

**BOARD OF COMMISSIONERS****June 5, 2003**

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. Vice-Mayor Mangrum led the Prayer and Pledge to the Flag.

**2. Approval of the Agenda –**

A. Added under city manager items:

- (1) Mutual Aid Agreement-Dickson County as Item F.
- (2) Apply for loan – State Revolving Loan Fund as Item G.
- (3) I-40 Sewer Line Extension as Item H.
- (4) Highway 100 – Utility line relocation as Item I.

**3. Citizen Comments – None****4. Awards and Recognitions – None****5. Public Announcements – None****6. Approval of Minutes -**

- A. Presented for approval were the minutes of the Public Works Committee Meeting held on May 8, 2003. Mangrum made a motion to approve the minutes as presented and corrected. Hall seconded the motion. All were in favor.
- B. Presented for approval were the minutes of the Public Safety Committee Meeting held on May 8, 2003. Hall made a motion to approve the minutes as presented. Arney seconded the motion. All were in favor.
- C. Presented for approval were the minutes of the Administrative Committee Meeting held on May 8, 2003. Brison made a motion to approve the minutes as corrected. Arney seconded the motion. All were in favor.
- D. Presented for approval were the minutes of the Public Hearing on the Proposed Budget held on May 15, 2003. Mangrum made a motion to approve the minutes as presented. Arney seconded the motion. All were in favor.
- E. Presented for approval were the minutes of the Board of Commissioners Meeting held on May 15, 2003. Mangrum made a motion to approve the minutes as presented and corrected. Arney seconded the motion. All were in favor.

## 7. Old Business –

- A. Town Center Master Plan – Jay Tant presented Submittal #3 the revised Master Plan from the discussion held at the Workshop Meeting on May 15<sup>th</sup>. Further revisions were discussed. Mangrum made a motion to approve Submittal #3. Arney seconded the motion. All were in favor. Tant will have the final plan at the next Board Meeting.
- B. Interview of the two applicants for the Beer Board and make appointment – The two applicants were Joe Hutcherson and Deanna Carpenter.
  - (1) Deanna Carpenter who lives at 7897 Horn Tavern Road stated that she has been in Fairview for three years. She would like the appointment because she is interested in City government and ran in the last Commissioner elections.
  - (2) Joe Hutcherson who lives at 7108 Red Maple Court stated that he is interested in helping out the City.

Mayor asked for nominations. Hall nominated Carpenter. Hutcherson stated that if it will help the Board with their decision he will withdraw his name that he only agreed to be considered for the appointment because he thought no one else was willing to take the position. Brison then made a motion that all nominations cease. Mangrum seconded the motion. All were in favor. Arney made a motion to appoint Carpenter to the Beer Board. Hall seconded the motion. All were in favor.
- C. Presented for second and final reading was Bill #2003-11: Amending the Budget for the City of Fairview for the Fiscal Year Ending June 30, 2003. Johnson read the caption. Arney made a motion to pass Bill #2003-11 on second and final reading. Hall seconded the motion. All were in favor.
- D. Presented for second and final reading was Bill #2003-12: An Ordinance to set fees for the use of the facilities in Bowie Park and impose sanctions upon persons who do not pay the use fees. Johnson read the caption. Mangrum made a motion to pass Bill #2003-12 on second and final reading. Arney seconded the motion. Brison asked about non-profit organizations using the park. After discussion was held Brison made a motion to exclude all non-profit organizations from the fees listed in Item #4. Arney seconded the motion. All were in favor. Johnson asked about the violations section of the ordinance. He felt they were too lenient. He felt the first violation should receive a warning but the second violation should have a \$50 fine and with the third offense there should be a \$50 fine and suspension from the park for six months. It was also discussed that wording in the ordinance should say that the violations pertain to fees for trail usage. Johnson made a motion to make the above changes. Hall seconded the motion. All were in favor. Arney then made a motion to pass Bill #2003-12 on second and final reading as amended. Hall seconded the motion. All were in favor.
- E. Set Grand Opening for the Nature Center – Deck advised that the Park Staff stated the murals will not be ready until about July 26<sup>th</sup> and since Ms. Bowie Birthday was on August 6<sup>th</sup> they recommended that the Open House be held on that day. The Board felt that it needs to be held on a Saturday and suggested that it be held on the Saturday before her birthday or August 2<sup>nd</sup>. Deck was asked to check with the Park Staff about the August 2<sup>nd</sup> date. Arney made a motion to defer action on the open house until the next Board Meeting. Hall seconded the motion. All were in favor.

- F. Annexation of the property on Hwy. 96 North – Johnson asked if there was an ordinance prepared. Deck stated that Cantrell will prepare the ordinance if the Board agrees to annex the property. Arney made a motion to approve the annexation on first reading. (Bill #2003-13) Mangrum seconded the motion. Vote taken: *For*: Arney, Mangrum, Hall, Johnson *Against*: Brison Motion carried.
- G. Set Public Hearing and Second Reading on the annexation of Hwy. 96 – Deck stated that the written ordinance should be ready in about four weeks due to all the legal descriptions that will be needed. The public hearing can be held when the ordinance is ready for second and final reading.

