

BOARD OF COMMISSIONERS

September 20, 2012

Beverly D Totty, Mayor
Allen Bissell, Vice-Mayor
Patti L Carroll, Commissioner
Stuart L Johnson, Commissioner
Toney R Sutton, Commissioner
Andrew Hyatt, City Manager
Larry Cantrell, City Attorney
Theresa Porter, City Recorder

Present: Bissell, Carroll, Johnson, Sutton

Others Present: Hyatt, Cantrell, Porter, Harris, Cooper, Pewitt, Lovvorn

Not Present: Totty

1. Vice-Mayor Bissell called the meeting to order at 7:01 p.m.

A. The prayer and pledge to the flag were led by Donn Lovvorn.

2. Approval of the Agenda –

A. Vice-Mayor asked to add two items – 8G Approval of the Lighting Plan and 8H Contract for the Police Software

B. Commissioner Sutton made a motion to accept the additions. Commissioner Johnson seconded. 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). –

A. Ms. Victoria Fuentes stated she lives on Polston Court and based on the Polston Place restrictive convenience dated April 4, 2006 registered with Williamson County she was here to voice her opposition for an application for a conditional use permit to be issued for the in home firearms manufacturing business located at 7131 Donald Wilson Drive for Dennis Chapman. She stated that in the convenience it states that no lot shall be used except for residential purposes, no obnoxious or offensive operation shall be conducted or maintain on any lot. She stated that they purchased their home in this residential subdivision for the sole purpose that it is residential. She stated by allowing businesses to invade residential subdivisions the city is jeopardizing the resale value of their property. She left a copy of the restrictive convenience with the Board.

B. Ms. Nancy Fisher stated that she lives in Polston Place and wanted to submit a letter to the Board from one of the residents that could not be here tonight.

C. Mr. Schenkel stated that he lives in Polston Place and also opposes this business. He stated that he purchased this property based on it being in a residential neighborhood. He asked the Board to formally place on the agenda to revisit the planning and zoning codes to address the issue of separation of commercial and residential use and to clarify residential. He left a letter with the Board.

4. Awards and/or Recognitions – None

5. Public Announcements –

- A. City Manager Hyatt reminded everyone that the emission testing is every Tuesday from 7:30 a.m. to noon at the Hwy 96 fire station.
- B. Vice-Mayor Bissell stated that he had the pleasure to meet Mr. Tuggle before the meeting and on Tuesday September 25th at 6:30 p.m. and there is an open invitation to come out to City Hall for music, fellowship and prayer. He gave out Mr. Tuggle's phone number 661-858-9546 in case anyone has any questions.

6. Approval of the Minutes –

- A. The minutes for the August 16, 2012 Public Hearing were presented for approval. Commissioner Sutton made a motion to approve. Commissioner Johnson seconded. All were in favor.

7. Old Business –

- A. Second and Final Reading of Bill #2012-11 Ordinance No. 790 - An ordinance to change the zoning of certain property in the city of Fairview, Tennessee, located at 7357 Fernvale Road, owned by Benchmark Properties, LLC, as shown on, Fairview geological listing of assessment roll, Map 42, Parcel 86, from RS-40, to RS-15. Vice-Mayor Bissell read the caption and asked the representative to step up to the podium. Commissioner Johnson made a motion for approval. Commissioner Carroll seconded. There were no questions for Mitch Dowdy. All were in favor.

8. New Business –

- A. Discuss and/or take action on Resolution No. 14-12 a resolution authorizing the Mayor of the City of Fairview, Tennessee to exchange vehicles with Williamson County, Tennessee. Chief Cooper stated that the county has approved their end of the resolution. Vice-Mayor Bissell read the caption. Commissioner Sutton made a motion for approval. Commissioner Johnson seconded. Chief Cooper stated that this is the old brush truck. All were in favor.
- B. Discuss and/or take action on TDOT mowing and litter contract for FY 2012-2013. City Manager Hyatt stated that the contract is for \$31,881.60 same as what the state is paying the city to mow the 4 lane and to pick up trash along Hwy 96 and Hwy 100 and this will be the second year. Attorney Cantrell stated that the contract was in order. Commissioner Sutton made a motion to approve. Commissioner Johnson seconded. Mr. Hyatt stated that there is not an increase at this time. All were in favor.
- C. Discuss and/or take action on bond refund for Hickory Home BBQ. Commissioner Johnson stated that this was put on the agenda after last week's planning commission meeting, the engineer has had the chance to go over the figures to reduce the bond for the landscaping and drainage and now the city is going to hold \$5,000. The check request is for \$10,000. Commissioner Johnson made a motion to approve. Commissioner Sutton seconded. All were in favor.
- D. Discuss and/or take action on upgrade to the Cantilever Signal Support at Highway 100/Cox Pike intersection. City Manager Hyatt stated that TDOT is ready to go and he presented prices for standard steel and upgraded decorative signal. We would be out \$9,204.63 if we decide to go with the decorative signal. Commissioner Sutton made a motion to approve the upgrade. Commissioner Carroll seconded. All were in favor.
- E. Discuss and/or take action on amendment to grant contract for LPRF Greenway Project. City Manager Hyatt stated that the state went back and amended the grant to separate the Greenway Project, the amount is \$72,500. Commissioner Johnson moved to approve. Vice-Mayor Bissell seconded. All were in favor.

