

LEBANON MUNICIPAL AIRPORT COMMISSION
MINUTES OF REGULAR MEETING
Thursday, January 7, 2021

The meeting was conducted electronically to protect the public health, safety, and welfare in light of the coronavirus (COVID-19).

Commissioners Present

Jeff Baines Ralph Mallicoat
Fred Burton Mike Russell
Joey Carmack Paul Stumb
T.O. Cragwall William Westmoreland
John Gentry

Others Present

R.T. Baldwin Patrick James
Heather Bay Anthony Natale
Steve DiLeo Laura Natale
Darren Duckworth David Schilling
Angela Fantom Gary Soloway
Jad Harb Andy Wright
Joseph Howes

1) CALL TO ORDER – Chairman Ralph Mallicoat called the meeting to order at 4:00 p.m. He noted that that the meeting must end before the 5:30 p.m. special-called City Council meeting.

2) ROLL CALL – Seven of eleven Airport Commissioners were present during the roll call: Jeff Baines, Fred Burton, John Gentry, Ralph Mallicoat, Mike Russell, Paul Stumb, and William Westmoreland.

Chairman Mallicoat introduced and thanked William Westmoreland, who has replaced Gary Soloway on the Airport Commission (Mr. Soloway’s term expired last month). Mr. Westmoreland owns a construction company in Lebanon, has lived here all his life, and is a pilot. He believes his strong suit is his ability to keep construction projects under budget. Mr. Westmoreland works with Commissioner of Public Services Jeff Baines and the City a lot and looks forward to being a part of the airport and seeing it grow.

3) IDENTIFY VISITORS/OTHERS PRESENT – Patrick James introduced himself, Anthony Natale, and Jad Harb as PNJ Venture Partners, LLC. The company is interested in building a hangar at the airport.

4) APPROVAL OF MINUTES – 12/3/20 Regular Meeting Minutes – A motion was made and seconded to approve the minutes. Motion carried.

5) COMMUNICATIONS FROM CITIZENS – None.

6) ENGINEERING REPORT – Special Projects Administrator R.T. Baldwin presented the report included in the agenda packet:

- A. REILS/PAPI Lights/Runway Lighting System Phase I** – Waiting on written warranties, final testing report, and final repairs from contractor.
- B. West Side Partial Parallel Taxiway – Preliminary Design** – Preliminary design completed 2/6/20. Review of final deliverables 4/28/20. No update.
- C. ALP (Airport Layout Plan)** – Mayor’s signature received; plans have been delivered to TDOT Aeronautics for signatures. Waiting on signed ALP from TDOT Aeronautics.
- D. East Side Taxilane Improvements – Construction** – Utilities have been relocated, storm sewer installed, base stone in place. Project on hold until paving plants reopen.
- E. FAA Construction Form 7460-1 Status – West Side Hangar Site C** – Application submitted to FAA 10/22/19. Finally received FAA approval on 12/26/2020.

F. 100LL Self-Serve Fuel Farm – Design/Location Discussion – Received grant extension from TDOT Aeronautics on 10/28/2020.

Mr. Baldwin and Comm. Baines discussed the item today and need to work on the details. Chairman Mallicoat and Ms. Heather Bay reiterated that the \$40,000 grant is for the design of a self-serve fuel farm on the east side. A few locations have been considered; and they are now looking into the possibility of converting the current fuel farm on the east side (by the old FBO parking lot) to a self-serve facility, which would lower construction costs. Atkins' Darren Duckworth has not been informed of the idea which may not work. Ms. Bay explained that this east side location would keep aircraft out of FAA hot spots.

The Runway Obstacle Free Zone (ROFZ) was briefly discussed. Comm. Baines advised that he and Mr. Baldwin will work with Mr. Duckworth on the new potential location and report back next month. Commissioner Paul Stumb expressed his support of the idea and hopes it will work.

G. Terminal Parking Lot Expansion – Field surveying complete. Developing grading plan, layout, and cost estimate. No update.

Mr. Baldwin has worked on some layout, as he was contacted about the development next door and an electric easement.

At this time, Comm. Baines requested that **New Business Item D, West Side Request – Hangar Site D**, be discussed.

Ms. Bay introduced Patrick James, Anthony Natale, and Jad Harb, who have been working with Mayor Rick Bell and Economic Development Director Sarah Haston on some other developments in the City. They are aware of the demand for hangars, and PNJ Venture Partners, LLC are interested in moving forward with any possibility of hangar development. Specifically, the company is requesting to construct a hangar on Lot D, which is the last remaining west side lot located immediately behind The Home Depot.

