

BOARD OF COMMISSIONERS**May 1, 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, Mangrum

Absent: Johnson

Others Present: Forehand, Cantrell

1. Mayor Brison called the meeting to order at 7:05 p.m.

- A. The Prayer and Pledge to the Flag were led by Commissioner Hall.

2. Approval of the Agenda –

- A. Since Commissioner Johnson was not present it was decided to remove Item B under Old Business from the Agenda. Hall made a motion to approve the Agenda as amended. 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. Ann Knauff, President of the Friends of Bowie Nature Park, reported on a meeting of the Friends on April 15th in which they voted to withdraw their opposition to the sale of 5.9 acres of Bowie Nature Park to Southstar if the remainder of the park is put in a conservation easement.
- B. Dan Kubit of 7312 Clearview Drive reported on the Clean Sweep held on April 26th. Due to the weather the attendance was down but they did accomplish a lot. He thanked all those who participated and helped to organize the Clean Sweep. There will be another Clean Sweep Day in October. Mayor Brison thanked Mr. Kubit for heading up the program.
- C. Rosemary Kubit advised that the Keep Williamson Beautiful Committee helped with the supplies they used. She thanked those who used their vehicles to haul the bags of garbage away. She apologized to those who helped that they did not mention.
- D. Jeff Hudgins owns Design One and hears a lot conversation concerning the City and it seems that everyone is pumped up about this latest proposal including the park property. He asked the Board to do their best to get it done.

4. Awards and/or Recognitions – None

5. Public Announcements –

- A. City Mgr. Forehand announced that the new Emissions Testing Site in Fairview will be open on Wednesdays from 8:00 a.m. to 12:00 noon beginning on May 21st. It is located at the Fire Station on Hwy. 96 North. They will be there on a 90 day trial period. If they have enough participation they will consider expanding their time in Fairview.

6. Approval of the Minutes –

- A. Presented for approval were the minutes of the Beer Board Meeting held on April 17, 2008. Mangrum made a motion to approve the minutes as presented. Hall seconded the motion. All were in favor.
- B. Presented for approval were the minutes of the Public Hearing held on April 17, 2008. Mangrum made a motion to approve the minutes as presented. Hall seconded the motion. All were in favor.
- C. Presented for approval were the minutes of the Board of Commissioners Meeting held on April 17, 2008. Mangrum made a motion to approve the minutes as presented. Hall seconded the motion. All were in favor.

7. Old Business –

- A. Presented for Second and Final Reading was Bill #2008-10: Adopting the County's Fee Schedule for Court Fines and Fees. Mangrum read the caption and made a motion to pass Bill #2008-10 on second and final reading. Arney seconded the motion. All were in favor
- B. Recommendation from the Ad Hoc Committee Meeting held on April 3, 2008 – Commissioner Mangrum. **Removed from the Agenda until the May 15th Meeting.**
- C. Discuss adopting a policy on food and drink in the meeting room – Commissioner Arney made a motion to defer this item also until the full Board is present. Hall seconded the motion. All were in favor.
- D. Allow a curb cut of the median on City Center Boulevard – Donn Lovvorn stated that this recommendation came out of a staff review meeting on the site plan for the South Harpeth Business Center. The concern of the staff was the traffic situation in case of an emergency. They are presently working with South Harpeth and Joe Chapdelaine to get a tie in with City Center Circle and Trust Drive and if this happens they will not need the cut in the median. Arney stated that he would like to make a motion to defer this for a couple of months until a decision is made about the tie in. Hall seconded the motion. All were in favor.

8. New Business-

- A. Recommendations from the Planning Commission Meeting held on April 8, 2008:
 - (1) Rezoning Application for property located on Fairview Boulevard from RS-40 to CG (Commercial General), Map 46, Parcel 89.00, 1.8 acres – John Windrow, Owner. (Unanimous vote of the Planning Commission to approve) *Item was deferred since Mr. Windrow was not present.*
 - (2) Review and/or take action on changing the zoning ordinance relative to the keeping of horses Article 3-105.2 Subpart 5. To allow the commercial boarding of horses in all AR (Agricultural Residential Zoning Districts. (Unanimous vote of the Planning Commission to approve) Hall made a motion to have the city For: Hall, Arney, Brison. Against: Mangrum. Motion passed.

