

City of Fairview

BOARD OF COMMISSIONERS

July 17, 2003

Stuart L. Johnson, Mayor
Darrell Mangrum, Vice Mayor
Eddie Arney, Commissioner
Ken Brison, Commissioner
Wayne Hall, Commissioner
Al Deck, City Manager
Larry Cantrell, City Attorney
Shirley Forehand, Acting Recorder

Present: Johnson, Mangrum, Arney, Brison, Hall

Others Present: Deck, Cantrell

Absent: None

1. **The meeting was called to order by Mayor Johnson at 7:47 p.m. The Mayor stated that he would be leaving the Board meeting at 7:20 p.m. and would return. The Vice-Mayor would preside in his absence.**
 - A. Planning Commission Chairperson Don Lovvorn led the Prayer and Pledge to the Flag.
2. **Approval of the Agenda -**
 - A. Arney moved to defer Item F. under Old Business - Second and Final Reading on Bill # 2003-13 until August 21st meeting.
3. **Citizens' Comments - none**
4. **Awards and/or Recognitions - none**
5. **Public Announcements - none**
6. **Approval of Minutes -**
 - A. Commissioner Arney moved to approve the July 3, 2003 Board minutes as presented. Hall seconded the motion. All were in favor.
7. **Old Business -**
 - A. Jay Tant of SSR presented the Board with information from the Property Ad Hoc Committee meeting on land use application. He reported that acquiring land for the first phase of the sewer plant work was under consideration. The next step will be to contact the property owners. Attorney Cantrell reported that Vice Mayor Mangrum and Commissioner Brison will be prepared with agreements which will be executed on site to bind the property owners but will not bind the city. The agreement will be similar to a 90 to 120 day option with the exception that no monies will be involved at this stage. The City will have ingress and egress rights to the chosen property to do engineering studies and borings. Jay Tant will prepare a rate schedule showing costs per tract of land.

- B. Commissioner Hall relayed points to the Board from the Parks and Recreation Ad Hoc Committee meeting. A \$50.00 cost per hour fee was discussed. Fees can be taken out of the \$500.00 deposit. Vice-Mayor Mangrum stated that some non-profit organizations should be exempt from the fees. Some may be totally exempt while others may be partially exempt. Mangrum suggested that another Ad Hoc meeting be held to discuss the exempt status of certain groups. The committee will report back to the August 7th Board meeting.
- C. Arney moved to re-appoint Jerry Hoppe and Larry Musick to the Board of Zoning Appeals. Brison seconded the motion. All were in favor.
Arney moved to re-appoint Horace Spoon to the Industrial Board. Mr. Hall seconded the motion. All were in favor. The Planning Commission re-appointment was deferred to the bottom of the agenda since the Mayor was not present at this time.
- D. Second and Final Reading Bill # 2003-16: An ordinance to amend and replace portions of Ordinance #381, Sewer Use Ordinance. Arney moved to approve Bill # 2003-16 on second and final reading. Hall seconded the motion. Discussion was held. Mangrum and Arney would like to have a workshop on July 31, 2003 following the already scheduled Town Meeting to discuss future water and sewer connection requirements and tapping fees. Deck will provide the septic requirements from the Williamson County Health Department concerning "failure of septic systems."
- E. Second and Final Reading Bill # 2003-17: Fee schedule for requested changes to the Land Use Plan - Deck asked if they wished to use the \$250.00 fee amount or \$200.00 which is used by the zoning department. The fee of \$250.00 remains. Mangrum moved to approve Bill #2003-17 on second and final reading, seconded by Hall. All were in favor.
- F. Second and Final Reading Bill #2003-13: Annexation of properties along Highway 96, North - deferred until the August 21st Board meeting.
- G. Sign Ordinance - Arney requested additional information to be brought back to the next Board meeting. Arney wants to allow for developments to have directional signs pointing to the development as well as distance requirements.
Attorney Cantrell will bring information to the meeting including measurements.

8. New Business - None

7. Deferred to bottom of Agenda - Planning Commission Vacancy -

Attorney Cantrell reported to the Board that the City's Ordinance does not comply with the TCA and must be amended to do so. The Board sets the terms of the Planning Commission members. The Mayor appoints all members of the Planning Commission and can remove members from the Planning Commission. The Mayor can utilize whatever information he should desire to use. The Ordinance states that the Mayor or his designee and one Board member shall serve on the Planning Commission. All are appointed by the Mayor at his pleasure. TCA 14-101 states that all members of the Planning Commission require training. The Board can "opt out" of the training requirements by ordinance. Cantrell will prepare the ordinance.

9. City Manager Items for Discussion and/or Action -

- A. Change Order for the new City Hall - Deck presented a letter to the Board members about "tie leaders to downspout of drainage system." The change order will cost in excess of \$4,000.00. Neither impact nor LRK feel the responsibility belongs to them. Mangrum suggested that the City make a list of all issues and take to arbitration at one time. This will save time and money and not hold up the project. Brison inquired if the water, sewer and lights are in place. Deck reported that he believes that they are stubbed across the boulevard to provide access to all services. Deck informed the Board that Paul Newman has presented questions to LRK as far back as April of this year and has not received answers. Deck has written a letter to LRK demanding answers. Arney requested that the principal from LRK be summons to the next Board meeting on August 7th to answer questions. Arney moved to approve the change order, seconded by Mangrum. More discussion, vote taken, all were in favor.
- B. Mayor Johnson moved to approve Resolution #13-2003 authorizing the City to participate in the TML loss control matching grant program. Mangrum seconded. All were in favor.
Deck also informed the Board that the Fire Department will be seeking a matching grant. Information will be brought to the Board at a later date. The City has two new paid firefighters - Jason Lankford and Brandy Mangels.

10. Communications from the Mayor and Commissioners -

- A. Mayor Johnson apologized for leaving the meeting. The Mayor asked Attorney Cantrell when he needed to appoint the members to the Planning Commission. The Attorney told him at his convenience. He would simply report back to the Board. The Mayor appointed Tim Mangrum to the vacant seat on the Planning Commission and will review the other appointments at a later time.

11. The Board of Commissioners' meeting adjourned at 8:50 p.m.

Mayor

Shirley Forehand, CMC
Acting City Recorder