

BOARD OF COMMISSIONERS**May 15, 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, Johnson, Arney, Hall, Mangrum

Absent: 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 Donn Lovvorn.

2. Approval of the Agenda –

- A. Mayor Brison reported that since the Planning Commission did not meet on May 13th Items C, D, and I under Old Business need to be deferred.
- B. City Mgr. Forehand asked that the adoption of Resolution #20-08 Accepting a Proposal from the Department of Transportation for the Project described as SR-100 from Bowie Lake Road to Cox Pike.
- C. Mangrum made a motion to approve the Agenda with the above changes. 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. Neil Rice, President of the Historical Preservation Committee, advised that the organization has obtained its 501C status and has officially changed its name to Fairview Historical Association, Inc. He also advised that they have \$33,800 in their bank account, pledges from five individuals in the amount of \$52,500 which should be coming in the next two to three months. They have also received notification that they will be receiving a matching grant in the amount of \$20,000. He reported on six goals and advised that they have money for five of these. He asked for help from the City in getting the old Jingo Post Office moved.

4. Awards and/or 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 May 1, 2008. Mangrum made a motion to approve the minutes as presented. Johnson seconded the motion. All were in favor.

7. Old Business –

- A. Recommendation from the Ad Hoc Committee Meeting held on April 3, 2008 – Commissioner Mangrum stated that he Committee recommended adoption of the sign fees. Lovvorn answered questions about the fee schedule from the Board Members. A discussion followed on the placement of directional signs and the placement of commercial signs. Lovvorn and Cantrell explained the regulations according to the present Sign Ordinance.
 - (1) Presented for First Reading was Bill #2008-06: Adopt Fee Schedule for Sign Permits. Arney made a motion to adopt Bill #2008-06 on first reading. Mangrum seconded the motion. After further discussion Johnson read the caption and the vote was taken: For: Arney, Mangrum, Hall. Against: Brison, Johnson.
 - (2) Sent to the Board without a recommendation was to set a fee for yard sale permits. After a discussion on the difference in sign fees and yard sale permits fees, Hall made a motion to set the fee for yard sale permits at \$0. Arney seconded the motion. For: Hall, Arney, Brison, Mangrum. Abstain: Johnson. Motion passed.
- B. Deferred from the last meeting since Mr. Windrow was not present was the approval of a Rezoning Application for property located on Fairview Blvd. 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). Johnson made a motion to have the city attorney prepare the necessary ordinance. Hall seconded the motion. All were in favor.
- C. Adoption of Resolution No. 18-08: Plan of Services for the annexation of the David Pennington Property on Crow Cut Road. (*Deferred*).
- D. Second and Final Reading Bill #2008-11: Annexation request for property located on Crow Cut Road, Map 18, Parcel 29.03, 2.5 acres to be annexed into the City as CG (Commercial General) – David Pennington, Owner. (*Deferred*)
- E. Presented for Second and Final Reading was Bill #2008-12: Rezoning of property located on Hwy. 96 North from RS-40 to CG (Commercial General) Map 18, Parcel 29.00, 8.1 acres – C.E. Collier, owner. Johnson read the caption and made a motion to pass Bill #2008-12 on second and final reading. Mangrum seconded the motion. All were in favor.
- F. Presented for Second and Final was Reading Bill # 2008 -13: Rezoning property located on Hwy. 96 North from RS-40 to CG (Commercial General, Map 18, Parcel 28.00, 8.9 acres – Malcolm D. Collier, owner. Johnson read the caption and made a motion to pass Bill #2008-13 on second and final reading. Mangrum seconded the motion. All were in favor.
- G. Presented for Second and Final Reading was Bill # 2008-14: Rezoning property located on Hwy. 96 North from Rs-40 to CG (Commercial General) Map 18, Parcel 27.00, 8.82 acres – James E. Collier, owner. Johnson read the caption and made a motion to pass Bill #2008-14 on second and final reading. Hall seconded the motion. All were in favor.

