

# **Chapel Hill Board of Mayor and Alderman**

## **Agenda**

**Monday, August 13, 2018**

**6:00 P.M.**

- 1. Call to Order**
- 2. Opening Prayer – Mayor Bingham**
- 3. Pledge of Allegiance – Chris Lowe**
- 4. Roll Call**
- 5. Approval of the Agenda**
- 6. Approval of the Minutes**
- 7. Citizen Input**
- 8. Communication from the Mayor**
- 9. Reports**
- 10. Old Business**
  - a. Ordinance 2018-07 – Mixed Use Overlay Zoning (Second and Final Reading)
  - b. Ordinance 2018-08 – PUD Zoning (Second and Final Reading)
- 11. New Business**
  - a. Resolution – 18-23 – Annexation of Property
  - b. Resolution – 18-24 – Amend Personnel Policy
  - c. Resolution – 18-25 – Approve Hiring of New Officer
  - d. Resolution – 18-26 – Approve Hiring of New Water & Sewer Employee
  - e. Resolution – 18-27 – Surplus Police Equipment
  - f. Resolution – 18-28 – Approve Purchase of Mini Excavator
  - g. Resolution – 18-29 – Approve Purchase of Fire Truck
  - h. Discussion – Ball Park
- 12. Other Business**
- 13. Adjournment**



**Town of Chapel Hill  
Meeting Minutes  
Board of mayor & Alderman**

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**Monday, July 9, 2017**

**6:00 PM**

**Board Room**

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The Town of Chapel Hill Board of Mayor and Alderman met for their regular monthly meeting on Monday, July 9, 2018 at 6:00 p.m. at Chapel Hill Town Hall, 2202 Unionville Road, Chapel Hill, TN.

Members Present: Mayor Danny Bingham, Vice-Mayor Marion Joyce, Alderman Horace Hill, Alderman Dottie Morton, and Alderman Mike Faulkenberry.

Members Absent: Alderman Tommy Lawrence and Alderman Jan Darnell

Also present were Town Administrator Mark Graves, Town Attorney Todd Moore, and Recorder/Treasurer Chris Lowe

Mayor Bingham called the meeting to order followed by an opening prayer, and the Pledge of Allegiance.

Chris Lowe called roll with all members except Alderman Tommy Lawrence and Jan Darnell being present.

1. Approval of the Agenda
  - a. Alderman Faulkenberry motioned to approve the agenda, seconded by Alderman Hill
2. Approval of the Minutes
  - a. Alderman Faulkenberry motioned to approve the minutes, seconded by Alderman Morton
3. Citizen Input
  - a. Karen Wells asked the board to refund her \$143.71 for court costs she incurred from property taxes being turned over to the county.
    - i. Motion made by Alderman Joyce to refund \$143.71, seconded by Alderman Hill with all voting Aye
  - b. Andy Matlock and Keith Harber spoke before the board the need for a baseball/softball facility in Chapel Hill. They spoke of potentially using the Depot Street park as a place to build a baseball/softball complex.
  - c. Alderman Faulkenberry made a motion to contract with an engineering firm to get a cost estimate for earth moving, seconded by Alderman Hill,
  - d. Upon a roll call vote:

Alderman Joyce – Aye	Alderman Faulkenberry – Aye
Alderman Hill – Aye	Alderman Morton – Aye
Alderman Lawrence - Absent	Alderman Darnell - Absent

4. Financial Reports

- a. Alderman Joyce motioned to approve the financial reports, seconded by Alderman Hill
- b. Upon a roll call vote:

Alderman Joyce – Aye	Alderman Faulkenberry – Aye
Alderman Hill – Aye	Alderman Morton – Aye
Alderman Lawrence - Absent	Alderman Darnell - Absent

5. Ordinance 2018-05 – Amend 2016-2017 Budget (Third Reading)

- a. Alderman Hill motioned to approve Ordinance 2018-05, seconded by Alderman Faulkenberry
- b. Upon a roll call vote:

Alderman Joyce – Aye	Alderman Faulkenberry – Aye
Alderman Hill – Aye	Alderman Morton – Aye
Alderman Lawrence – Absent	Alderman Darnell – Absent

6. Ordinance 2018-06 – Amend 2017-2018 Budget

- a. Alderman Hill motioned to approve Ordinance 2018-06, seconded by Alderman Joyce
- b. Upon a roll call vote:

Alderman Joyce – Aye	Alderman Faulkenberry – Aye
Alderman Hill – Aye	Alderman Morton – Aye
Alderman Lawrence – Absent	Alderman Darnell – Absent

7. Ordinance 2018-07 – Mixed Use Overlay

- a. Alderman Faulkenberry motioned to approve Ordinance 2018-07, seconded by Alderman Faulkenberry
- b. Dr. Lech presented before the board the details on the Mixed Use Overlay zoning
- c. Upon a roll call vote:

Alderman Joyce – Aye	Alderman Faulkenberry – Aye
Alderman Hill – Aye	Alderman Morton – Aye
Alderman Lawrence – Absent	Alderman Darnell – Absent

8. Ordinance 2018-08 – PUD Zoning

- a. Alderman Joyce motioned to approve Ordinance 2018-08, seconded by Alderman Joyce
- b. Dr. Lech presented before the board the details on PUD zoning
- c. Upon a roll call vote:

Alderman Joyce – Aye	Alderman Faulkenberry – Aye
Alderman Hill – Aye	Alderman Morton – Aye
Alderman Lawrence – Absent	Alderman Darnell – Absent

9. Resolution 18-19 – Amend Personnel Policy

- a. Alderman Hill motioned to approve Resolution 18-19, seconded by Alderman Faulkenberry
- b. Upon a roll call vote:

Alderman Joyce – Aye	Alderman Faulkenberry – Aye
Alderman Hill – Aye	Alderman Morton – No
Alderman Lawrence – Absent	Alderman Darnell – Absent

10. Resolution 18-21 – Bids for Dawn Street Paving

- a. Alderman Faulkenberry motioned to approve Resolution 18-21, seconded by Alderman Hill
- b. Upon a roll call vote:

Alderman Joyce – Aye	Alderman Faulkenberry – Aye
Alderman Hill – Aye	Alderman Morton – Aye
Alderman Lawrence – Absent	Alderman Darnell – Absent

11. Resolution 18-22 – Reject Bids for Sewer Project

- a. Alderman Joyce motioned to approve Resolution 18-22, seconded by Alderman Hill
- b. Upon a roll call vote:

Alderman Joyce – Aye	Alderman Faulkenberry – Aye
Alderman Hill – Aye	Alderman Morton – Aye
Alderman Lawrence – Absent	Alderman Darnell – Absent

12. Other Business

- a. Alderman Faulkenberry mentioned the purchase of a mini excavator which was recommended by the Utilities Board. Todd Moore stated that proper

documentation of terms will need to be brought before the BOMA in order for it to be approved by the BOMA

- b. Alderman Faulkenberry mentioned contracting with a leak detection crew on an annual basis which was recommended by the Utilities Board
- c. Alderman Hill motioned to approve contracting with a leak detection company on an annual basis, seconded by Alderman Joyce.
- d. Upon a roll call vote:

Alderman Joyce – Aye

Alderman Faulkenberry – Aye

Alderman Hill – Aye

Alderman Morton – Aye

Alderman Lawrence – Absent

Alderman Darnell – Absent

- e. Mark Graves mentioned annexing property belonging to Jeff Knox, which will be going before the Planning Commission for recommendation

There being no further business, the meeting was adjourned.

