

BOARD OF COMMISSIONERS**February 21, 2008**

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

Present: Brison, Arney, Hall, Johnson, Mangrum

Absent:

Others Present: Forehand, Cantrell

1. Mayor Brison called the meeting to order at 7:00 p.m.

- A. The Prayer and Pledge to the Flag were led by Jerry Carey.

2. Approval of the Agenda –

- A. Arney asked that Safety Devices at the entrance to the building be added to the Agenda as Item G under New Business.
B. Hall made a motion to approve the agenda with the addition. Arney seconded the motion. All were in favor.

3. Citizen Comments – (Limited to the first five (5) citizens to sign in and a limit of three (3) minutes each)

- A. Kevin Carroll of 7425 Master Shane Road advised that he will be running for Sheriff in the August Election and would appreciate the support of the community. He has been in law enforcement for twenty years.
B. Jim Beata congratulated the commissioners, the city manager, and the city planner on the release of the sewer taps. He feels the contractors are better off than they were two years ago even though some think there are not enough sewer taps being released. There is still one problem and that is there are not enough taps for commercial growth especially around the town center.
C. Jerry Carey advised he feels he needs to speak for the farmer. He feels farm land is being taken at an alarming rate and urban growth is taking over. On the annexation issue, he asked the Board to remember that Fairview is a rural community.
D. Grady Givens of 2852 Hwy. 100 stated he is opposed to the annexation to the Hickman County Line. He asked the Board to consider the ethical and monetary consequences of this annexation to the City.

4. Awards and/or Recognitions – None

5. Public Announcements –

- A. City Mgr. Forehand announced that the WADC will be running a thousand feet of low pressure line down Horn Tavern Road in the right of way. This is to lower the pressure on the line when they reversed the flow from Sewer Pump Station No. 2 to the Jones Creek Plant.

6. Approval of the Minutes –

- A. Presented for approval were the minutes of the Public Hearing held on February 7, 2008. Hall made a motion to approve the minutes as presented. Mangrum seconded the motion. All were in favor.
- B. Presented for approval were the minutes of the Board of Commissioners Meeting held on February 7, 2008. Mangrum made a motion to approve the minutes as presented. Johnson seconded the motion. All were in favor.

7. Old Business –

- A. Presented for First Reading was Bill #2008-04: Rezoning Property located on Hwy. 96 North from R-40 to CC (Commercial Community), Map 22, Parcel 150.02, 2.2 acres – Jim Prince, Owner. Johnson read the caption and made a motion to pass Bill #2008-04 on first reading. Arney seconded the motion. All were in favor.
- B. Presented for adoption was Resolution #04-08 to set date of March 20, 2008 for a Public Hearing on the Rezoning of the Jim Prince property located on Hwy. 96 North from R-40 to CC (Commercial Community). Johnson read the caption and made a motion to adopt Resolution #04-08. Hall seconded the motion. All were in favor.
- C. Presented for First Reading was Bill #2008-05: Rezoning the Preliminary Master Site Plan for Property located at 2178 Fairview Blvd. from CG/RS-40 to TCOD/MSMU, Map 42, Parcel 175.00, 2.34 acres – Premier Development Partners, Owners. Johnson read the caption and made a motion to pass Bill #2008-05 on first reading. Arney seconded the motion. All were in favor.
- D. Presented for adoption was Resolution #05-08 to set date of March 20, 2008 for a Public Hearing on the Rezoning of the Preliminary Master Site Plan for the Premier Development Partners property located at 2178 Fairview Blvd. From CG/RS-40 to TCOD/MSMU. Johnson read the caption and made a motion to adopt the Resolution. Hall seconded the motion. All were in favor.

8. New Business –

- A. Approval of Envirotest Systems in Fairview – City Mgr. Forehand advised that she has been working Envirotest Systems, Tennessee's Vehicle Inspection Program, to get a mobile testing unit for Fairview. The fire station on Hwy. 96 North meets the requirements that Envirotest needs to establish a mobile testing center for the City of Fairview. We will have to install a carport and a phone line that will be a direct outgoing line that does not go through a phone system. This line will feed data into the county system. We will also have to install two 30 amp outlets on

separate breakers. After completion of the site, a mobile van will come to Fairview one day a month for four hours – 7:30 a.m. to 11:30 a.m. This will be on a 90 day trial period. If the service does not continue, the carport will be moved to the public works building area to house city equipment. Arney made a motion to approve purchasing the necessary items for the testing center. Johnson seconded the motion. Brison asked what the cost would be. Forehand advised that it would be under \$2,000 to provide everything that they will need. Vote on motion: All were in favor.

