

## City of Fairview

**BOARD OF COMMISSIONERS**

January 19, 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. **The meeting was called to order by Mayor Brison at 7:05 p.m.**
  - A. The Prayer and Pledge to the Flag were led by County Commissioner Ricky Jones.
2. **Approval of the Agenda –**
  - A. Commissioner Mangrum made a motion that Item 8. (F) under New Business be moved to the next item on the agenda. Arney seconded the motion. All were in favor.
3. **New Business: Item F. – Annexation and Rezoning of the John Rutledge Property located off of Hwy. 96 North containing approximately 285 acres and being the Brownlyn Farms Subs.**
  - A. Commissioner Mangrum made a motion to defer the annexation and rezoning request to the February 2<sup>nd</sup> Meeting. He had several calls concerning the annexation and that the Board is trying to bypass the Planning Commission. This is not true. This is a request for annexation it is not a forced annexation. He advised that also he would like to include in his motion to have a joint meeting of the following people: two members of the Board of Commissioners, two Planning Commission Members, the two County Commissioners – Ricky Jones and Joe Hughes, the School Board Member, Doug Hood or a representative from his department, a person from County Planning, two representatives from the affected area, a member of the local Chamber of Commerce, the Police Chief, the Fire Chief, the Codes Director, the City Manager, a representative from the County Streets and Roads, a representative from the Water Authority of Dickson County, the City Attorney, two Fairview Citizens (the two names to be considered – Mark Miller and Lisa Anderson), also the Developer and his Planner, a representative from the Fairview Recreation Program and the State Planner Ron Cooper. The first meeting will be held on January 26<sup>th</sup> at 6:00 p.m. Any additions will be made by the Board of Commissioners. Johnson seconded the motion. Hall asked the city attorney if this meeting is legal. Cantrell stated that it is as long as it is advertised and open to the public. Hall asked who would be in charge of the meeting. Cantrell advised that one of the Commissioners

could be the moderator or the Committee can elect a moderator. Brison asked if any of these people have agreed to serve. Mangrum stated that most of them have but all would be invited and hopefully will attend. Arney made a motion to amend the motion to include Johnson and Mangrum as the two Board Members on the Committee. Hall seconded the motion. Vote on the amendment: *For*: Arney, Hall, Johnson, Mangrum *Abstain*: Brison. Vote on the motion as amended: *For*: Arney, Hall, Johnson, Mangrum *Abstain*: Brison. Motion carried.

**4. Citizen Comments – (Limited to the first five citizens to sign in and limit of five minutes each)**

- A. Ricky D. Jones of 7231 Northwest Hwy. stated that as a citizen of the County and as a County Representative he has received several calls on the issue. They know that growth is coming but there are concerns about the density of this development. He urged the Board to consider the impact on the City and the County.
- B. Stuart Taylor of 7108 Elrod Road stated that he has spoke with many of the residents in the area. They are asking for one to two homes on an acre. Many also feel there may be a conflict of interest among the Board of Commissioners. The people demand ethical decisions. He feels there may be drainage problems with the development and has hired legal council.
- C. Faith Hanchey of 7267 Northwest Hwy. stated that she has a debilitating disease. The goal of her treatment is to preserve the quality of her life and that is why she is here. She wants to preserve the country life atmosphere in the Northwest Hwy. area. Her husband is a traffic engineer and has done a traffic study on the new development. If all the traffic enters Hwy. 96 it will go from 6,800 to 14,600 trips per day. She was also concerned about the number of houses per lot.
- D. Tammy Haney of 7114 Elrod Road stated that the development will be in her backyard. Feels they need more time to appoint the two representatives from the area. She asked why the high density development is necessary. Why can't there be fewer houses per lot. How will the schools handle this. She was also worried about the drainage problems and has consulted with an attorney. She asked for a referendum to be held.
- E. Richard Forsythe stated he was here to speak in opposition of the development. The project was voted down last week and now here we are again trying to save a couple of fields from being grossly overpopulated. Why are we letting an outsider ram 800 houses down our throats. Our roads, schools, and sewer can't handle this type of growth. If we keep it to five acre lots and septic tanks we would not have any of these problems.
- F. Mayor Brison thanked all the speakers and everyone else who came. He announced that there will be a ten minute recess and also that no further action will be taken on this issue tonight.

**The recess was called at 7:40 p.m.**

**The meeting was called back to order at 8:10 p.m.**

**5. Awards and/or Recognitions – None**

**6. Public Announcements –**

- A. Vice-Mayor Arney announced that the residents in the area of the development will meet on January 23<sup>rd</sup> to choose their two representatives for the workshop meeting on January 26<sup>th</sup>.

- B. Mayor Brison announced that he will be out town and will not be at the first meeting in March.
- C. Mayor Brison also announced that the Board of Commissioners will have a Workshop Meeting with the Water Authority of Dickson County in Dickson on January 24<sup>th</sup> at 6:30 p.m.

