

City of Fairview

BOARD OF COMMISSIONERS**February 6, 2003**

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

Present: Johnson, Mangrum, Brison, Arney, Hall

Others Present: Deck, Cantrell

Absent: None

1. The meeting was called to order by Mayor Johnson at 7:04 p.m.

- A. William Scott from the Fairview Church of Christ led the Prayer and Pledge to the Flag.

2. Awards and/or Recognitions –

- A. Mayor Johnson presented certificates to the students from Fairview Elementary, Westwood Elementary, and Pinewood Elementary who were selected as the student with the character trait of “responsibility” for the month of December and the character trait of “courage” for the month of January.

Mayor Johnson called for a recess.

Mayor Johnson called the meeting back to order at 7:23 p.m.

- B. Johnson asked if there were any other awards or recognitions. Brison then presented the Mayor with a proclamation congratulating him and Mrs. Johnson on the birth of their son.

3. Approval of the Agenda – There were no additions to the Agenda.

4. Public Announcements – None

5. Approval of Minutes -

- A. Presented for approval were the minutes of the Board of Commissioners Meeting held on January 17, 2003. Mangrum made a motion to approve the minutes as presented. Arney seconded the motion. All were in favor.

6. Old Business -

- A. Talley Hollow Road Update – Deck advised that he previously gave the Board copies of three letters one from the County Executive, one to the County Executive from the County Planning Director and one from him to the Planning Director. Deck advised that the County talked about entering into a local agreement but we need to know the cost to the City. Deck stated that it still has not been determined if the road is in the City. Deck stated that they can pay for paving a portion of the road or have a survey done to see if it is in the City. Mangrum stated that the County was suppose to let them know what the cost of paving the road would be; the City’s portion may be less than the cost of the

survey. Deck was asked to send the County a letter requesting to know the cost of the paving. Mangrum then made a motion to defer action until Deck can get the cost on the paving and the cost of the survey. Arney seconded the motion. All were in favor.

- B. Discuss adopting an ordinance to annex Hwy. 100 to the Hickman County line and the area around the I-840 interchange. Deck reported that Cantrell has not been able to obtain all the information he needs to prepare the ordinance. Arney stated that he received a call from a landowner on Spencer Mill Road who wants to be annexed. Brison asked if they should do the same thing on Hwy. 100 that they plan to do on Hwy. 96 North. After further discussion Cantrell stated that he would have the ordinance prepared by the next Board Meeting. Deck stated that he sees a problem with letting residents be annexed one at a time due to the plan of services that they will have to implement. Arney made a motion to defer action on the ordinance until Cantrell has a written copy prepared. Hall seconded the motion. Mangrum stated that he did not feel they should annex Spencer Mill Road because of the truck traffic from the rock quarry. Vote on the motion: All were in favor.
- C. First Reading Bill #2003-1: An ordinance to set a uniform meeting time. Johnson read the caption. Mangrum made a motion to adopt Bill #2003-1 on first reading. Hall seconded the motion. All were in favor.
- D. Report on the Town Center Criteria Workshop held on January 23, 2003. Mayor Johnson reported that the workshop did not make any recommendations.

7. New Business –

- A. Presented for approval were the minutes of the Public Safety Committee Meeting held on January 9, 2003. Arney made a motion to approve the minutes. Hall seconded the motion. All were in favor.

Recommendations:

- (1) The Committee recommended accepting the low bid from EVI in the amount of \$175,740 for the fire rescue truck. **(Action was taken at the January 17th Board Meeting).**

- B. Presented for approval were the minutes of the Public Works Committee Meeting held on January 17, 2003. Hall made a motion to approve the minutes. Mangrum seconded the motion. All were in favor.

Recommendations: None

- C. Presented for approval were the minutes of the Administrative Committee Meeting held on January 17, 2003. Brison made a motion to approve the minutes as presented. Arney seconded the motion. All were in favor.

Recommendations:

- (1) The Committee recommended changing all meeting time to 7:00 p.m. **(Action was taken at the January 17th Board Meeting to have Cantrell prepare an ordinance)**
- (2) The Committee recommended appointing a committee to meet with residents on Hwy. 96 North to discuss annexation (Action was taken at the January 17th Board Meeting)
- (3) The Committee recommended that the Board set a date for a workshop to discuss the town center criteria. **(Action was taken at the January 17th Board Meeting)**

- (4) The Committee recommended that the Board at its next meeting following the Committee Meetings consider all Committee recommendations. **(Action was taken at the January 17th Board Meeting)**
- (5) The Committee recommended the adoption of a resolution to amend the Employee Policy Manual to make all city employees “at-will” employees – Resolution #4-2003. Deck explained why the policy manual needs to be amended. Johnson read the caption of the resolution. Mangrum made a motion to adopt Resolution #4-2003. Brison seconded the motion. All were in favor.
- (6) The Committee recommended the adoption of a resolution to amend the Sewer Permit and Tap Fees. **(Action was taken at the January 17th Board Meeting).**
- (7) Sent to the Board without a recommendation from the Committee was the adoption of an ordinance to amend the beer permit distance requirement. At the Board Meeting on January 17th it was voted to amend the Beer Ordinance. Presented for first reading was Bill #2003-2. Johnson read the caption. Johnson then asked for a motion to suspend the rules and allow those present who want to speak on the beer issue to do so. Brison made a motion to suspend the rules and allow those present to speak. Mangrum seconded the motion. All were in favor.
Those who spoke against changing the distance requirement were:
 - 1. William Scott of 7404 Cox Pike.
 - 2. James Conner of 7105 Shady Oak Ct.
 - 3. Richard Cothorn of 7387 Shady Oak Ct.
 - 4. Robert Bennett of 5241 Russell Road (county)
 - 5. Peter Bolgeo of 7112 Grammer Drive
 - 6. Fred Mayberry of 6012 Hill Circle (BonAqua)
 - 7. Dianne Murphy of 7105 Shady Oak Ct.
 - 8. Dennis DePrese of 7314 Dogwood Dr.
 - 9. Jimmy Hatcher of 7115 Wallace Road
 - 10. James Hatcher of 7115 Wallace Road
 - 11. Michael Gregory of 7160 Dice Lampley Road
 Those in favor of changing the distance requirement were:
 - 1. Greg Murphy owner of Murphy’s Cee Bee
 - 2. Sheila Mangrum owner of Mangrum’s Market.
 - 3. Tim Mangrum owner of Mangrum’s Market.

Mayor Johnson asked for a motion on the ordinance to change the distance requirement. Hall made a motion to defer action on the ordinance and discuss the ordinance further at the March Committee Meetings. Brison seconded the motion. All were in favor.

8. City Manager Items for Discussion and/or Action - None

9. Citizen Comments – None

10. Communications from the Mayor and Commissioners –

- A. Arney stated that changing the beer permit distance requirement is not so much the purpose as it is to change the beer permit ordinance in order to treat everybody on an individual basis. The City of Franklin has been considering each case individually since 1976. The whole idea is to have the ordinance in order for businesses in the future.
- B. Hall asked Cantrell if they could put changing the beer ordinance on a referendum some time in the future. Cantrell stated that the Board has the right to control the sale of beer; but they can have a referendum to get public opinion on changing the ordinance but they don't want the referendum to be the final say.
- C. Johnson thanked the Board for his proclamation on the birth of his son.

11. The meeting adjourned at 8:25p.m.

Mayor

City Recorder