Town of Arlington
5854 Airline Road, Arlington TN 38002

Board of Mayor and Aldermen
August 5, 2019
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
Jeremy Biggs, Alderman
Cheryl Pardue, Alderman

Others Present
Catherine Durant, Town Administrator
Brittney Owens, Town Recorder/Treasurer
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 Jeff McKee, Alderman

III. Pledge to the Flag.

The Pledge of Allegiance was led by Eagle Scout, William Hinkle

IV. Approval of the minutes from June 3, 2019 and Special Called June 27, 2019

Motion: Alderman Pardue made a motion to approve the Board of Mayor and Aldermen minutes from June 3, 2019 and June 27, 2019. Alderman Biggs seconded the motion.

The motion carried unanimously.

V. Grievances and Comments from Citizens:

Debra Wiseman, 5411 Airline Drive
Mrs. Wiseman stated that she is a theatre enthusiast. She has worked on several outdoor events such as Music on the Square and Christmas on the Square. She states that she is speaking to address the new amphitheater being developed at Forrest Street Park. Mrs. Wiseman wants to encourage the board to really look at what it is going to cost to maintain
the theatre, such as who is going to clean it, upkeep it, schedule events, etc. Mrs. Wiseman stated outdoor venues are hard to book and at times to execute events. Mrs. Wiseman stated that the Arlington Theatre group plans on using it for a couple months out of the year, however, her concern is what it will be used as for the remainder of the year.

Mayor Wissman thanked Mrs. Wiseman for her time.

Larry Malone, 12500 Bonds Eye Bend
Mr. Malone just moved to Arlington and has several concerns. Mr. Malone has noticed that kids are riding in the street on Milton Wilson towards Vinegar Jim’s. His concern is their safety and wants to address the board about how to get them off the street because there is no connection of sidewalk or path in which the kids can ride to Forrest Street Park. Another issue that he has noticed is coming from Airline Rd to Milton Wilson, there is a hill in which a patch of pavement is sinking the patching has not fixed the problem but in fact made it worse and he would like to see it dug up and redone as a whole.

Mayor Wissman thanked Mr. Malone for his time. Mayor Wissman also responded that the board does have answers to his concerns. Alderman McKeer wanted to clarify that it is Milton Wilson to Forrest St in which the concern was for the kids riding bikes. Vice Mayor McKeer stated that a new subdivision that is being built and installing a walking trail connection in effort to make it one unified connection into Depot Square. Mayor Wissman also stated that when a new development is developed everything transportation wise is taken into the project so that the unity between neighborhoods and common spaces connect and flow with each other.

Mayor Wissman asked Mr. Perkins to answer Mr. Malone’s concern about the pavement. Mr. Perkins stated he is fully aware of the issue and knows there are several sections in rough shape, it is being addressed.

Hearing no further discussion, the Mayor Wissman continued the meeting.

VI. Communication from the Mayor.

A. Shelby County Sheriff’s Department Incident Report for the Month of March.

Staff noted that there was no Deputy to give the report however, the full Report is on file at Town Hall.

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

Mayor Wissman recognized James Harvill, Fire Chief. Chief Harvill stated that there was a total of 81 responses, with 44 EMS responses and 37 Fire responses. There were 14 calls south of I-40 and 9 calls on I-40.

Chief Harvill noted the department is almost through with flushing hydrants, as this is an annual duty. The department has also completed their last in-service class which was on July
17. Lastly, ‘A’ shift responded to a small residential fire off Lamb Rd on July 11. Full Report is on file at Town Hall.

C. Other as properly presented.

1. Mayor Wissman introduced William Hinkle, who has just completed earning his Eagle Scout Badge. Mayor Wissman read off a list of his accomplishments. William Hinkle thanked those that helped him with his process.
2. Mayor Wissman noted that there was no meeting for the month of July.
3. Mayor Wissman wanted to note that the Fireworks display was amazing. He thanked all the staff involved for a job well done.
4. The Ribbon Cutting for Forrest Street Park and the Ribbon Cutting for The Playground of Dreams were performed in July.
5. School Registration to start August 6th.
6. Election is on September 19, 2019. Early voting will commence on August 30th. Early voting will be held at the Arlington Safe Room. 1st week 11-2, 2nd week is 4-7. This will be posted on Facebook and the Town’s website.
7. Next Board meeting will be held on Tuesday September 3rd due to the first Monday of the month being a holiday.
8. Tonya Howell from the Chamber noted that the next luncheon was on August 14th. Congressman Kustoff will be the speaker. Also, the Arlington 5K is on September 7th, all proceeds go to the Arlington Community Schools.

VII. Committee Reports

Mayor Wissman noted the Planning Commission, Health and Safety Committee, Parks and Recreation Advisory Board, and Design and Review Committee, met during the month of July.

The Treasurer’s report for the month of July and the financial reports had been given to the Board. Treasurer report for the month of July was read aloud by Alderman Brooks for recording purposes. Full report is on file at Town Hall.

VIII. Consent Agenda

A. Resolution 2019-31 to authorize Mike Wissman, in his capacity as Mayor of the Town of Arlington, Tennessee to enter into an Arlington Athletic Facility Provider Agreement, with Arlington Arsenal Baseball.

B. Resolution 2019-32 to authorize Mike Wissman, in his capacity as Mayor of the Town of Arlington, Tennessee to enter into Arlington Athletic Facility Provider Agreement with Arlington Youth Sports/Arlington Football League.
C. Resolution 2019-33 to authorize Mike Wissman, in his capacity as Mayor of the Town of Arlington, Tennessee, to enter into an Arlington Athletic Facility Provider agreement with Arlington Tennis.

D. Resolution 2019-34 to authorize Mike Wissman, in his capacity as Mayor of the Town of Arlington, Tennessee, to enter into an Arlington Athletic Facility Provider agreement with Arlington Youth Baseball and Softball.

E. Resolution 2019-35 to authorize Mike Wissman, in his capacity as Mayor of the Town of Arlington, Tennessee, to enter into an Arlington Athletic Facility Provider agreement with Arlington Soccer Association.

