

City of Fairview

BOARD OF COMMISSIONERS**August 21, 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
 Kathleen Daugherty, Recorder

Present: Johnson, Mangrum, Hall, Arney, Brison,
 Others Present: Deck, Cantrell
 Absent: None

1. **The meeting was called to order by Mayor Johnson at 7:04 p.m.**
 - A. Vice-Mayor Mangrum led the prayer and Pledge to the Flag.
2. **Approval of the Agenda -**
 - A. Deck asked that the second reading of Bill #2003-18 Item D. under Old Business be deferred until after the next Planning Commission Meeting. No one objected.
3. **Citizen Comments –**
 - A. Shawn Pallard of 7120 Locksley Lane stated that after reading the Observer and talking with some citizens he wanted to make some comments about a member of the Planning Commission voting on an issue when he had an interest in it. He felt he should not have voted on the issue. He would like to know how many times the Land Use Plan has been changed and who on the Planning Commission benefited from it.
 - B. Jonathan Cox of 7201 Northwest Hwy. commented about the Land Use Plan and that a member of the Planning Commission benefited from it being changed. He felt that Tim Mangrum should not have voted on the issue that benefited him at the last Planning Commission meeting.
4. **Awards and/or Recognitions - none**
5. **Public Announcements –**
 - A. Arney announced that the Fairview High School will kick off its football season next Friday night and asked everyone to come out and support them.
6. **Approval of Minutes –**
 - A. Presented for approval were the minutes of the Public Hearing held on August 7, 2003. Mangrum made a motion to approve the minutes as presented. Brison seconded the motion. All were in favor.
 - B. Presented for approval were the minutes of the Board of Commissioners Meeting held on August 7, 2003. Mangrum made a motion to approve the minutes as presented. Hall seconded the motion. All were in favor.

- C. Presented for approval were the minutes of the Beer Board Meeting held on August 7, 2003. Brison made a motion to approve the minutes as presented. Mangrum seconded the motion. All were in favor.

7. Old Business -

- A. LRK: Report from Rob Norcross – Deferred since Mr. Norcross was not present.
- B. Further discussion on a recommendation from the Parks and Recreation Ad Hoc Committee on a fee schedule for use of the Nature Center was deferred as the Committee has not had a chance to meet and discuss the fees.
- C. Presented for second and final reading was Bill # 2003-13: Annexation of properties along Hwy. 96 North to I-40. Arney made a motion to pass Bill #2003-13 on second and final reading. Mangrum seconded the motion. Johnson read the caption. Vote: *For*: Arney, Mangrum, Hall, Johnson
Against: Brison
- D. Second Reading Bill #2003-18: Deleted from agenda until after the next Planning Commission Meeting.
- E. Presented for first reading was Bill #2003-19: Amending the Tree Protection Ordinance. Arney made a motion to pass Bill #2003-19 on first reading. Mangrum seconded the motion. Johnson read the caption. All were in favor.

8. New Business –

- A. Hotel/Motel Tax – Johnson asked Deck to explain what he found during his research. Deck stated that a Public Act was passed allowing cities in the three counties surrounding Metro Nashville that were incorporated under the general law to levy a hotel/motel tax. (see attached) Deck also gave the Board members an ordinance Cantrell had prepared for them to review. After the ordinance was discussed. Johnson asked for a bill # for the ordinance. It was given #2003-20. Mangrum then made a motion to pass Bill #2003-20 on first reading. Hall seconded the motion. All were in favor.
- B. Sales Tax Referendum – Arney stated that he felt they have failed to let the public know that the City needs more revenue because of the cuts in State Shared Taxes. He advised that we pay the higher tax rate when we buy outside of the City. There are also a lot of people who buy in Fairview that do not live in Fairview. Johnson reminded them that it would be one cent per two dollars spent.
- C. Mutual Aid Agreement with Brentwood – Deck presented a mutual aid agreement from Brentwood. Johnson asked if Cantrell had reviewed the agreement. Cantrell stated that he had not. Hall made a motion to defer the Mutual Aid Agreement until the next meeting. Mangrum seconded the motion. All were in favor.
- D. Drug Task Force – Arney stated that after going through the budget process and Deck doing everything he could to keep from raising property taxes we have lost two officers because of the pay rate. Arney also stated that the Drug officers are limited in the area they can work. He went to the Chief and asked how they could expand the area. Chief Harris advised him that they

can work with Dickson County. Several months ago Sgt. Ferrell was approached by the Dickson County Attorney General wanting to start a multi jurisdiction drug force. Harris stated that there are some pros and cons to working with Dickson County. Sgt. Ferrell stated that they have offered to put any Fairview officers on their insurance when working in the Dickson County area and would split any receipts 50/50 with Fairview. Harris answered questions from the Board members on how the drug money is used. Arney stated that this could free up General Fund Money. Johnson asked them to get the necessary documentation ready to be reviewed by the Board.

- E. Appointment to Tree Commission to replace Dianne Ellis – Deck reported that Mrs. Ellis lives outside the City and cannot serve on the Tree Commission. It was decided to run an ad in the local paper for a volunteer to replace Ellis.

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

- A. Hunting Camp Road Update – Deck stated that he met with county officials last week on the issue of boundary lines again. He reminded them that the previous public works director had an agreement with the County that when they paved Hunting Camp Road the County would open the ditch and provide gravel and the City would provide the pipe to move the water line. Now there is a problem with how much of the Road is actually in the City. The County wants the City to purchase the necessary right of ways on the portion that is in the City and split the cost of the paving. He will keep the Board informed on the progress.
- B. Making streets in Nature Park one way – Deck asked them to make the streets that go to Shelter 2 one way which would be the same thing they did with shelter one. Hall made a motion to make the streets to Shelter 2 one way. Mangrum seconded the motion. All were in favor.

10. Communications from the Mayor and Commissioners -

- A. Arney asked Cantrell to speak on the Planning Commission issue – Cantrell stated that the Planning Commission by-laws, which states that a member who has an interest in an issue shall abstain from voting, were adopted in 1986. However, the TCA states that a Planning Commission member can vote on an issue if he states that has a conflict of interest. In his opinion the by-laws are not enforceable.

11. The meeting adjourned at 7:55 p.m.

Mayor

City Recorder