#### **7. Approval of the Minutes –**

- A. Presented for approval were the minutes of the Beer Board Meeting held on January 5, 2006. Mangrum made a motion to approve the minutes as presented. Hall seconded the motion. All were in favor.
- B. Presented for approval were the minutes of the Board of Commissioners Meeting held on January 5, 2006. Hall made a motion to approve the minutes as presented. Arney seconded the motion. All were in favor.

#### **8. Old Business –**

- A. Presented for First Reading was Bill #2006-01: Amending the Fairview Zoning Ordinance (#444) by Providing an Expanded Definition for Construction/Development signs in Non-Residential Zones. Mangrum read the caption and made a motion to pass Bill #2006-01 on first reading. Hall seconded the motion. All were in favor.
- B. Presented for adoption was Resolution # 02-06 calling for a Public Hearing to be held on amending the Fairview Zoning Ordinance. Cantrell read the caption. Hall made a motion to adopt the resolution. Arney seconded the motion. All were in favor.
- C. Approval of Water Sales Contract with MACO Management Company – Cantrell advised that he has not heard from MACO concerning the revised contract and asked that it be deferred indefinitely. Arney made a motion to defer action on the contract. Hall seconded the motion. All were in favor.
- D. Request from Ross Hudgins for a three month extension on the demolition of the second house on his property – Forehand reported that Hudgins has asked for a three month extension from the December 31<sup>st</sup> deadline to remove the house. Brison made a motion to grant the extension. Arney seconded the motion but asked that they do not grant any other extensions. All were in favor.

#### **9. New Business –**

- A. Approve Contract for Sludge Removal at the Wastewater Plant – Forehand reported that she and Carl Fuqua (sewer plant operator) met with Mr. Doris Jones and he has agreed to a one year contract in the amount of \$4,000 to be paid in monthly payments. Arney made a motion to approve the contract. Johnson seconded the motion. All were in favor.
- B. Sewer Line Extension Drag Strip Road – Forehand reported that it has been found in the minutes of the Board of Commissioners that a vote was taken on September 18, 2003 to extend the sewer line down drag strip road to the city limits. Therefore no vote is needed tonight.
- C. City Judge Salary Increase and call for an election of the City Judge to be held in the August election – Forehand reported that the election for City Judge is held every eight years and his salary is set by the Board of Commissioners. His present salary is \$16,200 annually. Johnson made a motion to call for an election of the City Judge to be held in the August election with no change in the salary amount. Arney seconded the motion. All were in favor.

- D. Approve \$25,000 for engineer fees for improvements to the Wastewater Treatment Plant - Forehand stated that this is for the nitrogen removal project and will be handled by the engineers for the Water Authority. The previous engineers were suppose to have completed this project but did not. Hall made a motion to approve the \$25,000 expenditure for engineer fees. Johnson seconded the motion. All were in favor.
- E. Report on Workshop to discuss employee Issues – Commissioner Mangrum stated that they have previously voted to interview all employees but does not feel it is necessary from this point on as they are beginning to get repetitive information. He asked if the Board would agree to interview only those employees who want to be interviewed. Although they would still like to interview two employees from the fire department and two from the administrative department. Johnson made a motion to stop interviews of the employees but allow anyone who wants to be interviewed to make their request by January 27<sup>th</sup>. Arney seconded the motion. Mangrum made a motion to amend the motion that two from the fire department and two from administrative be interviewed. Arney seconded the motion. All were in favor of the amendment. All were in favor of the motion as amended.

Brison stated that each item discussed at the workshop was assigned to someone to follow up and report back. He stated that they need to vote on the assignments and set a deadline. Johnson made a motion to make the appointments and set the deadline as March 30th (see attached list). Mangrum seconded the motion. All were in favor.

The next item discussed at the Workshop was enforcing the Pay Plan for the Police Department immediately and not on anniversary dates. Hall asked if the money is available. After discussing the money issue, Forehand stated that although all property taxes have not been collected the budget should balance itself out by the end of the fiscal year. Johnson made a motion to enforce the pay plan for the Police Department immediately. Hall seconded the motion. All were in favor.

The last item referred to the Board from the Workshop was to give the City Manager permission to advertise for seven new patrol cars to be purchased from Drug Funds. Johnson made a motion to advertise for the seven new patrol cars. Hall seconded the motion. All were in favor.

#### **10. City Manager Items for Discussion and/or Action –**

- A. Miscellaneous Updates – Forehand advised that the Clearview water tank has been cleaned and repaired and is being filled and will be on line again tomorrow.
- B. City Attorney Comments – Cantrell reported that he has been communicating with the TML attorney concerning the Totty law suit.

#### **11. Communications from the Mayor and Commissioners – None**

#### **12. The meeting adjourned at 8:33 p.m.**

Kathleen Daugherty, CMC  
City Recorder