

# **Mt. Juliet, Tennessee**

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



## **Meeting Minutes**

**Monday, September 9, 2024**

**6:30 PM**

**Commission Chambers**

**Board of Commissioners**

**1. Presentations 6:00 PM**

## Note

Proclamations were presented for Suicide Prevention and Constitution Week, 9/17 - 9/23.

## Rollcall

**Present:** Vice Mayor and Commissioner Bill Trivett, Mayor James Maness, Commissioner Jennifer Milele, Commissioner Ray Justice, and Commissioner Scott Hefner

**2. Public Hearing 6:15 PM**

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

## Citizens Comments:

Ms. Weiss, 513 Montrose Drive : Opposed to the townhome portion of Elliot Reserve but is OK with the retail portion.

Eric Fisher, Whitley Way: Opposed to Elliot Reserve, appreciates listening to their concerns over the current approval process.

Vince King, 24 4th Ave. : Questioned adding Cedar Creek Yacht Club to the UGB.

**3. Public Notice****3.A. Public Notice - 2nd and Final Reading 9/9/24****Attachments:** [Public Notice - 9-9-24 2nd Reading](#)

- To amend the Land Use Map and Plan of the City of Mt. Juliet
- To rezone the property located at 4470 Old Lebanon Dirt Rd, Map 077, Parcel 026.00, from OPS to RS-40
- To amend the Land Use Plan and rezone the property known as Elliott Reserve located at 12440 & 12582 Lebanon Rd, Map 053, parcels 101.01 & 102.00, from thoroughfare commercial to mixed-use and from CG & CRC to CMU PUD and adopt the Preliminary Master Development Plan.
- To annex and adopt the Plan of Services the South Greenhill Rd and right of way, located at South Greenhill Rd from the northern property corner of 6105 Freemantle Ct to the northern property corner of parcel 073 008.04, in Wilson County, TN, located within the city's Urban Growth Boundary
- Approving grants by the City of Mt. Juliet as previously budgeted in the 2024/2025 budget ordinance (ordinance 2024-25)
- Authorizing execution of contract between the City of Mt. Juliet and Nabholz Construction for Construction Management Services for Fire Station 3

**4. Call to Order & Declare a Quorum Present**

Mayor Maness called the Board of Commissioners to order at 6:32 PM and declared a quorum present.

**5. Set Agenda**

As Published with no objections

**6. Invocation & Pledge of Allegiance**

Communications Director Justin Beasley.

**7. Approval of Minutes****7.A.** Approval of 8-12-24 Minutes

**Attachments:** [8-12-24 BoC Minutes](#)

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

**RESULT:** APPROVED

**MOVER:** Bill Trivett

**SECONDER:** Jennifer Milele

**Aye:** Vice Mayor and Commissioner Trivett, Mayor Maness, Commissioner Milele, and Commissioner Justice

**Abstain:** Commissioner Hefner

**8. Citizens Comments**

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

Ms. Simpson, Dolly Parton Imagination Library: Thanked the BoC for all of the support since this progra began, reading is key to education.

Sheila Weathers, Compassionate Hands, Lebanon: Thanked the BoC for allowing the grants process and updated the BoC on Compassionate Hands and number of those assisted.

Gaye Lynn Wilson, Wilson Rides: Thanked the BoC for the past support.

Valisa Standane, Director Mt. Juliet West Wilson Senior Citizens: Thanked the BoC for the support.

Hugh Haley, 4276 Sheffield Lane, Greenbrier, Veterans BBQ Camp: Explained the program they provide.

Kathy Breelane, Easter Seals: Thanked the BoC for the past support

Tyler Andtoknocias, Whitley Way: Local business owner, Opposed to Elliot Reserve. especially the townhome portion.

Stephanie Beemer, Montrose Way: Opposed to Elliot Reserve.

Eric Fisher, 435 Whitley Way: Opposed to Elliot Reserve. Wants to ensure accurate property boundaries are used so he doesn't loose 10 feet of his property.

David Houlk, 3004 Nichols Vale: Thanked the BoC for listening, opposed to Elliot Reserve.

