

**Minutes of the
City Council Work Session
Eagleville City Hall, Eagleville, TN
December 14, 2023**

1) **MAYOR'S WELCOME and CALL TO ORDER** - Mayor Chad Leeman called the meeting to order at 7:00 p.m.

2) **ROLL CALL** – City Recorder Christina Rivas called roll.

PRESENT:

Mayor Chad Leeman
Vice Mayor Bill Tollett
Councilman Ryan Edwards
Councilman Chris Hendrix

ABSENT:

Councilman Jason Blair
Councilman Craig Campbell
Councilman Brandon Emamalie

STAFF:

City Manager Hellyn Riggins
City Recorder Christina Rivas
City Engineer Will Owen
Fire Chief Jonathan Armstrong
Fireman Tayton Hudson

Financial Advisor Mike Walker
City Attorney Stephen Aymett
Police Chief David Breniser
Police Officer Robert Black

3) **MOTION TO ADOPT AMENDED AGENDA**

4) **DISCUSSION**

a. **Discussion of Improvements to Webb Road**

City Manager Hellyn Riggins noted that discussions with Rutherford County regarding Webb Road have been ongoing. She reminded Council that the road itself had not been annexed; only the parcel. Ms. Riggins stated that the County has been unwilling to participate in an Interlocal Agreement due to the road's omission from the annexation.

Ms. Riggins stated that she and Engineer Will Owen of Griggs & Maloney met with developers and engineers of the Webb Road property. She noted that Mr. Owen and the developer's engineers agreed to collaborate to create a plan for improvements to Webb Road to present to Council. Ms. Riggins clarified that if Council was amenable to improvements made by the developer, then the City could approach the County with a new Interlocal Agreement to take possession of the road; thereby allowing development to move forward.

City Attorney Stephen Aymett interjected that after speaking with his fellow city attorneys in Rutherford County, he found that it is standard practice for the County to insist that local municipalities take responsibility for roads that abut annexed areas. He stated that it is his opinion, that the City would be better off taking ownership of the road from the U.S. Highway 41A to the end of the parcel. Mr. Aymett clarified that the Interlocal Agreement the County offered was costly and complex and not in the City's best interests.

Ms. Riggins noted that, initially she wanted to wait and see how the County would proceed as she did not want the City to annex a road that would require immediate improvements. However, in working with Mr. Owen and this developer, she is confident that the best options for the road will be offered.

Discussion clarified that:

- The portion of the road under consideration intersects with U.S. Highway 41A.
 - Rutherford County is in agreement with this option.
- Mayor Leeman expressed that every avenue to work with the County had been exhausted to no avail.
 - New options needed to be considered to move forward and accomplish what would be best for all involved.
- Non-Contiguous Annexation Statute is relatively new.
 - Precedents have not yet been set.

Mr. Owen stated that the following required consideration when annexing a road:

- Whether the road is structurally safe.
 - The type and breadth of repairs required to make it safe.
- How the road compares to the current required cross section for new roads.
 - The width of the road is an integral point of clarification for safety.
 - Does the road cross streams?
 - Would the bridge require an extension to meet the City's standardized road width?
- The road crosses a box culvert of approximately 1,000 feet.
- Parapet wall on current bridge has created blind spots.
 - The blind spots impair a driver's ability to see when turning onto U.S. Highway 41A.

Mr. Owen explained that the Stephenson Farms design team proposed the following:

- Widen Webb Road to a minimum paved width of 24 feet with 2-foot stump shoulders on each side.
 - The City requires a width of 22 feet and 4-foot stump shoulders.
 - He is comfortable with this part of the proposal.
- The road was evaluated for structural integrity and is in good shape.
 - Surface defects are apparent and the road would need to be overlaid in its entirety (4,200+ feet).

Councilman Hendrix queried whether the ditch lines between the creek and the property would need to be changed. Civil Engineering Surveyor James Reed of Site Engineering Consultants, stated that a full depth pavement would be done on the north side nearest the subdivision. Mr. Reed noted that:

- The south side of the road would remain unchanged.
- Some width would be added to the north side of the road, as the width of the road fluctuates.

