

City of Fairview

## **BOARD OF COMMISSIONERS**

**March 3, 2005**

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

Present: Brison, Arney, Hall, Johnson, Mangrum

Others Present: Deck, Cantrell

Absent:

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

A. Commissioner Hall led the prayer and pledge to the flag.

### **2. Approval of the Agenda –**

A. Added to the Agenda:

1. Finalize City Hall – Yates Construction – City Attorney (New Business)
2. Resolution #05-05 Letter of Intent (Water Authority of Dickson County (City Manager Items)
3. Old City Hall Building Proposal – Mark Miller (Old Business)

B. Mangrum made a motion to approve the agenda with the additions. Hall seconded the motion. All were in favor.

### **3. Citizen Comments –**

1. Julie Thomas of 7387 Old Franklin Road read a letter from the friends of Bowie Nature Park stating they felt any money from the sale of land once owned by Ms. Bowie should be used solely for the nature park. (see attached letter)
2. Dianne Ellis of 7861 Crow Cut Road owner of Preferred Realty stated she was concerned about the City considering letting another Municipality take over the sewer problems. She also stated she felt they needed to be cautious when selling the commercial lot.
3. Walt Totty of 895 Hwy. 96 North wanted to know about the letter that was to be sent to the State concerning his development being added to those that can continue to be built. He stated that he felt the Sheaffer System is the way the City should go with the sewer problem.
4. Jim Beata asked the Board to keep their minds open to new technology. He felt the Sheaffer System would be the best way to go but admitted he was not totally familiar with the system.

### **4. Awards and Recognitions - None**

**5. Public Announcements – None****6. Approval of the Minutes –**

- A. Presented for approval were the minutes of the Board of Commissioners Meeting held on February 17, 2005. Mangrum made a motion to approve the minutes as presented. Johnson seconded the motion. All were in favor.

**7. Old Business –**

- A. Sale of Commercial Property to the Arthritis Foundation – Commissioner Hall reported that the two attorneys were to get together and work out a proposal. He asked Cantrell to report on their meeting. Cantrell stated that there were two options presented by the Arthritis Foundation. (see attached) He recommended Option 1 with the deletion of Section C. Motion and second were made accepting Option 1 but after further discussion they were withdrawn. The Board discussed several conditions they wanted to see added to the sale of the property. After these conditions were discussed, Joe Chapdelaine on behalf of the Arthritis Foundation withdrew the bid on the property.
- B. Old City Hall Building Proposal from Mark Miller was deferred because Miller was not present.

**8. New Business –**

- A. Mayor Brison reported that the City Manager's contract will automatically renew unless they discuss it 90 days prior to the renewal date of June 30<sup>th</sup>. Cantrell stated the conditions in the contract. He further advised that they need to do something before April 1<sup>st</sup> if they do not want it to automatically renew. Cantrell explained that terminating the contract does not terminate the city manager. Brison added that the intention of the contract being on the agenda was not to terminate Mr. Deck but to decide if they want to continue with or without a contract. Arney then made a motion to not renew the contract with City Manager Al Deck. Hall seconded the motion. Deck explained that the contract only gives him a severance package he can still be terminated at any time. Deck also stated that even without a contract the Board should consider some type of severance package for their city managers. Johnson asked Cantrell when he would send the letter to Mr. Deck advising him the contract will not be renewed. Cantrell stated that he would send it before April 1<sup>st</sup>. Vote on motion. All were in favor.
- B. Finalize City Hall with Yates Construction Company – Cantrell stated that he and Mr. Deck met with the attorney for the bonding company. They are getting close to closing out the city hall project and reduced the problems to five items: (1) the doors into the court room (2) the lockers in the police dept. (3) an electrical outlet and audio jack where the copy machine is located (4) the front steps and (5) the steps that go down to the police dept. If the Board agrees they will come in Monday and start repairing these items. Cantrell stated that they will give the city the money for the lockers and the electrical outlet and jack and the city will have these installed. They will replace the steps out front if the City agrees to pay one-half the cost of \$18,000. A discussion was held on these items. Johnson then made a motion to accept the proposal. Mangrum seconded the motion. All were in favor.

## 9. City Manger Items for Discussion and/or Action –

- A. Deck presented five different sewer options: (see complete options attached)
  - 1. Upgrade plant and install spray fields.
  - 2. Sheaffer System – Sheaffer operated.
  - 3. Sheaffer System – City owned and operated.
  - 4. Pump Sewage to another utility.
  - 5. Transfer the Water and Sewer Utility to another utility.

Sheaffer was present and gave the Board a price presentation on his system (see attached) He also commented on the presentation by Deck and answered questions from the Board.

Deck advised at the end of his presentation that it does not matter which system they decide on the sewer rates will increase and in knowing this does the Board want to increase the sewer rates and be debt free or just increase the rates.

- B. Deck presented Resolution 05-05 for adoption stating that the City of Fairview is interested in a transfer of its entire water and sewer operation to the Water Authority of Dickson County and wishes to enter into negotiations. Brison asked Deck if he was recommending Option 5. Deck stated that he was. Brison thanked Deck for his work on all the options. After Deck answered questions from the Board, Mangrum made a motion to adopt the Resolution and attached letter of intent to enter into negotiations with the Water of Authority of Dickson County. Arney seconded the motion. All were in favor. It was discussed having a Public Hearing on the sewer issue before the next meeting.
- C. Miscellaneous Updates – Cantrell reported that he has filed the answers to the law suit on the Hwy. 100 annexations.

## 10. Communications from the Mayor and Commissioners –

- A. Commissioner Mangrum asked if the letter has been sent to the State concerning Walt Totty's property. Deck stated that it has been sent but he has not received an answer.
- B. Arney thanked Deck for his work on the sewer options. He asked how many applications have been received for the training officer. Deck stated that they received 40 applications. Arney also asked if the Fire Dept. has asked for another car. Deck stated that they have more volunteers than seats when they have a fire. So he is looking at one of the extra patrol cars for the fire department to use.
- C. Brison stated that Lynne Bachleda, Chairperson of the Tree Commission, needs \$25 from each Board Member for the Tree Commission Essay Contest.
- D. It was decided to set the date of March 17<sup>th</sup> for the Public Hearing on the sewer options. Therefore, Johnson made a motion to have the Public Hearing at 6:00 p.m. on March 17<sup>th</sup>. Arney seconded the motion. All were in favor.

## 11. The meeting adjourned at 9:40 p.m.

Kathleen Daugherty, CMC  
City Recorder

