

**Millersville Board of Commissioners
Minutes of Regular Meeting**

Tuesday, February 19, 2019 at 5:30 P.M.

The Millersville Board of Commissioners held their regular monthly meeting at City Hall on Tuesday, February 19, 2019 with the following board members present: Tim Lassiter, Mayor; Vice Mayor Keith Bell. Commissioners: David Gregory and Milton Dorris. Also present: Development Services Director Michael Barr and Amy Hutchison, Recorder Pro Tem. Absent: Interim City Manager Holly Murphy and Commissioner Bonnie Coleman.

1. Call to Order.

Mayor Lassiter called the meeting to order at 5:30 P.M.

2. Invocation and Pledge to the Flag.

Pastor Charles Anderson gave the invocation followed by the Pledge to the Flag of the United States led by Mayor Lassiter.

3. Approval of minutes from the January 15, 2019 Regular Commission Meeting.

Vice Mayor Bell moved to approve the minutes from the January 15, 2019 Regular Commission Meeting, seconded by Commissioner Gregory. (Vote 4 yea – 0 nay.) Motion carried.

4. Approval of the January 2019 Financial Reports.

Vice Mayor Bell moved to approve the January 2019 Financial Reports, seconded by Commissioner Gregory. (Vote 4 yea – 0 nay.) Motion carried.

Mayor Lassiter asked the Commission to allow Karen Stephens, Blankenship CPA Group, PLLC to go ahead of Cmdr. Paul Harbsmeier due to another appointment that she has. The Commission agreed.

5. Presentation of the 2017-18 FY Audit Report – Karen Stephens, Blankenship CPA Group, PLLC.

Ms. Karen Stephens thanked the Commission for allowing the change on the agenda. Ms. Stephens gave an overview of the financial audit that is performed yearly by her firm for the City.

6. Update on Sumner County Emergency Communication Center – Cmdr. Paul Harbsmeier (Hendersonville PD), Director of Transition Team.

Cmdr. Harbsmeier gave the Commission a Transition Action Plan that is being conducted with the Sumner County ECC. He gave a brief history of the issues at the ECC Command Center and the steps being taken to absolve these issues. He advised that a nationwide search would be conducted for a new director of the center and a completely new training manual was being created. He invited the Commission to visit the ECC Center.

Michael Barr asked Cmdr. Harbsmeier to thank Hendersonville Mayor Clary and his administration for allowing him to address our Commission.

7. PUBLIC HEARING:

- A. **Ordinance 18-713**, an ordinance to amend the Code of Ordinances, Chapter 82, Utilities, Article II, Sewers.

1. Open Public Hearing.
Mayor Lassiter opened the Public Hearing on Ordinance 18-713. There were no comments.
2. Close Public Hearing.
Mayor Lassiter closed the Public Hearing on Ordinance 18-713.

- B. **Ordinance 18-714**, an ordinance to amend the Code of Ordinances, Chapter 82, Utilities, Article II, Sewers, Division 7, Rates and Charges, Section 82-206.

1. Open Public Hearing.
Mayor Lassiter opened the Public Hearing on Ordinance 18-714. There were no comments.
2. Close Public Hearing.
Mayor Lassiter closed the Public Hearing on Ordinance 18-714.

- C. **Ordinance 19-716**, an ordinance to rezone 7639 South Swift Road, identified as Robertson County Map 126, Parcel 059.00, from Residential R-4 to Residential R-5.

1. Open Public Hearing.
Mayor Lassiter opened the Public Hearing on Ordinance 19-716. There were no comments.
2. Close Public Hearing.
Mayor Lassiter closed the Public Hearing on Ordinance 19-716.

- D. **Ordinance 19-717**, an ordinance to rezone 7625 Darby Road, identified as Sumner County Map 118, Parcel 004.00, from Residential R-2 to Residential R-3.

1. Open Public Hearing.
Mayor Lassiter opened the Public Hearing on Ordinance 19-717. There were no comments.
2. Close Public Hearing.
Mayor Lassiter closed Public Hearing on Ordinance 19-717.

8. **Second Reading of Ordinance 18-710**, an ordinance to amend the Millersville Code of Ordinances, Chapter 18, Building and Building Regulations. (Passed First Reading on 10/16/18; Public Hearing held on 12/18/18)

Vice Mayor Bell moved to approve Ordinance 18-710 on second reading, seconded by Commissioner Gregory. (Vote 4 yea – 0 nay.) Motion carried. Ordinance 18-710 passed second and final reading.