Diane Journal, 3571 Murfreesboro Road: The Elliott Reserve property has been zoned commercial since the 80's and the property have been for sale for 10 years, understands the concerns of the homeowners. The owner lived their forever and has turned down offers due to the fact she didn't feel it was a food fit for Mt. Juliet. They already have interest in the townhomes.

Nicole Goddard: 3001 Nichols Vale: Opposed to Elliot Reserve  
Lynette Weiss, 515 Montrose: Supports Commercial opposed to residential in Elliotts Reserve.

## 9. Commissioner Reports & Comments

Vice Mayor Trivett: Thanked everyone for attending and watching, thanked parks, police and fire departments for the event last weekend. We take lots into consideration when approval or denying a development. The landowners have the right to sale, we considered how to make it a good project. This City is all about community. Thanked the veterans and first responders. All departments in the city do a great job in providing information, please go to the cities website. Thanked everyone for the emails and phone calls. Apologized if he missed a phone call or email.

Commissioner Hefner: Appreciates everyone in attendance and watching online. Input is welcome. Appreciated the event this past weekend, attendance was low since college football was going on.. Welcomed Samantha Burnett our new City Attorney. Thoughts and prayers to Barry "Butch" Wilmore and his colleague who are stranded in space until next February. there will be a time for public input at Love Coffee, 6:30 pm -7:30 pm tomorrow concerning the proposed Recreation / Aquatic Center. There has been conflicting information on Elliotts Reserve. Hopes to rectify some of the this tonight. He tries to base his decisions on facts. Will ask lots of questions, appreciates emails, phone calls and input.

Commissioner Milele: Loves seeing the room full and appreciates the input. Attended Celebrate MJ. Tomorrow night is the community discussion and 6:30 pm - 7:30 pm. Please consider buying food while at Just Love since they are opening up for this event. BoC budget work session is scheduled for 10/2 @ 5:30 pm. Pickle ball tournament for the 501C3 for the MJ Animal Shelter.

Commissioner Justice: Thanked Rocky Lee and the Parks staff, volunteers, vendors, sponsors for Celebrate MJ. To answer why Cedar Creek Yacht Club was added to the UGB, it was added in 1992 this change adds a designation. We are not annexing, this is the UGB. Folks assume we have lots of fast growth. In 2024 we did a special census in a four year period we grew by 1,100 people, we grew much less than Lebanon or Wilson County. Wilson County residents and Gallatin residents drive through Mt. Juliet due to construction at 109. We have about 15K vehicles a day coming across the Hobson Pike bridge to avoid I-24. We have created good infrastructure for Mt. Juliet. TDOT has not kept up with the road improvements to areas around Mt. Juliet. Thanked everyone for attending and commenting.

## 10. City Manager's Report

Thanked everyone for attending and online, and the comments. Appreciates the love and support for the Lebanon officers that lost his life. Welcomed Samantha "Sam" Burnett our new City Attorney. She is former police, fire, and EMS and a very smart lady. Her husband is also a very distinguished law enforcement officer. We live in a blessed community.

## 11. Unfinished Business Consent Agenda Items - Ordinances - 2nd Reading

### 11.A. AN ORDINANCE AMENDING THE LAND USE MAP AND PLAN OF THE CITY OF

**MT. JULIET**

**Attachments:** [8 FLU Map Amendment SR](#)  
[UGB LUA ORD](#)  
[Final Urban Growth Boundary Map 9 5 24](#)

Discussion was held.  
Mayor Maness stated this is a Land Use not an Annexation. This is adoption of the map that is approved by all the governmental agencies in Wilson County.  
Discussion was held.

