle. He opened the floor for nominations. Alderman Biggs stated that he thought the position needed someone with experience and the time to properly dedicate to the position.

Nominations for Vice Mayor: Alderman Biggs nominated Harry McKee for Vice Mayor. Hearing no other nomination, the nominations were closed.

Vote on Nomination: Nomination passed with 6-yes and 1 no vote from Alderman Brooks.

D. Committee Appointments

Mayor Wissman noted the Town had several new applications for committees from very experienced and qualified individuals. He noted that this was a stressful process.

The Mayor noted that the Board of Mayor and Aldermen makes one appointment to the Planning Commission and asked that nomination be made for this appointment. H

Nominations for Planning Commission: Mayor Wissman noted Alderman Brooks was doing a great job on the Planning Commission and made a nomination for him to remain. Cheryl Pardue nominated Larry Harmon to serve on the Planning Commission.

Vote on Nomination for Oscar Books: 1-Yes, Nomination fails.

Vote on Nomination for Larry Harmon: Nomination passes. Mr. Harmon will serve for one year ending November 2018.

Mayor Wissman made the following Committee Appointments:

Planning Commission: Reappoint Don Hinkle EXP 11/20
Appoint Susan Payne EXP 11/20

Appoint Brian Thompson to fill the Mayor position EXP 11/20

Design Review: Alderman Biggs EXP 11/18
Reappoint Ron Colin EXP 11/19
Tommy Reyes EXP 11/19
Reappoint Phillip Fung EXP 11/19

Finance Committee: Ron Williams, Hunter Rasbach, Marlene Houston, Aldermen Brooks EXP 11/18

Library: Alderman Pardue EXP 11/18

Board of Zoning Appeals: Alderman Brooks EXP 11/18
Reappoint Sammy Murrell EXP 11/20
Reappoint Tim Carter EXP 11/20

Parks and Recreation: Appoint Vice Mayor McKee EXP 11/18, Michael Tidwell, D.J. Daugherty, Margaret Culver, Chris Moore

E. Other as properly presented

1. Mayor Wissman announced the Chamber Lunch on Wednesday at 11:30.
2. The Mayor noted that Kevin Carter's family was in the midst of a medical crisis and asked for prayers.
3. December 2nd is the Christmas Parade on Airline Road, November 18th at 3:00 is Christmas on Square.

VII. Committee Reports:

Mayor Wissman advised that the Planning Commission, Design Review Committee, Tennis Committee 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 Brooks read the Treasurer's report into the record (on file).

VIII. Old Business

A. Second and Final Reading of Ordinance 2017-11 to amend the Town of Arlington Municipal Code by amendment, deletion, and addition of certain sections of Title 9, Chapter 6 and 7.

Mayor Wissman recognized Brittany Owens, Recorder/Treasurer. Ms. Owens explained this was the second reading of this Ordinance, and that at the Board of Mayor and Aldermen's direction the Ordinance had been amended between 1st and 2nd reading. The language now allows food trucks on private property for catered events and also Town-approved special events. Ms. Owens noted no other changes had been made since first reading.

Main Motion: Alderman Brooks made a motion to approve Ordinance 2017-11 to amend the Municipal Code. Alderman McKee seconded the motion.

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

Motion: Vice Mayor McKee moved to suspend the Board of Mayor and Aldermen Meeting and open the Public Hearing. Alderman Harmon seconded the motion.

Public Hearing: Ordinance 2017-11 to amend the Town of Arlington Municipal Code by amendment, deletion, and addition of certain sections of Title 9, Chapter 6 and 7.

Mayor Wissman stated that notice of public hearing was published in The Commercial Appeal on October 6, 2017. Anyone wishing to speak for or against this request, please stand to be recognized. State your name and address for the record.

Mayor Wissman recognized Tangela Henderson, from the Arlington Developmental Center. Ms. Henderson asked if this item is about food trucks and them coming to Arlington.

Hearing no further comments, Mayor Wissman called for a motion to close the Public Hearing and resume the Board of Mayor and Alderman Meeting.

Motion: Vice Mayor McKee moved to close the Public Hearing and resume the Board of Mayor and Alderman Meeting. Alderman Pardue seconded the motion.

To respond to the public question, Mayor Wissman said this item was for consideration of not only if, but to what extent the Town wanted to invite food trucks into the Town. Ms. Reeder noted that Ms. Henderson has been asking us for quite a while about periodically providing a food truck for their employees as an employee morale boost at lunch time. Alderman McKee asked about the definition of a special event and Attorney Gerald Lawson noted that the next item on the agenda deals specifically with special events. Ms. Owens explained that staff did not want to limit events to a certain number, but special events are intended to be truly unique, special events and not weekly events. Ms. Durant explained that this ordinance was specifically intended to set basic regulations for food trucks, where there currently are none. She clarified that \$100 fee would be collected for food trucks selling in Arlington, as we don't receive any sales tax from most trucks that aren't based here. Alderman Harmon said this sounds like a basis to begin protecting our citizens with food safety, etc. Vice Mayor McKee said he liked this proposal, as it starts small by allowing limited use in Town, and it's easier to allow more use in the future if wanted instead of limiting them more later.

