

## City of Fairview

**BOARD OF COMMISSIONERS****April 6, 2006**

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

Present: Brison, Arney, Hall, Johnson, Mangrum  
Also Present: Forehand, Cantrell  
Absent:

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

- A. The Prayer and Pledge to the Flag were led by Melvin Cunningham.

**2. Approval of the Agenda –**

- A. Mayor Brison advised that it has been requested by the owners to remove # (3) and # (4) under Item A – New Business from the agenda.  
B. Commissioner Mangrum asked that Resolutions be added to set a public hearing on the annexation and rezoning of the Brownlyn Farms Development property.  
C. Johnson then made a motion to approve the agenda as amended. 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. Susan Morrison wanted to know if the Board had just added the second reading of the Brownlyn Farms to the agenda. She also advised that since only five people can sign up to speak then only the ones that are here first get to sign up. Therefore she did not feel there was a fair representation on those against the development at the last Planning Commission Meeting.  
B. Tim French gave some statistics on working people and the schools. He also commented on comments made at the Planning Commission especially from Commissioner Mangrum.  
C. Tony Vincent stated that he lives in Fernvale just outside the city limits. He likes the small town atmosphere and growth scares him.  
D. Don Campbell lives on Red Barn Road and wanted to know if the Board has a new contract with WADC to discuss tonight. He also wanted to know why the City is applying for a loan for improvements to the Wastewater Plant when they plan to give the system away.  
E. David Kozin of 7193 Elrod Road advised that he has been to all the meetings and workshops on the Brownlyn Farms Development and all the comments have been against a high density development. He feels the 20 year plan has been disregarded.

#### **4. Awards and/or Recognitions – None**

#### **5. Public Announcements –**

- A. Dianne Ellis of the Chamber of Commerce invited everyone to attend a meeting at the Recreation Center where Roxanne Peters from the Tenn. Dept. of Transportation Adopt a Highway Program will speak. She also announced that April 22<sup>nd</sup> is Clean Sweep Day, and May 16<sup>th</sup> at 5:00 p.m. is “Picnic in the Park” day.

#### **6. Approval of the Minutes –**

- A. Presented for approval were the minutes of the Public Hearing held on March 16, 2006. 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 16, 2006. Mangrum made a motion to approve the minutes as presented. Johnson seconded the motion. All were in favor.

#### **7. Old Business –**

- A. Williamson County Three Star Program – County Mayor Rogers Anderson was present to ask the city for its continued support of the Three Star Program. He gave an overview of the program and explained how you keep your membership by recertification.
- B. Review of the Contract with the Water Authority of Dickson County – Cantrell advised that the contract is not ready at this time. The WADC should consider the revised contract at their meeting on April 10<sup>th</sup> and then send the contract to the Board.
- C. Presented for Second and Final Reading was Bill #2006-06: Approval of a Base Pay Plan for All Employees. Mangrum read the caption and made a motion to pass Bill #2006-06 on second and final reading. Johnson seconded the motion. All were in favor.
- D. Presented for Second and Final Reading was Bill # 2006-07: Approval of a Policy and Procedures Manual for Employees. Mangrum read the caption and made a motion to approve Bill #2006-07 on second and final reading. Johnson seconded the motion. All were in favor.
- E. Presented for approval were Job Descriptions for Employees of the City. Forehand stated that the Audit and Evaluation Committee had asked for job descriptions for employees to be compiled. (see attached) Arney made a motion to approve the job descriptions presented by the city manager. Hall seconded the motion. All were in favor.
- F. Employee Issues Reports from the Board Members – Forehand reported to the Board on the workshop assignments from the audit and evaluation committee.(see attached list of assignments and solutions) Forehand also asked the Board to consider putting display cabinets in the recessed areas in the lobby. She was asked to get a cost for the cabinets. She advised that she will get the cost and bring the figures back to a meeting in the near future.

#### **8. New Business –**

- A. Recommendations from the Planning Commission Meeting held on March 14, 2006:
  - (1) Annexation request for Map 21, Parcel 61.01, 37.70 acres, owner: Marlon Cunningham – Johnson made a motion to approve the recommendation. Mangrum seconded the motion. All were in favor.

- (2) Rezoning request for Map 21, Parcel 61.01, 37.70 acres be rezoned to R-20, owner: Marlon Cunningham - Arney made a motion to approve the recommendation. Mangrum seconded the motion. All were in favor.
- (3) Annexation request for Map 43, p/o Parcel 32.03, 2 acres, owner – Joey & Terri Lampley. Request withdrawn.
- (4) Rezoning request for Map 43, p/o Parcel 32.03, 2 acres be rezoned to R-20, owner – Joey & Terri Lampley. Request withdrawn.
- (5) Annexation request for Map 21, Parcel 61.06, 10 acres, owner: Timothy & Deborah Johnson – Mangrum made a motion to approve the recommendation. Johnson seconded the motion. All were in favor.
- (6) Rezoning request for Map 21, Parcel 61.06, 10 acres be rezoned to R-20, owner: Timothy & Deborah Johnson – Mangrum made a motion to approve the recommendation. Johnson seconded the motion. All were in favor.
- (7) Annexation request for Map 21, Parcel 61.19, 3.00 acres, owner: Timothy & Deborah Johnson – Mangrum made a motion to approve the recommendation. Johnson seconded the motion. All were in favor.
- (8) Rezoning request for Map 21, Parcel 61.19, 3.00 acres be rezoned to R-20, owner: Timothy & Deborah Johnson – Mangrum made a motion to approve the recommendation. Johnson seconded the motion. All were in favor.
- (9) Rezoning request for Map 18, Parcel 19.00, 1.37 acres be rezoned to C-I, owner: Robert & Kenneth Peak – Johnson made a motion to approve the recommendation. Arney seconded the motion. All were in favor.