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Danny Bingham, Mayor

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Attest: Chris Lowe, Town Recorder/Treasurer

# CHAPEL HILL FIRE DEPARTMENT

## MONTHLY ACTIVITY REPORT

### MONTH: JANUARY

Response from Station 1	25
Response from Station 2	6
Response from Both Stations	13
TOTAL RESPONSES:	44

### MONTH: JULY

Response from Station 1	21
Response from Station 2	5
Response from Both Stations	18
TOTAL RESPONSES:	44

### MONTH: FEBRUARY

Response from Station 1	14
Response from Station 2	7
Response from Both Stations	12
TOTAL RESPONSES:	33

### MONTH: AUGUST

Response from Station 1	
Response from Station 2	
Response from Both Stations	
TOTAL RESPONSES:	

### MONTH: MARCH

Response from Station 1	19
Response from Station 2	6
Response from Both Stations	8
TOTAL RESPONSES:	33

### MONTH: SEPTEMBER

Response from Station 1	
Response from Station 2	
Response from Both Stations	
TOTAL RESPONSES:	

### MONTH: APRIL

Response from Station 1	19
Response from Station 2	4
Response from Both Stations	18
TOTAL RESPONSES:	41

### MONTH: OCTOBER

Response from Station 1	
Response from Station 2	
Response from Both Stations	
TOTAL RESPONSES:	

### MONTH: MAY

Response from Station 1	20
Response from Station 2	7
Response from Both Stations	24
TOTAL RESPONSES:	51

### MONTH: NOVEMBER

Response from Station 1	
Response from Station 2	
Response from Both Stations	
TOTAL RESPONSES:	

### MONTH: JUNE

Response from Station 1	34
Response from Station 2	5
Response from Both Stations	12
TOTAL RESPONSES:	51

### MONTH: DECEMBER

Response from Station 1	
Response from Station 2	
Response from Both Stations	
TOTAL RESPONSES:	

# **ORDINANCE 2018-07**

## **Mixed Use Overlay Zoning**

### **WHEREAS**

The development needs of the citizens of Chapel Hill, TN have surpassed the original model zoning ordinance for the State of Tennessee.

### **WHEREAS**

The development of increasingly valuable land and open space requires the combination of traditionally separate zoning districts.

### **WHEREAS**

As the combinations of residential and commercial activities on the same lot shall no longer be prohibited.

Now therefore be it enacted by the City of Chapel Hill, TN

### **Section 1** Intention of proposed Mixed-use development for Chapel Hill, TN

The mixed use overlay zone is intended to allow greater flexibility of development alternatives in appropriate areas of the city. More specifically, the intent of the mixed use overlay zone is to accomplish the following objectives:

- A. To encourage mixed use projects that combine residential with nonresidential uses in the same building or building site area as a means to create an active street life, enhance the vitality of businesses, and reduce the need for automobile travel, and create incentives to modernize or rehabilitate areas of town in need of such revitalization;
- B. To provide a meaningful blend of residential and non-residential uses that enhances and builds upon the city's commercial base;

C. To provide additional housing options for people, including but not limited to, young professionals and older people, who want to live near their workplace and/or near retail and other non-residential uses;

D. To encourage consolidation of small parcels into viable, block-size mixed use development in designated areas;

E. To ensure on-site compatibility of residential and non-residential as well as compatibility of mixed use projects with surrounding uses and development patterns.

## Section 2

The mixed use zone shall be in the nature of an overlay zone. Land classified in the mixed use overlay zone shall also be classified in one or more underlying zones. Property so classified shall be identified on the zoning map by both the underlying zone and the mixed use overlay zone. The regulations set forth in this chapter of the mixed use overlay zone shall be in addition to those regulations set forth in the underlying zone. In the event of a conflict between the provisions of the mixed use overlay zone and the provisions of the underlying zone, the provisions of the mixed use overlay zone shall prevail when a mixed use project is being developed. If the mixed use overlay zone is silent in relation to any development standard, the development standard identified in the underlying zone shall prevail.

The property development standards set forth in this section shall apply to all land and buildings built within the mixed use overlay zone, when a property owner chooses to provide housing in association with non-residential uses in accordance with the provisions of said zone.

A. Lot dimensions: Minimum lot width at street frontage of **eighty feet with curb cuts** along building frontage, **fifty feet without curb cuts** along building frontage. No minimum or maximum lot depth.

B. Minimum project area:

1. One acre minimum, with the following exceptions:

a. Parcels that cannot be consolidated to satisfy the minimum project area because they are bordered on all sides by property that is not zoned with the mixed use overlay zone;

b. Parcels that cannot be consolidated because they are bordered on three or more sides by roadways; or

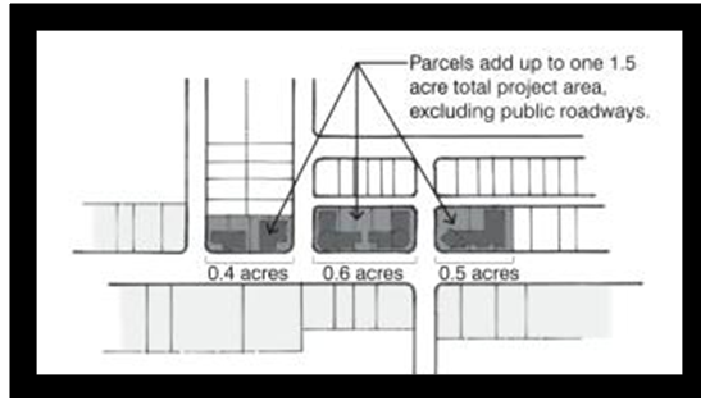


- c. Parcels that cannot be consolidated because adjacent property is not zoned with the mixed use overlay.

2. Lots across public roadways may be consolidated to create larger project areas.

3. Certain lots can compromise the minimum project area of one acre. In these instances, during the design phase, an isolated or “orphaned parcel” emerges that is unable to meet the minimum project area.

These individual cases must be worked through between the developer and city staff prior to the meeting(s) where the plans are to be approved by the city. Both parties shall work to ensure that effort has been made to negotiate between the project and adjacent orphaned parcel.



Additionally, if orphaned parcels are not included multi-use development plan both parties will also ensure that compatibility exists between the orphaned parcel's existing condition and the adjacent project's current development.

### C. Density and intensity:

1. Floor area ratio (FAR): nonresidential intensity shall be a maximum of 0.5 FAR as calculated over the portion of the project area devoted to such use, including when such use is part of a vertical development. Thus, if you have 20,000 square feet on a lot in this overlay, then your development plan must incorporate 10,000 square feet of usable space that meets the building code for the intended use.

2. For mixed use projects the minimum permitted residential density **shall be twenty units per acre** for any residential development. This subsection shall not apply to the expansion of any existing use.

3. Residential as a part of a mixed use project: the maximum residential density shall be as follows, calculated over the portion of the project area devoted to such use, including when such use is part of a vertical development:

- a. Twenty units per acre maximum for sites less than one-half acre;

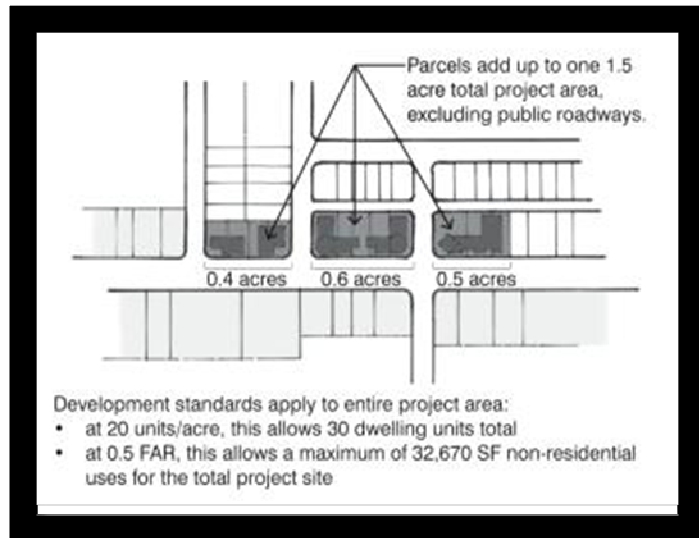
- b. Twenty-five units per acre maximum for sites at least one-half acre but less than one acre; and
- c. Thirty units per acre maximum for all sites of one acre or greater.

4. Projects may develop both the maximum FAR for nonresidential development and maximum density for residential development within the same project area, provided all other standards in this section are met.