F. Resolution 2019-36 to authorize Mike Wissman, in his capacity as Mayor of the Town of Arlington, Tennessee, to enter into an Arlington Athletic Facility Provider agreement with Arlington Lacrosse.

G. Resolution 2019-37 to authorize the Town of Arlington Tennessee to enter into an agreement with Houston-Galveston Area Council (H-GAC) Cooperative Purchasing Program, for the contracting of Goods and Services.

H. Resolution 2019-38 of the Arlington Board of Mayor and Alderman to declare equipment owned by the Town to be surplus to the Town’s needs and directing disposal of same.

I. Resolution 2019-39 of the Arlington Board of Mayor and Alderman to enter into a development agreement with Arlington Development CO., LLC for the Construction of Arlington Falls PD Phase 1, located at the Southwest corner of Airline Rd and Milton Wilson.

J. Resolution 2019-40 of the Arlington Board of Mayor and Alderman to enter into a development agreement with Arlington Investors Group, LLC for the construction of Villages at White Oak 1st Addition PD Phase 14, located East of Phase 3 and North of the original White Oak PD.

K. Resolution 2019-41 of the Arlington Board of Mayor and Alderman to enter into a development agreement with Arlington Investors Group, LLC for the construction of Villages at White Oak 1st Addition PD Phase 19, located East of Phase 14 and North of the original White Oak PD.

L. Resolution 2019-42 of the Arlington Board of Mayor and Alderman to authorize a land disturbance permit for property located East of Milton Wilson, on approximately 85 acres of the Villages at White Oak 1st Addition PD.

Mayor Wissman called for a motion.

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

Vote on Main Motion: The motion carried unanimously

IX. Old Business

None

X. New Business

A. Resolution 2019-43 to authorize Mike Wissman in his capacity as Mayor to enter into a contract with Pavement Management Group (PMG) to provide a turn-key pavement management system.

Mayor Wissman recognized Terry Perkins, Director of Public Works. Mr. Perkins stated this resolution would allow the Town to enter into contract with Pavement Management Group (PMG) to provide a turnkey system pavement management system. The cost of the service is $29,150.00. This represents about 2.25% of the total paving budget. The streets are one of the Town’s largest and most expensive assets. Currently that equates to approximately 106 miles of roads and growing. As the streets age and deteriorate the maintenance cost will rise and the need for a pavement management system will become a necessity. Currently we are employing a “worst first” methodology in the approach to pavement management needs. This methodology is inadequate and unacceptable. We need a system with more accountability and assures the best use of every tax dollar the Town allocates to maintain the streets. What the Town needs is a consistent and rational management system that allows for optimal use of available funds, a reduction in pavement rehabilitation costs over time, identification of the most appropriate treatment for the pavement segment through roadway assessment, an estimation of pavement life extension as it relates to various treatment applications and the timing of those treatments, and lastly an increased credibility with our stakeholders. When residents call about the paving on their street, my department wants to give them an explanation based on real data and a plan derived from proven engineering standards.

Mr. Perkins noted that in his research over the past year he has found a group of professionals that specialize in pavement management. This company utilizes up to date technology and ASTM (American Society of Testing and Materials) standards to achieve the goals that were previously outlined. Mr. Perkins introduced Mr. James Golden III,
CEO and Principal in charge of PMG.

Mr. Golden stated this is a data driven approach to assess what the Town’s street in the present and for the future. The program presented has an 8-step approach that will forecast pavement life, budget assessment, and blueprints for repairs. The program starts with taking inventory on the roads in present time. A blueprint will populate with the data collected and then be sectioned together to develop a large blueprint which will give real time on projects that are happening or that will be forecast in the future. This program has the ability to have real time video of the condition of the pavement. These videos can be accessible anytime by management to see the roads in present time and to what condition they are in as well as to discuss solutions. The data collected is very useful for engineering uses and can be compacted into a map driven environment. The programs main objective is to maximize the Town’s budget while optimizing road conditions. If chosen PMG will provide budget recommendation, GIS condition maps, power training, and the paver software.

Mayor Wissman called for a motion.

Main Motion: Alderman Brooks made a motion to approve Resolution 2019-43. Alderman Biggs seconded the motion.

Mayor Wissman called for discussion or questions.

Mayor Wissman asked if this was a one-time fee or annual. Mr. Perkins stated that it is a one-time fee with annual maintenance costs and the opportunity to get a reassessment done every couple of years. Alderman Brooks showed appreciation to the Public Works crew in their expertise and time for the research done. Alderman Biggs noted that he has asked for this information and was waiting on studies of the roads. He stated to have the roads scored will help with budgeting long term and would like to see what the projected budget will need to look like and if the Town needs to set more aside. Mrs. Durant said that this is a data driven approach that will show us what we need for future repairs and has been needed for the last 10 years. Mayor Wissman agreed with Mrs. Durant that having the data driven knowledge will help facilitate issues that need to be managed presently and in the future. Mr. Perkins stated that this program gives a better allocation of where funds need to be spent. Mr. Perkins stated that if approved PMG will begin work in the 4th quarter of 2019 or the 1st quarter of 2020. Alderman McKee wanted to clarify how often the video will be updated and if it is something that can be done in house. Mr. Golden said the Town can do it in house or for the company to come in every 3 years to update the data, but if the Town wanted something done every year the Town’s fleet would be able to do it with necessary equipment, that is a Town choice. Vice Mayor McKee asked how are lower and higher traffic areas calculated to determine the impact of those areas. Mr. Golden stated that the data will show all the history of cracks, holes, and usage to determine the wear and tear and in turn this data will be used to allocate funds for repair. Alderman Harmon stated he supports this program simply because it is a great tracking tool to determine how the funds will be spent.
Hearing no further discussion, Mayor Wissman called for a vote on the main motion.

