

BOARD OF COMMISSIONERS**June 19, 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 7:11 p.m.

A. The Prayer and Pledge to the Flag were led by Donn Lovvorn.

2. Approval of the Agenda –

A. City Mgr. Forehand asked that the following items under New Business be removed from the Agenda:

- (1) Item A. under New Business (United Way of Williamson County).
- (2) Item G. under New Business (Discuss a Four Day Work Week)

B. Added to the Agenda under Approval of Minutes:

- (1) Item C. Approval of the minutes of the Special Meeting held on June 17, 2008.

C. Added to the Agenda under New Business:

- (1) Item H. Adopt of Resolution #25-08: Sale of City Property.
- (2) Item I. First Reading Bill #2008-25: Sale of Park Property to Southstar.
- (3) Item J. Adoption of Resolution #26-08: Set date for Public Hearing on the Sale of Park Property.
- (4) Item K. Approval of Contract for the Sale of Real Estate.
- (5) Item L. Appointment of a Task Force Committee.

D. Arney made a motion to approve the revised Agenda. 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) - None**4. Awards and/or Recognitions –**

A. Mayor Brison reported that the bridge dedication was held today at 6:00 p.m. at the bridge located on Hwy.100 at the Hwy. 96 North intersection. The bridge was named in honor of Richard Buerstetta who was killed in Iraq.

5. Public Announcements – None

6. Approval of the Minutes –

- A. Presented for approval were the minutes of the Public Hearing held on June 5, 2008. 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 June 5, 2008. Mangrum made a motion to approve the minutes as presented. Hall seconded the motion. All were in favor.
- C. Added to the Agenda: Presented for approval were the minutes of the Special Meeting of the Board of Commissioners held on June 17, 2008. Mangrum made a motion to approve the minutes as presented. Arney seconded the motion. All were in favor.

7. Old Business –

- A. Presented for Second and Final Reading was Bill #2008-06: Amending the Fairview Zoning Ordinance by Adopting a Fee Structure for Signs. Johnson read the caption and made a motion to pass Bill #2008-06 on second and final reading. Mangrum seconded the motion. For: Johnson, Mangrum, Hall, Arney. Against: Brison. Motion carried.
- B. Presented for adoption was Resolution No. 18-08: Plan of Services for the annexation of the David Pennington Property on Crow Cut Road. (Approved by a unanimous vote of the Planning Commission at its meeting on June 10th). Johnson read the caption and made a motion to adopt the Resolution. Hall seconded the motion. All were in favor.
- C. Presented for Second and Final Reading was 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. Johnson read the caption and made a motion to pass Bill #2008-11 on second and final reading. Mangrum seconded the motion. All were in favor.
- D. Presented for Second and Final Reading was 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. Johnson read the caption and made a motion to pass Bill #2008-16 on second and final reading. Mangrum seconded the motion. All were in favor.
- E. Presented for Second and Final Reading was Bill #2008-22: Amending the 2007-2008 Budget for the City of Fairview. Johnson read the caption and made a motion to pass Bill #2008-22 on second and final reading. Hall seconded the motion. All were in favor.
- F. Presented for Second and Final Reading was Bill #2008-23: Amending the Fairview Municipal Code, Title 20, “Miscellaneous”, Chapter 6, Fees for Yard Sale Permits. Johnson read the caption and made a motion to pass Bill #2008-23 on second and final reading. Arney seconded the motion. All were in favor.
- G. Presented for First Reading was Bill #2008-24: Amending the Fairview Zoning Ordinance Relative to Residential Planned Unit Developments and Pertaining to Perimeter Lot Size Requirements. Johnson read the caption and made a motion to pass Bill #2008-24 on first reading. Mangrum seconded the motion. All were in favor.

- H. Presented for adoption was Resolution #24-08: Set Date of July 17, 2008 for a Public Hearing on Amending the Fairview Zoning Ordinance Relative to Residential Planned Unit Developments and Pertaining to Perimeter Lot Size Requirements. Johnson read the caption and made a motion to adopt the Resolution. Mangrum seconded the motion. All were in favor.
- I. Appointments to Boards and Committees –
 - (1) There was one applicant for the vacancy on Board of Adjustments and Appeals - James Beata, Jr. Johnson made a motion to appoint Beata to the Board of Adjustments and Appeals. Hall seconded the motion. All were in favor.
- J. Accept Bid on Backhoe – City Mgr. Forehand advised that three bids were received: (1) Power Equipment of Laverne, Tennessee bid on a 2003 WB140-2N with 1059 Hrs. \$29,135.00. (2) Robert M. Collier had a bid for a 2000 Case 580 Super L with 5,823 Hrs. \$28,500.00 (3) Thompson Machinery of Laverne, Tennessee bid on a 2006 Caterpillar 420E with 940 Hrs. \$59,500.00. Forehand recommended that they accept the bid from Power Equipment (Road Supervisor Howard Bridges has inspected this piece of equipment and given it his approval). Arney advised that since the advertisement for these bids did not include any particular specifications, he was making a motion to deny all bids and advertise again using specifications. Johnson seconded the motion. For: Johnson, Arney, Brison. Against: Mangrum, Hall. Motion carried.