Councilor and commissioner Joey Carmack notified attendees of his presence.

Mr. Natale addressed the commission and advised that PNJ would like to develop a 100'x130' hangar; a long-term tenant has been secured. The company is also interested in developing on the east side. Anthony and Laura have been Wilson County residents for about seven years, and PNJ appreciates the opportunities presented by the City and County.

Mr. Baldwin advised Chairman Mallicoat that while the ALP currently shows the hangar site as 100'x100' he believes there are opportunities to develop a larger hangar. He pointed out the area designated for a possible fuel farm and the nearby tree line and sinkhole.

Mr. Natale informed Commissioner Paul Stumb that the hangar would house one plane, a Pilatus PC-12. PNJ is looking at around a 100'x100' box for the plane for a logistics provider for Vanderbilt Health. They are looking to build out an additional 20'x100' of space to accommodate a few resting areas and a living area for an air medical team on call 24/7. Mr. Natale explained that the airport is the perfect fit for the team, as they feel they can get to patients and transport them out of the area faster. The plane, which basically includes a hospital room, will be used to transport patients; and there will also be cases where an ambulance will be at the airport waiting to transport the patient to one of Vanderbilt's facilities.

Comm. Stumb expressed that he is thrilled over the interest but it would be more beneficial if Vanderbilt had a rotary wing facility at the airport, too.

A motion was then made and seconded to recommend City Council approval of entering into a lease agreement with PNJ Venture Partners, LLC, for West Side Lot D. Ms. Bay confirmed that PNJ has been provided an Application for Airport Development packet.

Mr. Natale advised Commissioner John Gentry that they would like to proceed with development immediately upon City Council approval of the lease agreement, noting that time

is of the essence with the tenant. Motion to recommend Council approval of entering into the requested lease agreement carried.

Comm. Stumb presented some questions regarding vehicular access to the Cracker Barrel hangar on the east side. There was a brief discussion during which Mr. Baldwin, Comm. Baines, and Ms. Bay explained that ultimately, there will be two access points – the current one on Castle Heights Ave. and a future access on Thorne Ct. For safety purposes, the Franklin Rd. entrance will not be used, and the temporary gravel access will go away. Comm. Baines advised that Cracker Barrel Aviation Director Philip Graves and his team are aware of and comfortable with these plans.

7) OLD BUSINESS

A. T-Hangar Waiting List

1. New Additions – Three new applications were presented to the commission:

- A motion was made and seconded to add Matthew Loughney (application dated 12/11/20) to the #117 position on the waiting list (following #116 Matt Demaree). Motion carried.
- A motion was made and seconded to add Joe Cisneros (application dated 12/8/20) to the #118 position on the waiting list. Motion carried.
- A motion was made and seconded to add Richard Moscardelli (application dated 1/4/24) to the #119 position on the waiting list. Motion carried.

2. Updated List – An updated list was included in the agenda packet.

B. Row D Construction and C. Southeast Hangar Development (Steve DiLeo/Aeronautique, LLC)

1. Staff Update and 2. Owner Update – Mr. Baldwin showed the area that has been approved for Row D sewer installation. Two manholes are on site, and the area has been cleared for construction.

Mr. DiLeo advised Comm. Cragwall that the door has been hung on Hangar #7 and door framework has begun for the remaining hangars. A lot of details had to be ironed out on the first door, but the installation process should move more quickly with each hangar door. He anticipates several doors being hung by next month's meeting.

Mr. Baldwin reported that he has been reviewing Mr. DiLeo's resubmitted plans for the Southeast Hangar Development; they were received last Monday. He advised Comm. Baines that sewer plans have only been approved for Row D.

Mr. Baldwin confirmed to Comm. Cragwall that staff did meet with Mr. DiLeo last month to discuss the issues with his plans. The meeting went well, and everyone is on the same page. Mr. DiLeo is trying to address staff's comments with the resubmitted plans.

Comm. Cragwall inquired about action taken during the October 2020 meeting when the commission voted to extend the Phase 1 construction start date specified in the executed Development and Operating Agreement to 1/1/21.

Comm. Baines expressed his opinion that construction has started, as land has been cleared and manholes are on site. Row D sewer plans have been approved, and he expects to see some sewer in the ground by the first of February.

Mr. DiLeo advised that he plans to start digging the sewer line going from the lift station back to manholes 1 and 2 around the first of February, weather permitting. After the December meeting with staff, he is confident his resubmitted plans will be approved – issues with the Castle Heights Ave. and Thorne Ct. entrances have been ironed out, and all comments have been addressed. Mr. DiLeo will discuss the installation process with Commissioner William Westmoreland.