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

**B. Resolution 2019-44 to approve an Amendment to the Master Development Plan for The Village at Donelson Farms PD, a residential planned development on a 13.23-acre site south of Donelson Farms Parkway, across from Donelson Elementary.**

Mayor Wissman introduced Angela Reeder, Town Planner. Mrs. Reeder stated this is an amendment of the Master Plan for The Village at Donelson Farms PD. The project was originally approved by the Board of Mayor and Alderman in October 2017, Resolution 2017-52, and included 27 single family home on 12.21 acres, as well as road and sewer improvements. The applicant has since purchased additional land from an owner to the west and requested their PD be amended to incorporate that property with a slightly different layout. That layout was presented to the Planning Commission (PC) in May 2019, and later again in July 2019 with additional revisions. The applicant requests consideration of these revisions with the new layout.

Mrs. Reeder continued to state the uses have not changed, this is still a single-family and open space development plan. Three additional lots have been proposed for a total of 30 single family homes. With the added homes and land the plan has increased the density slightly from 2.21 to 2.27 dwelling units per acre (du/ac). RS-18 zoning allows up to 2.42 du/ac, so the proposal is well within Town Code allowances. The open space is proposed at 23.5% which exceeds the 20% requirement in the PD. The over 3 acres of open space extend around the entire perimeter of the neighborhood. There is a 25-foot streetscape along Donelson Farms, this streetscape will have a berm with hardwood trees at 40-foot centers on top. There will also be a 6-foot tall wood fence with brick and stone columns behind the landscaping at the rear of the individual lots. Brick entry features are proposed at the single entrance, with neighborhood signage. Three detention basins are proposed within the open space; one on the southwest corner, one along the south side and one in the northeast corner of the site. A 6-foot wide walking path has once again been proposed to extend throughout the open space. Along the pathway are benches and a pergola for the residents. All the common areas will be landscaped and maintained by the HOA. The Design Committee (DRC) will provide a final review and approval of all the landscaping, signage, and open space amenities.

Mrs. Reeder continued to explain the proposal for lot sizes originally included a minimum size of 11,167sqft. However, the PC noted the main road had all 80ft wide lots on one side of the street and all 75ft wide lots on the other side of the street. The PC added a condition for the applicant to mix it up and put some 75ft and some 80ft on each side for variety. The applicant followed the condition and as a result 4 lots fell below the minimum lot size to 10,500sqft; however, the other 26 lots meet a minimum of 11,200sqft. Each home in the development will meet a minimum of 2,800sqft of heated space, which will not include garages or patios. There has been no change with the rear setbacks. The side
yard setback is proposed at 10ft, resulting in at least 20ft total between houses unless there was a side load garage and it could shift a few feet, coming down to 12-15ft on one side setback, but a total of 20 combined still.

The architectural style of homes will be one of five styles; Craftsman, American Farmhouse, English Revival, Greek Revival, and Colonial Revival. These homes will have architectural shingles, 75% brick or stone, porches that meet a minimum of 6-8 feet deep (if a porch is included in the design), oversized double or 3-car garage with appropriate style of colors of windows and roofs. These styles have not been revised since the approval.

Mrs. Reeder stated as far as vehicular access, there will be a single entrance on Donelson Farms Parkway, directly across from the school entrance with a median opening. This was encouraged by the PC and engineer at the previous meeting. A previous stubbed connection on the southeast corner to property to the south is longer proposed with the current layout.

Mrs. Reeder turned it over to Steve Hill, Town Engineer to address the road improvements. Mr. Hill stated the main funding of the Town’s improvements on Donelson Farms Parkway are funded through the MPO. The agreement on the current road project being considered is for the Town to improve the north side of the road only, while development would improve the southern half of the road. There is a section of the property to the west in which the development does not own so the Town proposed a payment in lieu of improvement for future development there. Mr. Hill noted Faith Baptist Church is going to be extending the sewer line along this area in the future and has an approved the sewer plan.

Thanking Mr. Hill, Mrs. Reeder continued with the presentation. She stated the uses for the development are still consistent with the surrounding uses. The homes and lot sizes fit the minimum required. She stated the proposed Donelson Farms PD still accomplishes several of the objectives called for by the town for Planned Developments by 1) providing amenities such as a walking trail and open space for residents and calling for quality materials and design in their homes. 2) preserving the natural features around the perimeter of the site. 3) providing home across from the elementary school to allow easy access and walkability for future students. 4) allowing the developer to build on a rather challenging lot rough flexibility in design.

Mrs. Reeder explained the next steps, if approved, were a preliminary and final plat along with construction and common spaces plans for PC and DRC for review and final approval. She said the PC recommended approval of the revised Master Plan with the conditions that were attached. Mrs. Reeder noted the applicant was available for questions.

Mayor Wissman called for a motion to approve.
Main Motion: Alderman Pardue made a motion to approve Resolution 2019-44. Alderman Biggs seconded the motion.

Mayor Wissman called for discussion and questions.

Alderman Brooks wanted to know if the walking path was approved in the previous plan along the backside of the lots and questioned what lots backed up to the walking path. He recommended all lots have a wrought iron fence along any part of the walking path. Mrs. Reeder said it was discussed before but since some of the lots were adjacent to a future commercial use, the PC discussed it but did not condition it. Alderman Brooks stated he would like to see the fence extend to the complete area of the walking path of all lots no matter if it was adjacent to commercial use property or not. He noted the future commercial use could provide a buffer if one was needed.

Alderman McKee agreed with Alderman Brooks. He noted the discussion went back and forth between PC members regarding where and if the fencing would be along located along the common area. Alderman McKee then clarified there will be privacy fencing on the frontage on the Donelson Farms Parkway frontage. He said he would also look for a future barrier between the residential and the commercial zones.

Mayor Wissman noted this is a Public Hearing and called for a motion to suspend the Board of Mayor and Aldermen meeting for Public Hearing

Motion: Vice Mayor McKee made a motion to suspend meeting. Alderman Brooks seconded the motion.

Public Hearing: Resolution 2019-44 to approve an Amendment to the Master Development Plan for the Village at Donelson Farms PD, a residential planned development on a 13.23-acre site south of Donelson Farms Parkway, across from Donelson Elementary.

Mayor Wissman stated the public hearing was published in The Commercial Appeal July 19, 2019. He further stated anyone wishing to speak please state your name and address for the record.

Hearing no comments, Mayor Wissman called for a motion to close the Public Hearing and resume the Board of Mayor and Aldermen meeting.

