

City of Fairview

BOARD OF COMMISSIONERS**April 5, 2007**

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
Also Present: Forehand and Cantrell

1. Mayor Brison called the meeting to order at 7:01 p.m.

- A. The Prayer was led by Commissioner Hall and the Fairview JROTC presented the Pledge to the Flag.

2. Approval of the Agenda –

- A. Added to the Agenda under New Business as Item I and requested by City Mgr. Forehand: Request to apply for Federal Surface Transportation Program Funds.
- B. Mangrum 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 (5) citizens to sign in and a limit of three (3) minutes each)

- A. Dan Kubit of 7312 Clearview Drive announced that the annual Clean Sweep will be held on April 21st beginning at 8:00 a.m. at the Bank of America. He also announced that at the Chamber of Commerce Meeting on April 17th they will honor the people who have adopted sections of streets to keep clean and that the Keep Williamson Beautiful Committee will be at the Garden Show at the Ag Center in Franklin on April 13th-15th.
- B. Lisa Anderson of Hwy. 96 North thanked the Commissioners for their support of the Historic Preservation Commission. She thanked the workers who helped to clean out the old Triangle School building on March 26th and the Williamson County Recycling Center who provided the dumpsters. There will be another cleanup day soon.

4. Awards and/or Recognitions – None**5. Public Announcements –**

- A. City Mgr. Forehand reported that the Governor has announced that the State will provide a Tenn. Roadscape Grant in the amount of \$84,226 to the City of Fairview to assist in improvements to the gateway of the City.
- B. Commissioner Arney announced that three people at WAVES are finalists for the Mary Katherine Stoble Award this year.

6. Approval of the Minutes –

- A. Presented for approval were the minutes of the Public Hearing held on March 15, 2007. Mangrum made a motion to approve the minutes as presented. Johnson seconded the motion. All were in favor.
- B. Presented for approval were the minutes of the Board of Commissioners Meeting held on March 15, 2007. Mangrum made a motion to approve the minutes as presented. Johnson seconded the motion. All were in favor.

7. Old Business –

- A. Presented for Second and Final Reading was Bill #2007-11: Rezoning the Betty Fox Property, Map 46, Parcel 17.00 from RS-40 to RS-8 located on Crow Cut Road. Johnson read the caption and made a motion to pass Bill #2007-11 on second and final reading. Mangrum seconded the motion. All were in favor.

8. New Business –

- A. Recommendations from the Planning Commission Meeting held on March 13, 2007:
 - (1) Approve city attorney preparing the necessary paperwork to rezone property located on Hwy. 96 North from R-40 to CI (Commercial Interchange) being Map 19, Parcel 1.03 containing 1.01 acres – Bear Creek Properties LLC, Owner. Johnson made a motion to rezone the property. Hall seconded the motion. Vote on motion: For: Johnson, Brison, Hall Against: Mangrum, Arney. Motion carried.
 - (2) Approve city attorney preparing the necessary paperwork to rezone property located on Hwy. 96 North from R-40 to CI (Commercial Interchange) being Map 19, Parcel 1.02 containing 1.32 acres – Burns Properties LLC, Owner. Johnson made a motion to approve the rezoning of the property. Hall seconded the motion. Discussion was held. Vote on motion: For: Brison, Johnson Against: Mangrum, Arney Abstain: Hall Motion did not pass.
 - (3) Approve city attorney preparing the necessary paperwork to rezone property located on Hwy. 96 North from R-40 to CG (Commercial General) being Map 22, Parcel 165.01 containing 3.52 acres – Clay Hair, Owner. Brison made a motion to approve the rezoning. Arney seconded the motion. Vote on motion: For: Brison, Arney Against: Johnson, Mangrum Abstain: Hall Motion did not pass. Johnson asked if these property owners could appeal these decisions. Cantrell stated that they could.
- B. Resignation of Planning Commission Member – City Mgr. Forehand reported that she has received a letter from Paul Newman in which he resigned from the Planning Commission effective March 28th. He advised that personal reasons keep him from continuing.
- C. Removal of Larry Musick from the Board of Zoning Appeals – City Mgr. Forehand reported that Musick has missed more than three consecutive meetings and recommended that the Board remove him from the BOZA. Johnson made a motion to remove Musick from the BOZA. Mangrum seconded the motion. All were in favor.
- D. Discuss and or Approve Recommendations from the Fairview Historic Preservation Commission – (see attached memo) Most of the items did not require any action from the Board. However, #4: The placement of the historical markers did require a vote from the Board. Johnson made a motion to approve the recommendation from the FHPC that the Marion's Rifles/Baxter's Company marker be placed in the median in front of city hall and that the Horn Tavern

Springs/Pasadena marker be placed in front of the Horn Tavern springs and that the Triangle School/Jingo Post Office marker be placed at the present site of the Triangle school. Arney seconded the motion. All were in favor. Recommendation #8: Ask the Board to set a date for a dedication ceremony. Arney made a motion to have the FHPC set a date and bring it back to the Board for approval. Hall seconded the motion. All were in favor. Recommendation #9: That the City move the old Jingo Post Office from its current location to the Triangle School site. Forehand advised that after consulting with the Public Works Director, it is her opinion that the city does not have the manpower or skills to move the building. She recommended that they run an ad in the local paper and request proposals from qualified movers. Johnson made a motion to approve the recommendation from the city manager. Mangrum seconded the motion. All were in favor.