5. Site coverage: Eighty percent.

D. Dwelling unit size:

- 1. A minimum of one thousand four hundred square feet for three or more bedroom units;
- 2. A minimum of nine hundred square feet for two bedroom units;
- 3. A minimum of seven hundred fifty square feet for one bedroom units, and
- 4. A minimum of four hundred fifty square feet for bachelor/efficiency units.



E. Maximum Building Height

The following height standards apply to individual buildings within a project area<sup>5</sup>:

- 1. Thirty-five feet, or forty feet with architectural projections if:
  - a. Adjacent to one-story residential uses; or
  - b. Adjacent to a collector street.
- 2. Forty feet, or forty-five feet with architectural projections if:
  - a. Adjacent to two-story residential uses; or
  - b. Adjacent to a major collector street.

3. Fifty-five feet, or sixty feet with architectural projections if:

a. Adjacent to three-story or greater residential uses; or adjacent to commercial or other nonresidential uses; and

b. Adjacent to an arterial street.

F. Yards:

1. Front: a minimum of twelve feet from face of curb and a maximum of twenty feet from face of curb;

2. Side: ten feet from property line if adjacent to residential or industrial zone, or adjacent to side street; no setback is required if adjacent to other zones (if any setback is proposed, a minimum standard of ten feet applies);

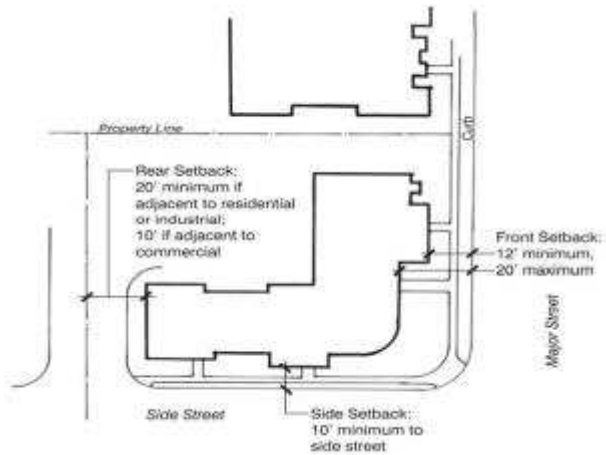
3. Rear: twenty feet from property line abutting a residential or industrial zone; ten feet from property line if adjacent to commercial zones (or edge of alley easement);

4. Building to building:

a. Structures less than or equal to forty feet in height: twenty feet if adjacent to industrial structures; ten feet if adjacent to all other structures,

b. Structures greater than forty feet in height: thirty feet if adjacent to industrial structures; twenty feet if adjacent to residential structures; and, fifteen feet if adjacent to commercial structures.

G. Accessory buildings: an accessory building, including garage, may be constructed within five feet of rear and side property line (or edge of alley right-of-way) when located in the rear one-third of the lot. Garages fronting on public streets shall maintain a minimum eight-foot setback from the property line. All single tenant garages shall be provided with automatic garage doors.



**Diagram of yard setbacks.**

H. Live/work standards: Live/work units and buildings are subject to the following standards:

1. Work on the premises of a live/work unit shall be limited to persons who live in the live/work unit. Living and working spaces shall not be rented or sold separately. The owner/occupant of a live/work unit shall notify the City of any change in use or occupancy. Any change of use or occupancy shall comply with the uses identified in this Section and will require a new Certificate of Occupancy. The commercial square footage initially approved for live-work areas within a unit shall remain commercial in nature and shall not be converted to residential use with subsequent owners.
2. Off-street loading will be accomplished by the temporary use of planned parking spaces, or in parking spaces limiting a vehicle's permitted parking time (e.g., parking stalls designated with twenty minute parking limits).
3. Live/work units and buildings must comply with any requirements imposed by the building, fire, community development, police, and public works departments intended to protect the public health, safety and welfare.
4. An administrative approval or conditional approval of the commercial/work component of the live/work units shall be granted to the owner of the unit. Approvals of commercial uses may not be transferred between units. A copy of all conditions of the approval of the project shall be provided to all future owners/occupants of the building prior to their execution of a lease or purchase agreement for the live/work unit. Project conditions are required to be recorded with the County Recorder's Office prior to exercise of entitlement.

5. Businesses using commercial vehicles are prohibited.

I. Usable open space:

1. Residential uses: a minimum of one hundred fifty square feet of outdoor usable common and private open space shall be provided per dwelling unit,

a. A minimum of seventy square feet per unit shall be private with a minimum dimension of seven feet in any direction. Private open space shall be accessible directly from the living area of the unit, in the form of a fenced yard, patio, deck or balcony,

b. A minimum of fifty square feet per unit shall be usable common open space with a minimum dimension of twenty feet in any direction,

c. A minimum of thirty square feet per unit may be provided as either common or private open space.

2. Live/work uses: a minimum of one hundred square feet of either outdoor usable common or private open space shall be provided for each live/work unit. Minimum dimensions shall be in accordance with I(1)(a) and (b), above.

3. The usable common open space requirements of residential mixed use and live/work units can be combined into one or more large spaces to satisfy the usable common open space requirements, so long as the space is located along or directly accessed and visible from perimeter or interior streets.

### **Section 3: Permitted Uses**

The following shall be permitted uses in the mixed use overlay zone:

A. All mixed use development in accordance with the provisions of this section requires site plan review pursuant to the standards of this title. Site plans shall be subject to planning commission review and approval.

B. If property is developed solely in accordance with provisions of the underlying zoning district, uses permitted or conditionally permitted in the underlying zoning district shall be allowed. Site plan review shall not be required for such development unless required by another provision of this title.

C. If property is developed with a mix of residential and nonresidential uses<sup>1</sup> within the same project area in accordance with the provisions of this section:

1. Residential:

- a. Multiple-family dwellings;
- b. Single-family attached dwellings;
- c. Live-work uses (Defined below)

2. Commercial:

a. Food sales and service:

- i. Confectionery, candy stores, retail bakery;
- ii. Neighborhood markets;
- iii. Restaurants, coffee shops, cafeterias (sit-down and/or take-out).

b. Health services:

- i. Medical, dental, optical offices;
- ii. Pharmacies (walk-in);
- iii. Health clubs of less than ten thousand square feet.

c. Administrative, financial, real estate, bank and professional offices.

d. Retail sales and service:

- i. Antique stores;
- ii. Art and photography galleries and studios;
- iii. Automobile supply stores;
- iv. Barber shops and beauty shops;
- v. Blueprinting and photocopying;
- vi. Book and stationary stores;

- vii. Clothing stores of less than five thousand square feet;
- viii. Department and furniture stores of less than five thousand square feet;
- ix. Dry cleaning service;
- x. Florists and plant shops;
- xi. Furniture upholstery shops;
- xii. Gift shops;
- xiii. Hardware and paint stores of less than five thousand square feet;
- xiv. Interior decorating services;
- xv. Jewelry stores;
- xvi. Music and vocal instruction and dancing academies;
- xvii. Pet shops;
- xviii. Postal facilities (private);
- xix. Repair services (limited);
- xx. Shoe sales;
- xxi. Tailor;
- xxii. Television, radio, and home appliance stores of less than five thousand square feet.

3. Public facilities:

- a. Fire and police stations;
- b. Libraries;
- c. Post offices.

4. Live-work:

- a. Professional, administrative, and business uses;
- b. Repair services (excluding auto related repair services);
- c. Retail sales and service;
- d. Studios (art, photography, copywriter, film/video).

5. Accessory:

- a. Parking lots or structures, which are integrated into a primary building use
- b. Public or private recreational facilities,
- c. Mechanical and utility equipment.

**Section 4: Uses by Special Exception**

The following uses may be permitted in a mixed use development with approval from the Chapel Hill Board of Zoning Appeals to include:

- A. Bars and nightclubs;
- B. Restaurants, coffee shops (drive-thru);
- C. Supermarkets;
- D. Public assembly:
  - 1. Lodges and meeting halls,
  - 2. Museums,
  - 3. Theaters (cinema and otherwise);
- E. Pharmacies (drive-thru);
- F. Health clubs of more than ten thousand square feet;
- G. Retail sales and service:



1. Clothing stores of more than five thousand square feet,
2. Department and furniture stores of more than five thousand square feet,
3. Hardware and paint stores of more than five thousand square feet,
4. Television, radio, and home appliance stores of more than five thousand square feet;

H. Computer internet and amusement facilities;

I. Live-work in conjunction with:

1. Restaurants; or
2. Any use that may result in exterior or interior noise levels in excess of city residential noise standards;

J. Churches;

K. Massage establishments with the general exception that such establishments are not permitted whatsoever in live-work unit.