9. **Second Reading of Ordinance 18-713**, an ordinance to amend the Code of Ordinances, Chapter 82, Utilities, Article II, Sewers. (Passed First Reading on 1/15/19)

Vice Mayor Bell moved to approve Ordinance 18-713 on second reading, seconded by Commissioner Gregory. (Vote 4 yea – 0 nay.) Motion carried. Ordinance 18-713 passed second and final reading.

10. **Second Reading of Ordinance 18-714**, an ordinance to amend the Code of Ordinances, Chapter 82, Utilities, Article II, Sewers, Division 7, Rates and Charges, Section 82-206. (Passed First Reading on 12/18/18)

Vice Mayor Bell moved to approve Ordinance 18-714 on second reading, seconded by Commissioner Gregory. (Vote 4 yea – 0 nay.) Motion carried. Ordinance 18-714 passed second and final reading.

11. **Second Reading of Ordinance 19-716**, an ordinance to rezone 7639 South Swift Road, identified as Robertson County Map 126, Parcel 059.00, from Residential R-4 to Residential R-5. (Passed First Reading 1/15/19)

Vice Mayor Bell moved to approve Ordinance 19-716 on second reading, seconded by Commissioner Dorris. (Vote 4 yea – 0 nay.) Motion carried. Ordinance 19-716 passed second and final reading.

12. **Second Reading of Ordinance 19-717**, an ordinance to rezone 7625 Darby Road, identified as Sumner County Map 118, Parcel 004.00, from Residential R-2 to Residential R-3 (Passed First Reading 1/15/19)

Vice Mayor Bell moved to approve Ordinance 19-717 on second reading, seconded by Commissioner Dorris. (Vote 4 yea – 0 nay.) Motion carried. Ordinance 19-717 passed second and final reading.

13. **Approval of Resolution 19-R-01**, a resolution to set certain fees charged by the City for sewer related charges and services.

Vice Mayor Bell moved to approve Resolution 19-R-01, seconded by Commissioner Gregory. (Vote 4 yea – 0 nay.) Motion carried.

14. **Approval of Resolution 19-R-03**, a resolution to set fees for building permits, inspections and other related services, activities and costs.

After a brief discussion, Vice Mayor Bell moved to approve Resolution 19-R-03, seconded by Commissioner Gregory. (Vote 4 yea – 0 nay.) Motion carried.

15. **First Reading of Ordinance 19-718**, an ordinance to amend the Code of Ordinances, Chapter 34, Fire Prevention and Protection, Article V, Inspections and Review, Section 34-102 (c) Applicability.

Vice Mayor Bell advised that this is more in compliance with state law by changing the language from "shall" to "may".

Vice Mayor Bell moved to approve Ordinance 19-718 on first reading, seconded by Commissioner Gregory. (Vote 4 yea – 0 nay.) Motion carried. Ordinance 19-718 passed first reading.

16. Discuss and take action on property located at the intersection of Highway 31-W and Bethel Road.

Vice Mayor Bell moved to provide the staff and city attorney the authority to prepare a purchase and sale agreement for this parcel, Sumner County Map 118, Parcels .034, .035 and .036, seconded by Commissioner Gregory.

Michael Barr gave an explanation of these parcels of land and that they are the parcels at the intersection of the projected traffic light at the intersection of 31 W and Bethel Road.

Commissioner Dorris expressed his concern of why we should not buy this property. He thinks that the City should not buy properties that we will lose money on. Mayor Lassiter stated that we hired Michael Barr, Development Services Director, to help develop the City and Mr. Barr helped bring in Dollar General. Mayor Lassiter gave the example of the property where Dollar General was built and the amount of sales tax that it has generated for the City. He stated that sales tax will grow the City, not property taxes; therefore, we need more businesses to grow this City.

Vice Mayor Bell's concern is that if we do not position the traffic light correctly, we will be restricting the use of this property which could then result in an inverse condemnation suit by the owner, but if the City purchases this property, it would alleviate that potential problem and would invariably benefit the City.

Commissioner Gregory is in support of the purchase of this property. It will benefit the City because the City will be able to control what goes in that property. The active traffic light will be a plus for any prospective business.

With no further discussion, Mayor Lassiter called for a vote on the motion. (Vote 3 yea – 1 nay, with Commissioner Dorris voting no.) Motion carried.

17. Discuss and take action on property located near I-65 and Bethel Road for future Public Works Facility.

Vice Mayor Bell moved to direct staff to negotiate with the seller of the property located near I-65's exit 104 exchange with Bethel Road, the price, terms, and conditions for the purchase of that twenty acres not to exceed \$100,000.00 and for the city attorney to prepare an agreement for the Commission to review and take such actions as the Commission determines, seconded by Commissioner Gregory.

