

**CITY OF LEWISBURG
COUNTY OF MARSHALL**

**STATE OF TENNESSEE
OCTOBER 11, 2022**

A **Public Hearing** was held on Tuesday, October 11, 2022, at 5:50 p.m. at Lewisburg City Hall, 131 E. Church Street to hear public opinion and comments concerning the following:

- a. Ordinance 22-25, an Ordinance approving the rezoning of certain property located at 1164 Rodgers Road, from C-2, Intermediate Business to R-2, Medium Density Residential (Mp. 071C, Grp B, Pcl:030.00).
- b. Ordinance 22-26, and Ordinance to amend Title 14, Chapter 1 by adding section 14-104 Planning Staff Approval for five acres lots or less subdivision plats.
- c. Ordinance 22-27, an Ordinance amending Title 10 - Chapter 1, Animal Control of the Municipal Code pertaining to removal of animal excrement on public and private properties not lawfully owned or possessed by the dog owner.

Those present and attending were Mayor Jim Bingham, Councilmen; Joe Bradford, Vickie Michael, Tommy G. Burns, and Patty Parsons. City Manager Bam Haislip, City Recorder Pam Davis, and City Attorney Quinn B. Stewart.

Members Absent: Councilman Peggy Harwell and City Treasurer Jack King.

Mayor Bingham opened the Public Hearing asking for public comments and/or opinions on the above listed item(s).

Comments:

1. Eric Slayter - 1207 Malee Ann Dr., Lewisburg - spoke against Ordinance 22-26 as it relates to five acres or less approval by planning staff only. Mayor Bingham clarified it was not 5 acres but 5 lot or less plats.
2. Barbara Kennedy - 1629 Franklin Pike, Lewisburg - spoke regarding Ordinance 22-27, asking if fines would be imposed and suggested the City provide proper tools for cleanups.

There being no further comments the public hearing closed at 6:00 p.m.

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**STATE OF TENNESSEE
OCTOBER 11, 2022**

The Lewisburg City Council met for their regularly scheduled monthly meeting on Tuesday October 11, 2022, at 6:00 p.m., at Lewisburg City Hall, 131 E. Church Street, Lewisburg Tennessee.

Those present and attending were Mayor Jim Bingham, Councilmen; Joe Bradford, Vickie Michael, Tommy G. Burns, and Patty Parsons. City Manager Bam Haislip, City Recorder Pam Davis, and City Attorney Quinn B. Stewart.

Members Absent: Councilman Peggy Harwell and City Treasurer Jack King.

Mayor Bingham called the meeting to order, welcoming all in attendance.

The Invocation was given by Rick Rolin, pastor of Westvue Church of Christ and Police Chief Scott Braden led the audience in the Pledge of Allegiance.

Item 1. Announcements:

Expressions of appreciation to the following:

- Barbara Woods & Lisa Jackson for decorating the Square for Fall.
- First Commerce Bank for sponsoring the community Christmas Tree.

- a. Introduction of new employees: Codes – Kailey Jackson (absent)
Police – Casey Cordova (absent), Ray Mojica and Chandler Bergh.
Fire – Joedy Brocchini and Justin Barron.

Item 2. Citizen Input:

1. Caludia Harris – 1926 Hunters Run, Lewisburg, Blair Glenn – 808 Orchard St., Lewisburg, Janeece Nelson – 2455 Wright Rd., Cornersville, TN, Addressed Council regarding the Pool Heaters at Lewisburg Recreation Center continuing to be down and how effects those citizens that use it for daily exercise.
2. Barbara Kennedy – 1629 Franklin Pike, Lewisburg. addressed Council on concerns of rapid development in the City, Current traffic issue on Franklin Pike, North of Oak Grove School and that Savannah Lakes development will increase this problem, asked for a re-write of plans for Savannah Lakes, suggested the City develop a Mission Plan and inquired had advertising for Savannah Lakes been done correctly.
3. Ricky Joe Taylor – 224 4th Ave. N., Lewisburg, addressed Council regarding the spread of misinformation about City Government and City Departments by Councilman Joe Bradford. Made request that Councilman Bradford be Censured for defamation of the City. Issued Councilmembers a written copy of his claims (attached for record).
4. Sheree Williams – 1909 Sugar Maple Dr., Lewisburg, Commented on a conversation she previously had with Mayor Jim Bingham, stating it was an opinion that the Council does not want the culture to change here, therefore keeping the City from growing and adding more amenities for the citizens to have here. Ask the question to the Council do they agree with the statement they do not want a culture change here.
5. Eric Slayter – 1207 Malee Ann Dr., Lewisburg, commented on rapid growth and how it could be a detriment to the City's future, using Columbia as an example, further stating there will be a housing bubble.