- (3) Approve the resolution adopting a plan of services for the annexation of the Right-of-Way of Northwest Highway, and parts of Dice Lampley Road and Elrod Road. (Unanimous vote of the Planning Commission to approve on April 8, 2008) *Action was taken by the Board of Commissioners on April 17, 2008.*
- B. Requesting approval of credentials of Civil & Engineering Consultants, Inc. (CEC) for an environmental/ecological study on Bowie Nature Park – Commissioner Hall advised that Mr. Jeff Duke from CEC was present. Hall also asked Cantrell to explain why the study is needed. Cantrell explained that according to Miss Bowie's will in order to sale any park property this type of study is required. Hall asked Ralph Knauss, representing Southstar who is interested in purchasing 5.9 acres of Bowie Park, if Southstar plans to pay for the study. Knauss stated that they did. Mr. Duke stated that he has lived in the Fairview area for 18 years and has as many years of experience doing environmental studies and ecological assessments. He has a master's degree in Ecology. Mangrum made a motion to approve the credentials of CEC to do the study. Mayor Brison stated that he owns property adjacent to the proposed 5.9 acres and he will not be voting on any issues concerning the sale of this park property. Arney seconded the motion. For: Mangrum, Arney, Hall. Abstain: Brison. Motion passed.
- C. Requesting approval of credentials of Eric L. Boozer, MAI of Boozer and Company (commercial appraisers) to appraise Bowie Nature Park property – Commissioner Hall asked if they wanted to do the appraisal before the environmental/ecological study. Ralph Knauss stated that they would like for the appraisal to be done in conjunction with the study. Therefore, Hall made a motion to approve Boozer and Company to the appraisal of Bowie Nature Park. Arney seconded the motion. For: Hall, Arney, Mangrum. Abstain: Brison. Motion passed.
- D. Set Special Board Meeting for May 22, 2008 at 7:00 p.m. to discuss and/or take action on a land conservation easement for Bowie Nature Park – Commissioner Hall made a motion to have the Special Board Meeting on May 22nd. Arney seconded the motion. For: Hall, Arney, Mangrum. Abstain: Brison. Motion passed.
- E. Approval to purchase vehicles for the Police Department on the State Contract – City Mgr. Forehand stated that Police Chief Harris would explain his plans for the vehicles. Harris advised that he would like to purchase four new vehicles using money that is already budgeted in the Drug Fund. Hall made a motion to purchase the vehicles. Mangrum seconded the motion. Arney asked why they needed four new cars. Forehand advised that the Board has voted to hire an additional drug officer and she has two more additional officers in the budget for the next fiscal year. Harris advised that he would like to replace the 2003 cars that he has now. Forehand stated that they would be using the \$100,000 in the Drug Fund that was budgeted for a firing range. The WADC has allowed the Police Dept. to continue using the firing range at the Wastewater Treatment Plant and therefore the money is available to purchase the cars. Harris was asked the cost of the new cars. He stated that the cost is \$22,061 for each car. Vote on motion: All were in favor.

- F. Approval to advertise for bids for street paving – City Mgr. Forehand presented a copy of the bid sheet showing the streets that they hope to repave this year. (see attached) Arney made a motion to advertise for bids to repave the requested streets. Mangrum seconded the motion. All were in favor.
- G. Approval of annual software support agreement for the Police Department – City Mgr. Forehand advised that this is the renewal of an annual agreement for support of computer software used by the Police Department. Arney made a motion to renew the Agreement. Hall seconded the motion. All were in favor.
- H. Discuss and/or take action on violations of the City of Fairview Municipal Code (health and sanitation) – Commissioner Arney stated that since we have had a wet spring, there are a number of areas around the city that are holding water and they need to be addressed. Forehand advised that there are areas that they are aware of and they are working on them.

9. City Manager Items for Discussion -

- A. Miscellaneous Updates – None
- B. City Attorney Comments –
 - (1) He would like to make sure that Southstar understands that the approval of the appraisal of the property does not mean the city will accept the environmental study that has not been conducted.
 - (2) The City also needs a statement from the environmental team stating that they are not employees of the City before they start the study.

10. Communications from the Mayor and Commissioners –

- A. Mangrum stated that he is not aware of any information about the rumor that Bowie Nature Park is being transferred to the County.
- B. Hall stated that he was the one that made the remark at the meeting with Southstar, but he has no intentions of transferring the Park to the County. It was just a rumor that he had heard.

11. The meeting adjourned at 7:55 p.m.

Kathleen Daugherty, CMC
City Recorder