# **ORDINANCE 2018-08**

## **PUD Zoning Ordinance**

### **WHEREAS**

The development needs of the citizens of Chapel Hill, TN have surpassed the original model zoning ordinance for the State of Tennessee.

### **WHEREAS**

The development of increasingly valuable land and open space requires essential compromises on the part of the land developers and the city government of Chapel Hill, TN.

### **WHEREAS**

One of the best ways to accomplish this compromise is through the establishment of Planned Urban Developments where land developers possess the opportunity to create subdivisions with higher densities in return for augmentations and open space that go beyond the typical subdivisions in rural Tennessee.

**Now therefore be it enacted by the City of Chapel Hill, TN**

#### **1 ARTICLE 2 CHAPTER 5: PLANNED UNIT DEVELOPMENT OVERLAYS & ZONES**

##### **SEC 2.501 PURPOSE:**

The purpose of the Planned Unit Development (“PUD”) process is to encourage the efficient use of land and resources, promote greater efficiency in public and utility services, ensure orderly improvement of property in accordance with community plans, and to encourage innovation in the planning and building of all types of development without detriment to the community. The PUD regulations are intended to permit property to be used in a manner or intensity not permitted as-of-right by the current district regulations.

##### **SEC 2.502 AUTHORITY:**

The Town of Chapel Hill Planning Commission (hereinafter, Planning Commission) may approve a rezoning request and development plan for a PUD in accordance with the procedures and standards

specified in this Chapter and other regulations applicable to the district in which the subject property is located.

**SEC 2.503 APPLICABILITY:**

This section applies to development on one or more lots, tracts, or parcels of land to be developed as a single entity, the plan for which may propose density or intensity transfers, density or intensity increases, mixing of land uses, changes in lot size, bulk, lot coverage, parking, required open space, or other standards of the zoning and subdivision code otherwise applicable to the area in which the project is located. A PUD zoning district adopted prior to the effective date of this section is governed by the previous regulations and shall be identified on the zoning map as a PUD district.

**SEC 2.504 APPROVAL:**

Two alternatives for PUD review and approval are provided.

Such PUDs may be approved as either:

(A) an overlay district with regulations supplementary to the underlying zoning district if only marginal changes from the underlying zoning regulations are contemplated. This overlay will be called Suburban Fringe PUD. The PUD rezoning shall be concurrent with the approval of a PUD Conceptual Plan. District regulations shall apply except to the extent modified by the overlay district. The PUD designation shall be noted as an overlay on the Official Zoning Map.

(B) a new base district displacing the zoning in the underlying district. Upon approval, the PUD designation shall be noted as a new zoning district on the Official Zoning Map. This district would be called Rural Residential PUD.

**2 SEC 2.505 ADDITIONAL SUBMITTALS:**

In addition to the submittal requirements stipulated by city staff on unique development plans, all PUD submittals shall include the following minimum provisions: (A) A statement of Intentions complete with the number of dwellings, buildings, rough size and scope of development, and population density. (B) Checklist for all application documents and plan drawings complete with definitions, as appropriate, for such words or terms contained in the PUD resolution. (C) A comprehensive timeline for completion.

**SEC 2.506 GENERAL STANDARDS FOR PUD APPROVAL:**

In determining whether a PUD Plan filed pursuant to this Chapter shall be approved or recommended for approval, the Zoning Commission and the Planning Commissioners shall apply the following general standards:

(A) Compliance with this Zoning Resolution and compatibility with the purposes of the zoning district in which the proposed use and development is to be located;

(B) Applicability of, and consistency with, adopted objectives and policies of the Chapel Hill government related to land use and township plans duly adopted by the Planning Commission;

- (C) Compatibility with and adequate protection of surrounding property;
- (D) Whether the proposed phasing of the development is appropriate and the development can be substantially completed within the period of time specified in the schedule of development submitted by the applicant;
- (E) Whether the proposed development is served adequately and efficiently by essential public facilities and services which are in existence or are planned;
- (F) Whether significant scenic or historic features, as identified in plans duly adopted by the Regional Planning Commission, are adequately conserved;
- (G) Whether modifications of the zoning or other regulations are warranted by the innovative design of the development plan;
- (H) The adequacy of proposed pedestrian and vehicular circulation system; (I) The adequacy of the provisions for visual and acoustical privacy;
- (J) Preservation of open space, natural and cultural areas and whether the development includes an appropriate amount of, and appropriate access to, dedicated open space; and 3
- (k) Placement of structures on most suitable sites with consideration of topography, soils, vegetation, slope, etc.

**SEC 2.507 SPECIAL CONSIDERATIONS:**

The following list includes some of the special considerations which may become a requirement when reviewing applications for PUD rezoning. Satisfaction of these and other added considerations is strongly encouraged.

- (A) The creation of active and passive recreation to include greenways, sidewalks, and other pedestrian/bicycle circulation networks that serve to connect significant areas and various land uses. (B) Enhanced landscaping, deeper buffers, and increased planting along public rights-of-way, open space/recreational areas, and the overall perimeter of the project.
- (C) Separation of vehicular, pedestrian, and/or bicycle traffic lanes, internal traffic patterns, connections to adjacent properties/interconnectivity, and other traffic mitigation measures.
- (D) Public benefits (e.g., public parks and water access) and community facilities and the access thereto.

**SEC 2.508 PHASING PLAN:** A phasing plan shall be developed indicating the sequence of development, general land uses, and anticipated commencement and completion times of each phase. Adequate essential public services shall be provided for each Final Plat within each proposed phase prior to the issuance of any permits, except those permits required for the direct development of infrastructure, essential public services and associated grading.

- (A) The phasing plan shall include a narrative describing land use types, total area contained, anticipated population levels and essential public services. Essential public services necessary for the anticipated level of use of each phase shall be provided.

(B) The phasing plan shall demonstrate how phased non-residential uses and recreational provisions will keep pace with the housing.

(C) Bonding of Roads and public improvements shall be carried forth under the auspice of the government of the City of Chapel Hill. The method of bonding public improvements shall be completed with letter of credit only by a bank registered and approved for operation in the state of Tennessee.

**SEC 2.509 PUD DEVELOPMENT STANDARDS:**

The density, total floor area, and land coverage by buildings, within a PUD Overlay, shall not exceed the maximums allowed in the underlying zoning district by an amount greater than twenty percent (20%) except in accordance with Section 2.509.5(B). PUD projects granted relief from normal regulatory requirements of this chapter shall meet the following specific standards regarding density and intensity, uses, development size, design, open space, and landscaping.

**2.509.1 Density and Intensity:**

(A) **Density Distribution:** A greater concentration of residential density may be located within portions of a project, provided there is an offset by a lesser concentration in another portion or an appropriate reservation of open space. Where a district boundary line divides the parcel or a development site has multiple zones, the total density is based on the combined allowable density for each area. The density may be distributed on any portion of the site regardless of the zoning district.

The density calculation for single-family residential structures is determined by the area dedicated for residential use. There is no numeric cap for second-story residential density.

(B) **Density and Intensity Increases:** The PLANNING COMMISSION may vary the density or intensity by not more than twenty percent (20%) in consideration of:

- (1) The amount, location, and proposed use of common or secondary open space.
- (2) The location and physical characteristics of the site of the proposed planned development.
- (3) The location, design, and type of dwelling units.

**2.509.2 Allowable Uses:** The permitted use(s) within a PUD shall be determined at the time the zoning district and development plan is approved. Development within the district shall be limited to those uses specifically requested as part of the application and approved by the PLANNING COMMISSION. Any addition of uses shall follow the zoning code amendment process. The development may provide for the authorization of uses that do not correspond with or are not expressly permitted by the zoning use district regulations for the area in which a PUD is located.

