

BOARD OF COMMISSIONERS

November 2, 2006

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

Present: Brison, Arney, Hall, Johnson, Mangrum

Also Present: Forehand and Cantrell

Absent:

1. **Mayor Brison called the meeting to order at 7:10 p.m.**
 - A. The Prayer and Pledge to the Flag were led by Don Lovvorn.
2. **Approval of the Agenda –**
 - A. Arney made a motion to approve the agenda as presented. Hall 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. Dianne Ellis of 7861 Crow Cut Road and representing the Chamber of Commerce reminded the Board that the Chamber's annual dinner will be held on November 27th at 7:00 p.m. at the Fairview Recreation Center. She also reported that Nancy Stephens with the Observer will be the Chairperson for the Christmas Parade again this year. The parade will be on December 2nd beginning at 10:00 a.m. at France Mfg.
4. **Awards and/or Recognitions –**
 - A. City Mgr. Forehand read a letter from a gentleman from Brentwood who was thanking Officer Juan Monarez for his assistance during a medical emergency when he was stopped for what the officer thought was a DUI.
5. **Public Announcements –**
 - A. Mayor Brison announced that the Fairview High School football team will be playing in the first round of the playoffs.
6. **Approval of the Minutes –**
 - A. Presented for approval were the minutes of the Public Hearing held on October 19, 2006. Mangrum made a motion to approve the minutes as presented. Johnson seconded the motion. All were in favor.
 - B. Presented for approval were the minutes of the Board of Commissioners Meeting held on October 19, 2006. Mangrum made a motion to approve the minutes as presented. Johnson seconded the motion. All were in favor.

7. Old Business –

- A. Presented for adoption was Resolution #32-06: Adopting a Plan of Services for the Annexation of the Phillips, Brown and Mingle, LLC property along Kingston Road and being Map 18, Parcel 55.01 and containing 43.52 acres. (*Approved by a unanimous vote of the Planning Commission at their meeting on October 10th*) Mangrum read the caption and made a motion to adopt Resolution #32-06. Johnson seconded the motion. All were in favor.
- B. Presented for Second and Final Reading was Bill #2006-35: Annexation of the Phillips, Brown and Mingle, LLC property along Kingston Road and being Map 18, Parcel 55.01 and containing 43.52 acres. Mangrum read the caption and made a motion to pass Bill #3006-35 on second and final reading. Mayor Brison asked Cantrell to comment on the deed restriction concerns of the previous owner of the property. Cantrell advised that the City is not a party to the deed restrictions but covenant restrictions run with the land and anyone purchasing the land also purchases those covenants. Arney stated that the Planning Commission will make deed restrictions part of the plat. Vote on motion: All were in favor.
- C. Presented for Second and Final Reading was Bill #2006-36: Rezoning of the Phillips, Brown and Mingle, LLC property along Kingston Road and being Map 18, Parcel 55.01 and containing 43.52 acres from R-40 to R-20 Residential. Mangrum read the caption and made a motion to pass Bill #2006-36 on second and final reading. Johnson seconded the motion. Cantrell stated they should let the developer speak to the streams on the property. Donnie Cunningham stated that they are aware of the streams on the property and his engineer will take care of that. Vote on motion: All were in favor.
- D. Presented for Second and Final Reading was Bill #2006-38: Amending the Fairview Zoning Ordinance Pertaining to Residential Districts. Mangrum read the caption. Arney made a motion to pass Bill #2006-38 on second and final reading. Mangrum seconded the motion. Arney stated that the purpose of amending the ordinance is to get single family dwellings out of multi-family dwelling zoning. All were in favor.

8. New Business –

- A. Recommendations from the Planning Commission Meeting held on September 12, 2006:
 - (1) Adopt Horn Tavern Court (0.19 miles of new road, 1.26 acres of new road with a value of \$62,404.00) and adopt Varden Court, Meadow Wood Court, Meadow Wood Way, and Farley court as city streets (2.77 miles of new road, 0.46 acres of new road with a value of \$143,392.00). Arney made a motion to accept the streets as city streets. Hall seconded the motion. All were in favor.
- B. Recommendations from the Planning Commission Meeting held on October 10, 2006:
 - (1) Approve Rezoning Application for Map 46, Parcel 18.01 to be rezoned from RS-40 to R-20. The property is located off of Crow Cut Road and contains 1.59 acres more or less, Owners – Tony and Melissa Cavender – Tony Reasons with the Reasons Company. (*This recommendation was sent to the Board with the requirement that the City's Sewer Use Ordinance be amended to match the Water Authority of Dickson County's Sewer Use Ordinance.*) Johnson made a motion to have the city attorney prepare an ordinance to amend the City's Sewer Use Ordinance and prepare an ordinance rezoning the Cavender property. Arney seconded the motion. All were in favor.

- (2) Approve Rezoning Application for the property located at 7221 Keysham Drive to be rezoned from R-20 to AR-5, Map 46, Parcel 25.01 containing 12.35 acres. Owners – James N. and Karyn S. Green. Johnson made a motion to have the city attorney prepare the rezoning ordinance. Mangrum seconded the motion. All were in favor.

C. Appointments to Board and or Committees:

- (1) Reappointment of Tim French to the Fairview Beer Board – Arney made a motion to reappoint French to the Beer Board. Hall seconded the motion. All were in favor.
 - (2) Appointment to replace Debby Rainey (resigned) on the Fairview Industrial Board – Mayor Brison reported that Bobby Cochran has agreed to replace Rainey on the Industrial Board and made a motion to appoint Cochran. Hall seconded the motion. All were in favor.
 - (3) Appointments to the Historical Preservation Committee – City Mgr. Forehand presented a list of volunteers to be considered by the Board. Brison read the list. (see attached) Brison stated there will also be two none voting members. Arney made a motion to approve the list. Hall seconded the motion. Brison then advised that they need one board member to serve on the Committee. Hall made a motion to designate the Mayor position for the Committee. The Planning Commission will recommend a member for the Committee at their next meeting.
- D. Approve Lease to Purchase Agreement and the Apparatus Contract for the new fire truck. – City Mgr. Forehand that they need to adopt a resolution to approve the lease agreement and that the lease agreement will be for four years with a down payment of \$60,000. Mangrum read the caption of Resolution #33-06 and made a motion to adopt it. Arney seconded the motion. All were in favor. Arney then made a motion to approve the Apparatus Contract. Johnson seconded the motion. All were in favor.

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

- A. Miscellaneous Updates – None
- B. City Attorney Comments – None

10. Communications from the Mayor and Commissioners –

- A. Hall thanked the Board and stated that he has enjoyed serving with them as it may be the last time that this particular Board will be setting here.
- B. Arney stated if he does not win his re-election bid that it has been great working with this Board.
- C. Mangrum stated that he has enjoyed working with this Board and the city manager, city attorney and department heads. He also stated that this Board has done more than any other Board he has set on.
- D. Johnson thanked former mayor Darrell Mangrum for his services on this Board. This Board has been through a lot. He also thanked Mayor Brison for a clean race.
- E. Brison thanked everyone and he has also enjoyed working with this Board.

11. The meeting adjourned at 8:00 p.m.

Kathleen Daugherty, CMC
City Recorder