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:** Vice Mayor and Commissioner Trivett, Mayor Maness, Commissioner Milele, Commissioner Justice, and Commissioner Hefner

**12. Unfinished Business - Ordinances - 2nd Reading**

**12.A. AN ORDINANCE TO REZONE THE PROPERTY LOCATED 4470 OLD LEBANON DIRT ROAD, MAP 077, PARCEL 026.00, FROM OPS TO RS-40.**

**Attachments:** [4470 OLDR RZ ORD](#)  
[4470 Old Lebanon Dirt Rd Exhibit B Rezone 5 7 24](#)  
[4470 OLDR Legal Desc](#)

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

**RESULT:** ADOPTED  
**MOVER:** Scott Hefner  
**SECONDER:** Jennifer Milele

**Aye:** Vice Mayor and Commissioner Trivett, Mayor Maness, Commissioner Milele, Commissioner Justice, and Commissioner Hefner

**12.B. AN ORDINANCE TO AMEND THE LAND USE PLAN FOR THE PROPERTY KNOWN AS ELLIOTT RESERVE LOCATED AT 12440 & 12582 LEBANON ROAD, MAP 053, PARCELS 101.01 & 102.00, FROM THOROUGHFARE COMMERCIAL TO MIXED-USE**

**Attachments:** [3 Elliott Reserve LUA PMDP PUD SR](#)  
[Elliott Reserve LUA ORD](#)  
[Elliott Reserve Legal Desc](#)  
[Elliott Reserve Lebanon Road LUA 6 4 24](#)

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

**RESULT:** ADOPTED

**MOVER:** Ray Justice

**SECONDER:** Scott Hefner

**Aye:** Vice Mayor and Commissioner Trivett, Mayor Maness, Commissioner Justice, and Commissioner Hefner

**Nay:** Commissioner Milele

**12.C. AN ORDINANCE TO REZONE APPROXIMATELY 22.64 ACRES OF PROPERTY AT 12440 & 12582 LEBANON ROAD, MAP 053, PARCELS 101.01 AND 102.00 FROM CG AND CRC TO CMU PUD AND TO ADOPT THE PRELIMINARY MASTER DEVELOPMENT PLAN FOR ELLIOTT RESERVE**

- Attachments:** [3 Elliott Reserve LUA PMDP PUD SR](#)  
[Elliott Reserve Legal Desc](#)  
[Elliott Reserve Lebanon Road PMDP PUD Rezone 6 4 24](#)  
[Elliot Reserve - Deferral Request](#)  
[Elliott Reserve after 1st Reading and staff review](#)  
[CSDG Email](#)  
[2024-08-30 Elliott Reserve BOC 2 Resubmittal](#)  
[BOC Comment removal letter](#)  
[Elliott Reserve - Buffer Exhibit](#)  
[Elliott Reserve - Fire Marshal Coordination](#)  
[Elliott Reserve - School Capacity Study](#)  
[Elliott Reserve Neighboring Stormwater Exhibits](#)

Discussion was held.

Director of Development Services Jennifer Hamblen stated that the Nichols Vale HOA would like to ask for the relief of the 20 foot buffer. She explained that with the 20 foot buffer, we have learned from our mistakes. The townhomes will not own the yard. They only own the footprint.

1st Amendment:

Motion made by Commissioner Hefner that no blasting within 100 feet of residential or commercial structures, 2nd by Mayor Maness to be added to Planning & Zoning Comment #25.

Discussion was held.

City Attorney Sam Burnett stated that the agreement on blasting is good however, the State Fire Marshal has notified us that we need to amend the prior ordinances concerning the blasting restrictions we have approved.

Discussion was held.

City Attorney Sam Burnett stated we can enforce the purpose of the PUD but we cannot enforce HOA specific rules.

Discussion was held.

Commissioner Hefner stated he has a concern with the current state law concerning blasting.

City Attorney Sam Burnett stated that TCA regulates blasting and State law

supersedes City law. We can agree to these but a developer does not have to follow it. Discussion was held.

Vote on Amendment #1:  
Yea: Unanimous

Discussion was held.  
Jake Porter, CSDG answered questions.

2nd amendment  
Motion made by Commissioner Hefner that sizemagraphic reports be sent to the Mt. Juliet Fire Marshal within 24 hours of the blast/shot, and to provide a minimum of 2 hours to the contacts designated by the City of Mt. Juliet Fire Marshal, 2nd by Vice Mayor Trivett.

Vote on Amendment #2:  
Vote Yea: Unanimous

City Attorney Sam Burnett stated she had the same comments as previously stated.