**2.509.3 Use Permission:** The permitted uses within an approved PUD Overlay shall be those of the underlying zoning district as indicated in the Table of Uses by Zoning District unless a deviation from the approval process is clearly stated in the PUD.

**2.509.4 Development Size:**

(A) Minimum Development Size:

(1) Standard PUD beyond the Suburban Fringe: Minimum development size of five (5) acres.

(B) Waiver from Development Size Requirements: The development size requirements may be waived at Stage 1 or 2 if the PLANNING COMMISSION finds:

(1) That an unusual physical or topographic feature of importance to the area as a whole, such as wetlands, exists on the site or in the surrounding area that will contribute to and be protected by the PUD; or,

(2) That the property or the surrounding area has an historic character of importance to the community that will be protected by the PUD; or,

(3) That the proposed PUD is adjacent to an approved PUD that has been completed and will contribute to the amenities and values of the neighboring PUD; or,

(4) That the PUD is located in an area that is being redeveloped and will advance redevelopment or comprehensive plan policies.

**2.509.5 Open Space Standards:**

(A) Required Open Space:

Development Type		Required Open &/or Common Open Space	
Residential	Suburban Fringe	20%	
	Rural – Development >20 acres	50%	
Mixed Use	Single-Family Residential component	Suburban Fringe	10% of the residential component
		Rural – Development >20 acres	40% of the residential component
	Upper Story Residential		10% of the site
	Non-Residential		10% of the non-residential component
Non-Residential		10%	

(D) Open Space Design:

(1) Common Open Space: The location of common open space shall be planned as much as possible as a contiguous area located for the maximum benefit of the residents, preserving, and where possible, enhancing natural features. Buildings, structures, and improvements permitted in the common open space must be appropriate to the uses authorized for the common open space and must conserve and

enhance the amenities of the common open space, having regard to its topography and unimproved condition.

(2) Open space may either be centrally located, located to preserve natural features and woodlands, located to buffer adjacent farmland, or located to connect open spaces throughout the development.

(3) Allow a minimum of fifty (50) feet from the edge of any lake or wetland. Trails, boardwalks, observation platforms, or other similar structures that enhance passive enjoyment of the site's natural amenities are permitted within this space.

(4) Whenever possible, open space areas shall be interconnected within the PUD and on abutting parcels by open space corridors, at a minimum of ten (10) feet in width. Open space corridors may be credited towards the total open space required.

(5) Open space areas shall have a minimum area of five thousand (5,000) square feet and a minimum width of seventy (70) feet.

**(E) Open Space on Platted Lots:**

This section provides the rules by which primary open space is permitted to occur on a lot. Only large lots that may accommodate a construction envelope equal to one (1) acre shall be eligible for this provision. The construction envelope is defined as a delineated area that identifies the location within which all grading, clearing, excavation and development shall occur, including but not limited to septic systems, wells, dwellings, storage buildings or other structures or improvements. Construction envelopes shall be identified on the record plat and may be changed through the PUD amendment process as provided in Section 1.305. The following standards apply:

(1) The construction envelope shall extend at least fifteen (15) feet from the foundation and five (5) feet from any other area to be developed or disturbed to provide for machinery and earth movement.

(2) All eligible lots shall conserve the resource area in question, restricting the use of that land to open space uses and prohibiting fencing and the clearing, cutting, or disturbing of vegetation.

(3) All lot construction and clearing shall be confined to a construction envelope that includes buildings, decks or patios, driveways, lawns, pools, tennis courts, septic tanks and tile fields, and utility access.

(4) The construction envelope shall be designated on the subdivision plan.

(5) The areas outside of the construction envelope may be credited towards the required open/common open space.

**(F) Unqualified Areas:** Land area that is commonly owned or devoted to the following shall not be included as meeting the common/open space requirement:

(1) Public street rights-of-way, private roads, and parking areas;

(2) Required setbacks between buildings, parking areas, and project boundaries and between buildings and public or private streets unless the required setback is contiguous to, and part of, a larger area of open space;

(3) Private yards within subdivided lots, except in accordance with Section 2.302.3(F);

(4) A minimum of fifteen (15) feet between buildings and open space; (5) Any land dedicated to a sewage disposal system or for a stormwater management device.

**(G) Ownership:**

(1) Ownership Alternatives: An individual, a group of individuals, a nonprofit organization, a homeowners' association, a public body, or a combination of these entities may hold fee simple title to the open space area. Any use of the open space areas shall be in conformance with the Development Plan. 9

(2) Public Agency: A public agency involved in conservation or preservation may be designated as the holder of the conservation easement for the open space land.

(3) Legal Instrument for Permanent Protection: Open space shall be in place before building permits are issued. Dedicated open space shall be set aside in perpetuity by the developer through a conservation easement or a permanent restrictive covenant for conservation/preservation purposes that is found acceptable to the Commissioners. Such covenant or easement shall assure that the open space will be protected from all forms of development by being recorded and filed with the final development plan.

**(H) Provision and Maintenance:**

(1) The development plan shall:

(a) Identify the uses and development permitted in the open/common open space; and,

(b) Include a schedule that shall coordinate the preservation of open space and the provision of common open space with the construction of the PUD, taking into account the location of the open/common open space and any phases in the construction of the PUD.

(2) Further subdivision of open space land or its use for other than recreation, conservation, or agricultural purposes shall be strictly prohibited.

(3) The owners or easement holder of open space shall maintain the open space and any buildings, recreational facilities, detention and retention basins, sidewalks, or private streets upon it. 2.509.6 Interstate Highway Overlay: Within a PUD approved under the Interstate PUD process, the following provisions shall apply:

(A) Non-Residential uses must be the predominant land use. Single family residential uses shall not exceed ten percent (10%) of the development site. Residential uses are not permitted within the Interstate 71 areas of the Highway Overlay District, wherever the base zoning is commercial or industrial.

(B) Maximum sixty percent (60%) of the gross parcel acreage may be devoted to coverage by buildings, structures, street, driveway, or parking pavement.

(C) Lot size, lot width, or setback requirements may be waived except for front setbacks on arterial and primary collector roadways.

(D) For Commercial Business, Office, and Light Manufacturing uses a minimum fifty (50) foot setback shall be provided when abutting an external residential use or district.



(E) For General Industrial Manufacturing uses, a minimum seventy-five (75) foot setback shall be provided when abutting an external residential use or district.

(F) Building and accessory structure height for Commercial Business, Light Manufacturing, and General Industrial Manufacturing use, within one hundred (100) feet of the property line, shall not exceed sixty (60) feet.

(G) Trip Generation: All developments generating more than one hundred (100) peak hour trips shall submit a traffic impact study.

(H) There shall be no areas of a PUD that are unspecified as to the category of land uses that will occupy those particular areas.

(I) The PUD site plan requirements shall comply with Sec. 1.305.6 (A) (1) thru (10), and the development standards for the PUD shall be established at Stage 2.

(J) The following uses are prohibited in all PUDs.

- |  |   |
|--|---|
| (1) Waste Processing of any kind                                   | (2) Sexually Oriented Businesses                    |
| (3) Outdoor Shooting Range   | (4) Asphalt/Concrete Plant (or Products)            |
| (5) Slaughterhouse and Stockyards                                  | (6) Mineral Extraction                              |
| (9) Motor Vehicle Impound Lots                                     | (10) Scrap Metal Salvage Yard and Recycling Centers |
| (11) Outdoor Storage or Displays Associated with an Industrial Use |   |

**2.509.7 Rural Residential PUD district:**

The PLANNING COMMISSION may approve a Standard Rural Residential PUD in order to preserve agricultural, environmental, or open space resources. In addition, the RRPUD shall be designed to achieve the following:

(A) To preserve in perpetuity unique or sensitive natural resources such as, but not limited to, groundwater, floodplains, wetlands, streams, steep slopes, woodlands, and wildlife habitat;

(B) To permit clustering of houses and structures in a manner that will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for residential development;

(C) To reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential development;

(D) To create contiguous farm preservation areas within, and adjacent to, the development site;

(E) To protect the rural character and scenic views;

(F) To protect prime agricultural land and retain farming as an economic activity.

