

BOARD OF COMMISSIONERS**July 20, 2006**

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

Present: Brison, Arney, Hall, Johnson, Mangrum
Also Present: Forehand and Cantrell

1. Mayor Brison called the meeting to order at 7:07 p.m.

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

2. Approval of the Agenda –

- A. Mangrum made a motion to approve the agenda as presented. Arney 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. Dawn Johnson from the Keep Williamson County Beautiful Committee – deferred until a later date.

5. Public Announcements –

- A. Mayor Brison reported that he received a letter from Representative Phillip Johnson advising that the bids will be let in October of this year to widen the bridge at Hwy. 96 and I-40.
B. Commissioner Johnson reported that this week we lost a former Police Chief (Percy Buttrey) and a former Volunteer Firefighter and Auxiliary Police Officer (Chad Sullivan). He extended his condolences to these two families.

6. Approval of the Minutes –

- A. Presented for approval were the minutes of the Public Hearing held on July 6, 2006. Mangrum made a motion to approve the minutes as presented. Hall seconded the motion. All were in favor.
B. Presented for approval were the minutes of the Board of Commissioners Meeting held on July 6, 2006. Mangrum made a motion to approve the minutes as presented. Johnson seconded the motion. All were in favor.

7. Old Business –

- A. Design Criteria – City Mgr. Forehand. Deferred until the next meeting.
- B. Presented for Second and Final Reading was Bill # 2006-21: An Ordinance Adopting a Proposed Budget for the fiscal year ending June 30, 2007 for the Water/Sewer Department of the City of Fairview. Mangrum read the caption and made a motion to pass Bill #2006-21 on second and final reading. Arney seconded the motion. All were in favor.
- C. Presented for Second and Final Reading was Bill #2006-22: Amending the Fairview Municipal Code Pertaining to the City's Noise Ordinance. Mangrum read the caption and made a motion to pass Bill #2006-22 on second and final reading. Arney seconded the motion. All were in favor.
- D. Presented for Second and Final Reading was Bill #2006-23: Amending the Fairview Municipal Code Title 15, Motor Vehicles, Traffic and Parking. Mangrum read the caption and made a motion to pass Bill #2006-23 on second and final reading. Hall seconded the motion. All were in favor.
- E. Presented for Second and Final Reading was Bill #2006-24: An Ordinance to Set the Annual Salary for the City Judge for the City of Fairview. Mangrum read the caption and made a motion to pass Bill #2006-24 on second and final reading. Hall seconded the motion. All were in favor.
- F. Presented for First Reading was Bill #2006-25: Annexation of the Tracy and Terri Lampley Property located at 7514 Cox Pike and containing five (5) acres. Mangrum read the caption and made a motion to pass Bill #2006-25 on first reading. Hall seconded the motion. All were in favor.

8. New Business –

- A. Recommendations from the Planning Commission Meeting held on June 13, 2006:
 - (1) Review the Zoning changes suggested from the May 30, 2006 Joint Workshop Meeting and make recommendations to the Planning Commission.
 - a. Approve changing the RM-8 zone and the RM-12 zone:
 - (1) Be developed as a Planned Unit Development
 - (2) Remove single-family dwellings from the zone.
 - (3) Encourage commercial use in these zones.
 - Brison made a motion to approve the recommendation. Hall seconded the motion. *For: Brison, Hall, Mangrum, Arney Against: Johnson.*
 - b. Approve changing the RS-15 zone:
 - (1) (1)This zone will have to be developed as a Planned Unit Development.
 - (2) Remove the minimum lots required (30) and maximum lots allowed (60).
 - (3) Remove the distance between the RS-15 zones (1 mile).
 - (4) ½ acre lots will be required around the perimeter of the subdivision and the smallest lots located in the core of the subdivision.
 - Hall made a motion to approve the recommendation. Arney seconded the motion. *All were in favor.*
 - c. Create RS-10 zone:
 - (1) This zone will have to be developed as a Planned Unit Development.
 - (2) Require minimum lots (30), maximum lots (60), required distance (1) mile unless square footage of the dwelling is 3000 square feet or more.
 - Johnson made a motion to approve the recommendation. Arney seconded the motion. *All were in favor.*

d. Create RS-8 zone:

- (1) This zone will have to be developed as a Planned Unit Development.
- (2) Remove this zone from the Town Center requirement.
- (3) Require minimum lots (30), maximum lots (60), required distance (1) mile, unless the square footage of the dwelling is 3,000 square feet or more.

Arney made a motion to approve the recommendation. Johnson seconded the motion. Discussion was held. For: Arney, Johnson, Hall, Mangrum
Against: Brison.

e. Approve changing when a traffic study is required:

- (1) Required for 100 lots or more. Change to 50 lots or more.

Arney made a motion to approve the recommendation. Hall seconded the motion. *All were in favor.*

f. Approve changing:

- (1) In a residential planned unit development which is especially designed for the use and occupancy of persons of sixty (60) years of age or older or families with one (1) spouse of that age, maximum permitted densities may be increased up to thirty (30) percent over that shown in the districts indicated. This age should be changed to fifty-five (55).

Arney made a motion to approve the recommendation. Hall seconded the motion. *All were in favor.*

g. Approve adding:

- (1) In a mixed use, the highest base will be the density zone and the lowest density will be located around the perimeter.