- F. Discuss and/or take action on TML Safety Grant. Captain Hughes stated that they are seeking the resolution to seek the TML Driver Safety Grant, it is a 50/50 matching grant, and our portion is \$2,500 which has already been budgeted. Commissioner Johnson made a motion to approve. Commissioner Sutton seconded. Vice-Mayor Bissell read the caption of the resolution, Resolution No. 15-12 a resolution authorizing the fire department of Fairview, Tennessee to participate in the Pool's "Driver Safety" matching safety grant program. All were in favor.
- G. Approval to proceed with the lighting plan on Hwy 100, new construction. Director Lovvorn presented the layout of the lighting plan. He stated that there are 4 poles on the south side of Hwy 100 and to move those poles in line with the primary service lines on the north side is an additional \$45 a month per light vs. \$18 a month per light to place them on the south side. If we move those poles to the north side we will have to get easements from the property owners. There is one pole that Middle TN Electric said cannot be moved because of a ravine and they would have to put in an 80 foot pole and anything over 60 foot would have to be a steel pole and they said they would not do that. So we could move three of the poles but we would still have one on the south side. Commissioner Sutton made a motion to move with the original plan to leave them on that side of the road. Vice-Mayor Bissell seconded. Commissioner Johnson stated that he will not be voting on this project tonight and that it's too bad that the Mayor is not here because she has had contact with the state and the solar panels could be an option. Commissioner Sutton withdrew his motion and Vice-Mayor Bissell withdrew his second. Commissioner Sutton made a motion to defer to the first meeting in October. Commissioner Johnson seconded. All were in favor.
- H. Contract for Police Software. Vice-Mayor Bissell stated that this was already approved in the budget. Captain Sutton stated that this was brought to the budget committee to update the out dated software for crime reporting. He stated that this system seems to fit our needs the best. We only received one bid and that was with Southern Software. The total cost is \$51,896. Vice-Mayor Bissell stated that we will need a new server. Chief Harris stated that the new server will cost \$6,000 and he said he had enough in his budget to cover this. Commissioner Johnson made a motion to approve. Commissioner Sutton seconded. All were in favor.

9. City Manager Items for Discussion –

- A. Miscellaneous Updates – City Manager Hyatt stated that we are scheduling our May Fest for Saturday May 25, 2013. The audio/visual upgrade will start on Monday. We received a quote back on employee health coverage from our current broker and in it there was a decrease in our premiums of 8.9% and we had budgeted for a 10% increase and we will be bringing this to the Board in October. On the recycling rebates we are going to recommend that we get containers in the high school and the middle school. The welcome signs will be put out to bid in October and the signs that are outside the city will be covered by TML. The Triangle School rehab project will begin on September 28th and expect to be finished by November 26th.
- B. Staff Comments –
 - (1) Vice-Mayor Bissell asked Chief Cooper if the annual auxiliary is going on and Chief Cooper stated that it is.
- C. City Attorney Comments - None

10. Communications from the Mayor and Commissioners –

- A. Commissioner Sutton thanked everyone for coming out and taking the opportunity for the right you have to voice your opinion to this commission. He thanked everyone on the staff and said they are doing a good job.

- B. Commissioner Johnson thanked everyone for coming and out and that spoke.
- C. Commissioner Carroll thanked everyone for coming out and stated that your opinion is valued here. She said her prayers right now are with the Givens family.
- D. Vice-Mayor Bissell thanked everyone for coming out and stated that he intends to draft, put it in writing and if at all possible be there on Monday night to present your opinion on the business coming into the Polston Place subdivision. He asked about Fred's asking people if they want to make a donation to the local police/fire departments. City Manager Hyatt stated that Fred's does this on their own and that they do give us the money. Mr. Hyatt stated that we are going to start working on the sitting area where the Board sits and moving the podium and installing the new equipment and asked the Board to bear with us during this remodel.

11. Vice-Mayor Bissell asked for a motion for adjournment –

- A. Commissioner Johnson made a motion for adjournment. Commissioner Sutton seconded. All were in favor. Meeting adjourned at 8:07 p.m.

Theresa Porter
City Recorder