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

Vote on Main Motion: The motion carried unanimously.

B. Other as properly presented.

There was no further old business brought forward.

IX. New Business

A. Resolution 2017-60 to approve the Special Event Permit Application for events within the Town of Arlington.

Mayor Wissman recognized Angela Reeder, Town Planner, who explained that the Town feels special events help add to a thriving community but that the events need to be carried out in a safe manner with minimal adverse impacts to adjacent properties. As there is currently no mechanism in place, staff has prepared the proposed application to allow for a uniform review process for such events to ensure events meet all guidelines currently in place. The form divides events into two categories, small or large, and asks multiple questions about the proposed event. Ms. Reeder noted it also includes a route form for all the various Town departments to have input, and provides extra information to the applicant for any other permits that might be needed.

Mayor Wissman called for a motion.

Main Motion: Alderman Brooks made a motion to approve Resolution 2017-60.
Alderman McKee seconded the motion.

Vice-Mayor McKee asked if we would charge a food truck fee for a business located in town. Ms. Owens said we would not charge a food truck fee for a restaurant licensed in Arlington, as they're paying sales tax already. Ms. Reeder clarified that an existing business would process and pay for an event permit, but the food truck fee would not apply if they had a food truck. Ms. Durant noted with an event with food trucks, the entity sponsoring the event would pay the special event permit and the food truck attending would pay its license fee to attend. Alderman Brooks asked if a food truck that was catering would still need pay the fee. Ms. Reeder stated they would so staff could make sure they met all guidelines and do inspections.

Alderman Brooks asked if the permit could be issued for longer, such as 30, 60, or 90 days. Ms. Owens stated we are not allowed to issue a temporary vendor permit for longer than two weeks, per state law. Alderman McKee asked about event fees for those events that are fundraisers, fearing we were causing them to lose money. Ms. Durant stated that the Board could waive fees, but to remember even fundraiser events can be large and cause damage to property. Staff needs to know Fire can access an event, that trash cans are out and used, etc. Mayor Wissman asked if the Board would see every Music on the Square, as they would have over 200 people and road closures. Ms. Reeder stated that events such as that, which are the exact same setup, would be anticipated to have one permit for the season. Mayor Wissman then asked about frequency of special events allowed. Ms. Durant said to remember that with every special event, we are now

allowing food trucks. With regard to nonprofits and waiving fees, Ms. Durant clarified that it would need to be a legally recognized non-profit entity and the Board agreed that staff could consider and make that decision. Alderman McKee asked what constitutes a special event. Mr. Lawson clarified that a special event is something outside the normal operational practices of the site, so a lock-in at a church or birthday party at a house would not be considered a special event.

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

Vote on Main Motion: The motion carried unanimously.

B. Resolution 2017-61 to appoint Terry Perkins to fill an unexpired term to serve on the Shelby County Municipal Solid Waste Planning Board.

Mayor recognized Catherine Durant, Town Administrator, who explained that this Resolution would allow for the Public Works Director to fill an unexpired term on the County Solid Waste Planning Board. Mr. Perkins would fill the term through May of 2019. She noted that this would allow Arlington to once again have a voice on this Board and that she recommended approval.

Mayor Wissman called for a motion.

Main Motion: Alderman Brooks made a motion to approve Resolution 2017-61. Alderman Pardue seconded the motion.

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

Motion: Alderman McKee moved to suspend the Board of Mayor and Aldermen Meeting and open the Public Hearing. Alderman Brooks seconded the motion.

Vote on Main Motion: The motion carried unanimously.

C. Resolution 2017-62 authorizing a Special Census of the Citizens of the Town of Arlington, Tennessee, beginning January 2018.

Mayor Wissman recognized Catherine Durant, Town Administrator. Ms. Durant advised that the Town is allowed to have up to three special census between the 10-year Federal census dates if there has been growth. She noted that there are several funding options that are based on population. In addition, she stated that the results would give us a good baseline for the 2020 Federal Census. The cost is estimated at approximately \$7,500, excluding manpower.

Mayor Wissman called for a motion.

Main Motion: Alderman Biggs made a motion to approve Resolution 2017-62. Alderman McKee seconded the motion.

Mayor Wissman called for discussion or questions. Vice Mayor McKee asked how many Special Census have been done since the last federal census. Ms. Durant answered only one.

