



Public Hearing 6:15 PM

Citizens Comments limited to three (3) minutes per person - Ordinance 2023-15

Mayor Maness called the Public Hearing to order at 6:18 PM

Mark Hiensley, Mt. Juliet West Wilson Chamber of Commerce: Thanked everyone for attending the meeting. We all want nice well kept banners. The businesses would like to be able to advertise so the public can see what is happening. Quoted sales tax figures since 2019, which have begun to decline. It is tough for the Small businesses that have a small margin. Questioned why the sign ordinance would be on the Consent Agenda.

Mayor Maness stated he will request under Set Agenda that this be removed from the Consent Agenda.

Julie Rusewald, Mt. Juliet West Wilson Chamber of Commerce, 14625 Lebanon Road: Concerned over changes to Temporary Signs for the small businesses. Work on the ordinance to get it correct.

A. Public Hearing Notice - 6:15 PM

0459

Sponsors: Board of Commissioners, City Manager Kenny Martin

Attachments:

1. Call to Order & Declare a Quorum Present

Mayor Maness called the January 8, 2024 regular meeting of the Board of Commissioners to order and declared a quorum present.

2. Set Agenda

Mayor requested items 8C and 8D (Golden Bear Place) be removed from Consent and considered after the consent agenda, and to remove the 8A.(Sign Ordinance) off of the consent agenda. No objections voiced.

Present: Bill Trivett, James Maness, Jennifer Milele, Ray Justice, and Scott Hefner

3. Invocation & Pledge of Allegiance

City Manager Martin led the invocation and Pledge of Allegiance.

4. Approval of Minutes

4.A. Approval of December 11, 2023 Minutes**0458****Sponsors:** Board of Commissioners, City Manager Kenny Martin**Attachments:** [Minutes 12-11-23](#)

A motion was made by Trivett, seconded by Hefner, that this Minutes be approved.
The motion carried by the following vote:

RESULT: APPROVED**MOVER:** Bill Trivett**SECONDER:** Scott Hefner**Aye:** Trivett, Maness, Milele, Justice, and Hefner**5. Citizens Comments**

Citizens Comment Limited to three (3) minutes per person - Ordinance 2008-24

Sebastion Ballot, 903 Easton Drive: Thanked staff for help with Jones Development. His street is now a cut thru and creating a safety issue. Baird Farms, speed humps and enforcement have been added. Requested additional stop signs and speed humps

Rosslyn Ballard, 903 Easton Drive: Read her statement about the speeding traffic.

Owner of the Nook: Stated concern over the banners and signs on public property, school groups, etc. Concerned over the prohibition of Christmas Lights inside the windows. Thsi attracts customers and is festive.

Vince King, 4th Avenue: Expressed concerns over the Ethics Complaints. One was dismissed without a public meeting. He requested the information and was given the complaint and the rebuttal. He requested the minutes, attendees and votes. He was told by the City Attorney that there is no documentation. There was a ghost meeting held and no one knows what happened. Citizens deserve more transparency. We need to be transparent and correct.

Buzz Steele, Representing Realtors: Questioned why items not changing are being restated.. They aren't enforced on weekends since staff is off duty. We want to support the City and have a seat at the table.

6. Commissioner Reports & Comments

Commissioner Jennifer Milele: Happy New Year, thanked everyone for coming out. She uses Social Media platforms to communicate with all persons in her district, the city and county. She is currently suspended on NextDoor until 1/13/24. TDOT public information meeting on Providence South will be 2/29 from 5 p.m - 7 p.m. at Providence Church. The public is encouraged to attend. This is primarily about the interchange. Thanked Mr. King on his comments regarding the Ethics Commission. She was also disappointed. Speeding is an issue all over the city. Explained how the Police and Public Works conduct a Speed Study and criteria to forward to the Traffic Commission.

Commissioner Justice: Hoped everyone had a Merry Christmas and Happy New Year. Stated that the last revision of the Sign Ordinance was in 2018. It was a process, then we were sued and had to make changes. This is not a pleasant experience. The staff at City Hall work daily on changes that benefit the residents and businesses. There is lots of dedication and knowledge that goes into this. Staff bring this to the BoC. The BoC gets with the businesses. Changes will be made. There are NO changes in the Real Estate signs in what is on the table. His goal is for Mt. Juliet to be Safe place, nice place and fun place to live. We do not have a property tax that does nothing but help fund the Fire Department. We want to keep it that way. We want the businesses to be successful. The staff at City Hall is trying every way possible to keep things great.