- D. West Side Hangar Sites A and B (Robert Craig/ArmourSales) – No new information.** – Comm. Baines and Ms. Bay confirmed they have no new information to report on the item.
- E. West Side Hangar Site F (Bruce Thomas/AV8RS) – Excavation started.** – Mr. Baldwin spoke to the contractor today. They are working out details and electrical issues, as is the contractor for Site G (Robert Gaines). Mr. Baldwin has been coordinating construction with both contractors. They are trying to get conduit in the ground and work together without stepping on each other's toes.
- F. West Side Hangar Site C (Corey Gerulis/S&C Management) – Update building codes issue.** – Comm. Baines reported that staff has advised Mr. Gerulis that floor drains are required in the building. Mr. Gerulis' options include installing the drains or requesting a variance.
- G. West Side Hangar Site G (Robert Gaines) – Excavation started.** – Mr. Baldwin has been coordinating construction with Mr. Gaines' contractor and the contractor for Site F (Bruce Thomas/AV8RS).
- H. Row E T-Hangar Leases** – Ms. Bay reported that all Row E lease renewals have been returned to the City. New E-3 lessee Lonnie Hill is changing insurance companies and will submit his lease and certificate of insurance as soon as possible.
- I. West Side Request – Lot 4 (Chris Rudd and Todd Wilson) – In Communications Regarding Lease, Fees, Etc.** – Comm. Baines and Mr. Baldwin advised that they have not heard from Mr. Rudd and Mr. Wilson since the commission voted to continue with negotiations for a Lot 4 hangar no smaller than 100'×100' and no larger than 110'×120' during the December meeting. The item has not been presented for City Council approval. Mr. Baldwin advised that he sent the hangar size drawing to Ms. Bay who forwarded it to Mr. Rudd and Mr. Wilson. Ms. Bay suggested sending them a letter to see if they are still interested in the lot.
- J. T-Hangar Lease Terms** – Chairman Mallicoat stated the need to consider terms longer than two years (possibly five or six years) before the next expiration date.
- K. Proposed Ordinance to Amend Airport Overlay District to Require Sound Abatement for Certain Developments – Comments/Suggestions** – Comm. Baines and Mr. Baldwin advised of the need to finalize the ordinance for City Council approval. Comm. Cragwall provided Mr. Baldwin some comments on the draft today.
- L. Cracker Barrel Lease(s) Reconciliation – Comments/Suggestions** – Chairman Mallicoat mentioned some emails/comments received today about the item. He and Comm. Baines recently met with City Attorney Andy Wright to discuss the current lease and the lease proposed by Cracker Barrel. Chairman Mallicoat expressed his concern with locking in a 5% rental rate increase every five to ten years and would like for the City to have the option to set the rate when the current lease expires in August of 2029. He would like to leave the item on the agenda and let Mr. Wright develop a draft proposal for Airport Commission comments and suggestions. Chairman Mallicoat noted that Jessica Manning-Garner, Cracker Barrel's Senior Corporate Counsel and the City's contact for lease discussions, will be leaving Cracker Barrel after tomorrow.
- Commissioner Mike Russell added that as discussed during previous meetings, lease conditions related to property maintenance (including roof replacement) should be investigated further to protect the City financially. Chairman Mallicoat agreed, stating the need to review insurance requirements as well.
- Comm. Stumb suggested having Cracker Barrel's Aviation Director, Philip Graves, review the draft lease before it is sent to their legal team.
- Mr. Wright advised the commission that the TN Open Meetings Act that applies to City Council applies to all City boards and commissions. Commissioners are to conduct business only during an electronic or in-person commission meeting; airport business does not need to be conducted electronically through email.

Mr. Wright commented that the draft lease provided by Cracker Barrel appears to be one of their standard store/restaurant leases and several of Gary Soloway's concerns are also concerns of his. Mr. Wright can amend several provisions and accomplish what the commission wants to accomplish before presenting the lease for City Council consideration.

Comm. Baines hopes to have a final document (from a legal perspective) to be presented during next month's commission meeting.

Chairman Mallicoat thanked Mr. Wright for his comments and will take note on the email communications, as did not realize they were an issue.