## 8. New Business –

- A. Recommendations from the Planning Commission Meeting held on May 13, 2003:
  - (1) Approve the changes to the Land Use Map/Text – Mangrum asked Tant if this Map shows how the land is presently being used. Tant advised that it did. Mangrum then made a motion to approve the Map. Arney seconded the motion. All were in favor.
- B. Excavation Permits for Utility Companies – Mangrum stated that Cantrell has prepared an ordinance requiring a permit for excavation on the City's right of ways. The ordinance is for review only. Cantrell explained what the ordinance contained and advised that he needs to revise parts of it and will have it ready for the next Board Meeting. (Bill #2003-14)
- C. Land Use Plan – Arney stated that he felt the Land Use Plan is a good one and should be followed.

## 8. City Manager Items for Discussion and/or Action –

- A. Hardware Maintenance Agreement with Local Government Data Processing Corporation – Deck explained that this is an annual agreement on all the computer equipment in the office. Mangrum made a motion to approve the maintenance contract with LGDPC. Arney seconded the motion. Brison asked about the cost. Deck stated it is approximately \$20,000 but all the City's software came from LGDPC and therefore they don't have much choice. *For*: Mangrum, Arney, Hall, Johnson *Abstain*: Brison. Motion carried.
- B. Report on bids for design and maintenance of the City's Website – Deck passed out a spreadsheet showing the four bids received. There was one local bid and three from Nashville. Deck stated the low bid was from Kricos. (see attached) Deck stated that he would like to have a two-year contract, which Cantrell will prepare. Gregg Robble, owner of Kricos, was present and answered questions from the Board. Arney made a motion to accept the low bid from Kricos. Mangrum seconded the motion. *For*: Arney, Mangrum, Brison, Johnson. *Abstain*: Hall. Motion carried. Arney asked who would maintain Channel 19. Deck stated that he will have to find someone local to do it.
- C. Interlocal Agreement with Williamson County – Deck stated that he has no response from the County since returning the agreement on fire protection to the County's attorney. Arney suggested that Deck contact Rogers Anderson. Deck advised that he would call and make an appointment to see him.
- D. Report on Hwy. 100 Project – Deck reported that Middle Tennessee Electric has told the State they will not be able to move their lines until July. Deck also reported that the City does not have all the needed easements to move the utility lines. Deck advised he is still waiting to see if the State is going to delay the project because the intersection at Crow Cut Road was dropped off the project.

- E. Report on Wastewater Treatment Plant Project – Deck advised that the engineers met with the State with no success on increasing the capacity. Deck stated that he is considering have his own study of the stream done but don't know if the State will accept the study. After contacting five different companies he has found the approximate cost of the study will be from \$5,000 to \$6,000 and then it will take six weeks to get the results. Arney asked what will happen if the study is different from the State's study of the stream. Mangrum stated that he would like to know what the legal issues would be if the study is different. Cantrell explained what their options would be. The Board agreed that the City Manager should have the study completed.
- F. Mutual Aid Agreement with Dickson County – Deck stated that the agreement is for one year but most mutual aid agreements are continuous. Arney asked Deck to check with Dickson County about making the agreement continuous. Deck stated that he would check. Arney made a motion to approve the agreement. Brison seconded the motion. All were in favor.
- G. Loan Application – Sewer Treatment Plant Expansion – Deck presented a copy of the letter he would like to send to the State Revolving Loan Program requesting funds for the project. (see attached copy) Deck stated that he is asking for 3.5 million dollars because you cannot increase your request later but you can decrease it. The maximum rate is 1.7% for twenty years. Arney made a motion to send the request for funds. Mangrum seconded the motion. All were in favor.
- H. I-40 Sewer Line Expansion – Deck presented a spreadsheet on the bids received for the project and explained what the project will include. (see attached) Deck recommended accepting the low bid from Contracting Services Inc. in the amount of \$137,003. Mangrum made a motion to accept the low bid. Arney seconded the motion. All were in favor.
- I. Bid on Relocation of Utility Lines on Hwy. 100 - Deck presented a spreadsheet on the bids received for this project also. The low bid was from Contracting Services Inc in the amount of \$56,219.50. Deck asked the Board to approve the low bid but allow him to award it when and if they need it. Arney made a motion to approve the low bid and to allow Deck to award it when needed. Hall seconded the motion. All were in favor.

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

- A. Brison stated that State Representative Phillip Johnson was present. He also advised that one of the local servicemen called him and thanked the City for the program held in the park honoring the servicemen.
- B. Mangrum also welcomed State Representative Johnson to the meeting.
- C. Johnson thanked Miss Carpenter and Mr. Hutcherson for applying for the appointment to the Beer Board.

#### **11. The meeting adjourned at 9:00 p.m.**

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Mayor

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City Recorder