8. New Business –

- A. **Withdrawn from the Agenda.** United Way of Williamson County – City Mgr. Forehand (Karen Walasek).
- B. Request from the Chamber of Commerce to place a plaque in honor of Mrs. Pauline Mangrum in the “History Village” area of Bowie Nature Park– City Mgr. Forehand (Beverly Totty). Totty advised that they have decided that they would actually like to put the 5” x 7” plaque on the kiosk near the trail that leads to the History Village area of the Park. Johnson made a motion to allow the Chamber of Commerce to put the plaque on the kiosk. Hall seconded the motion. All were in favor.
- C. Recommendations from the Planning Commission Meeting held on June 10, 2009:
 - (1) Approve Rezoning Application for Property Located at 2169 Fairview Blvd. from RS-40 to CG (Commercial General), Map 42, Parcel 128.00, 2.8 acres - Linda Oneida Cathey, Owner. (There was a unanimous vote from the Planning Commission to recommend the rezoning request). Johnson made a motion to have the City Attorney prepare the necessary ordinance. Mangrum seconded the motion. All were in favor.
- D. Presented for approval was a Maintenance Agreement with the Local Government Corporation for Computer Hardware – City Mgr. Forehand stated that this is an annual contract in the amount of \$5,188 which is less than last year. Arney made a motion to renew the maintenance agreement with Local Government Corporation. Johnson seconded the motion. All were in favor.

- E. Presented for approval were two Lease Agreements for Equipment for the Codes Department – City Mgr. Forehand advised that she would like to lease a printer/copier for \$319.39 per month and a HPT1100 System (plotter) for \$158.00 per month for the Codes Department. Both of these items are included in the budget. Johnson made a motion to lease the equipment. Arney seconded the motion. All were in favor.
- F. Painting City Hall – Vice-Mayor Johnson suggested that the City take bids on the paint for city hall and then bid out the labor separately. He felt the city would save money by not having to pay sales tax on the paint. Johnson also advised that he would rescue from voting since he works for Porter Paints. Arney made a motion to advertise for bids on the paint only and then advertise for the labor to paint the building. Hall seconded the motion: For: Arney, Hall, Brison, Mangrum. Abstain: Johnson. Motion carried.
- G. **Withdrawn from the Agenda:** Discuss and/or Take Action on a Four Day Work Week – City Mgr. Forehand
- H. Added to the Agenda: Adoption of Resolution #25-08: Sale of Park Property. Mayor Brison and Vice-Mayor Johnson both recused from voting on the sale of park property issues since they own property connected with the development or next to the development. Commissioner Hall was asked to chair the meeting. Commissioner Hall read the caption of Resolution #25-08 and made a motion to adopt the Resolution. Arney seconded the motion: For: Hall, Arney, Mangrum. Abstain: Brison and Johnson. Motion carried.
- I. Added to the Agenda: First Reading Bill #2008-25: Sale of Park Property to South Star. Hall read the caption of Bill #2008-25 and made a motion to pass it on first reading. Arney seconded the motion. For: Hall, Arney, Mangrum. Abstain: Brison and Johnson. Motion carried.
- J. Added to the Agenda: Adoption of Resolution #26-08: Set Date of July 17, 2008 for a Public Hearing on Sale of Park Property. Hall read the caption of Resolution #26-08 and made a motion to adopt the Resolution. Arney seconded the motion. For: Hall, Arney, Mangrum. Abstain: Brison and Johnson. Motion carried.
- K. Added to the Agenda: Approval of Contract for Sale of Real Estate. Commissioner Hall made a motion to approve the Contract for Sale of Real Estate. Arney seconded the motion. Commissioner Mangrum had a question about Item. 9 on page 2 on the contract. He felt it needed to be reworded or took out of the contract. After further discussion it was decided to change the wording. (see attached copy of contract) Mangrum made a motion to amend the original motion to change wording in Item 9 on page 2. Arney seconded the motion. Vote on amendment: For: Hall, Arney, Mangrum. Abstain: Brison and Johnson. Motion carried. Vote was then held on the original motion to approve the contract; For: Hall, Arney, Mangrum. Abstain: Brison and Johnson. Motion carried.
- L. Added to the Agenda: Appoint the Task Force Committee to discuss what will be within the perimeters of the Nature Park. After discussion, Arney made a motion to appoint: Commissioners Hall and Mangrum, Anne Knauff (President of the Friends of Bowie Nature Park), Wade Hooper (Parks Director), Larry Cantrell (City Attorney), and a representative from The Land Trust for Tennessee to serve as an advisor to the Committee.

9. City Manager Items for Discussion -

- A. Miscellaneous Updates – None
- B. City Attorney Comments – Cantrell advised that he has filed a lawsuit against Fairview Tire to clean up the area around the business and to pay previous court fines.

10. Communications from the Mayor and Commissioners –

- A. Commissioner Arney advised that he has known the Southstar representatives for awhile and appreciates the care that Steve Stanley has for the community. Also Arney suggested that everyone watch the bridge dedication which will be televised. It was a very moving experience.
- B. Commissioner Hall advised that two soldiers who served with Mr. Buerstetta when he was killed were at the bridge dedication. He too felt it was a very moving experience.

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

Kathleen Daugherty, CMC
City Recorder