- B. Presented for adoption was Resolution #06-08 requesting the Fairview Municipal Election be held in conjunction with the November 4, 2008 Presidential Election. Johnson read the caption and made a motion to adopt the Resolution. Mangrum seconded the motion. All were in favor.
- C. Approve request to lower the minimum bid on the old city hall property to \$300,000. – City Mgr. Forehand reported that the last appraisal was in 2003 in the amount \$232,000. The Board shortly thereafter set the minimum bid at \$350,000. There is approximately 2.07 acres but there is no road frontage. It is accessed by a 30 ft. easement. Forehand also advised that a local person is interested in purchasing the property and will pay for running the required ad. Hall advised that the property is an eyesore and made a motion to lower the minimum bid to \$300,000. Mangrum seconded the motion. All were in favor.
- D. Approve getting an impartial third party to give the Board an opinion on how a development as close to the Park as the SouthStar project would affect the Park – Commissioner Hall stated he asked the city attorney to look into this and asked him to explain. He stated the Bowie Will does state that when there is to be a development of this type that it should be took into consideration what affect it might have on the Park. There are several ways this can be done. He suggested that they advertise for bids for professional people qualified to make this type of study. Mangrum stated that he feels they do not need to proceed with this at this point. The property in question is not sold. He also felt, that if there is to be a development, the developer should pay for the study. Brison stated that he agreed that they need to wait until they have a definite proposal on the property. Hall then made a motion to wait until they have a contract on the property. Arney seconded the motion. All were in favor.
- E. Approval to begin the annexation process from the present city limits to the Hickman County Line and to the Davidson County Line – City Mgr. Forehand advised that she put the item on the agenda but the City Planner, Donn Lovvorn will speak on the item. Lovvorn stated that in light of the completion of I-840 the city staff feels that they should go ahead and annex the property around the interchange and only the right of way from the present city limits to the Hickman County line and to the Davidson County line. Letters will be sent to all the property owners and if any of the property owners want to be annexed they would be included in the application to the Planning Commission and they would not have to pay a fee. Cantrell was asked if the time has elapsed on doing this annexation again. Cantrell advised that it has. Lovvorn also advised that

the last time all property owners around the interchange wanted to be annexed. Johnson made a motion to start the annexation proceedings. Mangrum seconded the motion. Brison asked what would be the next step. Lovvorn advised that letters will be sent to all the property owners inviting them to a meeting at city hall to explain what the city wants to do. Vote on motion: All were in favor.

- F. Discuss a Regional Site Specific Sanitary Sewer System for the Town Center Commercial Area – Commissioner Arney stated that it was brought to his attention that the capacity on the sewer for commercial use is not enough and the city needs commercial growth. It was decided to have a workshop with the Water Authority of Dickson County Board and discuss adjusting the amount of flow for commercial development.
- G. Metal Detectors at entrance to the City Hall – Commissioner Arney stated that with things that have happened around the country that they need some safety protection in addition to the officers that are present. Johnson stated the city judge would also like to see safety devices installed. Hall agreed that they also needed something other than the officers being present. Forehand stated that she can have them the cost by the next meeting.

9. City Manager Items for Discussion -

- A. Miscellaneous Updates – None
- B. City Attorney Comments – None

10. Communications from the Mayor and Commissioners –

- A. Arney stated that he would like to recognize Jessie Anderson for making the Dean's List at college. She is the daughter of Wilson and Linda Anderson. Arney also advised that the light on the flag pole is not burning and the parking lot lights are still not working properly. Forehand advised the contractor has worked on them. Arney advised that they are still not working and she needs to find someone who can fix them. Arney also stated that the building needs to be painted. Forehand stated that she planned to put that in the budget for next year. Arney stated that they did not need to wait until next year. He also felt the sound system is still not working correctly and the picture quality is not clear. In fact, he stated, this system has never worked like it should and we need to get someone who knows how to repair it. He also stated the phone system is not adequate and he personally does not like auto attendant. He was also disturbed that the agenda is available to the public before the Board Members received their packets. Forehand advised that the agendas will not be posted on the website or at city hall until the packets have been delivered to the Board Members. Commissioner Arney also advised that he made some statements at the last meeting that he would like to comment about. He apologized to those who were offended by his statement at the last Board Meeting. It was made out of frustration from remarks and poor journalism about his personal character and other members of the Board. Some of which were directed to their family members. He appreciates the citizens of this great city that want to be involved in the affairs that come before the Board. However, he encouraged those that wish to declare their opposition to any action to

get all the data from an objective reliable source. He wanted the public to be assured that any position he takes will comply with the oath he took on his election to this Board. He feels each vote he casts is important and he seeks out the evidence he can regarding the effects of each proposal and contemplates the long range results from each action taken. He welcomes phone calls and emails about any issue brought before this Board.

- B. Hall stated that he has been contacted about reinstating the fifth Thursday town meetings and open forum. He would like to have it added to the next agenda. He stated that the Board members were ridiculed because the public thought one of the Board members had put the sale of 15 acres of city property on the agenda and were trying to cover up the sale of park property. He asked that anything put on the agenda be stated exactly what it is.

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

Kathleen Daugherty, CMC
City Recorder