

City of Fairview

BOARD OF COMMISSIONERS**August 4, 2005**

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

Present: Brison, Arney, Hall, Johnson, Mangrum

Others: Deck, Cantrell

Absent:

- 1. Mayor Brison called the meeting to order at 7:01 p.m.**
 - A. Vice-Mayor Arney led the prayer and pledge to the flag.
- 2. Approval of the Agenda:**
 - A. Added to the Agenda under New Business:
 - (1) Item E. Liquor License Renewal Fairview Liquors, Ken Karger.
 - (2) Item F. Begin Process to Accept Flying J Pump Station.
 - (3) Item G. Amendments to the Cingular Cell Tower Contract.
 - B. Mangrum made a motion to approve the agenda as amended. Hall seconded the motion. All were in favor.
- 3. Citizen Comments (Limited to the first five citizens to sign in and limit of five minutes each) - None**
- 4. Awards and Recognitions –**
 - A. Commissioner Johnson recognized those responsible for the improvements to the Welcome to Fairview signs. He presented a plaque to Dan and Rosemary Kubit for initiating the project. Johnson also encouraged everyone to do what they can to help improve Fairview.
- 5. Public Announcements – None.**
- 6. Approval of the Minutes –**
 - A. Presented for approval were the minutes of the Public Hearing held on July 21, 2005. Hall made a motion to approve the minutes as presented. Mangrum seconded the motion. All were in favor.

- B. Presented for approval were the minutes of the Board of Commissioners Meeting held on July 21, 2005. 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 #2005-5: Amending the Budget for the fiscal year 2004-2005. Mangrum read the caption. Hall made a motion to pass Bill #2005-5 on second and final reading. Mangrum seconded the motion. All were in favor.
- B. Presented for first reading was Bill #2005-6: Setting a Property Tax Rate for the Fiscal Year 2005-2006. Mangrum read the caption. Johnson made a motion to pass Bill #2005-6 on first reading and set the property tax rate at the present rate of \$.72. Brison seconded the motion. Mangrum advised that they received property tax history information tonight from the city manager and they have not been increased since 1994. Mangrum also advised that the pay plan for the Public Safety Department discussed at the workshop meeting would require a property tax increase to implement it. Mangrum stated that a \$.12 increase would fund the pay plan. He reported that they discussed the possibility of a wheel tax or a special census at the workshop also. Mangrum then made a motion to amend the original motion and set the tax rate at \$.84 to take care of the proposed pay plan by earmarking the increase for it. Hall seconded the motion. Johnson stated that he is behind Mangrum on the pay plan and feels it should include all employees, but he made a pledge during the last election to not raise property taxes. So he will abstain from voting on the issue. Hall stated that the wheel tax discussed at the workshop would cost the citizens more than a property tax increase and that is why he is in favor of the tax increase. Arney stated that he felt they need to meet with the city attorney on some of these issues. Mayor Brison called for a vote on the amendment: (to set the tax rate at \$.84). Vote: *For: Hall, Mangrum, Arney; Against: Brison; Abstain: Johnson.* Motion passed.
- Mayor Brison then called for a vote on the original motion to pass Bill #2005-6 on first reading. Vote: *For: Hall, Mangrum, Arney; Against: Brison; Abstain: Johnson.* Motion passed.

8. New Business –

- A. Recommendations from the Planning Commission Meeting held on July 12, 2005:
- (1) Adopt a Senior Accessibility Code – Donn Lovvorn, Chairman of the Planning Commission, was present and stated that the Planning Commission wanted to know if the Board was interested in this type of code before they pursued action on adopting it. Arney explained that the Code would require builders to make the section of their development set aside for seniors to meet the senior accessibility code. Arney then made a motion to ask the Planning Commission to proceed with adopting the code. Hall seconded the motion. All were in favor.