Item 3. Approval of Minutes:

Motion was made by Councilman Bradford, seconded by Councilman Parsons to approve the minutes from the regular Council meeting on September 13, 2022.

Upon a roll call vote:

Councilman Burns – Aye
Councilman Bradford – Aye
Councilman Michael – Aye
Councilman Parsons – Aye

Motion passes 4-0

Item 4. Approval of Bills and Financial Statement:

Motion was made by Councilman Burns, seconded by Councilman Michael to approve the September bills and the August financial statement.

Upon a roll call vote:

Councilman Burns – Aye
Councilman Bradford – Aye
Councilman Michael – Aye
Councilman Parsons – Aye

Motion passes 4-0

Item 5. Old Business:

- a. **Consider approval of 2nd and final reading of Ordinance 22-25, an Ordinance approving the rezoning of certain property located at 1164 Rodgers Road, from C-2, Intermediate Business to R-2, Medium Density Residential (Mp. 071C, Grp B, Pcl:030.00).**

Motion was made by Councilman Burns, seconded by Councilman Parsons to approve the 2nd and final reading of Ordinance 22-25, an Ordinance approving the rezoning of certain property located at 1164 Rodgers Road, from C-2, Intermediate Business to R-2, Medium Density Residential (Mp. 071C, Grp B, Pcl:030.00).

Upon a roll call vote:

Councilman Burns - Aye
Councilman Bradford - Aye
Councilman Michael - Aye
Councilman Parsons - Aye

Motion passes 4-0

- b. **Consider approval of 2nd and final reading of Ordinance 22-26, and Ordinance to amend Title 14, Chapter 1 by adding section 14-104 Planning Staff Approval for five lots or less subdivision plats.**

Motion was made by Councilman Parsons, seconded by Councilman Michael to approve the 2nd and final reading of Ordinance 22-26, and Ordinance to amend Title 14, Chapter 1 by adding section 14-104 Planning Staff Approval for five lots or less subdivision plats.

Upon a roll call vote:

Councilman Burns - Aye
Councilman Bradford - Aye
Councilman Michael - Aye
Councilman Parsons - Aye

Motion passes 4-0

- c. **Consider approval of 2nd and final reading of Ordinance 22-27, an Ordinance amending Title 10 - Chapter 1, Animal Control of the Municipal Code pertaining to removal of animal excrement on public and private properties not lawfully owned or possessed by the dog owner.**

Motion was made by Councilman Bradford, seconded by Councilman Parsons to approve the 2nd and final reading of Ordinance 22-27, an Ordinance amending Title 10 - Chapter 1, Animal Control of the Municipal Code pertaining to removal of animal excrement on public and private properties not lawfully owned or possessed by the dog owner.

Upon a roll call vote:

Councilman Burns - Aye
Councilman Bradford - Aye
Councilman Michael - Aye
Councilman Parsons - Aye

Motion passes 4-0

Item 6. New Business:

- a. **Consider approval of Resolution 22-42 to amend the City of Lewisburg's personnel policy relating to Advanced Sick Leave.**

Motion was made by Councilman Michael, seconded by Councilman Parsons to approve Resolution 22-42 to amend the City of Lewisburg's personnel policy relating to Advanced Sick Leave.