Discussion was held.

3rd Amendment:  
Motion made by Mayor Maness that there be 100% masonry on the rear elevation, 2nd by Commissioner Milele.

Vote on Amendment #3:  
Vote Yea: Unanimous

4th Amendment:  
Motion made by Commissioner Justice that under the Public Works comments we grant a variance on the access streets of a maximum grade of 12%, 2nd by Commissioner Hefner.

Discussion was held.

Vote on Amendment #4:  
Yea: Justice, Maness, Hefner, Milele  
Nay: Trivett

Discussion was held.

5th Amendment:  
Motion made by Commissioner Milele that if the rezone fails the Land Use reverts back to the original Land Use, 2nd by Commissioner Trivett.

Vote on Amendment 5:

Vote Yea: Unanimous

Discussion was held.

6th Amendment:

Motion made by Commissioner Justice that a \$7,500.00 per unit Voluntary Contribution be paid to the to the City of Mt. Juliet with credit for any off site improvements or repairs, the remaining balance to be applied to general improvements in the area as Public Works sees fit, with the Voluntary Contribution being paid at the Issuance of the Erosion Control Permit, 2nd by Commissioner Hefner.

Vote on Amendment #6:

Vote Yea: Unanimous

The Board of Commissioners took a 15 minutes at 9:23 PM without objection.

The Board of Commisisoners reconvened at 9:45 PM.

7th Amendment:

Motion made by Commissioner Milele to add a 20 foot variance/setback buffer from the Elliott Reserve buildings to Nichols Vale, this will be a total of a 40 foot setback from the Nichols Vale property lines, 2nd by Vice Mayor Trivett.

Discussion was held.

Vote on 7th Amendment:

Yea: Milele

Nay: Hefner, Justice, Maness, Trivett

Amendment FAILED.

7th Amendment: Previous Amendment failed so the below is the 7th approved amendment.

Motion made by Mayor Maness to require a minimum 25 feet buffer/setback around the perimeter of NicholsVale, 2nd by Commissioner Hefner.

Vote on 7th Amendment:

Yea: Unanimous

Discussion was held.

Amendment 8:

Motion made by Commissioner Justice that all residential infrastructure be completed and functional prior to the first Certificate of Occupancy (CO) being issued, this is to include the traffic calming devices on Sunset Drive, 2nd by Commissioner Hefner.

Vote on 8th Amendment:



Yea: Unanimous

Discussion was held.

Amendment 9:

Motion made by Mayor Maness that Prior to the issuance of the 32nd Certificate of Occupancy (CO) for Phase 1 (residential), construction for the commercial compents of Phases 2-3B must hve commenced. Furthermore, this issuance of the 64th Certificat of Occupancy (CO) for Phase 1 shall be withheld until a shell Certificate of Occupancy (CO) for the commercial buildings in Phases 2-3B has been obtained, 2nd by Commissioner Justice.

Vote on 9th Amendment:

Vote Yea: Unanimous

Discussion was held.

Amendment 10:

Motion made by Mayor Maness that the waiver that is approved by Fire be changed to "20" instead of "2", 2nd by Commissioner Justice.

Vote on 10th Amendment:

Vote Yea: Unanimous

Discussion was held.

Amendment 11:

Motion made by Mayor Maness that Planning & Zoning comment 26 and 27 be removed and Public Works comment # 6 sidewalks be amended to state "on one side of the street in multi family".

Vote on 11th Amendment:

Vote Yea: Unanimous

Discussion was held.

12th amendment:

Motion made by Vice Mayor Trivett that the Site line exhibit is to be submitted from the access road to the rear of the commercial buildings of Lebanon Road at FMDP and to include supplemental landscaping where applicable, 2nd by Commissioner Milele.

Vote on 12th Amendment:

Vote Yea: Unanimous

Back on original ordinance as amended 12x's.