Motion: Vice Mayor McKee motioned to close the Public Hearing and resume the Board of Mayor and Aldermen meeting. Alderman Brooks seconded the motion.

Mayor Wissman called for discussion or questions.

Mayor Wissman returned to the discussion about the fence surrounding the walking path. Mrs. Reeder noted there is a condition that the builder shall install a minimum 5 ft tall
wrought iron fence on the side or rear on the southern lots that backs up to the common spaces. Mrs. Reeder said they can revise it to include lots 1-5. Alderman Biggs noted a neighborhood in Collierville had wrought iron fencing all the way around and manicured landscaping along the fence, which he felt looked nice. He stated places on Milton Wilson have wooden fences that look good at first, but then show wear and falls apart. Alderman Biggs continued to state first impressions are a must and a wrought iron fencing with landscaping would look better than a wooden fence. Mrs. Reeder stated plans include a detail of that area with 25ft wide landscaping to include a sidewalk, berms, shrubs, stone columns, large trees and crape myrtles.

Alderman Pardue wanted to clarify that the landscaping is on the berm along the fencing. Alderman Pardue is in favor of wrought iron fencing but stated it can require the same upkeep as a wooden fence. She stated that she does not sway to one or the other but questioned if wrought iron fencing is chosen what the long-term plan is for upkeep.

Mayor Wissman agreed wrought iron is great, but peoples’ backyards are not always maintained, and there are issues with seeing through it which can cause a conflict. Alderman Biggs stated the development he noted that is in Collierville had shrubs that would block view between the fence and the yards. Catherine Durant, Town Administrator noted Maple Grove, which has a wood fence on a major road and rear facing lots, has a strong HOA and the variations of the berms, sidewalk and landscaping are well taken care of and look very nice. She noted it was a great example of what the plan proposes. Mrs. Reeder said the berm on the landscaping is 3ft in height. Alderman Biggs asked if the sidewalks are going to be straight or curved. Mrs. Reeder stated it’s not shown in the plans but appears straight currently in the plans. She said the DRC would provide final review on details. Discussion continued.

Mayor Wissman called for a motion to add a condition to extend the wrought iron fencing for lots 1-5, and along the backside of the development adjacent to the COS.

**Motion on Primary Amendment:** Alderman Brooks made a motion to add a condition that lots 1-5 also have wrought iron fencing where it backs up to the common open space area. Alderman Biggs seconded the motion.

Mayor Wissman called for further discussion or questions.

Hearing no further discussion on the condition the Mayor called for a vote on the condition.

**Vote on motion on Primary Amendment:** The motion carried unanimously.

Mayor Wissman asked about the road condition and said he understood it could not be widened down to Donelson Street now, however, development should pay for that stretch
in front of them where the buses turn. But he asked if it is going to look strange for traffic flow.

Town Engineer, Steve Hill answered that the frontage of the development will have a median. There will be a stretch on south half of the road in which people can park and or turn around. Mayor Wissman asked if this will widen the current curb on the school side. Mr. Hill said it will not; it will just be built into the south half of Donelson Farms Parkway. Mayor Wissman wanted to know what possible school traffic issues could arise and if the improvements or a payment in lieu were for all of the street frontage instead of just the west side of the development. Mr. Hill said it was discussed at Planning Commission to consider a full payment in lieu rather than building certain pieces and having extra paved area which essentially becomes a parking lot with little to no traffic. Alderman McKee noted that at the PC it was stated that the unused asphalt is on the eastern end of the development could be used and just merge back into two lanes at the east end of the development. Mr. Hill stated there would be two lanes on each side in front of this development only. Alderman McKee said it could increase the traffic flow around the median, while still using the curbing and pavement the developer is paying for. Mr. Hill said it would have to be clearly signed as one way east and one way west and may reduce some congestion coming and going from the school.

Alderman McKee stated that smaller lots 6 and 7, which were courtyard designs, were also discussed at the PC and conditioned to be moved throughout the development instead of all being located right next to each other. He noted the PC did put the burden on the developer to change it. Alderman Biggs said overall, he really like the neighborhood. Alderman Biggs liked the fact that it is similar to Forrest Grove, a pocket neighborhood. If he had a preference, he would have liked the common open space could be beneficial to all the lots. He also states that he like the five different architectural designs.

Alderman Harmon echoed Alderman Biggs and added that this neighborhood is going to be in a high viewed area with the school. Alderman McKee asked if it was discussed about the preservation of the mature trees. Mrs. Reeder said the developer does have a statement in the plan document to maintain as many mature trees as possible. Alderman Pardue agreed with the variations of the home designs and stated her main concern was the width of the driveways. She wanted to know why the driveway extended down the side of the lot instead of giving more driveway width at the front, asking for at least a 16ft minimum. Mrs. Pardue suggested getting rid of the tandem part of the driveway and make the front end larger. Mrs. Reeder stated the driveway guidelines will allow the adjustment and there is no reason this can’t be done.

David McLemore, with SRC at 530 Quail Crest for the applicant, stated that the reason the architect drew it that way was simply the footprints of the sideloads for the lot. Mr. McLemore stated this can certainly be changed, the long driveway was a means to show that four cars could be parked in the designed driveways. Mayor Wissman agreed with Alderman Pardue regarding the tandem part of the driveway. Mrs. Reeder repeated the code will allow 12-18ft width on a driveway. Alderman Harmon also stated he supports
the 16ft width on the driveways. Mr. McLemore said that it was no problem for them to widen the driveway in the front yard as requested.

Mayor called for a motion to amend Resolution 2019-44 to reflect a condition to widen the width of the driveway to a 16-foot curb cut.

**Motion on Secondary Amendment:** Alderman Pardue motioned to add the condition on all lots to have a minimum of 16-foot wide driveway between the curb and the house. Alderman McKee seconded the motion.

**Vote on Secondary Amendment:** The vote carried unanimously.

Mayor Wissman asked if there were any comments or questions on the main motion.

Vice Mayor McKee asked how the payment in lieu is calculated, for payment at present time or at time for future use. Mr. Hill acknowledged the calculation begins with present time costs, but inflation is then accounted for. He noted that the money can be invested during its term in which it can earn interest to further prepare for the inflation.

