

## City of Fairview

**BOARD OF COMMISSIONERS****October 2, 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. **SIGNING of the Conservation Easement for Bowie Nature Park with The Land Trust for Tennessee, Inc.**
2. **RECESS for Refreshments.**
3. **PUBLIC HEARING - Immediately Followed Refreshments**

**AGENDA**

1. **Mayor Brison called the meeting to order at 7:56 p.m.**
  - A. The Prayer and Pledge to the Flag were led by Mayor Brison.
2. **Approval of the Agenda –**
  - A. Mangrum made a motion to approve the Agenda. Johnson 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)**
  - A. Mayor Brison recognized Attorney Larry Cantrell for the work he did on the Conservation Easement.
  - B. Dan Kubit of Fairview – As he made his way to the podium, Mayor Brison thanked Dan and Mrs. Kubit for all they have done for Fairview. Dan thanked everyone and said he was proud to be here on this historical event. He advised that the City Clean Sweep will be on October 11, 2008 at the Bank of America. This year's theme is "Be Proud of Your Town". This will be the Kubits' last clean sweep as he is passing the torch to Kris and Renee Campbell.
4. **Awards and/or Recognitions – None**
5. **Public Announcements – None**

## 6. Approval of the Minutes –

- A. Approval of the minutes of the Beer Board Meeting held on September 18, 2008. Mangrum made a motion to approve the minutes as presented. Johnson seconded the motion. All were in favor.
- B. Approval of the minutes of the Board of Commissioners Meeting held on September 18, 2008. 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 #2008-31: Rezoning of property located on Hwy.100, Map 42, Parcel 168.01 from AR-15 to PUD (Town Center Overlay District Main Street Mixed Use) – PUD – TCOD/MSMU – City of Fairview, Owner. Johnson read the caption. Johnson made a motion to pass Bill #2008-31 on second and final reading. Mangrum seconded the motion. All were in favor.
- B. Presented for Second and Final Reading was Bill #2008-32: Rezoning of property located on Hwy. 100, Map 42, Parcel 169.00 from RS-40 to PUD (Town Center Overlay District Main Street Mixed Use) – PUD – TCOD/MSMU – Kenneth and Helen Brison, Owners. Johnson read the caption. Johnson made a motion to pass Bill #2008-32 on second and final reading. Arney seconded the motion. Vote: For-Mangrum, Johnson, Arney, Hall. \* **Brison recused from voting on the issue.**
- C. Presented for Second and Final Reading was Bill #2008-33: Rezoning of property located on Hwy. 100, Map 42, Parcel 169.01 from CG to PUD (Town Center Overlay District Main Street Mixed Use) – PUD – TCOD/MSMU – Elizabeth Binkley, Owner. Johnson read the caption. Johnson made a motion to pass Bill #2008-33 on second and final reading. Arney seconded the motion. All were in favor.
- D. Presented for Second and Final Reading was Bill #2008-34: Rezoning of property located on Hwy. 100, Map 42, Parcel 169.02 from RS-40 to PUD (Town Center Overlay District Main Street Mixed Use) – PUD – TCOD/MSMU – Charles and Jimmie Mangrum, Owners. Johnson read the caption. Johnson made a motion to pass Bill #2008-34 on second and final reading. Arney seconded the motion. All were in favor.
- E. Presented for Second and Final Reading was Bill #2008-35: Rezoning of property located on Hwy. 100, Map 42, Parcel 170.00 from CG to PUD (Town Center Overlay District Main Street Mixed Use) – PUD – TCOD/MSMU – Dianna Hughes and Jerry Lampley, Owners. Johnson read the caption. Johnson made a motion to pass Bill #2008-35 on second and final reading. Mangrum seconded the motion. All were in favor.
- F. Presented for Second and Final Reading was Bill #2008-36: Amending the City of Fairview Zoning Ordinance by providing for the implementation of the newly adopted Subdivision Regulations. Johnson read the caption. Johnson made a motion to pass Bill #2008-36 on second and final reading. Mangrum seconded the motion. All were in favor.
- G. Presented for approval of Contract with J.B. Weimar, Inc. for the diesel and gas tanks – City Mgr. Forehand advised that the City Attorney had numerous changes to the contract and that the changes have been implemented. Forehand advised that the City Attorney has approved the contract and recommended signing of the contract. Forehand confirmed

that both tanks will be installed at the same time. Mayor Brison was concerned about how to track the cost savings. Hall made a motion to approve signing the contract. Mangrum seconded the motion. All were in favor.