Vice Mayor Bill Trivett: Thanks to everyone that came out. Happy New Year. The sign ordinance has been very passionate. The staff are the subject matter experts. When we ask them to evaluate, no one wants to hinder the businesses. Safety is his main concern. Would like more information on safety concerns. Parks Department has done a great job in allowing tree drop off at our parks. Father/Daughter Dance sold out.

Commissioner Scott Hefner: Thanked everyone for coming out. Happy New Year. Thanked City Manager Martin and staff for attending the Kelsy Glen in his place, when he was out of town. Shout out to Public Works Director Matt White and staff on applying for and being awarded a grant close to \$1million to help with the signals on Mt. Juliet Road. This is a very needed enhancement. Thanks for efforts. Requested that Mr. King and everyone not only get out and vote but to step up and pull a petition and run for an office. Loves this City and this job and helping the citizens. Get out and vote.

Mayor Maness: Thanked everyone for attending. Mt. Juliet probably has the lowest property tax for a full service city in the state of TN, and we provide Fire Service. we have an exciting 2024 coming with things that can be done better. We will continue to make Mt. Juliet the great city it is.

7. City Manager's Report

City Manager Kenny Martin gave a Shout out to Public Works and the entire staff. Encourages everyone to study Sir Robert Peel. If we let blight creep into our community it does not take long for it to change the community. Encouraged everyone to Shop Local. We want our businesses to succeed. His concern about banners is not against the business owner it is about safety. The speeders in subdivisions are disrespecting the residents. Be respectful of each other. People throwing trash out are disrespectful. People plus respect = harmony. OK with the banner ordinance to remain as it is if he can get a commitment that we follow the rules. If you don't bury the poles deep enough and tie it down well it can cause an accident. We do not want the city to become blighted, if it feels blighted people don't feel safe. We try to do things in the best interest of the community. Please call the codes department for help in placing a banner safely. We have banners and rebar flying into cars due to high wind. The city has even had stop sign damage cars due to bolts being loose. Thanked TDOT for \$150 million in projects to be spent in Mt. Juliet. If we offended anyone we will try to do better. If Codes see a banner in the RoW they will remove it without issuing a citation.. Mr. King staff doesn't handle Ethics issues.

Gino Marchetti: Stated the Ethics Commission has had 3 resignations in the last 48 hours. The meeting that was scheduled for tomorrow is being continued to a future date. He has recused himself from the Ethic Commisison due to representing these BoC. Mr. Bill Farmer is special counsel to the Ethics Commission and he has postponed the meeting. He is working on a report concerning the dismissal of the complaints on the 3 Commissioners.

8. Unfinished Business Consent Agenda Items:

8.B. AN ORDINANCE TO REZONE THE PROPERTY KNOWN AS 330 W. DIVISION STREET, MAP 073L, GROUP C, PARCEL 002.00, FROM OPS TO CTC

0408

Sponsors: Planning Commission Positive Recommendation

Attachments: [330 W. Division St. RZ SR](#)
[330 W Division St RZ ORD](#)
[330 W. Division Legal Description](#)
[330 W Division St Exhibit B Rezone 10 17 23](#)

8B (Rezone 330 W. Division) 8 F (Amend FY 23/24 Budget Golden Bear & Volunteer Blvd. Traffic Signal)

A motion was made by Maness, seconded by Trivett, that these Ordinances be adopted by Consent Vote. The motion carried by the following vote:

RESULT: ADOPTED

MOVER: James Maness

SECONDER: Bill Trivett

Aye: Trivett, Maness, Milele, Justice, and Hefner
Enactment No: 2024-01

8.F. AN ORDINANCE AMENDING THE FISCAL YEAR 2023/2024 BUDGET ORDINANCE 2023-24 TO ACCEPT AND APPROPRIATE GRANT FUNDS FOR THE GOLDEN BEAR AND VOLUNTEER BLVD TRAFFIC SIGNAL PROJECT **0434**

Sponsors: City Manager Kenny Martin

Attachments: [2023-12-11- Amend Under Armor SIA Capital Proj budget for grant awards](#)
[2023-12-11- Amend Under Armor SIA Capital Proj budget - Exec Summary](#)

A motion was made by Maness, seconded by Trivett, that these Ordinances be adopted by Consent Vote. The motion carried by the following vote:

RESULT: ADOPTED

MOVER: James Maness

SECONDER: Bill Trivett

Aye: Trivett, Maness, Milele, Justice, and Hefner
Enactment No: 2024-02

8.C. AN ORDINANCE TO AMEND THE LAND USE PLAN FOR THE PROPERTY KNOWN AS GOLDEN BEAR PLACE LOCATED AT 4403 AND 4515 BECKWITH ROAD MAP 78, PARCELS P/O 12, 17.01, 17.02, FROM INTERSTATE COMMERCIAL TO INTERSTATE COMMERCIAL, MIXED USE, BUSINESS DEVELOPMENT CENTER AND HIGH DENSITY RESIDENTIAL. **0418**

Sponsors: Planning Commission Positive Recommendation

Attachments: [Golden Bear Place KP- LUA Ord](#)
[Golden Bear Place KP Legal Description](#)
[Golden Bear PLace KP Map LU](#)
[Golden Bear Place KP Deferral from BOC to 11-27-2023](#)

Items 8C and 8D were considered together (Amend the Land Use for Golden Bear Place).

