

BOARD OF COMMISSIONERS**July 17, 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, Lovvorn

1. Mayor Brison called the meeting to order at 7:05 p.m.

- A. The Prayer and Pledge to the Flag were led by Representative Phillip Johnson.

2. Approval of the Agenda –

- A. Mangrum made a motion to approve the agenda as presented.
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 – None****5. Public Announcements – None****6. Approval of the Minutes –**

- A. Presented for approval were the minutes of the Public Hearing held on July 3, 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 July 3, 2008. Mangrum made a motion to approve the minutes as presented. Johnson seconded the motion. All were in favor.

7. Old Business –

- A. Discuss relocation of utility lines with the WADC Board, State Representatives and State Senator – Mayor Brison asked Representative Johnson if they needed to wait for the arrival of Senator Johnson and Representative Casada. Rep. Johnson stated that he thought they should proceed. Present from the Water Authority were Attorney Ben Regen and Dr. Sandra Dudley. Dr. Dudley stated that the City first received notification in 2006 that this project would be completed under what was

referred to at that time as Chapter 86. After the consolidation of the sewer and water system, WADC notified TDOT that they would be the appropriate contact concerning the relocation of utility lines for the widening project. In June of this year WADC was notified that the project was no longer under Chapter 86 and it was a mistake to have ever been classified as such. Dr. Dudley also advised that in 2006 the cost of moving the lines was estimated at 1.2 million dollars and is probably considerable higher now. Representative Johnson stated that he will need copies of any documents concerning the project in order to make a case to TDOT. He also advised that he is on the Transportation Committee and was told at their last session that there were no new road projects being considered for this year due to lack of funds. Representative Glen Casada and Senator Jack Johnson arrived at the meeting. Attorney Ben Regen stated that the WADC has to answer TDOT by August 11th. Mangrum asked Dr. Dudley why they wanted to move the lines to private easements at a greater cost. Dr. Dudley stated that it would keep this from happening again. Cantrell asked if the lines could be left under the new road. Rep. Johnson stated that he would check. It was decided that Representatives Johnson and Casada, Senator Johnson, Larry Cantrell and Representatives from the WADC would set up a meeting with TDOT and at least try to get TDOT to move the date for an answer about moving the utility lines until they can research all the documents concerning the project. Mayor Brison thanked the Representatives and Senator for coming as the City wants to help the WADC if they possibly can.

- B. Presented for Second and Final Reading was Bill #2008-24: Amend the Provisions of Section 8-207.3 of the Fairview Municipal Zoning Code (Minimum Lot Sizes). Johnson read the caption and made a motion to pass Bill #2008-24 on second and final reading. Mangrum seconded the motion. All were in favor.
- C. Presented for Second and Final Reading was Bill #2008-25: Approving the Sale of Certain Property within Bowie Nature Park to Southstar. Mayor Brison and Vice-Mayor Johnson recused themselves from voting. Commissioner Hall read the caption and made a motion to pass Bill #2008-25 on second and final reading. Mangrum seconded the motion. For: Hall, Mangrum, Arney. Abstain: Brison and Johnson.
- D. Requested report from City Attorney regarding Premier Development Partners and Robert J. Coughlin Shoppes at City Center – Commissioner Mangrum asked Cantrell to give a report on his research on the status of the current projects. Cantrell stated that the grading was started on the Shoppes at City Center but it has stopped and no work has been done in some time. Cantrell reviewed the city ordinances, the state law, and the

Development Agreement. He stated that the Board is concerned about erosion control and that can be done in two ways. The City can notify the developer what he needs to do and if he does not do it in the time allowed then the City can make the necessary improvements and sue the developer for the cost; or he can be fined \$15 per day for each day of violation. Cantrell suggested that the City notify the Dept. of Environment and Conservation for advice on what needs to be done to stabilize the area. Lovvorn stated that a site bond is now required from a developer. After further discussion it was decided to ask the two developers (Chapdelaine and Premier) to the next Board meeting to discuss the erosion problems on the two projects and their plans to complete the projects.

8. New Business –

- A. Permission to dispose of 1996 Ford car used by the Fire Dept. – Chief Cooper that the Fire Department has a 1996 Ford car (which was once a patrol car). Since the Police Department will be giving them another car he would like to donate the Ford car to another fire department. Johnson made a motion to allow the car to be donated to another fire department. Arney seconded the motion. All were in favor.
- B. Adoption of Resolution #28-08 Authorizing the City of Fairview to participate in the TML Loss Control Matching Grant Program – City Mgr. Forehand stated that this is a \$3,000 matching grant and is the same as last year. It will be used by the Fire Department. Arney made a motion to adopt Resolution #28-08. Johnson seconded the motion. All were in favor.
- C. Approval of the Interlocal Agreement between Williamson County and the City of Fairview for Fire Fighting Services – City Mgr. Forehand stated that this the standard agreement with the County to service District 15. This year due to the efforts of Chief Cooper the donation to the City from the County will be \$80,000 an increase of \$5,000 over last year. Johnson made a motion to approve the agreement. Arney seconded the motion. All were in favor.
- D. Reallocation of Wastewater Tap Allotments Percentages – City Mgr. Forehand reported that sewer taps percentages were allotted some time back and at that time we were allocated the amount of 80,000 gallons per day of flow. We are now getting 90,000 gallons of flow per day. The taps have been allocated but we need to change the percentages. After meeting with the WADC we have come up with the following new percentages in the restricted area: Individual Residences - 2%; Residential Development Areas - 47%; Commercial Development - 51%. Forehand asked for approval from the Board on these percentages. Arney made a motion to approve the percentages. Hall seconded the motion. All were in favor.

9. City Manager Items for Discussion -

- A. Miscellaneous Updates – None
- B. City Attorney Comments – None

10. Communications from the Mayor and Commissioners – None

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

Kathleen Daugherty, CMC
City Recorder