

BOARD OF COMMISSIONERS**July 3, 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 7:04 p.m.

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

2. Approval of the Agenda –

A. Mangrum made a motion to approve the Agenda as presented. Johnson 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 – None

5. Public Announcements – None

6. Approval of the Minutes –

A. Presented for approval were the minutes of the Public Hearing held on June 19, 2008. Mangrum made a motion to approve the minutes as corrected. Johnson seconded the motion. All were in favor.

B. Presented for approval were the minutes of the Board of Commissioners Meeting held on June 19, 2008. Mangrum made a motion to approve the minutes as presented. Johnson seconded the motion. All were in favor.

7. Old Business –

A. Presented for Second and Final Reading was Bill #2008-20: An Ordinance to Change the Zoning of Map 46, Parcel 89.00 located at 2474 Fairview Blvd. from RS-40 to CG (Commercial General) - John T. Windrow, Owner. Johnson read the caption and made a motion to approve Bill #2008-20 on second and final reading. Mangrum seconded the motion. All were in favor.

B. Presented for Second and Final Reading was Bill #2008-21: An Ordinance to Amend the Preliminary Master Development Plan (PUD Overlay) for Trails of Brownlyn, Map 21, Parcels 21.00 and 41.00 by Revising Certain Lots and Type of Structures on Said Plan – R.D.C., LLC, Owner. Johnson read the caption. Mangrum made a motion to pass Bill #2008-21 on second and final reading. Hall seconded the motion.

Mr. Ragsdale advised that the city attorney has the requested deeds and an agreement that would allow him to adjust boundary lines in the deeds if needed when the property is developed. He explained why he felt the agreement is necessary. He answered questions from the Board members concerning the agreement. Cantrell suggested that the deeds be revised to include a 10 foot buffer zone but this would defer the second reading for one meeting. After further discussion Mr. Rutledge advised that he would withdraw the agreement and sign the deeds as they are. Arney made a motion to amend the motion to include accepting the two deeds offered by Mr. Rutledge. Johnson seconded the motion. Vote on amendment: All were in favor. Vote on original motion: All were in favor. (see attached copies of deeds)

- C. Presented for First Reading was Bill #2008-26: Rezoning 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. Johnson read the caption and made a motion to pass Bill #2008-26 on first reading. Arney seconded the motion. All were in favor.
- D. Presented for adoption was Resolution #27-08: Calling for a Public Hearing to be held on August 7, 2008 on the rezoning of the Linda Oneida Cathey Property. Johnson read the caption and made a motion to adopt the Resolution. Mangrum seconded the motion. All were in favor.

8. New Business –

- A. Recommendations from the May 16, 2008 Planning Commission Meeting:
 - (1) Recommend to the Board of Commissioners the adoption of the streets in Phase V of Castleberry being Chessington Drive, Shepton Drive, and Keynsham Drive. Johnson made a motion to accept the streets. Arney seconded the motion. All were in favor.
 - (2) Recommend to the Board of Commissioners the adoption of the streets in McCormick Grove Subdivision being McCormick Drive, McCormick Lane, Treywick Court, and Pleasant Grove Court. Johnson made a motion to accept the streets. Arney seconded the motion. All were in favor.
- B. Discuss and/or take action on a request for a joint meeting with the WADC Board concerning the street widening project – Larry Cantrell reported that TDOT has notified the WADC that the State will not be paying for relocation of water and sewer lines for the Hwy. 100 Widening Project. This is a big concern to the WADC that they will have to increase water/sewer rates to pay for this relocation project which is expected to cost between 1,000,000 and 1,500,000 dollars. The WADC would like to have a joint meeting to discuss a solution. Cantrell stated that he suggested that they also invite the State Legislatures. City Mgr. Forehand read an email that she received from Dr. Sandra Dudley inviting the Board to meet with the WADC Board at its regular meeting on July 14th since this is vacation season and a special meeting would be hard to orchestrate to meet the sixty day deadline from TDOT. Hall advised that two of the Commissioners are already committed for July 14th. Forehand suggested that they ask the WADC to meet with this

Board at its next regular scheduled meeting on July 17th. Arney made a motion to ask the WADC Board along with our State Representatives and Senators to meet with the City of Fairview Board of Commissioners at 7:00 p.m. on July 17th. Johnson seconded the motion. All were in favor.

9. City Manager Items for Discussion -

- A. Miscellaneous Updates – None
- B. City Attorney Comments – Cantrell reported that the first meeting of the Task Force for the land conservation easement for Bowie Nature Park was held on June 30th at 7:00 p.m. and it was a very productive meeting. The next meeting will be held on July 14th at 7:00 p.m.

10. Communications from the Mayor and Commissioners –

- A. Mangrum asked if the developer of the property in front of city hall had any legal obligations to complete the project. Cantrell is to research the matter for the next meeting.
- B. Johnson wished everyone a Safe and Happy Independence Day.
- C. Arney also wish everyone a Happy July 4th. He also asked Forehand to explain what is being done about a backhoe and that they should be glad they did not accept the bid on the other backhoe. Forehand advised that along with the help of Commissioner Arney they put together some specifications and will be advertising for bids on a new backhoe. She asked Commissioner Arney to explain why they should not have accepted the bid on the previous backhoe. Arney advised that a piece of equipment on the backhoe called a ram will wear a backhoe out very quickly.
- D. Hall wished everyone a Happy July 4th.
- E. Brison also wished everyone a Happy and Safe July 4th.

11. The meeting adjourned at 7:35 p.m.

Kathleen Daugherty, CMC
City Recorder