A motion was made by Milele, seconded by Trivett, that this Ordinance be adopted. The motion carried by the following vote:

RESULT: ADOPTED

MOVER: Jennifer Milele

SECONDER: Bill Trivett

Aye: Trivett, Maness, Milele, Justice, and Hefner
Enactment No: 2024-03

8.D. AN ORDINANCE TO REZONE APPROXIMATELY 81.61 ACRES OF PROPERTY ON BECKWITH ROAD, MAP 078, P/O PARCEL 12, 17.01 AND 17.02 FROM CI, CI-PUD AND CRC-PUD TO COMMERCIAL MIXED USE, PLANNED UNIT DEVELOPMENT (CMU-PUD) AND TO AMEND THE PRELIMINARY MASTER DEVELOPMENT PLAN FOR GOLDEN BEAR PLACE

0419

Sponsors: Planning Commission Positive Recommendation

Attachments: [Golden Bear Place KP Revised SR](#)
[Golden Bear Place KP PMDP Ord](#)
[Golden Bear Place KP PMDP Legal Description](#)
[Golden Bear Place KP Map Rezone PUD](#)
[Golden Bear Place KP ORd 2017-04](#)

Motion made by Commissioner Justice to amend said ordinance:

"The Developer commits to contribute \$7,500 per residential unit within the development. This includes a \$2,500 per-unit credit for the improvements to Golden Bear Gateway, and Old Beckwith Road that are constructed by the developer. The remaining \$5,000. per-unit contributions shall be dedicated toward public improvements and/or associated roadway projects in the project vicinity and/or E. Division Street" GBG, 2nd by Mayor Maness.

Vote Yea: Unanimous (1st Amendment)

It was agreed to also replace "and" with "and/or" (E. Division) and the end of the amendment. (No objections voiced)

Back on original Ordinance as once Amended:

Motion made by Commissioner Justice to amend said Ordinance to state: " Allow deviations from the sign ordinance to allow the building signage as shown on the attached building elevations. (Increased number of signs and size of signs). Storage Facility: North Wall (150 sf), South Wall (150 sf.), East Wall (150 sf.)

Bowling Alley: North Wall (500 sf.), South Wall (100 sf.), East Wall (500 sf. [One large and One small])

Variance to increase maximum size from 300 sf. to 500 sf., and number of permitted signs on one wall.

To allow offsite monument signage at locations shown on C2.01.

To allow project monument signage as shown on C4.01, Three (3) signs to be 25 ft. tall, Three (3) signs to be 15 ft. tall. To allow sign face area as shown on C4.01", 2nd by Mayor Maness.

Vote Yea: Unanimous (2nd Amendment)

Back on original Ordinance as twice Amended:

Motion made by Commissioner Hefner to "To allow maximum building height allowed within the CRC, CI and CMU districts from 35' to 70' or 6 stories. All areas of the PUD are within 1/2 mile of the Beckwith Road Interchange. Height exemption shall be for Office, Hotel and Multi-family uses."

"Allow omission of a portion of the required perimeter fence for Area D, on the east side

of the site along the creek buffer, and Area E on the west side along the creek buffer."

"Allow deviation from the material standards for Area D, E and F to allow up to 30% secondary materials on each facade. Should a site wish to exceed 30% secondary material (if approved) they shall revisit BoC for PUD Amendment"

"Allow roof top mounted HVAC units within the multi-family portions of the development. All roof top mounted equipment will be screened with parapet walls or approved alternate.", 2nd by Mayor Maness.

Vote Yea: Unanimous (3rd Amendment)

Back on original Ordinance as Amended three times:

Motion made by Vice Mayor Trivett that "the roundabout shown on the neighbors property be removed from the plans, (error on plans)".