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

**Vote on the Main Motion as Amended:** The vote carried unanimously.

**C. Resolution 2019-45 to authorize Amendments to the Town of Arlington Design Guidelines Manual, Chapters 1, 2, 3, and 4, to correct misprints, incorporate updates to preferred building material, and encourage pedestrian scale design and LED lighting use.**

Mayor Wissman recognized Angela Reeder, Town Planner. Mrs. Reeder stated last December herself and the Design Review Committee (DRC) discussed updating the design guidelines. Due to other projects and cancellations the final update was not reviewed until July 2019. The final draft was presented in July and the committee voted unanimously to recommend the following amendments to the design guidelines. The proposed amendments were in Chapters 1-4. Chapter 1 is the introduction and there was a correction that needed to be fixed to reference the current amount of DRC members as well as added language to note that “complete” applications will be considered within 30 days, not just any application.

She explained Chapter 2 deals with Building Design and Architectural Character and is where the bulk of the changes occurred. One change clarified what materials can be used as primary and secondary. Stucco was removed from the primary list and placed on the secondary. Clarification on items were changed so that there were not repetitive statements. Language used that was clarified for “fibrous cement board” instead of referencing a specific brand name. Secondary materials are used to add detail and interest
to a building but not something that can be used on an entire building. Revisions included adding the intent of secondary materials and increasing their max percentage to 30% whereas is was at 10%. Added language noted that stucco and EIFS are not to be used within 3 feet of grade or in places with regular contact with people or equipment. It also notes that on a street-facing façade, EIFS shall only be used for ornamental details.

Non-preferred materials were clarified to include pained masonry, natural gray smooth or textured concrete masonry units, corrugated metal siding, and highly reflective glass curtain wall systems. Bronze or black door and window framing is preferred. DRC will consider clear or silver window framing only if it complements the overall color scheme of the building. New language added requires color renderings and complete color material sample boards be submitted with applications as well as sample sizes. Added a section to require consistent architectural style throughout and entire development and requiring attractive pedestrian-scaled features and amenities. Lastly clarified that a base of a building should typically be masonry or stone.

Ms. Reeder stated Chapter 3 relates to Landscaping and Screening. A committee member is a landscaper and noted there should be some flexibility of street tree spacing based on the species planted due to their growth. The rest of the committee agreed and changed the language. Language changed to reference that backflow preventers shall be in inconspicuous locations when possible. Added some guidelines for new guidelines for irrigation plans, irrigation lines, backflow preventers and coverage. She noted there was not a whole lot of guidance especially with irrigation but now there is language in the guidelines as a reference for people installing these systems.

Chapter 4 relates to Site Design and Site Elements. Ms. Reeder said most of the changes here refer to lighting. It was realized that LED lighting is not referenced in the guidelines and the Town prefers energy saving LED technology and auto-dimming features in sensitive areas, so language was added to that reference. The Committee clarified that roll-off trash cans for non-residential projects shall be in an opaque enclosure. Comprehensive sign plans were revised to state that developments with 4 or more tenants shall be required to provide a sign plan, it was stated as 2 or more.

Ms. Reeder ended by stating these are the amendments proposed and recommended by the DRC.

Mayor Wissman called for a motion.

**Main Motion:** Alderman Pardue made a motion to approve Resolution 2019-45. Alderman McKee seconded the motion.

Mayor Wissman thanked Mrs. Reeder and the committee for working on the revisions. Alderman Biggs, a DRC member also thanked Mrs. Reeder for the time on the revision. Alderman Biggs noted there was a lot of time spent on each of these items in which not all committee members at times were not 100% in agreement. The committee didn’t vote per
say but if the committee had a majority sway then the revision was put in. Alderman Biggs also commented that all committee members did agree to place stucco on the secondary list of materials. There was a lot of discussion about the secondary materials from 10% to 30%. Alderman Biggs said he was not in favor of 30% but agreed that 10% was too low, and he was more comfortable with 20%. He said the other item that was well discussed was EIFS, most of the committee agreed to the revision but he was not a fan. Alderman Biggs said he questioned if it was not allowed on front then it shouldn’t be allowed on the sides or the back of a building. Alderman Biggs then asked Ms. Reeder about reviewing the guidelines every so many years, implementing a time frame. Ms. Reeder said it was agreed that it might be better placed in the by-laws to have them reviewed periodically. Alderman Biggs asked if it was up to the DRC to put it into the by-laws. Ms. Reeder answered it had been brought up for consideration. Alderman McKee asked if the Board of Mayor and Alderman dictate the DRC by laws or does the DRC do it themselves. Mrs. Durant said that the DRC can bring it to the Board as a recommendation. Mrs. Reeder said there is a section in the current DRC by-laws that state the DRC can amend them at any time with majority vote. Mr. Lawson said it will be presented and approved ultimately by the Board.

Alderman McKee stated the secondary material language regarding stucco should be equivalent to EIFS. He asked if the material can only be used 30% total and not used on the front could it be used on the other sides of the building. Ms. Reeder said it is 30% total so it can be used around the other three sides. She said the DRC discussed offering some flexibility with EIFS as they didn’t want to raise costs to the mom and pop uses and wanted to give them some flexibility in spreading out the material. DRC agreed a smaller percentage on the front would help meet the requirements but give some flexibility. Alderman McKee said his concern was that the limit should be also per side, so it isn’t overwhelming with a majority of one side being one material. Ms. Reeder said we could add language to say not more than a certain percentage per side, but there is already language that says design and materials should be treated equally on the various sides.