- Some width would be added to the north side of the road, as the width of the road fluctuates.
- Sloping to the ditch would also be added.
- These measures would be taken in the Right of Way (ROW).

Ms. Riggins noted that this had to be conducted in the ROW as private property could not be infringed upon.

Discussion noted that:

- The culvert came before the subdivision when heading west on Webb Road.
- No improvements were proposed for the box culvert, at this time.
- Developer offered to work with City staff to petition the Tennessee Department of Transportation (TDOT) to address the safety concerns regarding visibility sight triangles at the bridge.
 - The structure belongs to TDOT.
 - The northeast corner of the bridge had the parapet wall reduced to improve visibility.
 - There is potential to raise the road as it approaches U.S. Highway 41A.

Mr. Owen concluded that the applicant had expressed a desire to make some improvements on Webb Road in order to meet the City's requirements for annexation.

Ms. Riggins summarized the widths:

- 24 feet road width with 2-foot shoulders
- 24 feet paved with 2 feet of gravel
- 22 feet road width at box culvert
 - Must be narrowed in this area
- These measurements will run the length of the property.

Mr. Reed expressed that a nice and safe entrance to the subdivision was a goal for the property.

Discussion ensued noting the following:

- Timing of the improvements needs to be determined.
 - Ascertaining the phases of development in conjunction with improvements.
 - The Planning Commission can address this.
- 33 lots are scheduled for the first phase of development.
- The final overlay would need to wait so as not to damage improvements to the road during construction.
- The improvements would need to be bonded with a Letter of Credit.

Charles Waite of the Salem Creek Partnership stated that they are in the permitting process. He explained that the City's issues with the County have derailed their timeline. He stated that his team is amenable to what Mr. Owen and Mr. Reed deemed best and that they would bond the road. He requested that bonds or Letters of Credit be released as, for example, sections are completed. Mr. Waite further requested Council's consideration in determining the timeline and sequencing of the project in order to move forward in the permitting process.

Mayor Leeman stated that he would prefer that the City host a meeting with TDOT. He requested that Mr. Owen and Mr. Reed attend.

Financial Advisor Mike Walker stated that the annexation resolution will be on the agenda for the next Council meeting in January.

b. ORDINANCE 2023-009 AN ORDINANCE AMENDING ORDINANCE NO. 2019-005 TO ESTABLISH A NEW FEE SCHEDULE FOR THE CITY OF EAGLEVILLE, THEREBY RESCINDING ALL PRIOR FEE SCHEDULES REFERENCED IN ORDINANCE 2016-002. (First Reading)

City Manager Hellyn Riggins stated that this amendment would adopt the same fee schedule as Rutherford County. She explained that fees to the City have risen, signaling the need to raise fees in order to recoup what the City spends to provide services.

Ms. Riggins stated that this was an effort to consolidate fees into one ordinance and that it could be revisited annually. She reiterated that this was not to be considered as a way for the City to earn money, but rather cover charges the City incurs.

c. ORDINANCE 2023-010 AN ORDINANCE CREATING SPECIFIC CRITERIA FOR ANNEXATION OF THREE PROPERTIES (Map 120, Parcels 23.03, 23.10, 23.12), COLLEGE GROVE ROAD, KZO FRANKLIN PROPERTIES, LLC (Second Reading/Public Hearing)

City Manager Hellyn Riggins stated that this item is an agreement that takes place prior to annexation in order to address any potential issues and for all parties to know what to expect in the event of an annexation.

Ms. Riggins stated that Celebration Homes expressed their desire to purchase property and requested to build 2,000 square foot, one and two-story homes. It was noted that the City's ordinance required 2,500 square foot, two story homes. She stated that for Council's review, an addition to the ordinance could include the option that not more than 1/3 of the homes could be as little as 2,000 square feet. It was noted that the request included that the homes range from 1 story to 1 ½ stories to 2 story homes.

