

Mt. Juliet, Tennessee

*2425 North Mt. Juliet Rd
Mt. Juliet, TN 37122*



Meeting Minutes - Final

Monday, November 13, 2023

6:30 PM

Commission Chambers

Board of Commissioners

Public Hearing 6:15 PM

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

No pros or cons voiced.

A. Public Hearing Notice

Sponsors: Board of Commissioners, City Manager Kenny Martin

Attachments: [11-13-23 2nd Reading Items](#)

- Amend 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 Section 2-103, Definitions of Land Use Activities, Section 3-103, Detailed Activity Listing and Section 6-102, Uses and Structures, to Permit Breweries and Microbreweries in Select Commercial Districts.
- Approving the request to DENY sewer service to the Mt. Juliet Sewer System made by the developer of WMAN Subdivision of 9911 Central Pike, Map 99, Parcels 009.06 & 010.00
- Amend the Fiscal Year 2023/2024 Budget, Ordinance 2023-24 to appropriate additional funds for the City of Mt. Juliet Special Census

1. Call to Order & Declare a Quorum Present

Mayor Maness called the regular meeting of the City of Mt. Juliet Board of Commissioners to order at 6:30 PM and declared a quorum present.

2. Set Agenda

As Published.

3. Invocation & Pledge of Allegiance

PIO Justin Beasley

4. Approval of Minutes**4.A. Approval of 10/23/23 Minutes**

Sponsors: Board of Commissioners, City Manager Kenny Martin

Attachments: [Minutes 10-23-23](#)

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

RESULT: APPROVED

MOVER: Bill Trivett

SECONDER: Jennifer Milele

Aye: Trivett, Maness, Milele, and Justice

Absent: Hefner

5. Citizens Comments

Jessica Sweet, 60 E. Caldwell St. Opposed to the Downtown City Block development. If this does happen do it wisely. Would love walkability. But this is on a 5-lane road, and includes apartments. Requested a work session to discuss further.

Glen Austin, 404 Hamphise Ct.: Opposed to high density housing.

Jessica Stoyco, E. Hill St.: Opposed to Downtown City Block

Karen Sweet 60 E. Caldwell St. Opposed to the Downtown City Block

Andrew Tarsi, Ragan Smith - Golden Bear Place Subdivision representatives are here if questions are asked.

Jim Clemmons, 155 Ridgecrest - Opposed to Downtown City Block

6. Commissioner Reports & Comments

Commissioner Justice: No Report

Vice Mayor Trivett: Appreciates the opportunity to listen to the residents comments. Our streets will stay safe and we will support our First Responders. Please complete your census. December 8th is the Annual Christmas Tree Lighting, December 9th at 11 am is the Christmas Parade.

Commissioner Milele: Stated that Carrie Brandon, Mamabird Bakery, has provided the treats for tonight's meeting, thank you. December 4th at 6 pm meet at the Willoughby Station amenity center for the Annual BPAC Christmas Light Walk. BPAC will be giving a first place yard sign to the best decorated house in Willoughby Station. Music will be provided prior to the walk, along with treats and hot chocolate. There will be a 3rd Annual City hosted Christmas Lights Contest, final details are coming. This is City-Wide contest. The winner will be announced at Tree Lighting on 12/8. Providence Marketplace will have Story Time with Santa, 12/2 from 2-5 in front of Regal. Consider bringing an unwrapped toy to be donated to "Toys for Tots".

Mayor Maness: Thanked all the Veterans for their service. Thanked Dell Web for the invitation to attend their Veteran's Day event each year. The city was honored to celebrate Alishya Clark Day. Thanked MJ 4 Hope for support of Lt. Hudson. Congratulations to GHHS on securing the Mayor's Cup. Thanked Volunteer State Bank and R& M Printing for sponsoring this. Happy Thanksgiving to everyone and safe travels. Shop Mt. Juliet hard on Black Friday. Shopping in Mt. Juliet is the easiest way to bring revenue to the City.

7. City Manager's Report

City Manager Kenny Martin stated he greatly appreciates the Veterans. Thanked Carrie Brandon for the treats provided and wish her the best on the new business. Alisha Clark grew up in Mt. Juliet, she was an All Star in College and has received 3 WMBA awards.

Very proud of her. Happy for Chief Hambrick and his new endeavor on retirement.

Gino Marchetti, City Attorney read the following statement:

So, you aren't taken by surprise, I would ask for 3 minutes at tonight's BOC to state that the

following :

There are currently 4 Ethics complaints filed by and against the commissioners .

I want to state clearly that each is being addressed by a dedicated group of 5 individuals who comprise the duly erected and established MJ Ethics Commission.