Alderman McKee then said he liked that lighting plans must now be stamped by a lighting professional but asked if the revision included existing businesses. Ms. Reeder said any changes that are presented will have to follow the new requirements. Alderman Pardue stated she was concerned about the percentage of the materials that can be used and previous variations on other buildings. Ms. Reeder stated the guidelines allow developers the flexibility to consider exceptions or variations, such as the rear of an industrial building, and that the DRC can consider variations if proposed. She said many buildings in the past had more detail and the committee felt limiting it to 10% was not granting enough room for a variation of detail. Alderman Biggs also noted concerns that 30% gives less flexibility because it could increase the chance that the DRC will have to outside the guidelines. Alderman Biggs suggested it should be set at 20% allowing the flexibility to negotiate the other 10%. Alderman McKee felt like the more the percent is risen, the more the chance a developer will try to go over. Alderman Pardue in echoing Alderman McKee agreed about deducting from the total if the materials aren’t used on the front. Vice Mayor McKee asked if a developer can use all 30% on the front. Alderman
Biggs suggested there should be a set percentage on each elevation. Mrs. Reeder responded that the very first statement under architectural character was that all facades visible should be high quality and equal in design as well as consistent. Alderman McKee asked if EIFS was said to be ornamental only, would it still count against the 30%. Mrs. Reeder stated yes

Alderman Brooks also said he was in favor anywhere between 10-30%.

Mayor Wissman called for a motion to amend the percentage of secondary material.

**Primary Amendment Motion:** Alderman McKee made a motion to amend the language with Resolution 2019-45 to reduce secondary material from 30% to 20% of a total building but still allow the DRC to have their capability and ability to approve the materials. Alderman Biggs seconded the motion.

Mayor Wissman called for discussion on the recommended amendment. Vice Mayor McKee asked Ms. Reeder’s opinion on the proposal. She stated that she felt we should provide clear guidance to developers to get them to build what we want, and that it was clear 10% was too small before. She stated the DRC had qualified members including two architects that felt 30% was a smart percentage in building design, and she felt comfortable with the numbers they provided due to their expertise.

Hearing no further discussion, Mayor Wissman called for the vote on the motion as amended

**Vote on Primary Amendment Motion:** The motion carried unanimously.

Alderman Brooks stated he appreciates the lighting and landscaping revisions, feeling it was needed. Alderman McKee thanked Mrs. Reeder and the DRC for adjusting the guidelines. Vice Mayor McKee asked if someone wants to change the color on an existing commercial building, are they supposed to bring a proposal to the DRC? He said if they did, he didn’t necessarily think there should be a cost associated with the change, but he would like to see a permit issued to state that the Town is aware of the change. He stated in the past people have changed colors without permission but with the requirement of a permit he felt it could be enforced legally.

Ms. Reeder stated anything approved by staff and or the DRC has to be maintained for the life of the building. The guidelines encourage a business owner to work with staff when it comes to changes. She said language could be added that a permit is required to change anything after plans have been approved.

Mayor Wissman asked for a motion on requiring owners to obtain a permit when making changes to the outside of existing commercial buildings.
Secondary Amendment Motion:  Vice Mayor McKee made a motion to direct staff and Town Attorney to come up with language to add into the current code that a permit will be required for any exterior changes to existing commercial buildings. Alderman Biggs seconded the motion.

Mayor Wissman called for discussion, hearing nothing further he called for a vote on the Secondary Amendment of the motion.

Vote on Secondary Amendment on motion:  Vote carried unanimously.

Mayor Wissman asked for any further comments or questions on the main motion.

Hearing no further comments, Mayor Wissman called for a vote.

Vote on Main Motion as Amended:  Vote carried unanimously.

D.  **Resolution 2019-46 to authorize Mike Wissman in his capacity as Mayor of the Town of Arlington, Tennessee to authorize the Award of Bid and enter into a contract with Grinder Taber Grinder for project known as Forrest Street Campus Phase 2.**

Mayor Wissman recognized Catherine Durant, Town Administrator. An advertisement for bids was published in The Daily News on July 2, 2019 and The Commercial Appeal on June 30, 2019. The Town of Arlington received sealed bids until Thursday, July 25, 2019 at 4:00 p.m., at which time bids were opened publicly and read aloud. The scope of work includes landscaping, lighting, and additional parking in conjunction with the construction of an Amphitheatre and Farmer’s Market/Multi-Use Pavilion; with the contractor furnishing all labor, equipment, and materials necessary and required for the safe, proper and expeditious performance of work. A total of 5 bids were received, with the lowest and most qualified successful bidder being Grinder Taber Grinder, based on the base bid and alternate 1 for a total bid amount of $2,729,816.47. Staff recommends award to Grinder Taber Grinder.

Mayor Wissman called for a motion to approve.

Main Motion:  Alderman McKee made a motion to approve Resolution 2019-46. Alderman Pardue seconded the motion.

Mayor Wissman called for discussion or questions.

Alderman Biggs wanted to make a statement about the project, he reads as follows: “Over the last two years this board has spent or has committed to spending $1.3 million for the tennis complex, $400,000 for the Playground of Dreams, $2.5 million on Forrest Street Campus Phase 1, and $4 million on the second fire station. That’s a total of $8.2
million on new assets. I voted in favor of these projects for various reasons at the time. Now we are being asked to approve an additional $2.7 million for an amphitheater and farmer’s market before we’ve even laid the first brick on the new fire station. We don’t actually even know what the final cost will be on the fire station, we don’t know what change orders will need to be executed. We are being asked to approve this additional $2.7 million without even knowing what the annual cost will be to maintain new tennis courts, a new fire station, a new soccer complex or the annual maintenance cost that will be associated with the amphitheater and farmer’s market.

There was a MTAS study that was updated in 2014 that basically said Arlington needed a second fire company and a second fire station due to the geographic area our department currently covers. This was needed to reduce response times of our emergency personnel, especially when our current company was called to an emergency at some other part of the county. This was a safety issue for our residents. The Fire Station should have been the first project completed; however we are only now beginning to break ground.