Upon a roll call vote:

Councilman Burns - Aye
Councilman Bradford - Aye
Councilman Michael - Aye
Councilman Parsons - Aye

Motion passes 4-0

- b. Consider approval of Resolution 22-43 to amend the City of Lewisburg's personnel policy relating to Vacation cash out option (elimination).**

Motion was made by Councilman Parsons, seconded by Councilman Michael to approve Resolution 22-43 to amend the City of Lewisburg's personnel policy relating to Vacation cash out option (elimination).

Discussion: Councilman Bradford reported that he had received emails from 7 employees asking for a Hybrid Policy asking that it be written to maintain the cash option as well as a roll-over option. City Manager Haislip explained this was a policy that he had never seen, and most employers do not have due in part to the extra financial burden that is attached as well as discourages employees to take much needed time off away from work to have a work-life balance.

Upon a roll call vote:

Councilman Burns - Aye
Councilman Bradford - Nay
Councilman Michael - Aye
Councilman Parsons - Aye

Motion passes 3-1

- c. Consider approval of Resolution 22-44 to sell surplus Parks & Recreation equipment via internet auction GovDeals.**

Motion was made by Councilman Parsons, seconded by Councilman Bradford to approve Resolution 22-44 to sell surplus Parks & Recreation equipment via internet auction GovDeals.

Upon a roll call vote:

Councilman Burns - Aye
Councilman Bradford - Aye
Councilman Michael - Aye
Councilman Parsons - Aye

Motion passes 4-0

- d. Consider approval of Pilot Resolution 22-45 for Lewisburg Gas Department for F.Y.E. 6-30-2023 om the amount of \$189,256.11 dollars.**

Motion was made by Councilman Michael, seconded by Councilman Burns to approve Pilot Resolution 22-45 for Lewisburg Gas Department for F.Y.E. 6-30-2023 om the amount of \$189,256.11 dollars.

Upon a roll call vote:

Councilman Burns - Aye
Councilman Bradford - Aye
Councilman Michael - Aye
Councilman Parsons - Abstained

Motion passes 3-1

- e. Consider approval of 1st reading of Annexation Resolution 22-28, a resolution approving the annexation and rezoning by consent of owners' request of property located at 1480 New Columbia Hwy., Map, 057, Pcl:1.00, approx. 83 acres for the purpose of expansion of Savannah Lakes Subdivision located at 1703 Franklin Pike, Map 057, Pcl:188.00 and rezoning from "R-1" Low-Density Residential to "LDRPUD" Low-Density Residential Planned Unit Development Owner - Helen Goodman, Developer - Thomas Adkins.**

Motion was made by Councilman Parsons, seconded by Councilman Burns to approve the 1st reading of Annexation Resolution 22-28, a resolution approving the annexation and rezoning by consent of owners' request of property located at 1480 New Columbia Hwy., Map, 057, Pcl:1.00, approx. 83 acres for the purpose of expansion of Savannah Lakes Subdivision located at 1703 Franklin Pike, Map 057, Pcl:188.00 and rezoning from "R-1" Low-Density Residential to "LDRPUD" Low-Density Residential Planned Unit Development Owner - Helen Goodman, Developer - Thomas Adkins.

Discussion: Councilman Burns called upon the developers (T-Square Engineering) who were in the audience to inquire of and confirm the completed studies relating to roads (turning lanes), wetlands and financial responsibilities. Developers confirmed that the same studies were conducted that were performed on the original Franklin Pike project.

Upon a roll call vote:

Councilman Burns - Nay
Councilman Bradford - Nay
Councilman Michael - Nay
Councilman Parsons - Aye

Motion FAILS 3-1

- f. **Consider approval of 1st reading of Ordinance 22-29, an ordinance by consent of owners' request to rezone property located at 1351 Old Belfast Road, Map 071, Pcl:020.00 from "C-2", Intermediate Business to "R-3", High Density Residential for the purpose of development of a quantity of two (2) 6-plex or 6-unit multi-family residential structure. Owner - Billy Calahan, Developer Rodney Calahan.**

Motion was made by Councilman Michael, seconded by Councilman Burns to approve the 1st reading of Ordinance 22-29, an ordinance by consent of owners' request to rezone property located at 1351 Old Belfast Road, Map 071, Pcl:020.00 from "C-2", Intermediate Business to "R-3", High Density Residential for the purpose of development of a quantity of two (2) 6-plex or 6-unit multi-family residential structure. Owner - Billy Calahan, Developer Rodney Calahan.

