

City of Fairview

BOARD OF COMMISSIONERS**November 17, 2005**

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

Present: Brison, Arney, Hall, Johnson, Mangrum

Also Present: Deck, Cantrell

Absent:

1. Mayor Brison called the meeting to order at 7:00 p.m.

- A. The Prayer and Pledge to the Flag were led by Ricky Campbell.

2. Approval of the Agenda –

- A. Added to the Agenda Under New Business as Item D: Amend Beer Ordinance – Commissioner Mangrum
B. Added to the Agenda Under New Business as Item E: Memorandum of Understanding from the Water Authority of Dickson County – Mayor Brison

The agenda was approved with the additions.

3. Citizen Comments – (Limited to the first five citizens to sign in and limit of five minutes each) - None**4. Awards and/or Recognitions –**

- A. Mayor Brison asked Lynn Bachleda to come to the podium and introduce those who were responsible for the three new large mosaics (a squirrel, a turtle and a tree) in the Nature Park and the Board presented them with plaques of appreciation. They were Jake Cashion (5th grade student at Fairview Elementary School), Ann Knauff, Allen & Julie Thomas, Renee Cashion, Dianne and Dwight Johnson, Martin & Sherry Warner Hunter (they live in Bell Buckle and Sherry is a well known mosaic artist), and Vicky Fowler. Bachleda also reported that there were about 3,000 volunteer hours spent on the project. She also thanked the Friends of Bowie Nature Park who sponsored the project and without them they could not have received the grant. Vice-Mayor Arney then presented Bachleda with a plaque for her work on the project also.

5. Public Announcements –

- A. Vice-Mayor Arney announced that Commissioner Mangrum lost an uncle this week and Commissioner Hall lost an aunt.

6. Approval of the Minutes –

- A. Presented for approval were the minutes of the Public Hearing held on November 3, 2005. 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 November 3, 2005. Mangrum made a motion to approve the minutes as presented. Johnson seconded the motion. All were in favor.
- C. Presented for approval were the minutes of the Beer Board Meeting held on November 3, 2005. Hall made a motion to approve the minutes as presented. Arney seconded the motion. All were in favor.

7. Old Business –

- A. Adoption of Resolution #12-05: TVA Transmission Line Right-of-Way Contract– Deck reported that the city attorney has reviewed the contract and they believe the offer of \$45,250 for the easement is reasonable. He recommended that they accept the contract and adopt Resolution #12-05. Mangrum made a motion to approve the contract with TVA and adopt Resolution #12-05. Arney seconded the motion. All were in favor.
- B. Plan for the Hiring of a Full Time Planner – Deck asked for permission to advertise for the position with interviews to begin in January. The salary range would be between \$38,000 and \$50,000. Motion was made and seconded to advertise the position but later withdrawn when it was decided that they should wait until after the workshop meeting with the Water Authority to make a decision on hiring a full time planner. Mangrum then made a motion to defer action on advertising for a full time planner until the second meeting in December. Hall seconded the motion. All were in favor.
- C. Appointments to Boards and Commissions – Mayor Brison
 - (1) Appoint Architect Member to the Board of Adjustments and Appeals to replace Randall Stiles – no recommendation at this time.
 - (2) Appoint a Park Commission Member from the Tree Commission to replace Lynne Bachleda. Brison reported that he recommends the appointment of Barry Sullivan to the Park Commission until such time that the Tree Commission has a quorum to meet and recommend someone. Arney made a motion to appoint Barry Sullivan to the Park Commission. Johnson seconded the motion. All were in favor.
 - (3) Appoint a Tree Commission Member to replace Josh Pendergrass – no recommendation at this time.
- D. Presented for First Reading was Bill # 2005-11: Annexation of the Jerry E. Collins property located at 7315 Henry Road, Map 69, Parcel 113, 2.13 acres. Hall made a motion to pass Bill #2005-11 on first reading. Mangrum seconded the motion. Mangrum read the caption. All were in favor. Motion was made and seconded to have the public hearing on December 1, 2005 at 7:00 p.m.
- E. Presented for First Reading was Bill #2005-12: Rezoning the commercial properties annexed on Highway 96 North as residential zones. Johnson made a motion to pass Bill #2005-12 on first reading. Mangrum seconded the motion. Mangrum read the caption. All were in favor. Public Hearing to be held on December 1, 2005.
- F. Presented for First Reading was Bill #2005-13: Amending the Fairview Zoning Ordinance relative to regulating the location of establishments serving alcohol. Arney made a motion to pass Bill #2005-13 on first reading. Hall seconded the motion. Mangrum read the caption. All were in favor. Hall reminded the Board that once the ordinance is adopted it will go back to the Planning Commission to set the districts and then it will come back to the Board for final approval. Public Hearing to be held on December 1, 2005.