City Attorney Cantrell advised that Items 10, 11, 12, 13 and 14 should be combined into one item. There was some confusion because the items were separated and because of the wording of the recommendation from the Planning Commission.

- (10) Annexation request for Map 21, Parcel 21.01, 68.6 acres, owner – John Rutledge.
- (11) Annexation request for Map 21, Parcel 21, 161.37 acres, owner James, Leatha, and Jesse Elrod.
- (12) Disapprove the Preliminary RM-8 PUD for Map 21, Parcel 21.01, 68.6 acres, owner – John Rutledge. The Planning Commission members approved the Preliminary RM-8 PUD contingent upon the following items be corrected or added:
  - the total density not to exceed 2.5 units per acre, or 655 total dwellings.
  - the highest density remains near Highway 96 if possible.
  - the ground water system remains intact (e.g.) ponds, streams and the springs that feed the pond and streams, and that they be incorporated in the design of the development.
  - all buffers to have tree screening with the exception of street corners where site distance is a concern.
  - all TDEC permits are obtained and all silt fencing be installed before any grading begins.
  - no infrastructure (e.g.) roads, water, and sewer lines or under ground electrical, shall be installed before a final plat is approved.

- the Planning Commission receives written approval from Dickson Water Authority with Plan of services for water and sewer.
- if any of the other, commissioners have contingencies they are incorporated in this motion for approval.
- all contingencies are addressed and plan be resubmitted to the Planning Commission for review before being sent to the Board of Commissioners.
- more detailed guidelines
- minimum 2,000 square foot houses.
- façade being stone or brick, no vinyl siding.

Mr. Ragsdale sent a letter stating that they do not wish to revise or modify their Preliminary PUD for Brownlyn Farms. They request that their plan be submitted to the Fairview Board of Commissioners at their next meeting. (According to Section 8-203.3, Preliminary Approval of the Proposed Planned Unit Development #5: Conditional Preliminary Approval – Landholder's response of the Zoning Ordinance states that when the Planning Commission's action is conditional preliminary approval, the landholder may within 60 days send a letter stating that they do not wish to revise or comply with the Planning Commission members' request. After the landholder makes a negative reply or does not reply within 60 days of the date of conditional preliminary approval, the planned unit development shall be deemed as a recommendation for disapproval.)

- (13) Disapprove the Preliminary RM-8 OUD for Map 21, Parcel 21, 161.37 acres, owners: James, Leatha, and Jesse Elrod.
- (14) Disapprove the Preliminary RM-8 PUD for Map 18, Parcel 41, 32.3 acres, owners: Verilyn and Arthur Love.

After discussion was held on the recommendations from the Planning Commission concerning the properties in the Brownlyn Farms Development, Mayor Brison asked for a motion on the recommendations. There was no motion.

- (15) Added to the Agenda: Adoption of Resolutions to set a public hearing on the annexation and rezoning of the Brownlyn Farms Development properties. Johnson made a motion to adopt Resolutions # 07-06 and #08-06 calling for a public hearing to be held on May 4<sup>th</sup> at 7:00 p.m. Mangrum read the captions. Arney seconded the motion. Vote taken: *For*: Johnson, Arney, Hall, Mangrum *Against*: Brison, because he did not receive copies of the resolutions until tonight. Motion passed.

- B. Request for approval to submit an application for State Revolving Funds for Phase I of Improvements to the Wastewater Treatment Plant – Forehand asked the Board to approve Resolution # 06-06 giving her permission to submit the application in the amount of 1.5 million dollars to upgrade the wastewater treatment plant. This loan along with all others will be transferred to the Water Authority of Dickson County. In order to meet the deadline of April 15<sup>th</sup> the City needs to go ahead and apply for the loan. Arney made a motion to adopt the resolution. Hall seconded the motion. All were in favor.

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

A. Miscellaneous Updates –

- (1) Forehand reported that the special census has been completed and the count is 7,014 which is a 20.5% increase over the 2000 census.
- (2) Forehand also reported that John Bledsoe has been hired as the Building Inspector and Codes Enforcement Officer. He will begin work on April 7<sup>th</sup>.

B. City Attorney Comments –

- (1) Cantrell apologized for not getting the public hearing resolutions to the Board earlier but there were some email problems in getting them to city hall.
- (2) Cantrell also reminded the Board that the Plan for the Brownlyn Farms Development to be considered on May 4<sup>th</sup> will be the original plan.

**10. Communications from the Mayor and Commissioners –**

- A. Mangrum asked if the Board can discuss the Brownlyn Farms Plan. Cantrell advised that they can discuss it if they all agree but cannot vote on it until after the public hearings. After further discussion. Johnson made a motion to discuss only (no vote to be taken) the Brownlyn Farms Plan at the April 20<sup>th</sup> Board of Commissioners Meeting. Hall seconded the motion. All were in favor.

**11. The meeting adjourned at 8:30 p.m.**

Kathleen Daugherty, CMC  
City Recorder