Upon a roll call vote:

Councilman Burns - Aye
Councilman Bradford - Aye
Councilman Michael - Aye
Councilman Parsons - Aye

Motion passes 4-0

- g. **Consider approval of 1st reading of Ordinance 22-30, an ordinance by consent of owners' request to rezone property located at 914 West Commerce Street, Map 063L, Grp. C, Pcl:001.00 from "C-2", Intermediate Business to "R-3", High Density Residential for the purpose of a residential structure. Owner - Barry Hooten.**

Motion was made by Councilman Parsons, seconded by Councilman Michael to approve the 1st reading of Ordinance 22-30, an ordinance by consent of owners' request to rezone property located at 914 West Commerce Street, Map 063L, Grp. C, Pcl:001.00 from "C-2", Intermediate Business to "R-3", High Density Residential for the purpose of a residential structure. Owner - Barry Hooten.

Upon a roll call vote:

Councilman Burns - Aye
Councilman Bradford - Aye
Councilman Michael - Aye
Councilman Parsons - Aye

Motion passes 4-0

- h. Consider approval of 1st reading of Ordinance 22-31, an ordinance by consent of owners' request to rezone property located at 224 3rd Avenue N., Map 064I, Grp. F, Pcl:024.00 from "C-2", Intermediate Business to "R-3", High Density Residential for the purpose of a single-family residential structure. Owner - Angie Binkley Burditt.**

Motion was made by Councilman Burns, seconded by Councilman Parsons to approve the 1st reading of Ordinance 22-31, an ordinance by consent of owners' request to rezone property located at 224 3rd Avenue N., Map 064I, Grp. F, Pcl:024.00 from "C-2", Intermediate Business to "R-3", High Density Residential for the purpose of a single-family residential structure. Owner - Angie Binkley Burditt.

Upon a roll call vote:

Councilman Burns - Aye
Councilman Bradford - Aye
Councilman Michael - Aye
Councilman Parsons - Aye

Motion passes 4-0

- i. Consider approval of 1st reading of Ordinance 22-32, an ordinance by consent of owners' request to rezone property located at West Ellington Parkway, Map 056, Pcl:068.00, Map 056, Pcl:069.00 and Map 063, Pcl:003.00, approx. 70.38 acres from "C-4", Medical/Professional, "R-2", Medium Density Residential, and "R-1", Low Density Residential to "LDRPUD" Low-Density Residential Planned Unit Development for the purpose of development of West Ellington Ridge Subdivision. Owners - Talitha B. & Joe B. Liggett, John B. & Timothy L. Looney, and William George, Developer - Blake Arnold.**

Motion was made by Councilman Parsons, seconded by Councilman Michael to approve the 1st reading of Ordinance 22-32, an ordinance by consent of owners' request to rezone property located at West Ellington Parkway, Map 056, Pcl:068.00, Map 056, Pcl:069.00 and Map 063, Pcl:003.00, approx. 70.38 acres from "C-4", Medical/Professional, "R-2", Medium Density Residential, and "R-1", Low Density Residential to "LDRPUD" Low-Density Residential Planned Unit Development for the purpose of development of West Ellington Ridge Subdivision. Owners - Talitha B. & Joe B. Liggett, John B. & Timothy L. Looney, and William George, Developer - Blake Arnold.