8. New Business –

- A. Discuss Sound Equipment and Broadcasting of Meetings – Mayor Brison reported that he has had numerous complaints about the sound when the meetings are being broadcasted. Johnson asked if the system is still under warranty. Deck advised that it is not but the last work that Beacon did was at no charge. Deck advised that they are working on a solution and he will try to get Comcast and Beacon together to work on the problem. Arney asked if it would help if the city attorney sent a letter to Beacon. After further discussion it was decided to wait on sending a letter until after the meeting with Beacon and Comcast.
- B. Review Park Board Ordinance – Commissioner Mangrum stated that the present ordinance only allows the Park Board to discuss issues sent to them by the Board of Commissioners. They would like to be able to make recommendations to the Board on policies and procedures for the use of the Park. Mangrum recommended that they review the ordinance at the next meeting and ask the Park Director and Chairman of the Park Board to be at the meeting.
- C. Hiring of Replacement Employees – Deck advised that the water/sewer department is short three people and the street department is short one person. He would like to hire two people in the water/sewer department and one in the street department. These would replace people who have resigned. Johnson made a motion to approve the request of the city manager. Arney seconded the motion. All were in favor.
- D. Commissioner Mangrum asked the Board to consider passing Bill #2005-14 on first reading. This ordinance would change the hours when beer cannot be sold to read between the hours of 3:00 a.m. and 6:00 a.m. It was decided to have Deck check with the surround areas and see what their regulations are and discuss this further at the next meeting.
- E. Memorandum of Understanding from the Water Authority of Dickson County – (see attached) Cantrell stated that he has a problem with Item 3: which states that the City will pay for the easements and the engineer for the project and pay for the project itself. Then Item 5 says that this agreement may be suspended or changed by future agreements. The agreement does not say what will happen if the City spends money on a line and then the contract does not go through. The Board asked Cantrell to get with the attorney for the Water Authority and see what they can work out. Action was deferred until the next meeting.

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

- A. Miscellaneous Updates – Deck stated that he would try to answer questions from the Board on the “update” page of the memorandum of understanding from WADC. (see attached) Deck explained that several of the items that the State mentions do not make any sense because they have been corrected or are in the process of being corrected. He feels that the departments within the State are not communicating with each other. Representative Philip Johnson was present and he volunteered to set up a meeting with the State and the WADC to see if it can be determined what the problems are. He also stated that he would like to get a little more information about what has happened and what the State is asking the City to do.

- B. City Attorney Comments – Cantrell reminded the Board that the case on the Hwy. 100 annexation will be heard on December 8th at 9:00 a.m. He asked that at least one of the Commissioners be there. It was decided that Commissioner Johnson would attend. Cantrell also asked the Board to decide by their next meeting if they want to appeal the case in the event they lose. If they plan to appeal he will need to hire a court reporter.

10. Communications from the Mayor and Commissioners –

- A. Vice-Mayor Arney stated that the resource team for the I-840 project will meet on Monday, November 28th to choose the routes to be recommended to the State.
- B. Commissioner Hall asked Deck if he was still accepting bids for the roofing job on the spring building on Horn Tavern Road. Deck stated that he would like to wait on the bids until it is determined by the auditors if the building can be retrieved from the water/sewer list of assets.

11. The meeting adjourned at 8:50 p.m.

Mayor

City Recorder