"From the staff report items a-e under Animal Care and Veterinary Services:

a. All animal care use shall occur in completely walled and roofed structures, except that completely fenced exercise yards may be provided as specified in subpart b of this section, below.

b. Exercise yards shall be completely fenced and screened from all abutting lots and streets. Exercise yards shall not be used for overnight accommodations. The use of exercise yards shall be restricted to the hours of 8:00 a.m. to 8:00 p.m.

c. Animal care boarding facilities shall be restricted to domesticated animals that have an adult weight not exceeding 200 pounds.

d. The design of animal care facilities shall provide for the off-street pickup and drop-off of animals.

e. Animal care, veterinary office and services shall be strictly prohibited should the lot on which the facility is situated adjoin any residentially zoned property unless the residential property is unoccupied.", 2nd by Commissioner Milele.

Vote Yea: Unanimous (4th Amendment)

Back on original Ordinance as amended four times:

Motion made by Commissioner Milele that "area E be clarified as age restricted 55 and above, and if area F is not developed commercially as Assisted Living it would be 55 plus". Joe Haddix, CSDG stated they would agree to 55 plus.

Vote Yea: Unanimous (5th Amendment)

Back on original Ordinance as amended five times:

Discussion was held on if the Bowling Alley fell through. Director of Economic Development Jennifer Hamblen stated if the use is different than listed on the PUD it would have to come back. Ex: If a skating rink it would not have to come back.

However, the Industrial Uses have been pulled out in the PUD document.

Motion made by Mayor Maness to state "if the Bowling Alley falls through this will come back as a major amendment, 2nd by Commissioner Hefner.

Vote Yea: Unanimous (6th Amendment)

Back on Ordinance as six times amended:

Vote on items 8C and 8 D: Yea: Unanimous

A motion was made by Milele, seconded by Trivett, that this Ordinance be adopted.

The motion carried by the following vote:

RESULT: ADOPTED

MOVER: Jennifer Milele

SECONDER: Bill Trivett

Aye: Trivett, Maness, Milele, Justice, and Hefner

Enactment No: 2024-04

8.E. AN ORDINANCE AMENDING PART B OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF MT. JULIET, TENNESSEE, KNOWN AS THE ZONING REGULATIONS (ORDINANCE 2001-29), ADOPTED OCTOBER 8, 2001, AS AMENDED, BY AMENDING ARTICLE III, USE REGULATIONS ADDING SECTION 3-108, TEMPORARY EVENTS, USES AND PORTABLE BUILDINGS, TO INCLUDE MOBILE FOOD VENDOR (FOOD TRUCKS) REGULATIONS FOR RESIDENTIAL AND INDUSTRIAL DISTRICTS

0431

Sponsors: City Manager Kenny Martin

Attachments: [Mobile Food Vendor Amend Ord](#)

Motion made by Commissioner Milele to amend said ordinance to extend the sunset clause until 7/31/24 as the trial period., 2nd by Commissioner Hefner.

Vote on Amendment to extend the Sunset Clause to 7/31/24:

Yea: Unanimous

A motion was made by Commissioner Justice, seconded by Commissioner Milele, that this Ordinance be adopted. The motion carried by the following vote:

RESULT: ADOPTED

MOVER: Ray Justice

SECONDER: Jennifer Milele

Aye: Trivett, Maness, Milele, Justice, and Hefner

Enactment No: 2024-05

- 8.A. AN ORDINANCE AMENDING PART B OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF MT. JULIET, TENNESSEE, KNOWN AS THE ZONING REGULATIONS (ORDINANCE 2001-29), ADOPTED OCTOBER 8, 2001, AS AMENDED, ARTICLE 11 SIGNS**

0375

Sponsors: Planning and Zoning, Kenny Howell

Attachments: [Article VI, Sign Regulations ZOA SR Summary of Sign Regulations Revision 2023 Ordinance](#)
[Sign Reg Rev 12.6.23](#)

Fails for lack of 2nd

This Ordinance fails for lack of a 2nd.

RESULT: NO MOTION MADE

MOVER: Bill Trivett

11. New Business

Ordinances - 1st Reading

- 11.A. AN ORDINANCE TO AMEND THE PRELIMINARY MASTER DEVELOPMENT PLAN (PMDP) FOR THE PROVIDENCE PLANNED UNIT DEVELOPMENT (PUD), LOCATED AT 80 BELINDA PARKWAY, MAP 096, PARCEL 001.11, IN THE CITY OF MT. JULIET, WILSON COUNTY, TN**

0452

Sponsors: Planning Commission Positive Recommendation

Attachments: [Homewood Suites PUD Amend SR](#)
[Homewood Suites PUD Amend ORD](#)
[Legal Description Homewood Suites](#)
[Homewood Suites PUD Amendment Exhibit B 12 14 23](#)

A motion was made by Commissioner Milele, seconded by Vice Mayor Trivett, that this Ordinance be recommended for approval to the Board of Commissioners, on meeting date of 2/12/2024. The motion carried by the following vote:

RESULT: RECOMMENDED FOR APPROVAL

MOVER: Jennifer Milele

SECONDER: Bill Trivett

Aye: Trivett, Maness, Milele, Justice, and Hefner

11.B. AN ORDINANCE TO AMEND THE PRELIMINARY MASTER DEVELOPMENT PLAN (PMDP) FOR THE MT. JULIET COMMONS PLANNED UNIT DEVELOPMENT (PUD), BEING LOCATED AT 12950 LEBANON ROAD, MAP 053, PARCEL 109.00 IN THE CITY OF MT. JULIET, WILSON COUNTY, TN.

0456

Sponsors: Planning Commission Positive Recommendation

Attachments: [MJ Commons PUD Amend SR](#)
[MJ Commons PUD Amend ORD](#)
[MJ Commons Legal Description Exhibit A](#)
[MJ Commons PUD Amendment Exhibit B 12 14 23](#)

Motion made by Commissioner Justice that "vet sevices shall be fully enclosed in the primary building", 2nd by Mayor Maness.

Vote Yea: Unanimous

A motion was made by Vice Mayor Trivett, seconded by Commissioner Milele, that this Ordinance be recommended for approval and scheduled for 2/12/24. The motion carried by the following vote:

RESULT: RECOMMENDED FOR APPROVAL

MOVER: Bill Trivett

SECONDER: Jennifer Milele

Aye: Trivett, Maness, Milele, Justice, and Hefner

11.C. AN ORDINANCE AMENDING THE FISCAL YEAR 2023/2024 BUDGET ORDINANCE 2023-24 TO ACCEPT AND APPROPRIATE GRANT FUNDS FOR THE S. GREENHILL RAILROAD CROSSING SIGNAL IMPROVEMENT PROJECT

0464

Sponsors: City Manager Kenny Martin

Attachments: [2024-01-08- Amend S. Greenhill RR Xing Capital Proj budget for grant awards](#)
[2024-01-08- Amend S. Greenhill RR Xing Capital Proj budget Exec Summary](#)

A motion was made by Mayor Maness, seconded by Commissioner Hefner, that this Ordinance be recommended for approval and scheduled for 2/12/24. The motion carried by the following vote:

RESULT: RECOMMENDED FOR APPROVAL

MOVER: James Maness

SECONDER: Scott Hefner

Aye: Trivett, Maness, Milele, Justice, and Hefner

Resolution

A. RESOLUTION APPROVING THE AWARD OF THE CONSTRUCTION CONTRACT FOR THE S. GREENHILL RAILROAD CROSSING SIGNAL IMPROVEMENT PROJECT AND AUTHORIZING THE MAYOR TO SIGN THE CONTRACT **0465**

Sponsors: City Manager Kenny Martin

Attachments: [2024-01-08, S. Greenhill RR Signal Construction Contract Resolution](#)
[2024-01-08, S. Greenhill RR Signal Contract Resolution - Exec Summary](#)
[Bid Tabulation](#)
[5.BidAwardLetter](#)
[Stansell Contract signature pages](#)

A motion was made by Mayor Maness, seconded by Vice Mayor Trivett, that this Resolution be adopted. The motion carried by the following vote:

RESULT: ADOPTED

MOVER: James Maness

SECONDER: Bill Trivett

Aye: Trivett, Maness, Milele, Justice, and Hefner
Enactment No: 01-2024

Appointments

A. Ethics Commission Appointment of Gina Clarke for District 4 Commissioner Milele **0463**

Sponsors: Jennifer Milele

Commissioner Milele nominated Gina Clarke to serve as her representative on the Ethics Commission for District 4: Vote Yea: Unanimous

B. Appointment - Parks & Greenways Board: Terri Atwood **0467**

Sponsors: James Maness

Mayor Maness appointed Terri Atwood to the Parks and GrenwayBoard:
Vote Yea: Unanimous

Appointment Distict 1 - Ethics Commission

Motion made by Commissioner Justice to suspend with the rules to allow him to nominate his representative to the Ethics Commission, 2nd by Commissioner Milele.

Vote to suspend with the rules: Yea: Unanimous

Commissioner Justice nominated Georgina Hughes as his Ethics Commissioner nomination for District 1.

Vote Yea: Unanimous

Motion made by Mayor Maness to return to regular session, 2nd by Commissioner Justice.

Vote Yea: Unanimous

12. Adjournment

The regular meeting of the Board of Commissioners adjourned at 7:59 p.m.

Mayor James Maness

City Recorder Sheila S. Lockett, MMC