Ms. Riggins stated that she requested that the homes have architectural features and that the 2,000 square foot option be spread throughout the subdivision. She further noted that Celebration Homes cited that their intent is to meet current markets demands, such as:

- Smaller homes for downsizing
- First floor master bedrooms
- Side entry garages
- Limited vinyl siding with deference for masonry, brick and cement fiberboard

It was noted that:

- Approval of this subdivision did not require a public hearing.
 - The annexation of the land, however, would.
- An ordinance for the subdivision would be attached to the annexation.
- Tonight's discussion would determine the agreement between the City and Celebration Homes.
- The Planning Commission helped draft the original ordinance

- The commissioners had not seen the changes made to the ordinance.
- The draft revisions could be sent back to the commission for review, if necessary.
- When the annexation is confirmed, this ordinance will be attached.

Councilman Edwards asked if it was common practice for the City to be involved with changes to Homeowner Association Covenants, Conditions and Restrictions. Financial Advisor Mike Walker clarified that the clause in the ordinance was protection for the homeowner as well as the City, in the event that the builder did not deliver the product as promised.

Cory Craig of Celebration Homes introduced himself and his business partner, Randall Smith. He stated that they were available for questions and were looking forward to being part of the Eagleville community.

d. RESOLUTION 2023-011 A RESOLUTION OF THE CITY OF EAGLEVILLE, AUTHORIZING PARTICIPATION IN THE CYBER SECURITY MATCHING GRANT PROGRAM WITH PUBLIC ENTITY PARTNERS

City Recorder Christina Rivas explained that the amount that the City would be eligible for was based on the City's premiums with Public Entity Partners (PEP). Ms. Rivas confirmed with PEP that the City's recent purchase of a new server and the timeframe in which it was purchased, qualified for a potential grant of \$250.

e. City Council 2024 Meeting Calendar

City Manager Hellyn Riggins stated that revisiting this item was to allow for Council to have time to review the suggested meeting calendar for any conflicts and provide for potential discussion.

f. Adding President's Day, Monday, February 19, 2024 as a City Holiday

City Manager Hellyn Riggins noted that President's Day was not currently listed as a City holiday, though Council had allowed observance of this holiday in 2023. She stated that adding this holiday to the City's calendar maintained consistency with Rutherford County holidays.

g. Dates of February Work Session and Regular Meeting – Staff and Mayor Conflicts

City Manager Hellyn Riggins stated that the suggested meeting dates for February were the 8th and the 22nd. She explained that both dates provided conflicts for the mayor and staff. Ms. Riggins suggested that the Work and Regular sessions be held concurrently, on February 15, 2024.

Ms. Riggins informed Council that while she is out on leave, Financial Advisor Mike Walker will be available to Council and Staff in her stead.

h. Purchase of New Fire Truck in lieu of Rental Truck

City Manager Hellyn Riggins stated that Eagleville Fire Chief Jonathan Armstrong and Financial Advisor Mike Walker were collaborating on this item. Discussion noted the following regarding the refurbishment of the City's current fire truck:

- Brindlee Mountain would conduct the refurbishment to ensure the truck would be up to code.

- The refurbishment would extend the life of the fire truck by approximately 10 years.
 - While the refurbishment is in progress, another fire truck would need to be rented.
 - The cost to rent and the price of a used fire truck are nearly equal.
- Chief Armstrong is working with Brindlee Mountain to stay within budget.
- The refurbishment was budgeted for up to \$250,000.
 - Chief Armstrong negotiated the cost down to \$200,000.
- The fire truck on loan from Rutherford County has become expensive to maintain.
 - Parts for the truck are no longer available.
- Chief Armstrong has found a used fire truck to purchase in lieu of renting a truck.
 - He negotiated a price of \$50,000.
 - The truck is 20 years old and has 50,000 miles.
 - Parts are available and upon review and inspection, it was determined that this truck had been well taken care of.
 - The used truck would serve as a back up to the main fire truck.
- The International Organization for Standardization (ISO) rating for a fire department is based on pump capacity.
 - Having the truck would increase capacity.

Mayor Leeman noted that the County could request the return of their truck at any time. He stressed that multiple fire houses were being built in the County.

At 8:02 p.m., Vice Mayor Tollett excused himself.

5) **ADJOURNMENT** - As there was no further business to discuss, Mayor Leeman adjourned the meeting at 8:02 p.m.

Submitted by:

Christina Rivas
City Recorder Christina Rivas

Approved by:

[Signature]
Mayor Chad Leeman

Date minutes approved: January 25, 2024