### (G) Development Standards

- (1) Housing shall be clustered, while the remaining area is preserved for agricultural uses if the need be there.
- (2) Site planning shall provide protection of the development from potentially adverse surrounding influences, such as active agricultural operations.
- (3) The orientation and clustering of the residential development shall be toward internal streets and pedestrian systems and away from adjacent arterial or collector streets.
- (4) The development plan shall include means to mitigate any potential impact of the development. Mitigation measures may include, but are not limited to, berms, larger setbacks, or additional screening.
- (5) The development plan shall include measures to protect and enhance prime agricultural lands, open water bodies, wetlands, and sensitive habitats.
- (6) Any use or combination of uses allowed in the underlying zoning district may be included. The uses permitted must be specifically defined and approved as a part of the development plan.
- (7) Strong consideration shall be given to locating residential housing on the least productive agricultural land and in such a manner as to have little impact on any environmental or open space resource area, and shall be clustered in such a manner to make efficient use of land resources and infrastructure.
- (8) Strong consideration shall be given to the compatibility of the development with any surrounding agricultural operations, and the preservation of significant upland vegetation habitats and wetland areas.
- (9) There shall be not more than two (2) lots for every one thousand (1,000) feet of frontage along an arterial or primary collector road; provided, that parcels of record with less than one thousand (1,000) feet of frontage may have two (2) frontage lots.
- (10) No setback shall be located closer than one hundred (100) feet to an arterial or primary collector road, unless the development creates fewer than five (5) lots.
- (11) A visual buffer located within the boundary of the residential portions of the planned unit shall be established along all property boundaries with adjacent rural residential uses to assure that the planned unit is compatible to abutting low density development through appropriate screening and/or setbacks. The width of the visual buffer shall be at least equal to the underlying zone setbacks for rear, front, or side yards, whichever is appropriate. The visual buffer shall be consistent with the zoning ordinance definition thereto.

**SEC 2.510 CHANGE OF OWNERSHIP:** A PUD may be subdivided or re-subdivided, and may be sold or leased in whole or in part. The final development plan shall control the development of any part of a PUD that is subdivided, sold, or leased. No development may be undertaken in any

part of a PUD that is subdivided, sold, or leased that will violate the final development plan for the entire PUD unless the final development plan is amended by the PLANNING COMMISSION for part or all of the PUD. An amendment to the final development plan shall require seventy five percent (75%) of all property owners within the entire PUD to sign as co-applicants for such amendment.

SEC 2.511 **COMPLIANCE:** The PLANNING COMMISSION may approve a change of zone for a PUD conditioned upon achieving development standards for all or each phase of a PUD. If at any time the PUD or any phase of the PUD has not been developed according to the Stage 2 or Stage 3 Site Plans, the PLANNING COMMISSION shall give notice by certified mail to the owner and applicant who requested the rezoning and shall schedule a public hearing to take the following actions: (A) Legislative action to Re-Zone the property to its former zoning classification; or, (B) Administrative action to ensure compliance with, or amendment of, later stages of site plans.

**RESOLUTION NO. 18-23**

**A RESOLUTION OF THE TOWN OF CHAPEL HILL, TENNESSEE TO ANNEX CERTAIN TERRITORY ADJOINING THE TOWN AND WITHIN THE URBAN GROWTH BOUNDARY SAID TERRITORY BEING GENERALLY LOCATED ON OLD HWY 99 SOUTH WEST OF THE CURRENT TOWN LIMITS AND TO APPROVE THE PLAN OF SERVICES FOR SAID ANNEXATION**

WHEREAS, the owners of the certain property adjoining the Town and located within the Town's Urban Growth Boundary have requested that the Board of Mayor and Aldermen annex this territory into the Town; and

WHEREAS, the Town's Planning Commission has given preliminary approval of annexation reviewed; and

WHEREAS, the Board of Mayor and Aldermen of the Town of Chapel Hill have determined that the prosperity of the municipality and territory to be annexed will be materially retarded and the safety and welfare of the inhabitants and property endangered, if the existing boundaries are not extended to incorporate said property into the Town limits; and

WHEREAS, the Board of Mayor and Aldermen has determined that it is in the best interest of the residents of the Town to annex the territory described herein into the corporate limits of the Town.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Mayor and Aldermen of the Town of Chapel Hill as follows:

**Section 1.** The territory adjoining the current Town corporate limits and generally located on Old Hwy 99, specifically Tax Map 025.00, Parcel 013.00 and Tax Map 025.00, Parcel 12.00 (approximately 150 acres) as shown on Exhibit A, shall be annexed into the Town and the Plan of Services attached hereto as Exhibit B is approved for such annexed territory.

**Section 2.** If any section, clause, provision, or portion of this Resolution is for any reason declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion, of this Resolution which is not itself invalid or unconstitutional.

This resolution shall take effect immediately upon passage, the public welfare requiring it.

RESOLVED AND ADOPTED this 13th day of August, 2018.

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Danny Bingham, Mayor

ATTEST:

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Chris Lowe, Town Recorder

APPROVED AS TO LEGALITY AND FORM:

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Todd Moore, Town Attorney

## **PLAN OF SERVICES**

Section 1. Pursuant to the provisions of Section 6-51-102, Tennessee Code Annotated, there is hereby adopted, for the area bounded and described in Exhibit "A" attached hereto, the following Plan of Services:

a. Police

The Town will provide patrolling, responses to calls, and other routine police services, using present personnel and equipment, provided on the effective date of annexation. Additional personnel to be added as required.

b. Traffic Control

Traffic signals, traffic signs, street markings, and other traffic control devices will be installed as the need therefore is established by appropriate study and traffic standards.

c. Fire

Fire protection by the present personnel and equipment provided on the effective date of annexation. Additional personnel and equipment to be added as required.

d) Water

Any extensions or improvements to water lines necessary to serve new development within the territory to be annexed shall be the responsibility of the developer/property owners. Depending on the nature and size of future development, the Town may require that the developer/property owners receive water service from Marshall County, if available. The property owners requesting this annexation understand that the Town may not have adequate water supply for the development they are proposing and that there is no guaranteed timetable to gain access to such supply.

e) Sanitary Sewers

Sewer service is not currently provided to the territory to be annexed. Any extensions or improvements to sewer lines necessary to serve new development within the territory to be annexed shall be the responsibility of the developer/property owners. The property owners requesting this annexation understand that the Town may not have adequate wastewater and sewer capacity for the development they are proposing and that there is no guaranteed timetable to gain access to such capacity.

f) Refuse Collection

Regular refuse collection service as now provided in Town will be provided to the territory to be annexed.

g) Streets

- 1) Emergency maintenance of streets to begin on the effective date of annexation.
- 2) Routine maintenance pursuant to Town's current policy to begin in the annexed area on the effective date of annexation.
- 3) Reconstruction and resurfacing of streets, installation of storm drainage facilities, and other such other improvements, as the need therefore is determined by the Town under current policies of the Town.

h) Inspection Services

Any inspection services now provided by the Town (building, electrical, plumbing, housing, sanitation, etc.) to begin in the annexed area on the effective date of annexation.

i) Planning and Zoning

The planning and zoning jurisdiction of the Town will extend to the annexed area on the effective date of annexation. Town planning will thereafter encompass the annexed area.

j) Electrical Service and Street Lights

Electrical service will continue to be provided by Duck River Electric Membership Corporation. Street lights to be provided as the need is determined by the Town under current policies of the Town.