Upon a roll call vote:

Councilman Burns - Aye
Councilman Bradford - Aye
Councilman Michael - Aye
Councilman Parsons - Aye

Motion passes 4-0

- j. Consider approval of 1st reading of Ordinance 22-33, an ordinance by consent of owners' request to rezone property located at 1438 Holly Grove Road, Map 057, Pcl:105.00, approx. 72.5 acres from "R-1", Low-Density Residential to "LDRPUD" Low-Density Residential Planned Unit Development for the purpose of development of Holly Grove Meadows Subdivision. Owner/Developer Blake Arnold.**

Motion was made by Councilman Parsons, seconded by Councilman Michael to approve the 1st reading of Ordinance 22-33, an ordinance by consent of owners' request to rezone property located at 1438 Holly Grove Road, Map 057, Pcl:105.00, approx. 72.5 acres from "R-1", Low-Density Residential to "LDRPUD" Low-Density Residential Planned Unit Development for the purpose of development of Holly Grove Meadows Subdivision. Owner/Developer Blake Arnold.

Upon a roll call vote:

Councilman Burns - Aye
Councilman Bradford - Nay
Councilman Michael - Aye
Councilman Parsons - Aye

Motion passes 3-1

- k. **Consider approval of 1st reading of Ordinance 22-34, an Ordinance declaring partial abandonment of unnamed Alley off of Forrest Street.**

Motion was made by Councilman Parsons, seconded by Councilman Michael to approve the 1st reading of Ordinance 22-34, an Ordinance declaring partial abandonment of unnamed Alley off of Forrest Street.

Discussion: Councilman Burns confirmed that this was at the City Attorney's request. Answer was affirmed.

Upon a roll call vote:

Councilman Burns - Aye
Councilman Bradford - Aye
Councilman Michael - Aye
Councilman Parsons - Aye

Motion passes 4-0

- l. **Consider approval of 1st reading of Ordinance 22-35, an Ordinance to amend the City of Lewisburg Zoning Ordinance, Article V; Section 5.051 - Residential Districts; Section 5.051.3 - D.1. Minimum Lot Size as it pertains to Lot Width at Building Setback Line, amending to 50 feet.**

Motion was made by Councilman Michael, seconded by Councilman Parsons to approve the 1st reading of Ordinance 22-35, an Ordinance to amend the City of Lewisburg Zoning Ordinance, Article V; Section 5.051 - Residential Districts; Section 5.051.3 - D.1. Minimum Lot Size as it pertains to Lot Width at Building Setback Line, amending to 50 feet. \

Upon a roll call vote:

Councilman Burns - Aye
Councilman Bradford - Aye
Councilman Michael - Aye
Councilman Parsons - Aye

Motion passes 4-0

- m. **Report Update on notifications to owners of buildings located around the square that has visible code violations.**

Director of Planning/Zoning & Codes Lueshell Taylor gave an update on property owners around the square that have been issued violation notices.

- n. **Consider approval of Resolution 22-46 to make application for the State of Tennessee Department of Health "CARES" Grant for improvements within the parks and recreation department.**

Discussion: This was a late item to the agenda. Director Cary Whitesell educated the Council on the content of the grant and the plans if awarded. After discussion Council requested the Resolution be amended to include all parks (not just Harmon Park) and to add statement acceptance of grant would be based on City funding availability.

Councilman Michael asked Director Whitesell to also inquire if it is allowed to apply for multiple tiers of the grant.

Motion was made by Councilman Parsons, seconded by Councilman Bradford to approve Resolution 22-46 as amended to make application for the State of Tennessee Department of Health "CARES" Grant for improvements within the parks and recreation department.

Upon a roll call vote:

Councilman Burns - Aye
Councilman Bradford - Aye
Councilman Michael - Aye
Councilman Parsons - Aye

Motion passes 4-0

Item 7. Other Business:

- a. Update on Economic Development - No Report**
- b. Directors Reports:** reports were given by the following department directors and or assistant directors, Police, Fire, and Parks & Recreation.

There being no further business to come before the Council, the regular monthly meeting of the Mayor & Council for the City of Lewisburg adjourned a 7:26p.m.

Jim Bingham, Mayor

Attest: Pamela R. Davis,
City Recorder