Commissioner Dorris stated that he didn't know where this property is located and that this was the first time that he was hearing about this property and the one just previously discussed therefore, he can't vote to purchase this property. Mayor Lassiter explained that this is not a vote to buy the property, only a vote to draw up a contract. Vice Mayor Bell advised that this will come back for a vote to purchase.

Michael Barr stated that the plan is to bring a contract to the Commission's Special Meeting after the March 4th Work Session. He went on to say that the seller has asked for confidentiality due to this being a distressed property. He stated that this would be an ideal property for Public Works. He is working with the Robertson County Economic Development Board to possibly secure some incentives and grant monies for improvements to this property. He is also looking

for grant money to build a facility for Public Works.

Mayor Lassiter clarified that this parcel of land had not been discussed prior to tonight. The piece of property that was discussed prior to this (31W/Bethel Road) was discussed at the last Commission meeting and the Commission authorized Commissioner Dorris to make an offer to the landowner. Commissioner Dorris stated that he did not make an offer to purchase. He only asked the owner what he would take for the property.

With no further discussion, Mayor Lassiter called for a vote on a motion. (3 yay – 1 nay, with Commissioner Dorris voting no.) Motion carried.

Michael Barr addressed the Commission in regards to a letter from TDOT asking for the Mayor's consideration. It is a letter of support to Secretary Chao of the U.S. Department of Transportation who is looking at a grant application on the State level to supplement the I-65 widening project. The project is currently being funded through the Improve Act. There is a new Federal grant that the State will be applying to help fund this project and the monies currently being used will then go towards other projects. Since this is a national corridor, there is a good opportunity that the State will be awarded this grant.

Vice Mayor Bell moved to support the Mayor's signature to this letter to the U.S. Department of Transportation to increase the expansion of the I-65, seconded by Commissioner Dorris. (Vote 4 yay – 0 nay.) Motion carried.

18. Citizen Comments.

Kevin Pennell, 1138 Ridge Hill Road, inquired where the City stood in regards to the Ridge Hill Road paperwork that he brought to the last meeting and if the flags needed to stay in the field. Mayor Lassiter advised that the paperwork has been given to the city attorney for review and that he can remove the flags from his field.

Robert Stone, 1229 Louisville Highway, stated that every piece of property that the City has bought they have lost money when it was sold. He also expressed his frustration knowing that the City has just spent money on a building for a Public Works and now the City wants to move their location and build another building.

Kari Lewis, 1174 Louisville Highway- Millersville Public Library, introduced the new Library Manager, Melissa Clark. She gave an update on the latest activities at the library and invited everyone to visit the library. She also had some requests from the Commission. Mayor Lassiter asked the Commission on her behalf if there were permits or fees associated with adding a storage building to the library property to which Mr. Barr stated that no fees or permit was needed if it is under 200 sq. ft. The library would also like to have a yard sale in the basketball court and be able to use the lower parking lot of the Community Center for parking and to have use of the community center's folding tables. The Commission had no issues with that and advised that she can coordinate with the Parks Department. Lastly, the library would like to have a small spot in the City newsletter to announce upcoming events, to which the commission complied.

Charles Anderson, 3013 Frontier Lane – Pastor of Millersville First Baptist Church, stated that he loves the city in which he lives and loves pastoring at Millersville First Baptist. He advised that the attendance at the local churches is diminishing and he invited the public to make it a point to visit one of the local churches as these are landmarks to our City. He also thanked the Commission for allowing him to be able to open the Commission Meetings in prayer.

19. City Manager Comments.

On behalf of Ms. Murphy, Michael Barr advised the Commission that Sumner County EMA Director, Ken Weidner, would be at the March 4th Work Session addressing the Commission about wanting to locate towers within in the City limits that do not fit within the City Code pertaining to the towers and antennae section. These towers are part of the communications and dispatch system. He also invited the Planning Commission to attend the Work Session. Mayor Lassiter reiterated that these towers have to do with the public safety of the citizens.

20. Commissioner Comments.

Commissioner Gregory stated that he appreciates the Department Head's reports and the Library updates and the Pastor for his contribution to the City Commission meetings.

Vice Mayor Bell reiterated those comments as he is appreciative of those reports as well.

Commissioner Dorris stated the Department Head reports answered a lot of questions for him and he appreciated having them.

Mayor Lassiter agreed with the other Commissioners in regards to his appreciation.

21. Adjournment.

**Vice Mayor Bell moved to adjourn, seconded by Commissioner Gregory.
(Vote 4 yea – 0 nay.) Motion carried.**

Meeting adjourned at 6:38 P.M.

Respectfully Submitted,



Amy Hutchison
Recorder Pro Tem

