

BOARD OF COMMISSIONERS**March 18, 2004**

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 7:00 p.m.**
 - A. Mayor Johnson led the Prayer and Pledge to the Flag.
- 2. Approval of the Agenda –**
 - A. Added to the Agenda under City Manager Items – Mowing Contract
 - B. Arney made a motion to approve the agenda with the addition. Hall 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) None**
- 4. Awards and Recognitions – None**
- 5. Public Announcements – None**
- 6. Approval of Minutes -**
 - A. Presented for approval were the minutes of the Public Hearing held on March 4, 2004. Mangrum made a motion to approve the minutes as presented. Arney seconded the motion. All were in favor.
 - B. Presented for approval were the minutes of the Board of Commissioners Meeting held on March 4, 2004. Mangrum made a motion to approve the minutes as presented and corrected. Arney seconded the motion. All were in favor.
- 7. Old Business –**
 - A. Presented for adoption was Resolution #3A-2004 to replace the Resolution on the Plan of Services adopted on the Hwy. 96 North annexation from the present city limits to the Dickson County Line. Johnson read the caption. Mangrum made a motion to adopt the resolution. Arney seconded the motion. All were in favor.

- B. Presented for second and final reading was Bill #2004-4: An Ordinance to annex the property along Hwy. 96 North from the present city limits to the Dickson County Line. Johnson read the caption. Mangrum made a motion to pass Bill #2004-4 on second and final reading. Arney seconded the motion. All were in favor.
- C. Presented for first reading was Bill #2004-5: An Ordinance to annex Map 18, Parcel 12.00 containing 2.25 acres located on Hwy. 96 North as a CI Zone. Johnson read the caption. Mangrum made a motion to pass Bill #2004-5 on first reading. Arney seconded the motion. Brison stated that he felt annexations and rezonings should be presented as separate issues. Vote on motion. All were in favor.
- D. Presented for adoption was Resolution #5-2004 calling for a public hearing to be held on the CI annexation on April 1st at 7:00 p.m. Johnson read the caption. Mangrum made a motion to adopt the Resolution. Arney seconded the motion. All were in favor.
- E. Report from the Public Works Ad Hoc Committee on a recommendation for the handling of annexations and utility services – Mangrum stated that it was decided that if a developer runs the sewer line by property owners in the city then the developer would put in the dry tap and the cost of installation would be spilt by the developer and the homeowner. It was decided that Cantrell will prepare an ordinance for the next meeting. The Board also asked Deck to provide Cantrell with the needed information on how the homeowner can pay for it if they can't afford the cost of installation.
- F. City Boundary Revisions – Mangrum asked that this be deferred until the next meeting as they just got the maps in on Wednesday.

8. New Business –

- A. Request for waiver from the City for a Beer Permit for Mojo's Coffee House, Inc. as they are too close to the entrance to the Nature Park - Johnson asked Wade Smith, owner of Mojo's, to explain what they plan to do. Smith stated that they wish to expand their menu. Smith also asked the Board where the true entrance to the Park is located. Arney stated that the entrance is at the intersection of Bowie Lake Road and Hwy. 100. Deck stated that at the time Food Lion applied for their beer permit the entrance was determined to be at the gate. Cantrell was asked if giving Mojo's a variance would have any effect on the lawsuit by Hickory Home for a liquor license. Cantrell stated that the status of the lawsuit is that the courts need to determine if the ordinance amending the liquor requirements was adopted before or after the application from Hickory Home was made. Cantrell advised that if they agree to a waiver for Mojo's then they will set a prescience and they will have to deal with the next person who wants a waiver because they are within 600 or 800 feet and where do they draw the line. It was discussed amending the beer ordinance instead of granting waivers. Johnson stated that he felt they need to officially establish the entrance to the Nature Park and look at amending the beer ordinance at the April 1st Board Meeting. Brison then made a motion to defer action on the request until the next meeting. Arney seconded the motion. Cantrell suggested that the entrance to the park be stated in the beer and liquor ordinances. Vote on motion: All were in favor.

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

- A. Mowing Contract – Deck advised he was asked about renewing the contract as we are about to get into the mowing season. A copy of the existing contract with Mundy’s Mowing Service was given to the Board. Deck stated that the only increase will be an additional \$50 for mowing the Bowie Nature Park. Arney made a motion to approve renewing the contract. Brison seconded the motion. All were in favor.
- B. Deck also reported that the Building Inspector Dwain Johnson is leaving on March 26, 2004 to seek other employment.

10. Communications from the Mayor and Commissioners –

- A. Brison stated that as a follow up on the street names he talked with the person in charge of approving street names. She told him that he needed a letter from the City stating that they did not want any more streets with the same name. She also suggested that streets with the same name not have the same numbers assigned to them.
- B. Mangrum stated that they need to amend the sewer ordinance requiring commercial businesses to tie onto the sewer when it is available. Cantrell advised that he will make it part of the ordinance he is presently working on. Mangrum also advised that they need to do something about the sidewalk vendors that are taking business away from the local businesses. Deck advised that he has talked with the Dept. of Revenue and they told him that if a vendor has a license in the State of Tennessee he can sale anywhere within the State without getting any other permits. Arney asked if they can adopt an ordinance saying the City does not allow sidewalk vendors. Cantrell is to check and see if they can adopt such an ordinance.

11. The meeting adjourned at 8:07 p.m.

Mayor

City Recorder