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

Vote on Main Motion: The motion carried unanimously.

D. Resolution 2017-63 to approve and adopt the Design Guidelines for Town of Arlington Municipal Facilities and the Forrest Street Campus Master Plan.

Mayor recognized Catherine Durant, Town Administrator. Ms. Durant advised the BMA previously authorized the hiring of Fisher and Arnold for the Municipal Facilities Guidelines and Forrest Street Campus Master Plan. She introduced David Baker of Fisher and Arnold, who gave a brief presentation on the Facilities and Master Plan document. Mr. Baker listed the committee members from staff who participated in the plan creation, and showed examples of all of the details in the document.

Mayor Wissman called for a motion.

Main Motion: Alderman McKee made a motion to approve Resolution 2017-63. Alderman Harmon seconded the motion.

Mayor Wissman called for questions or comments. Alderman McKee said he liked the proposal as it holds the Town accountable to high standards, and Alderman Brooks gave credit to the staff for considering the orientation of the amphitheater. Ms. Durant clarified which portions of the overall plan are within the LPRF grant and which are not.

Vote on Main Motion: The motion carried unanimously.

E. Resolution 2017-64 to enter into a contract with Tennessee Department of Transportation (TDOT), for Bike and Pedestrian Connector on Memphis-Arlington Road, from Gerber Road to Milton Wilson Drive, TDOT PIN #126713.00.

Mayor Wissman recognized Jason Allen, Town Engineer. Mr. Allen explained this project would extend the existing bike land and sidewalk along the north side of Memphis-Arlington Road from where it currently ends at Milton Wilson Drive, west to Gerber Road. He stated that staff recommended approval.

Mayor Wissman called for a motion.

Main Motion: Alderman McKee made a motion to approve Resolution 2017-64. Alderman Harmon seconded the motion.

Mayor Wissman called for discussion or questions. Vice Mayor McKee inquired about the expected timeline to see this project built. Mr. Allen stated that considering this grant cycle, it

could be expected in two to three years. Alderman Biggs asked for an explanation of that timeframe. Ms. Durant explained that is the unfortunate reality when working with grant funding and working through the various phases of the grant process, it takes time. She noted that thanks to grants such as this, the Town has been able to build many things in this town. The Mayor agreed, noting that it often comes to a decision on whether we wait to get a project built through the grant process, or we don't get the project. Hearing no further discussion, Mayor Wissman called for a vote on the main motion.

Vote on Main Motion: The motion carried unanimously.

Item F. Resolution 2017-65 to authorize Mike Wissman in his capacity as Mayor, to enter into a Development Agreement with N&S, LLC for the construction of the new C-Store at Airline and Highway 64.

Mayor recognized Angela Reeder, Town Planner. Ms. Reeder advised that this Resolution allows for a standard agreement with N& S, LLC for the construction of a project which includes an approximately 5,000 square foot building, as well as improvements along Airline Road. She stated that staff recommended approval.

Mayor Wissman called for a motion.

Main Motion: Alderman Brooks made a motion to approve Resolution 2017-65. Alderman Pardue seconded the motion.

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

Vote on Main Motion: The motion carried unanimously.

G. Resolution 2017-66 to authorize the purchase of a Cues Sewer Portable TV Inspection System Trailer Mounted through the National Joint Powers Alliance (NJPA) from Atlantic Machinery, Inc. for use by Town Employees.

Mayor Wissman recognized Brittney Owens, Town Recorder/Treasurer. Ms. Owens explained that the town currently outsources the service to camera our sewer line when a problem occurs. The procurement of this equipment would allow staff to do the work themselves, thus saving money and time. Atlantic Machinery was the lowest bidder through NJPA. This item is in the current budget and was recommended by the Finance Committee. She recommended approval.

Mayor Wissman called for a motion.

Main Motion: Alderman Brooks made a motion to approve Resolution 2017-66. Alderman McKee seconded the motion.

Mayor Wissman called for discussion and questions. Hearing none, 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 other new business to be brought forward.

X. Approval of the bills for payment.

Mayor Wissman called for a motion.

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

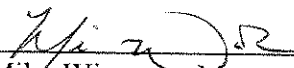
Ms. Owens stated that all Town issued emails have been set up for Elected Officials. She stated that the email addresses would be updated on the Town website and that officials would receive their usernames and passwords.

XI. Adjournment.

Mayor Wissman called for a motion.

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

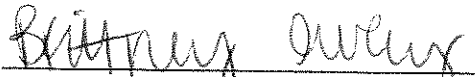
Meeting Adjourned.



Mike Wissman, Mayor

12/4/17

Date



Brittney Owens, Recorder

12/4/17

Date