At this time, Comm. Cragwall was able to address the commission regarding a few previously-discussed items:

- **West Side Request – Hangar Site D** – The designated area for the possible fuel farm is an alternate site in case the Lowery's want to install a fuel farm. Only a jet a tank would be needed, and Comm. Cragwall believes there might be room for a single tank and the desired 100'x130' hangar.
- **T-Hangar Lease Terms** – Last meeting, Comm. Cragwall recommended contacting other t-hangar lessees to see if any (in addition to Matthew Maisano) would be interested in a long-term lease. He would like to be prepared before the next expiration date for leases. Comm. Baines pointed out that Rows A and B leases expire in December of this year. He would like for a decision to be made during spring or summer.
- **Cracker Barrel Lease(s) Reconciliation – Comments/Suggestions** – Comm. Cragwall agrees with some of Gary Soloway's comments and believes the draft lease provided by Cracker Barrel favors Cracker Barrel. He believes the original 1989 lease with a few minor adjustments would be a better lease.
Comm. Stumb pointed out that Cracker Barrel CEO Sandy Cochran has made no bones about that fact that she would like to move Cracker Barrel's headquarters to Nashville/away from Lebanon and its hangar and aviation operations to BNA/away from M54. He would not like to see this happen and stated the need to be cognizant of Ms. Cochran's mentality as the lease is negotiated. Chairman Mallicoat agreed, and Comm. Baines reiterated that the current lease does not expire until August of 2029.

M. Other – None.

8) NEW BUSINESS

- A. Planning Commission Items – 1/26/21** – Mr. Baldwin advised that there were no new items located in the airport overlay.
- B. Board of Zoning Appeals Items – 1/25/21** – There were no new items located in the airport overlay.
- C. Communications Protocol** – Comm. Baines reported that the current FBO lease agreement with DFS requires Ms. Bay to communicate anything airport-related with the Commissioner of Public Services or his designated agent and the Airport Commission Chairman. It is then Comm. Baines' and Chairman Mallicoat's responsibility to determine what is to be passed on to the Airport Commission and others.
- D. West Side Request – Hangar Site D** – Item was discussed following the Engineering Report.
- E. Other** – Comm. Russell requested a status report on the **military helicopter operations**, as the requested safety meeting with the Guard prior to their next exercise has not taken place. Going back to **West Side Request – Hangar Site D**, Ms. Bay advised that PNJ Venture Partners would like to further discuss the lease terms during a future commission meeting prior to the lease being presented for City Council consideration.

Regarding **military helicopter operations**, Ms. Bay reminded the commission that last month, she reported that the Guard had previously requested to conduct exercises the first weekend in February. The Guard has now requested to return to the airfield on 1/20/21. Ms. Bay has advised the group that a safety briefing is necessary prior to their return. Chairman Mallicoat agreed that a meeting is necessary.

Comm. Russell questioned if the City had any legal capacity to deny the Guard's return since the airport is General Aviation and theoretically open to anyone flying. However, the group's operations did not mesh well with those of the flight schools utilizing the airport. Mr. Russell has been unable to meet with any of these eleven flight schools in the area, some of which were involved in incidents with the helicopter operations. As far as he is concerned, the Guard cannot return to the airfield until a face-to-face discussion is held with the group, and he wants to make sure the commission agrees with his stance.

Comm. Russell further explained that the military helicopters were operating using left-hand traffic to others' right-hand traffic. Having been involved with military safety with the Guard for thirteen years, Comm. Russell assured attendees that the potential for damages and injury with these conflicting operations is significant.

At this time, the commission was advised to wrap up the meeting due to the scheduled City Council Zoom meeting.

9) FINANCIAL REPORT – Included in the agenda packet was the Airport Maintenance Expenditures Report dated 1/4/21 and the Airport Operations Fund Balance Sheet dated 1/6/21.

10) FBO REPORT – Since Ms. Bay cannot abbreviate her report, she will email it to commission members. She requested that the commission advise her regarding a few requests to hold meetings or events at the airport during COVID-19.

Comm. Baines expressed that no City meetings are being held in-person and Governor Lee has limited in-person meetings to no more than ten attendees. The consensus of the commission was that any meeting with ten or less attendees wearing masks and social distancing should be acceptable.

11) UPCOMING EVENTS – No discussion.

12) INFORMATION ONLY ITEMS

- A. **PAPI Lights – (1) Temporary repair/parts availability (2) Engineering to survey and verify tree(s) to trim or remove. Make arrangements with property owner to trim or remove. Advise FBO and/or FAA. – No New Info**
- B. **Soccer Field Update – No New Info**
- C. **Supplemental Signage – Runway Hold Positions Taxiway A1 – No New Info**
- D. **Need to receive executed ingress/egress easement from Savage and record. – No New Info**
- E. **T-Hangar Rows A and B Insurance Renewals Update – No New Info**
- F. **Terminal Building HVAC – Balancing Report**

13) ADJOURNMENT – The meeting was adjourned at 5:24 p.m.