k) Recreation

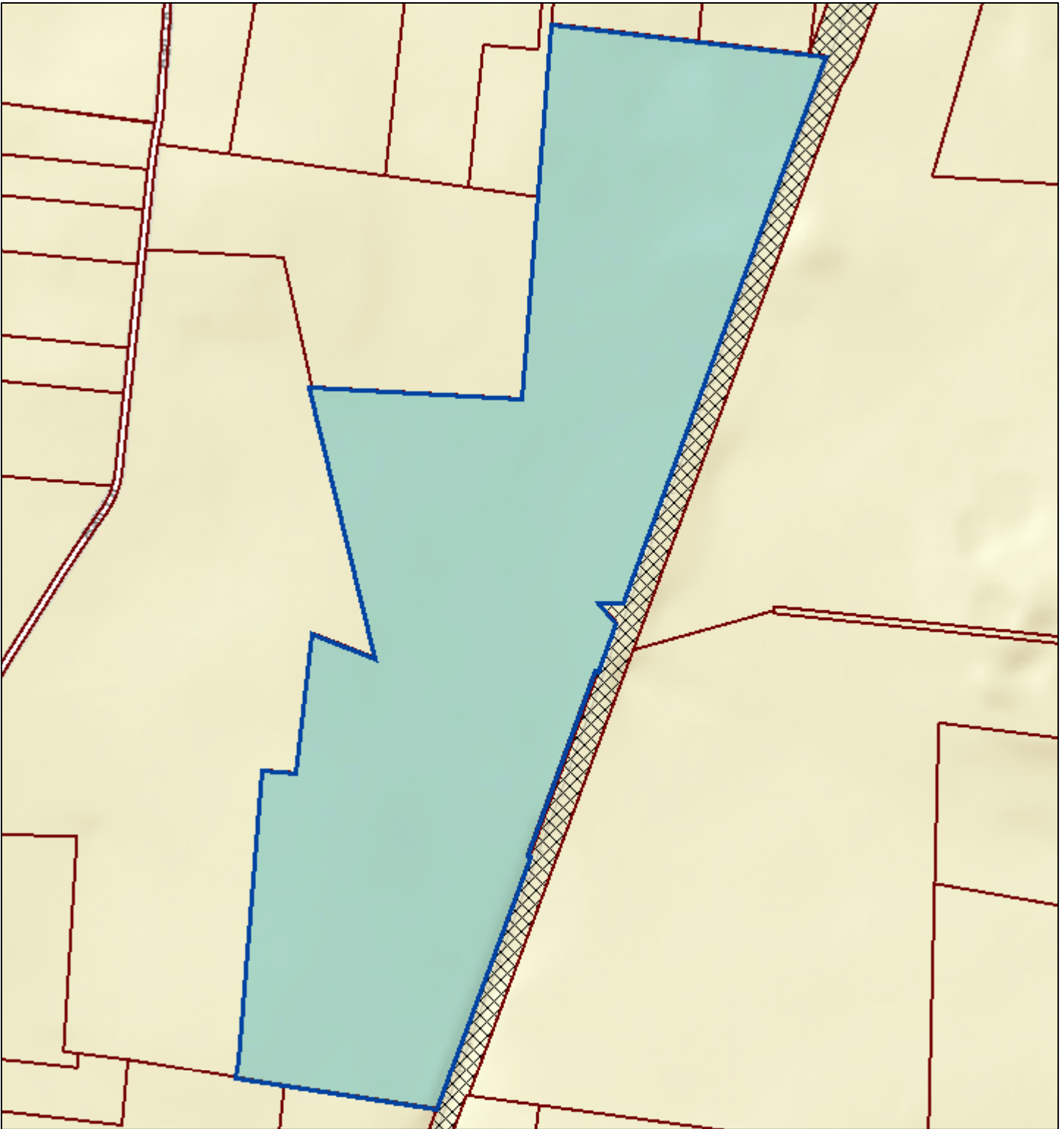
Town's standards and policies will be followed in expanding its recreational program and facilities in the annexed area.

EXHIBIT "A"

Description of property to be annexed



Marshall County - Parcel: 025 013.00

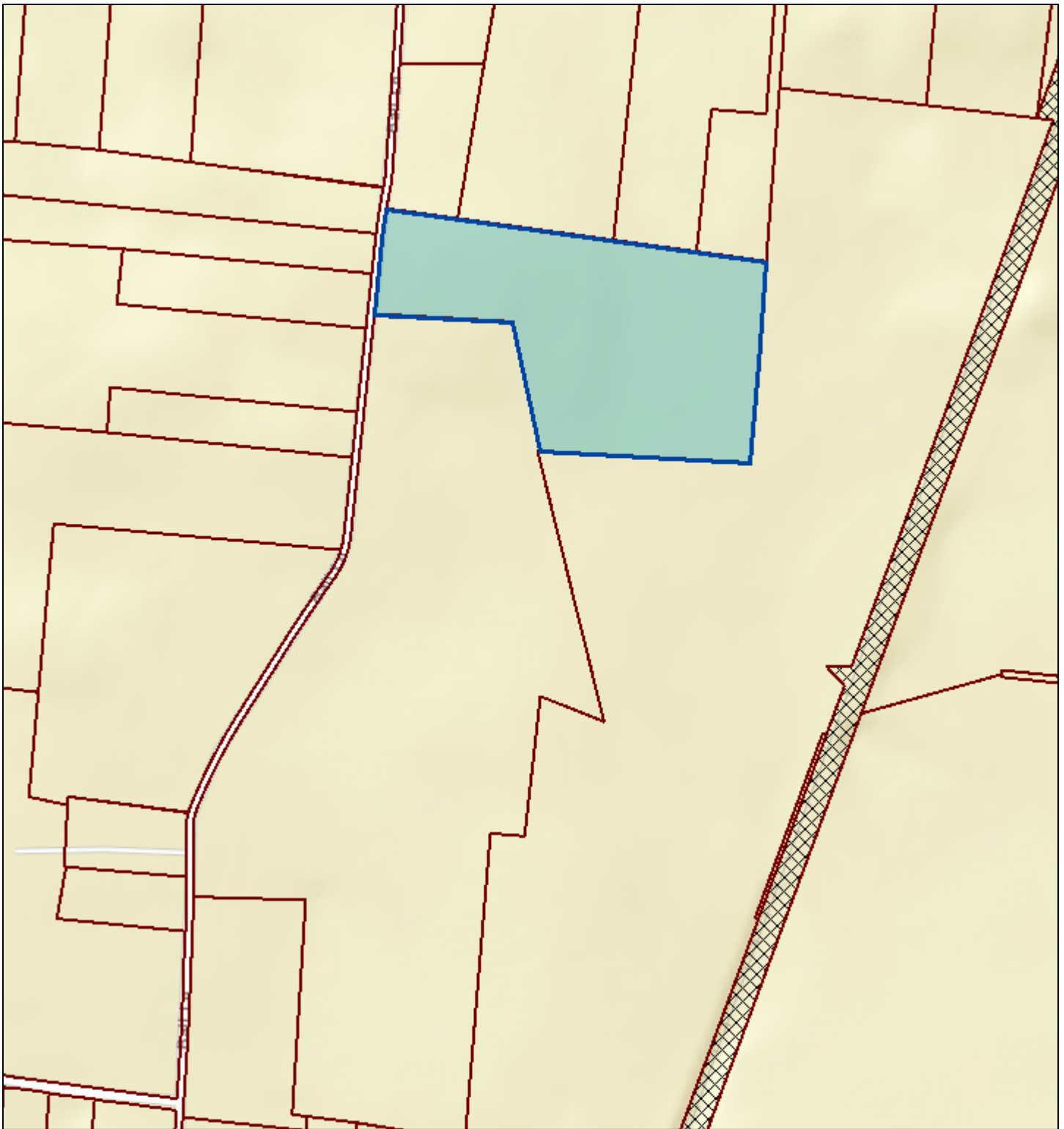


Date: August 7, 2018  
County: Marshall  
Owner: LAURAIN ALAN R  
Address: NASHVILLE HWY  
Parcel Number: 025 013.00  
Deeded Acreage: 0  
Calculated Acreage: 122.48  
Date of Imagery: 2013

TN Comptroller - OLG  
State of Tennessee, Comptroller of the Treasury, Office of Local Government (OLG)  
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),

The property lines are compiled from information maintained by your local county Assessor's office but are not conclusive evidence of property ownership in any court of law.