I was very uncomfortable when we, the Board, initially approved for the Town to have the ability to borrow the 6 million dollars on a loan for Forrest Street Campus. I shared that discomfort with all of you at the time we voted on the loan. However, I moved forward because I knew we would still get a vote on borrowing on each phase of the project. I also asked the Board to consider a debt policy that I wrote that would basically require the Town to prioritize paying off all loans prior to adding additional capital projects several months ago. I did that because I knew this day was coming. It was evident when we did discuss the proposed policy last May that I did not have support from the Board for passing the policy as proposed. So here we are. We have six Music on the Square events a year. The last two I attended were not overflowing with people, wasn’t overly crowded. We currently have someone who sells farm produce at SY Wilson’s and I’ve never seen this one vendor be overcome with customers. Other municipalities have farmer’s markets in sports complex parking lots or even in church parking lots. There are other options that don’t burden the taxpayer. I believe we should wait on building the amphitheater and farmer’s market for several reasons:

1. We should not be borrowing money for these types of venues. These are clearly wants and not needs. It’s not fair to future taxpayers that will have to pay for this project over the next 20 years. For these types of project, we should wait until we have saved enough cash for the project, like we did for the tennis courts.
2. The second fire station should be our current priority. This is a safety issue for all our residents. We only have estimates and don’t really know the final cost of the station. Once the second station is completed, then we can consider moving forward with another project.
3. We have several new assets in town. The soccer complex, tennis courts, and soon to be a second fire station. We should wait until we know exactly what the annual maintenance cost of these assets are prior to starting another project that will eventually add more workload to our Parks employees and add additional cost to our maintenance budget.
4. We just raised property taxes .22 cents a couple months ago. So right after raising the resident’s taxes we now are going to spend $2.7 million dollars on this project. The tax
increase only took into consideration the additional cost of the 2nd fire company and did not consider the added maintenance cost of all these new assets. We basically told the residents that we don’t have enough money, so we need to raise your taxes. Now just a few months later we are spending more money on the project, which can clearly wait.

5. We are currently waiting on a study from Pavement Management Group concerning the current condition of our roads. This study will help give us a firm representation of our current road conditions and prioritize repaving, repairing, etc. Even before we get the results from the consultant, it appears to me that many of our neighborhood roads are in great need of attention. Maintenance of our roads should be a priority over the project and we need to wait for the results of that study to see if we are going to need to put more money annually towards maintaining our roads.

Would I love to have an amphitheater and farmer’s market? Of course, I would, but these things need to be prioritized and we should save money for these types of projects instead of borrowing money which will cost taxpayers for the next 20 years.

I’ll end with a quote from Dwight Eisenhower; “As quickly as you start spending government money in large amounts, it looks like free money,” It’s not free, the taxpayers are footing the bill. I just can’t vote in favor of this project at this time and these are the reasons why.”

Mayor Wissman responded regarding several topics that were brought up. He noted that Fire Station No.2 has been discussed since the previous study before the one Alderman Biggs mentioned. There has been continuous conversation on how to expand the fire department. The expansion of the current station happened first and now the Town is working towards building the new station. Mayor Wissman noted that there is more than one priority as far as projects go and they are as follows; sewer, roads that were mentioned previously and the fire station. He stated two years ago, the Board agreed to move forward, having 5 new buildings projected for Depot Square. One thing that was discussed with the owners of those buildings was to make sure that Depot Square was a priority for the Town. The Board also stated at the time that depending on the project budget and the ability to complete within the budget the project should go forward.

Mayor Wissman also mentioned that if the Town pieces together projects like the sports complex it will take years to get things accomplished, but instead get projects completed once started. Mayor Wissman noted that the tax increase was for personnel only and there would have been a tax increase regardless of the fire station being built. Mayor Wissman stated he has knocked on many doors of the residents and they all have stated that they would like to see this project completed and they do not want to look at a pile of dirt hoping that the project will be completed one day. This project built out time is at least 18 months away and the fire station will be completed by the time this project is completed. Several projects will need to be completed at one time and if the Town only does one at a time, residents will be waiting on things to be completed for quite a while.

Alderman Biggs responded that he didn’t say that the Town isn’t completing one project at a time, referencing the tennis courts, Phase 1 of Forrest Street, etc. He states that the
Town has a lot going on right now and the Board doesn’t know what the annual maintenance costs will be for this project. He continued to note, that to add another large asset without having a firm grip on the maintenance is an issue. He doesn’t want this to be a situation in two years where the Town is going to have to ask for another tax increase due to adding personnel to maintain these facilities. He noted it would be a wiser to slow down, as he stated that this was giving him the biggest heartburn; borrowing the money for a want not a need and he doesn’t want in 20 years from now that payment to be a burden on future boards.

Alderman Harmon agrees with Alderman Biggs for the most part of his statement, but also agrees that projects need to be done. The fire station was a safety aspect and knowing the money that would be involved was okay with him. Noting that Depot Square, is the heart of the Town Alderman Harmon also stated he is not crazy about spending the money, but something needs to change to bring people into the square. If something is not done for that area, the Town is going to lose the heart of the town. The money being spent does give him heartburn as well, but if something is not done it is going to greatly effect Depot Square. Alderman Harmon suggested that some of the area should be rezoned for retail. If the Town waits to complete this project, it may lose the opportunity to save the square.

Vice Mayor McKee wanted to make note that this project is not political and he is for the project. He stated that if something is not done, the square will suffer. There are some other ideas he also wanted to present for Depot Square but that is for a future meeting. He stated that they all want that small town feeling and the only place it is, is at Depot Square but there needs to be foot traffic. He stated the Board can’t have it both ways, waiting on projects but also wanting to keep the heart of Town a focal point. If the Board doesn’t complete this project, they are telling people that they don’t care about Depot Square.

Vice Mayor stated this is a historical area, and the bid is coming back 800k less then what he thought it was and if money can be saved then build and finish the project. He noted that the Town has a great credit rating; in fact, one that is unheard of for cities our size. He stated that the Town can rebuild programs, like Music on the Square, with this project and there it will be a great benefit. The Board has an opportunity to get the project completed and for trying everything they can to get the square more attractive for foot traffic. He noted he is also with Alderman Harmon that there needs to be more zoning for retail.