E. Appointments to Boards, Committees and Commissions –

- (1) Two vacancies on the Board of Zoning Appeals – Mayor Brison advised that they had only one applicant, Billy Seaborn. Arney made a motion to appoint Seaborn to the BOZA. Johnson seconded the motion. All were in favor.
- (2) One vacancy on the Tree Commission – Mayor Brison advised that they had only one applicant, Joseph Stanley. Arney made a motion to appoint Stanley to the Tree Commission. Johnson seconded the motion. All were in favor.
- (3) One vacancy on the Fairview Beer Board – Mayor Brison stated there were no applicants.
- (4) Four vacancies on the Fairview Planning Commission – Mayor Brison stated that there are six applicants for the four positions. It was decided to have each Board Member to vote for four of the applicants and the four with the highest votes would be appointed. The Board Members marked their ballots and the city attorney counted them. (see votes attached). Cantrell advised that the votes were as follows:
 Michael Smith – 5
 Lisa Anderson – 4
 Allen Bissell - 4
 Mat Beata - 3
 Debbie Rainey - 2
 Billy Seaborn - 2
 Mayor Brison announced that Smith, Anderson, Bissell, & Beata will serve on the Planning Commission.
 Mayor Brison reported that he had been advised that Beata would be willing to serve on the Beer Board also. Beata stated that he would. Johnson made a motion to appoint Beta to the Beer Board. Arney seconded the motion. All were in favor.
- (5) Two vacancies on the Board of Adjustments and Appeals – Brison advised that they need a Contractor and an Architect. There were two applicants, Lisa Anderson (who is an Architect) and Brian Sullivan (who is a Contractor). Johnson made a motion to appoint Anderson and Sullivan to the Board of Adjustments and Appeals. Arney seconded the motion. All were in favor.
- (6) One vacancy on the Fairview Park Commission (Member from the Tree Commission) – Mayor Brison advised that the Tree Commission has not nominated anyone for the position.

- F. Approval to apply for a second Tenn. Governor's Highway Safety grant for the Police Department – City Mgr. Forehand advised that this will be a continuation of the first grant received by the Police Department. It is a 100% grant to be used for overtime pay for DUI sobriety check points and to attend meetings. The amount of the grant is \$5,000. Arney made a motion to apply for the grant. Johnson seconded the motion. All were in favor.
- G. Discuss amending the Fairview Municipal Code, Section 11-402 (h) Building Operations (hours contractors are allowed to work in residential areas) – City Mgr. Forehand advised that she has had some inquiries about the hours that builders are working. The City's ordinance says they can work 7 a.m. to 6 p.m. Monday thru Friday. Forehand stated that It is a known fact that builders work on the weekend and the City needs to change the ordinance or enforce it. Forehand gave the Board Members a copy of Franklin's ordinance which she feels is a much better ordinance. Arney stated that a lot of the builders work until dark. Forehand asked if he felt they should delete the section on the hours contractors can work. Arney stated that they need to have a workshop to discuss this further. It was decided to add this to the workshop on Rural by Design Seminar.
- H. Set date for joint workshop with the Planning Commission to hear report on the Rural by Design Seminar – Commissioner Hall advised that it is important that the State Planner, Ron Cooper, attend this workshop and the only date he can come is April 26th at 7:00 p.m. Forehand advised that the local contractors and builders will be notified about the workshop. Brison asked for a motion. Johnson made a motion to set the workshop for April 26th at 7:00 p.m. Arney seconded the motion. All were in favor. Brison advised that the Noise Ordinance would also be discussed at the workshop.
- I. Request to apply for Federal Surface Transportation Program Funds – City Mgr. Forehand reported that she received a letter from the State stating that there are funds available to small cities called Service Transportation Monies. The City has been accumulating these monies for a period of four years. We have available as of this date \$324,136. It is an 80-20 match program but the City can use State Street Aid Money for the match. The funds will not be available after the four years are up. Therefore, the city must apply for these funds before June 30th. Johnson made a motion to apply for the funds. Hall seconded the motion. All were in favor.

9. City Manager Items for Discussion -

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

10. Communications from the Mayor and Commissioners –

- A. Hall thanked Chief Harris and the Police Department for inviting him and Vice-Mayor Johnson to be at a sobriety check point recently. Hall also stated that he would like to see the owner of Burns Properties and Mr. Hair after the meeting.
- B. Brison stated that the meeting on the rain gardens went very well.

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

Kathleen Daugherty, CMC
City Recorder