- H. Presented for Second and Final Reading was Bill #2008-15: Approving an Amendment to the Preliminary Master Development PUD Plan for Highbury Point Subdivision, Map 18, Parcel 38, 40.14 acres – Bivens Stevenhagen Joint Venture, owner. Johnson read the caption and made a motion to pass Bill #2008-15 on second and final reading. Mangrum seconded the motion. All were in favor.
- I. Second and Final Reading Bill #2008-16: Rezone property located on Crow Cut Road, Map 18, Parcel 29.03, 2.5 acres from RS-40 to CG (Commercial General) – David Pennington, Owner. (*Deferred*)
- J. Presented for Second and Final Reading was Bill #2008-17: Rezone property located on Hwy 100 and Deer Ridge Road (Triangle School Property) from RS-40 to Historic Overlay District (HOD) – City of Fairview, Owner. Johnson read the caption and made a motion to pass Bill #2008-17 on second and final reading. Hall seconded the motion. All were in favor.
- K. Presented for First Reading was Bill #2008-18: Amending Article 3-105.2 Subpart 5 of the Fairview Zoning Ordinance Relative to the Boarding of Horses. Johnson read the caption and made a motion to pass Bill #2008-18 on first reading. Hall seconded the motion. All were in favor.
- L. Presented for Adoption was Resolution No. 19-08: Set Date of June 5, 2008 for a Public Hearing on Amending the Fairview Zoning Ordinance Relative to the Boarding of Horses. Johnson read the caption and made a motion to adopt Resolution No. 19-08. Hall seconded the motion. All were in favor.
- M. Discuss adopting a policy on food and drink in the meeting room – Commissioner Arney stated that he did not feel it was a good idea to allow food and drink, except water, in the meeting room. Johnson stated that he felt they should also not allow cell phones to be on during meetings. Hall stated that several of the pews have already had to be touched up due to scratches from keys and other items hanging from belts. Cantrell suggested that they post a sign at the entrance to the meeting room stating that these things are not allowed. Johnson suggested that a sign be put on an easel and only put out when there is a meeting or court session. City Mgr. Forehand advised that she would take care of getting the easel and the sign.

8. New Business –

- A. Recommendation from the Planning Commission Meeting held on February 12, 2008:
 - (1) Amend the Preliminary Master Development Plan for Trails of Brownlyn, Map 21, Parcel 21.00; Map 21, Parcel 41.00, 262.32 acres – R.D.C., LLC, Owner. (Unanimous Vote of the Planning Commission). Mr. Ragsdale was present to explain the changes in the Plans and to answer questions from the Board Members. Johnson asked if they still plan to deed the City land for a soccer field and a fire station. Mr. Ragsdale stated that they did. Arney made a motion to have the City Attorney prepare the necessary ordinance. Mangrum seconded the motion. Johnson asked that the motion be amended to read that the transfer for the two pieces of property to the city be made before or at the same time of the

second and final reading. Arney seconded the motion. Vote on the amendment: All were in favor. Vote on original motion as amended: All were in favor.

- B. Presented for First Reading was Bill #2008-19: Proposed Budget for the City of Fairview for the fiscal year 2008-2009. (Line Item Information is attached) – City Mgr. Forehand gave the highlights of the proposed budget. (see attached memo). Arney asked if the additional fees for court have been set aside for police salaries. Forehand advised that a percentage of the fines will be put into a reserve account for salaries for future officers. Johnson made a motion to pass Bill #2008-19 on first reading. Arney seconded the motion. Johnson read the caption. Forehand explained ways the City will be trying to save on gas. Vote on motion: All were in favor.
- C. Set Tax Rate for Fiscal Year 2008-2009: Johnson made a motion to leave the tax rate at the present rate of \$.70 per \$100 of assess value and assessment to be taken from the Williamson County Tax Assessor Books. Mangrum seconded the motion. All were in favor.
- D. Added to the Agenda: Adoption of Resolution #20-08: Accepting a Proposal from the Department of Transportation for the Project described as SR-100 from Bowie Lake Road to Cox Pike. Johnson read the caption and made a motion to adopt the Resolution. Arney seconded the motion. All were in favor.

9. City Manager Items for Discussion -

- A. Miscellaneous Updates –
 - (1) Forehand gave an update on the Hwy. 100 project and advised that construction is scheduled to begin early in 2009 and to be completed in 2011.
 - (2) Forehand also reported that the new drug officer has been hired and his name is Shane Dunning.
- B. City Attorney Comments –
 - (3) Cantrell stated that he reviewed the proposal that the State presented to the City for the Hwy. 100 Project and it is a typical road widening or road improvement proposal. There was one provision he pointed out and that was in the event someone files a suite during the course of this project the State will defend the suites. He also advised that there is a requirement on who they need to serve for any suites and he asked that he be notified immediately if the City is served.

10. Communications from the Mayor and Commissioners –

- A. Johnson thanked Forehand and the department heads for their work on the proposed budget.
- B. Mangrum asked if the Hwy. 100 Project was three lanes or five lanes. Forehand stated that it will be three lanes and there are plans available in the Codes Department if he wants to look at them.

11. The meeting adjourned at 8:25 p.m.

Kathleen Daugherty, CMC
City Recorder