As you know, each commissioner chose one of the members of the 5 member EC.

Further , due to conflicts I have as the City Attorney in advising the EC when the complaints involve a commissioner filing a complaint against another commissioner ,the EC voted to appoint Bill Farmer ,a former us atty and chair of the metro civil service and with over 50 years' experience practicing before all state and federal courts in Tennessee is the atty advising the Ethic Commission.

I will also advise that the Ethics Code and state law prohibit any commissioner discussing these proceedings or the investigation with anyone other than their atty or to investigate any complaint against them .

Under no circumstance should any commissioner be contacting any of the EC members . To do so, exposes each commissioner engaged in that activity to possible civil and criminal liability.

To conclude , the investigations are under the auspices and control of the EC . The City Manger has no right or the ability to conclude or interfere in the EC's investigation . Therefore , he should not be contacted, nor will he engage in any conversation regarding the EC or these complaints and has been advised to so state if contacted by anyone other than the EC .

As the city's Ethics Officer , I can answer certain questions on process or procedures ,but will not be involved in any substantive review or advice on the merits of these complaints. If there is the likelihood of any conflict in any procedural matter question , I will defer to Mr Farmer .

Thank you

8. Unfinished Business Consent Agenda Items Ordinances 2nd Reading

8.A. AN ORDINANCE APPROVING THE REQUEST TO DENY SEWER SERVICE TO THE MT. JULIET SEWER SYSTEM MADE BY THE DEVELOPER OF WMAN SUBDIVISION OF 9911 CENTRAL PIKE, OUTSIDE THE CITY LIMITS OF MT. JULIET, TENNESSEE, IDENTIFIED AS WILSON COUNTY, TENNESSEE, MAP 99, PARCELS 009.06 & 010.00

Sponsors: Planning Commission Positive Recommendation

Attachments: [9911 Central Pike Sewer OOC Sewer ORD](#)
[Sewer Availability MWAM Subdivision](#)
[2020.03.23 9911 Central Pike Sewer - Exec Summary](#)
[2023.09.21 9911 Central Pike - PC Staff Report](#)

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

RESULT: ADOPTED

MOVER: Ray Justice

SECONDER: Bill Trivett

Aye: Trivett, Maness, Milele, and Justice

Absent: Hefner

8.B. AN ORDINANCE AMENDING THE FISCAL YEAR 2023/2024 BUDGET ORDINANCE 2023-24 TO APPROPRIATE ADDITIONAL FUNDS FOR THE CITY OF MT. JULIET SPECIAL CENSUS

Sponsors: City Manager Kenny Martin

Attachments: [Amend 23-24 budget Special Census](#)
[Amend 23-24 Ex Sum budget Special Census](#)

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

RESULT: ADOPTED

MOVER: Ray Justice

SECONDER: Bill Trivett

Aye: Trivett, Maness, Milele, and Justice

Absent: Hefner

9. Unfinished Business Ordinance 2nd Reading

9.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 BY AMENDING SECTION 2-103, DEFINITIONS OF LAND USE ACTIVITIES, SECTION 3-103, DETAILED ACTIVITY LISTING AND SECTION 6-102, USES AND STRUCTURES, TO PERMIT BREWERIES AND MICROBREWERIES IN SELECT COMMERCIAL DISTRICTS

Sponsors: Planning Commission Positive Recommendation

Attachments: [Breweries in Commercial Staff](#)
[Breweries in Commercial Ord](#)

Motion made by Commissioner Milele to cap Breweries at 50,000 barrels per year, as written in the definitions, 2nd by Commissioner Justice.

Vote Yea: Justice, Maness, Milele, Trivett

A motion was made by Trivett seconded by Justice, that this Ordinance be approved.

The motion carried by the following vote:

RESULT: ADOPTED

MOVER: Bill Trivett

SECONDER: Ray Justice

Aye: Trivett, Maness, Milele, and Justice

Absent: Hefner

10. New Business**10.A. AN ORDINANCE TO REZONE THE PROPERTY KNOWN AS GOLDEN BEAR PLACE SUBDIVISION, LOCATED AT GOLDEN BEAR PLACE AND BECKWITH ROAD, MAP 078, PARCEL 10.09, FROM OPS TO CI**

Sponsors: Planning Commission Positive Recommendation

Attachments: [Golden Bear Place Subdivision RZ SR](#)
[Golden Bear Place Subdivision RZ ORD](#)
[Golden Bear Place Legal Desc](#)
[Golden Gateway 9 12 23](#)

A motion was made by Trivett, seconded by Justice, that this Ordinance be recommended and approved by the Board of Commissioners, on meeting date of 11/27/23. The motion carried by the following vote:

RESULT: RECOMMENDED FOR APPROVAL

MOVER: Bill Trivett

SECONDER: Ray Justice

Aye: Trivett, Maness, Milele, and Justice

Absent: Hefner

10.B. AN ORDINANCE APPROVING THE REQUEST TO CONNECT TO THE MT. JULIET SEWER SYSTEM MADE BY the OWNER/DEVELOPER OF 105 Cedar Grove Church Road, OUTSIDE THE CITY LIMITS OF MT. JULIET, TENNESSEE, IDENTIFIED AS WILSON COUNTY, TENNESSEE, MAP 50, PARCEL 70.00

Sponsors: Planning Commission Positive Recommendation

Attachments: [2023.09.21 105 Cedar Grove Church Rd Sewer - PC Staff Report](#)
[2023.10.23 105 Cedar Grove Church Rd Exec Summary](#)
[1491 Nonaville Sewer Availability Ltr](#)
[2023.10.23 Ordinance 105 Cedar Grove Church Rd Sewer](#)

A motion was made by Justice, seconded by Trivett, that this Ordinance be recommended for approval to the Board of Commissioners, on meeting date of 11/27/2023. The motion carried by the following vote:

RESULT: RECOMMENDED FOR APPROVAL

MOVER: Ray Justice

SECONDER: Bill Trivett

Aye: Trivett, Maness, Milele, and Justice

Absent: Hefner

10.C. AN ORDINANCE TO ANNEX INTO THE CORPORATE BOUNDARIES OF THE CITY OF MT. JULIET APPROXIMATELY 12.8 ACRES, PROPERTY KNOWN AS

THE HENNINGER PROPERTY LOCATED 1006 GUILL ROAD, MAP 097, PARCEL 067, AND LOCATED WITHIN THE CITY'S URBAN GROWTH BOUNDARY

Sponsors: Planning Commission Negative Recommendation

Attachments: [Henninger Property AX SR](#)
[1006 Guill Road Exhibit A Annex 9 20 23](#)
[23029 Legal Description](#)
[Henninger Ord](#)

Died for lack of a motion.

RESULT: NO MOTION MADE

10.D. AN ORDINANCE TO ANNEX INTO THE CORPORATE BOUNDARIES OF THE CITY OF MT. JULIET APPROXIMATELY 22.19 ACRES, PROPERTY KNOWN AS THE CITY OF MT. JULIET PROPERTY LOCATED 620 CLEMMONS ROAD, MAP 072, PARCELS 71.06 AND P/O 71.01, AND LOCATED WITHIN THE CITY'S URBAN GROWTH BOUNDARY

Sponsors: Planning Commission Positive Recommendation

Attachments: [620 Clemmons Road AX SR](#)
[620 Clemmons Road Exhibit A Annex 9 20 23](#)
[620 Clemmons Road Ord](#)

A motion was made by Milele, seconded by Trivett, that this Ordinance be recommended for approval to the Board of Commissioners, on meeting date of 12/11/2023. The motion carried by the following vote:

RESULT: RECOMMENDED FOR APPROVAL

MOVER: Jennifer Milele

SECONDER: Bill Trivett

Aye: Trivett, Maness, Milele, and Justice

Absent: Hefner

10.E. ORDINANCE TO ESTABLISH AN UPDATED OCCUPATIONAL SAFETY AND HEALTH PROGRAM PLAN, DEVISE RULES AND REGULATIONS, PROVIDE FOR A SAFETY DIRECTOR AND THE IMPLEMENTATION OF SUCH PROGRAM PLAN

Sponsors: City Manager Kenny Martin

Attachments: [Health & Safety Ordinance TOSHA](#)

A motion was made that this Ordinance be recommended for approval to the Board of Commissioners, on meeting date of 11/27/2023. The motion carried by the following vote:

RESULT: RECOMMENDED FOR APPROVAL

MOVER: Ray Justice

SECONDER: Bill Trivett

Aye: Trivett, Maness, Milele, and Justice

Absent: Hefner

10.F. AN ORDINANCE AMENDING the FISCAL YEAR 2023/2024 BUDGET ORDINANCE 2023-24 to appropriate funds for the mt. juliet police department firearms training center

Sponsors: City Manager Kenny Martin

Attachments: [Firearems Training facility budget amend Ord](#)
[Firearems Training facility budget amend Ex Summary](#)

A motion was made by Trivett, seconded by Justice, that this Ordinance be recommended for approval to the Board of Commissioners, on meeting date of 11/27/2023. The motion carried by the following vote:

RESULT: RECOMMENDED FOR APPROVAL

MOVER: Bill Trivett

SECONDER: Ray Justice

Aye: Trivett, Maness, Milele, and Justice

Absent: Hefner

10.G. AN ORDINANCE AMENDING THE FISCAL YEAR 2023/2024 BUDGET ORDINANCE 2023-24 TO APPROPRIATE FUNDS FOR A COMMUNICATIONS DIRECTOR IN THE EXECUTIVE DEPARTMENT

Sponsors: City Manager Kenny Martin

Attachments: [Communications Director- Amend 23-24 Ord](#)
[Communication Director Executive Summary](#)

A motion was made by Milele, seconded by Trivett, that this Ordinance be recommended for approval to the Board of Commissioners, on meeting date of 11/27/2023. The motion carried by the following vote:

RESULT: RECOMMENDED FOR APPROVAL

MOVER: Jennifer Milele

SECONDER: Bill Trivett

Aye: Trivett, Maness, Milele, and Justice

Absent: Hefner

11. New Business Consent Agenda Items Resoltuion

11.A. RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF MT. JULIET, TENNESSEE AND BARGE DESIGN SOLUTIONS, LLC FOR THE DESIGN OF THE CEDAR CREEK GREENWAY, PHASE II PROJECT AND AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT

Sponsors: City Manager Kenny Martin

Attachments: [2023-11-13, Cedar Creek Greenway, Ph 2 Consultant Resolution](#)
[2023-11-13, Cedar Creek Greenway, Ph 2 Consultant Resolution Exec Summary](#)
[Cedar Creek Greenway PSA \(final\)](#)

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

RESULT: ADOPTED

MOVER: Ray Justice

SECONDER: Bill Trivett

Aye: Trivett, Maness, Milele, and Justice

Absent: Hefner

11.B. A RESOLUTION TO APPROVE THE AGREEMENT WITH POWERPHONE FOR THE TOTAL RESPONSE MEDICAL DISPATCH SOFTWARE AND TRAINING AND AUTHORIZE THE MAYOR TO SIGN THE AGREEMENT

Sponsors: City Manager Kenny Martin

Attachments: [Powerphone Executive Summary - Approval and Implementation of Emergency Medical Dispatch Call Handling Training and Program](#)
[PowerPhone Total Response training agreement approval](#)
[Powerphone agreement](#)

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

RESULT: ADOPTED

MOVER: Jennifer Milele

SECONDER: Bill Trivett

Aye: Trivett, Maness, Milele, and Justice

Absent: Hefner

11.C. A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE CERTIFICATE OF COMPLIANCE FOR MAPCO EXPRESS, INC. D/B/A MAPCO #3320 LOCATED AT 194 S. MT. JULIET ROAD, MT. JULIET, TN TO SELL WINE

Sponsors: City Manager Kenny Martin

Attachments: [Mapco 194 S MJ Road CoC Zoning Letter](#)
[Mapco CoC](#)
[Mapco CofC Resolution](#)
[PROTECTED INFO Cert of Compliance](#)

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

RESULT: ADOPTED

MOVER: Bill Trivett

SECONDER: Ray Justice

Aye: Trivett, Maness, Milele, and Justice

Absent: Hefner

11.D. A RESOLUTION DECLARING CITY OF MT. JULIET SEWER DEPARTMENT PROPERTY AS SURPLUS TO BE DISPOSED OF AT GOVDEALS AUCTION

Sponsors: City Manager Kenny Martin

Attachments: [Sewer Vac Truck as Surplus](#)
[Sewer truck surplus Ex Summary](#)

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

RESULT: ADOPTED

MOVER: Ray Justice

SECONDER: Bill Trivett

Aye: Trivett, Maness, Milele, and Justice

Absent: Hefner

12. Resolutions

12.A. RESOLUTION ESTABLISHING A CONSULTANT EVALUATION POLICY AND COMMITTEE FOR ALL PROJECTS FUNDED IN WHOLE OR IN PART WITH FUNDS PROVIDED BY THE FEDERAL HIGHWAY ADMINISTRATION OR THE TENNESSEE DEPARTMENT OF TRANSPORTATION

Sponsors: City Manager Kenny Martin

Attachments: [2023-11-13, Consultant Evaluation Policy Resolution](#)
[2023-11-13, Consultant Evaluation Policy Exec Summary](#)
[Mt. Juliet Consultant Selection Policy \(final\)](#)

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

RESULT: ADOPTED

MOVER: Bill Trivett

SECONDER: Jennifer Milele

Aye: Trivett, Maness, Milele, and Justice

Absent: Hefner

13.. Adjournment

The meeting adjourned at 7:10 pm

Mayor James Maness

City Recorder Sheila S. Lockett, MMC