- H. Presented to Accept bids on Backhoe – City Mgr. Forehand stated that two backhoes were delivered and tested. A John Deere backhoe and a Caterpillar backhoe. The Public Works operators tested both backhoes and recommended the John Deere. Forehand and The Public Works Director recommended the purchase of the John Deere at the price of \$66,599.00. Johnson made a motion to accept the bid. Arney seconded the motion. All were in favor.
- I. Discussed the care of cemeteries located in the city limits – Vice-Mayor Johnson. Johnson stated that the Williamson County Sheriff is willing to take care of the cemeteries. Johnson thanked Mr. Lampley and Mr. Adcock for their care and concern. Forehand thanked Vice-Mayor Johnson for taking care of this. Arney thanked the Sheriff.

## **8. New Business –**

- A. Recommendations from the Planning Commission Meeting held on September 9, 2008:
  - (1) Approve the Rezoning Application for the property located at 895 Hwy. 96 North from RS-40 to CG (Commercial General); Map 21, Parcels 46.06 and 46.09 containing 10.74 acres – Walter and Beverly Totty, Owners. (Recommended by a unanimous vote of the Planning Commission) Johnson made a motion to have the City Attorney prepare the necessary ordinance. Arney seconded the motion. All were in favor.
  - (2) Approve the Rezoning Application for the property located at 7405 Chester Road from RS-40 to RS-20 PUD; Map 47, Parcels 26.00 and 26.01 containing 14.57 acres – Kelly J. Shiver, Owner. (Recommended by a unanimous vote of the Planning Commission) Hall made a motion to have the City Attorney prepare the necessary ordinance. Arney seconded the motion. All were in favor.
  - (3) Approve the Preliminary Master Development Plan for Deer Valley Downs located on Crow Cut Road; RS-8 PUD Zone, Map 46, Parcel 17.00 containing 15.17 acres. This Plan will become part of the rezoning application approved on April 5, 2007 – Tony Cavender, Owner. (Recommended by an unanimous vote of the Planning Commission) Johnson made a motion to have the City Attorney prepare the necessary ordinance. Arney seconded the motion. All were in favor.
- B. Request Permission to use the meeting room for a candidate's forum – City Mgr. Forehand. Forehand stated that The Gazette was to sponsor and Richard Edmonson will be the moderator for the forum to be held on Friday, October 17th at 7:00. The event is to be televised. Johnson made a motion for approval. Arney seconded the motion. All were in favor.
- C. Discuss and/or take action on letter to the WADC (Water Authority of Dickson County) – Commissioner Arney. Arney stated that the letter was disturbing with speculation that the water and sewer rates may triple as a

result of the TDOT project to widen Highway 100. He stated that at a meeting here, the attorney for WADC had made the comment that the rates would triple. Arney stated that the TDOT project is not a priority. Hall asked if we could put the project off indefinitely by using the 90 day increments. Ken stated we didn't want to cancel the project. Johnson stated that the project is not a high priority and that he had a copy of a petition from people on the water/sewer system. There were 991 signatures on the petition and that represented approximately 33% of the Fairview customers. Mangrum stated that the letter was alarming and the money transferred from the City of Fairview should be used for this project and not put into the WADC general funds. Cantrell stated that this project would fall under Special Assessments and the cost stays in that area. Larry stated that the Bonding Document requires that WADC keep a record of revenue per area and the revenue is spread among normal operations. Johnson stated that Dr. Dudley said the WADC would add a surcharge for this project.

**9. City Manager Items for Discussion -**

- A. Miscellaneous Updates – None
- B. City Attorney Comments – The work done on the microphones is a vast improvement. Thanked the Mayor for recognizing his work on Bowie conservation and stated that this was the best committee he had worked with and thanked the people of the committee. He thanked the Board for the opportunity to sit on the committee.

**10. Communications from the Mayor and Commissioners –**

- A. Vice-Mayor - Thanked the Friends of the Nature Park and Dr. Bowie.
- B. Arney – Expressed thanks for Dr. Bowie's gift to the City. Thanks to the friends and the committee.
- C. Hall - Thanks to everyone that has already been thanked. Thanks to the Board for getting this accomplished.

**11. The meeting adjourned at 8:40 p.m.**

**\*correction**

Theresa Whittmore  
Recorder