

City of Fairview

BOARD OF COMMISSIONERS

January 5, 2006

Ken Brison, Mayor
Eddie Arney, Vice-Mayor
Wayne Hall, Commissioner
Stuart L. Johnson, Commissioner
Darrell Mangrum, Commissioner
Shirley Forehand, City Manager
Larry Cantrell, City Attorney
Kathleen Daugherty, Recorder

Present: Brison, Arney, Hall, Johnson, Mangrum
Others Present: Forehand, Cantrell

- 1. Mayor Brison called the meeting to order at 7:12 p.m. following the Beer Board Meeting.**
 - A. The Prayer and Pledge to the Flag were led by Commissioner Johnson.
- 2. Approval of the Agenda – Arney made a motion to approve the agenda as presented. Johnson seconded the motion. All were in favor.**
- 3. Citizen Comments – (Limited to the first five citizens to sign in and limit of five minutes each)**
 - A. Dianne Ellis of 7861 Crow Cut Road was present on behalf of the Chamber of Commerce. She invited the elected officials to the Chamber of Commerce breakfast next Tuesday at the Yellow Duck. The next meeting will be January 21st. The Mayor usually speaks but will be out of town. She invited one of the other Board Members to speak at the meeting. She also advised that the office of the Chamber of Commerce has been located in the basement of city hall for one year and thanked the Board for allowing them to be there. She also advised that the interim city manager has asked the Chamber to conduct tours of city hall and that they are proud to be of assistance to her.
- 4. Awards and/or Recognitions – None**
- 5. Public Announcements – None**
- 6. Approval of the Minutes –**
 - A. Presented for approval were the minutes of the Beer Board Meeting held on December 15, 2005. Mangrum made a motion to approve the minutes as presented. Johnson seconded the motion. All were in favor.
 - B. Presented for approval were the minutes of the Board of Commissioners Meeting held on December 15, 2005. Mangrum made a motion to approve the minutes as presented. Johnson seconded the motion. All were in favor.

7. Old Business –

- A. Appointments to Boards and Commissions – Mayor Brison advised that he would like to nominate Traci Bennett who lives in Fairview and is employed by Metro Parks and Recreation to replace Josh Pendergrass on the Tree Commission. Arney made a motion to appoint Bennett to the Tree Commission. Johnson seconded the motion. All were in favor.
- B. Presented for adoption was Resolution 01-06: Authorizing Shirley Forehand to sign documents in the absence of the city manager effective December 16th. Arney made a motion to adopt the Resolution. Hall seconded the motion. Mangrum read the caption. All were in favor.
- C. Further Discussion was held on the City having Gas Tanks/Pumps available on City Property. Commissioner Hall asked Ricky Campbell for any additional comments concerning his company putting the tanks on City property. Campbell advised that installing the tanks and pumps is going to cost his company \$20,000 which will make the cost of gas a little higher but will also save the trip to the interstate to purchase gas. Forehand advised that she has checked with the Shell station located at the corner of Chester Road and Fairview Blvd. and they have agreed to install gas readers like they have at the Flying J and will also remove the sale taxes. They are planning to be open 24 hours a day within the next few months. Fire Chief Cooper was asked for his opinion on the gas pumps being on City property. Chief Cooper that they need to be sure they don't have environmental issues. Campbell stated that the tanks will be above ground. Cantrell stated that the City will need a program for monitoring for gas spills. After further discussion Hall made a motion to allow the gas tanks and pumps to be installed at the Public Works Bldg. Arney seconded the motion. Mangrum stated that they still don't know about the liability. Forehand also advised that the area will need to be paved and fenced. Brison stated that he felt having the tanks and pumps would only create more problems. Vote on motion: *For:* Hall, Arney *Against:* Mangrum, Johnson, Brison Motion failed. Forehand asked if she should proceed with using the Shell Station. The Board agreed that she should go ahead.

8. New Business –

- A. Recommendations from the Planning Commission Meeting held on December 13, 2005:
 - (1) Disapprove an Ordinance amending the Zoning Ordinance by providing an expanded definition for (Temporary Signs) Construction/Development Signs. (section 11-110.2) Cantrell explained that no action was necessary on this recommendation.
 - (2) Approve an Ordinance amending the Zoning Ordinance by Providing an Expanded Definition for Construction/Development Signs for commercial zones only. (section 11-105.6) Arney made a motion to approve the recommendation. Mangrum seconded the motion. All were in favor.
- B. Presented for approval was a Water Sales Contract with MACO Management Company (Roundtree Apartments). Cantrell stated that this contract replaces one written in 1993. Cantrell also stated that he would like to defer the contract until he can discuss Items B & C with the Management Company. Cantrell further advised that the Management Company had to replace the existing meters at a cost of

\$2500 and they are asking for reimbursement on this expense. Cantrell suggested that the City consider paying half the cost of the meter. Cantrell advised that the Management Company also suggested that a water rate be set for complexes with a master meter. Arney suggested that Cantrell advise the Water Authority of the contract. Cantrell stated that he would and also check with them about what they charge for master meters. Johnson made a motion to defer action on the contract until the next meeting. Arney seconded the motion. All were in favor.

9. City Manager Items for Discussion and/or Action –

- A. Forehand asked Fire Chief Cooper to address the transfer of a 1993 Caprice to the Rutherford County Rescue Squad from the Fairview Fire Dept. Cooper advised that some time ago the Franklin Police Department gave the Fire Department the car. It needs work and he does not want to put any money into it. At the last Chief's Association Meeting the Rutherford County Rescue Squad said that they would like to have the car. Johnson made a motion to give the car to the Rutherford County Rescue Squad. Mangrum seconded the motion. All were in favor.
- B. Forehand reported that the City had a TOSHA inspection on December 16th and got an excellent rating. The special census cards have been mailed and we are already getting them back in.
- C. Chief Cooper reported that the U.S. Smokeless Tobacco Company is giving away Rangers. He had to apply for it through competitive applications. They are giving away 60 of the Rangers. He just wanted to let the Board know he had applied and will let them know if he gets one.
- D. City Attorney Cantrell reported that he was notified last week by Forehand that Totty Construction is suing the City over Phase III of Braxton Bend Subs. He asked her to call TML Insurance Co. There was to be a hearing on January 3rd but TML's attorney obtained an indefinite continuance on the hearing. Cantrell will be working with the TML attorney on the case and he will keep the Board informed.

10. Communications from the Mayor and Commissioners –

- A. Johnson welcomed Traci Bennett to the Tree Commission.
- B. Arney also welcomed Traci Bennett to the Tree Commission and asked for an update on the employee interviews. Mangrum stated that is what they will discuss at the workshop on next Thursday.

11. The meeting adjourned at 8:00 p.m.

Kathleen Daugherty, CMC
City Recorder