Arney made a motion to approve the recommendation. Hall seconded the motion. *All were in favor.*

h. Requiring streetlights in new subdivisions:

- (1) Both Boards agreed that this issue will be discussed when Commissioner Mangrum is present.

Mangrum asked that this be discussed at the August 3rd Board Meeting. Hall made a motion to defer to the August 3rd meeting. Arney seconded the motion. *All were in favor.*

B. Recommendation from the Planning Commission Meeting held on July 11, 2006:

- (1) Approve adopting Mary Susan Lane as a City Street. (Bond will Expire on August 6th) The value of the street is \$81,720. The length of the street is 908 feet. Arney made a motion to adopt Mary Susan Lane as a city street. Mangrum seconded the motion. All were in favor.

C. Report on EMT-IV Program – Fire Chief Cooper advised that the level of medical service the Fire Company provides is basic life support. About 70 percent of their calls involve treating the sick and injured. The EMS Director for the County has proposed to make Fairview the first and only fire company in the county to provide advanced life support. Four or five of the Volunteers are already at EMT Level and five of the seven career people are already EMTs.

The City Manager is talking with the County about paying for the tuition (approximately \$2,000 each) for the college courses that will be needed and the City will only have to pay for the first round of supplies and then they will be supplied by the County. He also advised that Volunteer Firefighter Sharon Yates is present to answer questions about the difference between basic life support and advanced life support.

- D. Approve Addendum B to the Interlocal Agreement between Williamson County and the City of Fairview for the provision of fire fighting services. Forehand read the Addendum. (see attached copy) Arney made a motion to approve the Addendum. Hall seconded the motion. All were in favor.
- E. Presented for First Reading was Bill #2006-26: Amending the Fairview Municipal Code Section 12-103, Electrical Permit Fees. Mangrum read the caption and made a motion to approve Bill #2006-26 on first reading. Johnson seconded the motion. All were in favor. Forehand explained that this will change the amount the city charges for issuing the permits to \$5.00.
- F. Presented for Adoption was Resolution 26-06: Approval to apply for the 2006-2007 TML Risk Management Pool "Safety Partners" Matching Grant. Forehand explained that this is a \$3,000 matching grant and the city's share will be \$1,500 and will be used to purchase boots and helmets for the Fire Department. Johnson made a motion to adopt Resolution 26-06. Mangrum seconded the motion. All were in favor.
- G. City Manager Forehand asked for permission to advertise for bids on the city's road grader. It does not run but there is at least one person interested in bidding on it. Arney made a motion to advertise for bids. Mangrum seconded the motion. All were in favor.
- H. City Manager Forehand asked for permission to auction dead lined city vehicles. She explained that there are a number of vehicles sitting at the Public Works Department that need to be auctioned. It will be done on line through the Police Department at no cost to the City. Hall made a motion to auction the dead lined vehicles. Arney seconded the motion. All were in favor.
- I. Discuss and/or take action on placing the Bowie Nature Park in a Land Conservation Easement – Vice-Mayor Arney stated that this has been talked about before but feels it is time to think about doing this. Commissioner Mangrum also stated that he felt they need to discuss this and asked the Board to set a date for a workshop. He stated that he has the plat of the Park. He suggested setting the workshop for Tuesday, July 25th. He asked that the Park Staff, the Friends of Bowie Nature Park, and someone from the Land Trust of Tennessee be at the workshop. Hall made a motion to set the workshop for July 25th at 7:00 p.m. Mangrum seconded the motion. All were in favor.

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

- A. Miscellaneous Updates –
 - (1) The Commissioners are invited to ride with the police officers in the patrol cars, but the Police Department would like to have 24 hours notice.
 - (2) "No Passing on the Shoulder" signs are being placed along Hwy. 100.
- B. City Attorney Comments – Cantrell advised that he has contacted the two individual bond holders and asked for their permission to transfer the bonds to WADC. The other bond holders are corporations. He received the necessary information today to contact the corporations.
- C. Brison asked how many of the contingences in the contract with WADC have not been met. Cantrell stated that those items still pending are the discharge permit, the transfer of the revolving state loan, the bond issue, and the "intent to sue" pertaining to the Clean Water Act.

- D. Mangrum asked about the “intent to sue” and how it would affect the transfer to WADC. Cantrell stated that it could affect the contract if the suit is filed. Johnson asked if the City is found liable and is fined, who would have to pay the fine. Cantrell advised that the City would have to pay the fine.

10. Communications from the Mayor and Commissioners –

- A. Johnson stated that the transfer to WADC is a must. He hates to see any group of people trying to stop the transfer at a cost to the citizens of Fairview. Cantrell stated that if the fine was high enough it could render the City insolvent.
- B. Mangrum stated that the water/sewer rates would have to be raised if the City is forced to keep the system and have to improve the sewer plant to meet state regulations. He also advised that there is a federal grant available for historical preservations. If the City’s projects apply it could pay for 60 percent of the cost.
- C. Arney stated that Chad Sullivan was a paramedic with EMS. He also served as a volunteer firefighter for several years.
- D. Hall stated that the Board has been working on the sewer issue for several years and the transfer to the WADC is the only decision that will preserve the future of this town.
- E. Brison offered his condolences to the Chad Sullivan Family.

11. The meeting adjourned at 8:15 p.m.

Kathleen Daugherty, CMC
City Recorder