As amended 12x's

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

**RESULT:** ADOPTED

**MOVER:** Ray Justice

**SECONDER:** Scott Hefner

**Aye:** Vice Mayor and Commissioner Trivett, Mayor Maness, Commissioner Justice, and Commissioner Hefner

**Nay:** Commissioner Milele

**13. Unfinished Business - Annexation Ordinance and Plan of Services**

**13.A. AN ORDINANCE ANNEXING THE SOUTH GREENHILL ROAD AND RIGHT OF WAY, LOCATED AT SOUTH GREENHILL ROAD FROM THE NORTHERN PROPERTY CORNER OF 6105 FREEMANTLE CT TO THE NORTHERN PROPERTY CORNER OF PARCEL 073 008.04, IN WILSON COUNTY, TENNESSEE, LOCATED WITHIN THE CITY’S URBAN GROWTH BOUNDARY**

**Attachments:** [PC Staff Report, S Greenhill Road Annex](#)  
[S Greenhill Road POS](#)  
[SGH Rd Annex Application Executed](#)  
[SGHR Annex ORD](#)

Without objection Mayor Maness read items 13A & 13 B together, S. Greenhill Road Annexation and the adoption of the Plan of Services.

Discussion was held.

Joe Haddix, CSDG explained he purpose of the roadway annexation.

Discussion was held.

Darren Cunningham, Developer: explained the project and stated they will do the right thing.

Discussion was held.

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

**RESULT:** ADOPTED

**MOVER:** Ray Justice

**SECONDER:** James Maness

**Aye:** Vice Mayor and Commissioner Trivett, Mayor Maness, and Commissioner Justice

**Nay:** Commissioner Milele

**Abstain:** Commissioner Hefner

**13.B.** Review the Plan of Services for the Roadway and Right-of-Way for South Greenhill Road.

**Attachments:** [S Greenhill Road POS](#)

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

**RESULT:** ADOPTED

**MOVER:** Ray Justice

**SECONDER:** James Maness

**Aye:** Vice Mayor and Commissioner Trivett, Mayor Maness, and Commissioner Justice

**Nay:** Commissioner Milele

**Abstain:** Commissioner Hefner

**14. Resolutions**

**14.A. A RESOLUTION APPROVING GRANTS BY THE CITY OF MT. JULIET AS PREVIOUSLY BUDGETED IN THE 2024/2025 BUDGET ORDINANCE (ORDINANCE 2024-25)**

**Attachments:** [2024- FY25 community grants allocation as amended Res - Approve Grants 24-25](#)

1st Amendment:

Motion made by Commissioner Milele to divide the \$750 allocated to Restoration Community Outreach, who has not in operation between Compassionate Hands, Veterans BBQ Camp and The Transit Alliance of Middle TN at \$250.00 each, 2nd by Commissioner Justice.

Vote on 1st Amendment:

Vote Yea: Unanimous

Motion made by Commissioner Justice to defer said resolution for one meeting, 2nd by Vice Mayor Trivett.

A motion was made by Commissioner Justice, seconded by Vice Mayor and Commissioner Trivett, that this Resolution be deferred to the Board of Commissioners, on meeting date of 9/23/2024. The motion carried by the following vote:

**RESULT:** DEFERRED

**MOVER:** Ray Justice

**SECONDER:** Bill Trivett

**Aye:** Vice Mayor and Commissioner Trivett, Mayor Maness, Commissioner Milele, Commissioner Justice, and Commissioner Hefner

**14.B.** A RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT BETWEEN THE CITY OF MT. JULIET AND NABHOLZ CONSTRUCTION FOR CONSTRUCTION MANAGEMENT SERVICES FOR FIRE STATION 3

**Attachments:** [2024 Res to sign contract with Nabholz Const for Fire St 3](#)

[A141-2014 - Mt Juliet Fire Station #3](#)

[A141ExhibitA-2014 - Mt Juliet Fire Station #3](#)

[A141ExhibitB-2014 - Mt Juliet Fire Station #3](#)

Discussion was held.

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

**RESULT:** ADOPTED

**MOVER:** Jennifer Milele

**SECONDER:** Bill Trivett

**Aye:** Vice Mayor and Commissioner Trivett, Mayor Maness, Commissioner Milele, Commissioner Justice, and Commissioner Hefner

**15. Adjournment**

11:34 pm