- B. Zoning and Codes Issues – Cantrell stated that there is a legal issue pending where a lot zoned R-40 has two dwellings on it. In order to keep this from happening again, he suggested that the zoning ordinance be amended to specify the procedure for removing the first dwelling once the second dwelling is built. He asked the Board to send a recommendation to the Planning Commission to have the State Planner prepare an amendment to the Zoning Ordinance. Johnson made a motion to send the recommendation to the Planning Commission. Hall seconded the motion. All were in favor.
- C. Consulting City Planner – Deck stated that over the past few months it has been discussed that there is a need for a City Planner. Deck advised that he has met with a gentleman who is interested in being a part-time consultant. He has been a consultant for the City of Nolensville. Deck asked the Board if they are interested in pursuing a part-time consultant even though the money for this is not in the budget. Arney stated that he feels there is a need for a consultant and made a motion to hire a part-time city planner. Hall seconded the motion. Brison asked Deck if he will be interviewing other people for the position also. Deck stated that he always likes to keep his options open. He will bring back a commendation to the Board at the next meeting. Deck also stated that he would like to keep the contract with the State for the State Planner services and let this be an expansion of those services. Vote on motion: All were in favor.
- D. Mosaic Project in the Nature Park – Deck stated that Lynn Bachleda could not be present but wanted him to tell the Board that she thought she was going to need some assistance with the project but some volunteers have come forward and she will not be asking for any help from the Board. She asked him to announce that the sculptors will be dedicated at Nature Fest on September 10th.
- E. Liquor License Renewal – Ken Karger from Fairview Liquors asked for a renewal on his Certificate of Compliance. Arney made a motion to approve the renewal. Hall seconded the motion. All were in favor.
- F. Flying J. Pump Station – Deck stated that in the process of getting all the exhibits mentioned in the contract together it was discovered that the City have never accepted the pump station located at the Flying J. Since the sewer line has been extended across the interstate this pump station is now a public use pump station and should be accepted into the infrastructure of the City. Arney made a motion to accept the pump station. Brison asked if we have to accept it now. Deck stated that it will have to be done now or later when all the paper work is completed. The problems that have occurred with the pump station were discussed. Arney withdrew his motion. Johnson asked Cantrell for his opinion. Cantrell stated that by maintaining it for several years the City has accepted it. It was decided to wait until all the paper work has been prepared before officially accepting it.
- G. Cingular Cell Tower Contract – Deck stated that the contract has reached its first five year renewal. The current rent is \$1,000 a month. They want to cut it to \$550. However there was a verbal agreement with the previous company that they would provide power for the police department repeater located on the water tower.

This company has given the City a written agreement to continue providing power for the repeater. Mr. Cantrell has not seen the contract and Deck would like for him to review it. The Cingular Company is in a hurry so he would like for the Board to approve the renewal contingent upon Mr. Cantrell reviewing the contract. Cantrell stated that they should also notify Dickson of the change in the amount of the revenue. Mangrum made a motion to renew the contract once it is satisfactory to Deck and Cantrell. Hall seconded the motion. All were in favor.

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

- A. Deck reported that the Drug Force would like to purchase a 2006 Tahoe in the amount of \$26,756.00. This vehicle would allow the officer to transport prisoners without calling for additional help. He recommended the purchase to keep the Drug Force in good working shape for the Interstate. Johnson made a motion to purchase the Tahoe. Mangrum seconded the motion. All were in favor. Deck advised the Tahoe will be purchased off of the County's Contract and therefore will not have to be bid.
- B. Comments from the City Attorney – Cantrell reported that the mediation hearing on the Hwy. 100 annexation will be on August 23rd at 9:00 a.m. He asked the Board to give him a name to submit for the hearing. It was decided for Cantrell to submit Commissioner Hall's name.

10. Communications from the Mayor and Commissioners –

- A. Mayor Brison stated that Vice-Mayor Arney has asked for a legal meeting and they need to set a date. It was decided to set the meeting on August 18th at 6:15 p.m.

11. The meeting adjourned at 8:05 p.m.

Mayor

City Recorder