Alderman McKee states that he is agrecance with all current statements. He noted he doesn’t want to spend money frivolous but the one building under construction in the square still has two more phases and the owners are watching to see what the Town does. If the Town doesn’t move forward, developers will feel uncomfortable and if they don’t see the commitment of a growing Depot Square, they are going to reconsider their place there. Alderman McKee noted he is for the project and excited about the project. He doesn’t want to see the progress in Depot Square halted.
Alderman Pardue wanted to speak about the functionality of the site. She noted that the Board first approved a loan for 6 million for the need of extra parking especially with soccer using the area, that was Phase 1. Phase 2 is being considered because of the development of the area. Looking at the Phase 2 and how it might compliment the future functions like April in Arlington and Music on the Square and is this space going to accommodate a need and does it fit with the 2013 Depot Square Master Plan. She noted that of the proposed loan amount 1.57 million of it is the buildings and 1.6 million is the parking lot, drainage, walking path, and curbing is part of the proposed budget. Alderman Pardue agrees with Mrs. Wiseman about the maintenance and or management of the buildings. She asked if the Town is going to ask a non-profit or hire a third party to care for the facilities? She stated that now approaching the project with the current balance, she does see the need to address the Depot Square master plan. This project is about maintaining what the Town wants long term with the master plan. She doesn’t think the buildings are needed right now but does agree that they need to get the land ready for future festivals. Alderman Pardue stated that she is a little conflicted, she does want a finished product and have the access between the areas. However, she asks that by removing the buildings, does this put the proposal in a different arena. She agrees with Alderman Biggs that the Town needs to start putting the needs of the Town first and stop allowing some other items take precedence. She states a future library and Town Hall would be more beneficial over the buildings at the Forrest Street. Alderman Pardue states based on what the Town has started and with the intention to develop the area, there is the possibility for the loan to be paid off earlier due to the prospected revenue and would like to see the loan paid off early if it allows. Alderman Pardue agrees in moving forward with this project solely based on the need to have a place for Town events so they are not putting residents in harm’s way.

Alderman Brooks states that he thinks there has been a large commitment of development over the past 4-5 years and these developers are banking on the fact that the Board will make something happen for Depot Square. He stated he does not want to see this project pieced together because it will cost the Town more money. He wants to see growth in the area and this project needs be completed to help.

Mayor Wissman noted that he was glad to hear the master plan for Depot Square was recognized. There are businesses down in the square that want to see the area develop as promised. The Town has 18 months roughly to plan events and to figure out maintenance. He wanted to note that there is going to be more than Music on the Square and it is an area in which can be utilized for many different events, the opportunities are endless, and it is more than a few months of usage for only certain events.

Alderman Pardue wanted to talk about of the option of the Alternate Bid 1. If the Board, choose not to do the farmers market building would it just remain a grassy area? Mr. Hill answered yes. Alderman Pardue noted that there was a farmer’s market in the square and it didn’t do that well so can the proposed building be multi-functional to get some more use out of it and is it going to be a revenue producer? Mrs. Durant stated being a revenue producer is not the intent with this building. The building has been designated as a multi-
use building and it was created to bring more people to the area to use it. The design is interconnected with everything down there; the community garden, the pavilion at the park, the soccer field and now Depot Square. There is a big need for multi-purpose areas and this will give residents another option.

Alderman McKee stated that the building does cost $600 thousand but if the Board decided to do it down the road, they are looking at a situation of roping off a place and tearing up the area to build, which in turn may cost more money.

Mayor Wissman called for a Roll Call vote on the main motion:

Roll Call Vote:

Larry Harmon  Yes
Alderman Pardue  Yes
Alderman McKee  Yes
Alderman Brooks  Yes
Vice Mayor McKee  Yes
Alderman Biggs  No
Mayor Wissman  Yes

Vote on Main Motion  Motion passes 6 -Yes, 1- No.

E. Resolution 2019-47 to authorize Mike Wissman in his capacity as Mayor of the Town of Arlington, Tennessee to enter into an agreement with Powers Hill Design, LLC for Professional Services for Planning Consulting Services.

Mayor Wissman recognized Catherine Durant, Town Administrator. The Town of Arlington published an advertisement for the job description of Town Planner on May 12 and June 16, 2019. The Town received two applications in which they did not fit the needs of what the Town was looking for in an applicant. An advertisement for Request for Proposals for Planning Consulting Services was published in The Commercial Appeal on July 5, 2019 and The Daily News on July 4, 2019 in which the Town of Arlington received sealed proposals until Friday, July 26, 2019 at 1:00pm. At that time, they were opened and distributed to the review committee. A total of 4 proposals were reviewed with the recommended firm being Powers Hill Design, LLC with the overall composite score of 92.4 by the committee. Both Mrs. Durant and Steve Hill have experience working with contractual planners this option will put a little more work on existing staff and they will be responsible for day to day questions.

Mayor Wissman called for a motion

Main Motion: Alderman Brooks made a motion to approve Resolution 2019-47. Alderman McKee seconded the motion.

Mayor called for discussion and questions.
Alderman Harmon asked how long the contract is was good. Mrs. Durant replied that it is an open ended contract. She explained that there would have to be a shift in the economy in order to get someone qualified in the position, as everyone is very vested where they are at the moment. Mayor Wissman stated he also tried to reach out to some neighboring communities to see if there was a planner available, but the time frame isn’t doable. Under the circumstances this is the most ideal for the situation. Mrs. Durant stated that she will be overseeing the department and any planning questions will go through her. Vice Mayor asked since the contract is open ended what is the notification frame if we do get someone in the position, Mrs. Durant stated 30 days.

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

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

**F. Resolution 2019-48 to remove uncollectible taxes from the Town of Arlington’s Certified Rolls.**

Mayor Wissman recognized Catherine Durant, Town Administrator. Seven companies comprised through the Shelby County Trustee’s office totaling $11,998.36 is recommended to be removed as uncollected taxes. Some are due to companies that are no longer in business. With the majority being from the Allen Steel Company. Staff recommends approval.

Mayor Wissman called for a motion.

**Main Motion:**  Alderman Brooks motioned to approve Resolution 2019-48. Alderman Pardue seconded the motion.

Mayor Wissman called for comments or questions. Hearing nothing further Mayor Wissman called for a vote on the motion.

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

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

Mayor Wissman called for a motion to approve.

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

Mayor Wissman called for a vote on the main motion.

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

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

Meeting Adjourned.

Mike Wissman, Mayor

Brittney Owens, Recorder

9/3/19
Date

9/3/19
Date