

City of Fairview

BOARD OF COMMISSIONERS**October 7, 2010**

Ken Brison, Mayor
 Stuart L. Johnson, Vice-Mayor
 Eddie Arney, Commissioner
 Allen Bissell, Commissioner
 Toney Sutton, Commissioner
 Andrew Hyatt, City Manager
 Larry Cantrell, City Attorney
 David Mayberry, Recorder

Present: Brison, Johnson, Arney, Bissell, Sutton
 Others Present: Cantrell

- 1. Mayor Brison called the meeting to order at 7:20 p.m.**
 - A. The Prayer and Pledge were led by Donn Lovvorn.
- 2. Approval of the Agenda –**
 - A. Two changes/additions were proposed for the agenda. The first of was the addition of item 8E – Sale of fire apparatus. Also changed was the wording of item 8A to “Changes to Urban Growth Boundary”. There was no objection to either change. Commissioner Bissell made a motion to approve the agenda as amended. Commissioner Sutton 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. John Stark addressed the Board regarding political activity on City property. He reminded them of Lamar Alexander’s 1982 campaign when he stopped in Fairview at the City Park. He asked the Board to keep this in mind, as the park was for everyone.
- 4. Awards and/or Recognitions –**
 - A. Beverly Totty, representing the Fairview Chamber of Commerce, presented the Park with a check for \$300 for programming.
 - B. City Manager Hyatt presented the Board with a certificate of appreciation from the Census Bureau.
- 5. Public Announcements –**
 - A. City Manager Hyatt reminded everyone of emissions testing that would be held on the second and third Wednesdays in October.
 - B. The fall Clean Sweep event would be held on October 23rd.
 - C. There would be a debate for the Mayor and Commissioner Races on the 14th of October at City Hall.
 - D. Commissioner Arney encouraged everyone to go support the Fairview Yellow Jackets football team, as they only had 2 remaining home games.
- 6. Approval of the Minutes –**
 - A. Presented for approval were the minutes of the Board of Commissioners Meeting held on September 2, 2010. Commissioner Sutton made a

motion to approve the minutes. Commissioner Bissell seconded. All were in favor.

7. Old Business –

- A. Second and final reading of Bill #2010-07 – Rezoning of Property at 7202 and 7204 Lake Road – Vice Mayor Johnson read the caption and made a motion to approve the Bill. Commissioner Arney seconded. All were in favor.
- B. Updates on change orders to fire station – City Manager Hyatt presented the Board with a letter from Spoon Architecture that ruled the City owed TG constructors \$128.36 after all factors in the delays were considered. Cantrell complimented Spoon on the thoroughness and timeliness of his ruling.
- C. Approval of contract to purchase new rescue truck – the contract for the purchase of the new rescue truck for \$356,435 was presented to the Board. Commissioner Arney made a motion to approve the contract, with Vice-Mayor Johnson seconding. All were in favor.
- D. Discuss and/or take action on contract for City Center Way extension – City Manager Hyatt presented the Board with a contract for connecting City Center Way with the road in the Bowie Commons development. He stated that they had questions with parts of it concerning soil suitability and excavation, and had the contract changed to reflect the costs of such services if needed. He stated he felt it was in the best interest of the City to approve the contract. Cantrell agreed, stating this was essentially an extension of a contract previously approved by the Board. Vice-Mayor Johnson made a motion to approve the contract, with Commissioner Sutton seconding. Mayor Brison commented that while bidding jobs of this size was the usually the safest option, he felt in this situation it was in the best interest of the City to award the contract to the current builder. All were in favor.
- E. Discuss and/or take action on banning political activity on City property – Commissioner Arney asked to defer this until the City Attorney had more of a chance to look at it. He stated it was actually about signs and not political activity.

8. New Business –

- A. Discuss and/or take action on changes to Urban Growth Boundary – Vice Mayor Johnson asked Stacy Givens to come to the podium to address the Board. Mrs. Givens stated that the growth boundary was set by the City in 1998, and she wasn't aware of it at the time. She told the Board that she did not want to be in it to prevent her from being annexed. Johnson added that if they had worked on putting their land in a permanent conservation easement and if they were that serious about wanting to preserve their land as it, maybe they should just let them be. Givens added that she had just started the No Charter movement to try to keep from being annexed and the commercial value of her property was only relevant if she intended to sell it, which she didn't. Mayor Brison informed Mrs. Givens that the County and all Cities would have to approve a change to the boundary, and without their approval, it couldn't happen. Cantrell agreed, stating that the process of removing property from it boundary was just the reverse of putting it in. He mentioned that there would have to be committees re-convened and hearings held before it could be done. No further action was taken at this time.
- B. Approval of contract with Comcast for internet at Public Works/Codes – Hyatt presented the Board with a contract for internet service at 7111 Bowie Lake Road. It was essentially the same as the contract recently signed for the fire station. Vice-Mayor Johnson made a motion to approve, with Commissioner Arney seconding. All were in favor.

- C. Discuss and/or take action on lights at Chester Rd/Fairview Blvd. – Hyatt presented the Board with options for changing the posts at the intersection of Chester Rd and Fairview Boulevard to go along with the Bowie Commons development. The poles currently in place did not meet current TDOT standards, but they would be allowed to stay since they met the standards when they were installed. It was decided to paint the current ones instead of replacing them with more decorative ones.
- D. Approval of hold harmless agreement with Habitat for Humanity – Hyatt presented the Board with a hold harmless agreement to let volunteers for Habitat for Humanity park on City property while they worked on a house.
- E. Discuss and/or take action on contract to sell surplus fire apparatus – Commissioner Bissell asked if the trucks we were selling were currently in service. Fire Chief Cooper advised they were. Bissell then asked if any reconditioning was needed on these trucks, and Cooper replied that they were in-service trucks that were currently ready to respond to calls. Bissell then wondered if the City was getting enough for them from the purchaser. Commissioner Arney made a motion to defer until more information could be provided. Commissioner Sutton seconded. All were in favor.

9. City Manager Items for Discussion -

- A. Miscellaneous Updates – Hyatt mentioned the LPRF grant, where the City was awarded \$72,500 in matching funds for the Park. He also mentioned that they were working on several other grants, including sidewalks to schools. He announced that City Hall would be closed on December 23rd for Christmas.
- B. Staff Comments –
 - (1) Police Chief Harris announced that we were in the last year of the GHSO grant from the State. During the grant period, the City had seen a 25% drop in accidents and a 35% drop in injury accidents.
 - (2) Fire Chief Cooper informed the Board that there had been only a quarter inch of rain September and he was considering a burn ban if things didn't improve.
- C. City Attorney Comments – None

10. Communications from the Mayor and Commissioners –

- A. Vice-Mayor Johnson mentioned that they had originally announced two debates and he felt they should both take place.
- B. Commissioner Arney asked the status of the repairs to Meadow Wood drive. He asked Cantrell to look into what the City could do to next.
- C. Commissioner Sutton thanked everyone for coming to the meeting, as it was the best turnout in a while. He also reminded everyone to shop local.

11. The meeting adjourned at 8:27 p.m.

Ken Brison
Mayor

David Mayberry
City Recorder