Marshall County - Parcel: 025 012.00



Date: August 7, 2018  
County: Marshall  
Owner: LESTER DON W  
Address: BALL LN 4101  
Parcel Number: 025 012.00  
Deeded Acreage: 28.2  
Calculated Acreage: 0  
Date of Imagery: 2013

TN Comptroller - OLG  
State of Tennessee, Comptroller of the Treasury, Office of Local Government  
(OLG)  
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan,  
Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),

The property lines are compiled from information maintained by your local county Assessor's office but are not conclusive evidence of property ownership in any court of law.

TOWN OF CHAPEL HILL, TENNESSEE

RESOLUTION NO. 18-24

**A Resolution to Amend the Personnel Policy**

WHEREAS, the Town of Chapel Hill has reviewed its personnel policy as it pertains to Vacation and Personal time off, and

WHEREAS, the Town of Chapel Hill sees value adjusting the way paid time off is earned and accrued,

WHEREAS, the current policy restricts most of this activity.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF CHAPEL HILL, TENNESSEE the following:

That Article 4, Section 5.3 which reads:

**Vacation.**

Annual leave shall be earned by an employee who is on leave with pay, but shall not be earned by an employee who is on leave without pay. Annual leave shall be accrued from each full month following the date of hire and shall be considered earned on the first day of July of each year. Earned annual leave shall be accumulated subject to the following limitations:

1. Annual leave shall be earned before it is taken and shall be scheduled to meet the operational needs of the town and, if possible, the preference of the employee, and may be used for any reason at the discretion of the employee.
2. Each employee shall be eligible to carry over from one calendar year to the next no more than 80 hours of annual leave from the previous year.
3. Annual leave shall not be taken in excess of 5 consecutive working days without approval of the Town Administrator.
4. All employees shall provide no less than seven (7) day notice to their respective department heads of their intentions to take annual leave, unless authorized by the Town Administrator or designee. In cases of emergency or death in the immediate family, all such notice shall be excused, provided that any such employee notifies their supervisor of the emergency or death as soon as practical. Any employee who fails to give the 7 day notice may be subject to disciplinary action.

5. Compensatory leave shall be granted at the request of the employee within a reasonable time of the request unless department operations would be unduly disrupted. Compensatory leave shall be used before annual leave.
6. All full-time employees shall be given 8 hours annual/vacation leave for each full month of employment from the beginning of the prior fiscal year. Such annual/vacation leave shall be taken at a time approved by the department head/supervisor or such other officer designated. Upon separation, employees are entitled to be reimbursed for any unused annual leave.
7. After 8 fiscal years of employment, regular, full-time employees shall earn 12 hours per month annual leave.
8. After 15 fiscal years of employment, regular, full-time employees shall earn 16 hours per month annual leave.
8. Annual leave benefits are earned on July 1<sup>st</sup> and may not be used prior to that day.
9. Employees may cash in up to half of the hours accrued each year unless otherwise authorized by the Town Administrator. Employees planning to cash in annual leave must notify the Town Recorder at least seven days in advance of being paid for such time.

Be amended to read:

**Vacation.**

Annual leave shall be earned by an employee who is on leave with pay, but shall not be earned by an employee who is on leave without pay. Annual leave shall be accrued and earned from the date of hire. Earned annual leave shall be accumulated subject to the following limitations:

1. Annual leave shall be earned before it is taken and shall be scheduled to meet the operational needs of the town and, if possible, the preference of the employee, and may be used for any reason at the discretion of the employee.
2. Each employee shall be eligible to carry over from one calendar year to the next no more than 80 hours of annual leave from the previous year.
3. Annual leave shall not be taken in excess of 5 consecutive working days without approval of the Town Administrator.
4. All employees shall provide no less than seven (7) day notice to their respective department heads of their intentions to take annual leave, unless authorized by the Town Administrator or designee. In cases of emergency or death in the immediate family, all such notice shall be excused, provided that any such employee notifies their supervisor of the emergency or

death as soon as practical. Any employee who fails to give the 7 day notice may be subject to disciplinary action.

5. Compensatory leave shall be granted at the request of the employee within a reasonable time of the request unless department operations would be unduly disrupted. Compensatory leave shall be used before annual leave.
6. All full-time employees shall be given 8 hours annual/vacation leave for each full month of employment from the beginning of the prior fiscal year. Such annual/vacation leave shall be taken at a time approved by the department head/supervisor or such other officer designated. Upon separation, employees are entitled to be reimbursed for any unused annual leave.
7. After 8 fiscal years of employment, regular, full-time employees shall earn 12 hours per month annual leave.
8. After 15 fiscal years of employment, regular, full-time employees shall earn 16 hours per month annual leave.
10. Employees may cash in up to half of the hours accrued each year unless otherwise authorized by the Town Administrator. Employees planning to cash in annual leave must notify the Town Recorder at least seven days in advance of being paid for such time.
11. Personnel classified as "Police Officers" will be limited to taking one vacation day on a Town determined Holiday no more than once per year and must have prior permission from the Police Chief.

That Article 4, Section 5.9 which reads:

**Personal Leave**

Employees shall accrue 1 hour of personal leave per month, beginning with the first day of the first month following the employee's probationary period.

Be amended to read:

**Personal Leave**

Employees shall accrue 1 hour of personal leave per month, with a maximum accrued amount of 36 hours.

Ordained this 13<sup>th</sup> day of August, 2018.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
ATTEST: Town Recorder

**Resolution 18-27**  
**Declare Police Equipment as Surplus**

**WHEREAS**, the Police department has miscellaneous equipment which is no longer in service,

**WHEREAS**, the Police department can benefit from the sale of said equipment

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF CHAPEL HILL, TENNESSEE** the following:

Police equipment consisting of the following will be considered surplus:

- i. Phazzers
- ii. Copy Machine

Resolved this 13<sup>th</sup> day of August, 2018.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
ATTEST: Town Recorder

TOWN OF CHAPEL HILL, TENNESSEE  
RESOLUTION NO. 18-28

**A RESOLUTION REGARDING A CONTRACT FOR THE PURPOSE OF  
FINANCING A "Mini Hydraulic Excavator"**

WHEREAS, Town of Chapel Hill (the "Issuer") desires to enter into that certain Finance Contract, by and between the Issuer and Thompson Machinery for the purpose of financing a "Mini Hydraulic Excavator". The Issuer desires to designate this Finance Contract as a "qualified tax exempt obligation" of the Issuer for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

NOW THEREFORE, BE IT RESOLVED BY TOWN OF CHAPEL HILL:

Section 1. That the Issuer will enter into a Finance Contract with Thompson Machinery for the purpose of financing a "Mini Hydraulic Excavator".

Section 2. That the Finance Contract dated as of August 13, 2018, by and between Town of Chapel Hill and GCC is designated by the Issuer as a "qualified tax exempt obligation" for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

Section 3. That the Issuer will designate Danny Bingham, Mayor, as an authorized signer of the Finance Contract dated as of August 13, 2018, by and between Town of Chapel Hill and GCC.

Resolved by the Board of Mayor and Aldermen of the Town of Chapel Hill in a meeting held on the 13<sup>th</sup> day of August, 2018.

**Issuer:** Town of Chapel Hill

Witness Signature

\_\_\_\_\_  
Danny Bingham, Mayor

\_\_\_\_\_  
Chris Lowe, Recorder



**Resolution 18-29**

**A Resolution to Approve Purchase for Fire Truck from The City of Fairview**

**WHEREAS**, the Fire Department is in need of an upgraded pumper truck; and

**WHEREAS**, the City of Fairview has a pumper truck that could improve the efficiency and effectiveness of fire service; and

**WHEREAS**, Tennessee State Law TCA 12-3-1202 allows a municipality to purchase secondhand articles without competitive bidding and advertisement; and

**WHEREAS**, it is determined that \$25,000 is a reasonable purchase price for the truck; and

**WHEREAS**, the Fire Chief be given authority to negotiate for the best price of the truck.

**NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWN OF CHAPEL HILL, TENNESSEE** the following:

That the purchase from The City of Fairview of the pumper truck for \$25,000 or lower be approved.

Resolved this 13<sup>th</sup> day of August, 2018.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
ATTEST: Town Recorder