

City of Fairview

BOARD OF COMMISSIONERS

November 20, 2008

Ken Brison, Mayor
 Stuart L. Johnson, Vice-Mayor
 Eddie Arney, Commissioner
 Allen Bissell, Commissioner
 Toney Sutton, Commissioner
 Shirley Forehand, City Manager
 Larry Cantrell, City Attorney
 Kathleen Daugherty, Recorder

Present: Brison, Johnson, Arney, Bissell, Sutton

Absent:

Others Present: Forehand, Cantrell, Lovvorn

1. **Mayor Brison called the meeting to order at 7:03 p.m.**
 - A. The Prayer and Pledge to the Flag were led by Donn Lovvorn.
2. **Judge M.T. Taylor administered the Oath of Office to the three newly elected Board Members (Allen Bissell, Stuart L. Johnson, and Toney Sutton).**
3. **Election of Vice-Mayor –** Arney nominated Stuart Johnson. Bissell made a motion that all nominations cease and elect Johnson as Vice-Mayor. All were in favor.
4. **Commissioner Appointments to Board and Commissions**
 - A. Board of Adjustments and Appeals and the Fairview Park Commission - Arney made a motion to appoint Sutton to the Board of Adjustments and Appeals and Bissell to the Fairview Park Commission. Johnson seconded the motion. All were in favor.
5. **Approval of the Agenda –**
 - A. Bissell made a motion to approve the Agenda as presented. Johnson seconded the motion. All were in favor.
6. **Citizen Comments – (Limited to the first five (5) citizens to sign in and a limit of three (3) minutes each) - None**
7. **Awards and/or Recognitions – None**
8. **Public Announcements – None**
9. **Approval of the Minutes –**
 - A. Presented for approval were the minutes of the Beer Board Meeting held on November 6, 2008. Johnson made a motion to approve the minutes as presented. Bissell seconded the motion. All were in favor.

- B. Presented for approval were the minutes of the Board of Commissioners Meeting held on November 6, 2008. Johnson made a motion to approve the minutes as presented. Arney seconded the motion. All were in favor.

10. Old Business –

- A. Presented for Second and Final Reading was Bill #2008-39: Rezoning of 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. Johnson read the caption and made a motion to pass Bill #2008-39 on second and final reading. Arney seconded the motion. All were in favor.
- B. Presented for Second and Final Reading was Bill #2008-40: Rezoning of 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. Johnson read the caption and made a motion to pass Bill #2008-40 on second and final reading. Arney seconded the motion. All were in favor.
- C. Presented for Second and Final Reading was Bill #2008-41: Approve Zoning Change for Property located on Crow Cut Road from RS-40 to RS-8 PUD Zone, Map 46, Parcel 17.00 containing 15.17 acres – Betty Jane Fox, Owner. Johnson read the caption and made a motion to pass Bill #2008-41 on second and final reading. Arney seconded the motion. All were in favor.
- D. Presented for First Reading was Bill #2008-42: Amending the City's Policy and Procedures Manual to comply with the new Fair and Accurate Credit Transactions Act (FACTA). Johnson read the caption and made a motion to pass it on first reading. Bissell seconded the motion. All were in favor.
- E. Presented for First Reading was Bill #2008-43: To Annex State Hwy. 100 West and the existing Rights of Way from the existing city limits to the Hickman County Line and the I-840 Interchange. Johnson read the caption and made a motion to pass Bill #2008-43 on first reading. Sutton seconded the motion. For: Johnson, Sutton, Arney, Brison. Against: Bissell. Motion carried.
- F. Presented for adoption was Resolution No. 48-08: Set Date of December 18, 2008 for a Public Hearing on the Annexing Hwy. 100 West and the existing Rights of Way to the Hickman County Line and the I-840 Interchange. Johnson read the caption and made a motion to adopt the Resolution. Arney seconded the motion. All were in favor.
- G. Presented for First Reading was Bill #2008-44: Amending the Yard Sale Ordinance. Johnson read the caption. Johnson made a motion to defer until the next meeting and add discussing the signs again. Sutton seconded the motion. All were in favor.
- H. Presented for First Reading was Bill #2008-45: An Ordinance adopting a policy for links to the City's Web Site. Johnson read the caption and made a motion to approve Bill #2008-45 on first reading. Bissell seconded the motion. All were in favor.
- I. Presented for First Reading was Bill #2008-46: Annexing and Changing the Zoning of Property along Fairview Blvd. at Southern Road from RS-40 to CG (Commercial General) – James R. and Kathy E. Beata, Owners. Johnson read the caption and made a motion to pass Bill #2008-46 on first reading. Arney seconded the motion. All were in favor.

- J. Presented for Adoption was Resolution No. 49-08: Set Date of December 18, 2008 for a Public Hearing on the Annexation and Rezoning of the Beata Property. Johnson read the caption and made a motion to adopt the Resolution. Bissell seconded the motion. All were in favor.
- K. Presented for First Reading was Bill #2008-47: Annexing and Changing the Zoning of Property located at 2923 Fairview Blvd. from RS-40 to CG (Commercial General) – Bruce Binkley, Owner. Johnson read the caption and made a motion to pass Bill #2008-47 on first reading. Sutton seconded the motion. All were in favor.
- L. Presented for Adoption was Resolution No. 50-08: Set Date of December 18, 2008 for a Public Hearing on the Annexation and Rezoning of the Binkley Property. Johnson read the caption and made a motion to adopt the Resolution. Bissell seconded the motion. All were in favor.
- M. Presented for First Reading was Bill #2008-48: Annexing and Changing the Zoning of property located at 2883 Fairview Blvd. from RS-40 to RS-15 – John F. and Denna C. Castro, Owners. Johnson read the caption and made a motion to pass Bill #2008-48 on first reading. Arney seconded the motion. All were in favor.
- N. Presented for Adoption was Resolution No. 51-08: Set Date of December 18, 2008 for a Public Hearing on the Annexation and Rezoning of the Castro Property. Johnson read the caption and made a motion to adopt the Resolution. Arney seconded the motion. All were in favor.
- O. Presented for First Reading was Bill #2008-49: Annexation and Changing the Zoning of property located at 2879 Fairview Blvd. from RS-40 to CG (Commercial General) – Judith Batts Hagerty, Owner. Johnson read the caption and made a motion to pass Bill #2008-49 on first reading. Arney seconded the motion. All were in favor.
- P. Presented for Adoption was Resolution No. 52-08: Set Date of December 18, 2008 for a Public Hearing on the Annexation and Rezoning of the Hagerty Property. Johnson read the caption and made a motion to adopt the Resolution. Bissell seconded the motion. All were in favor.
- Q. Presented for First Reading was Bill #2008-50: Annexation and Changing the Zoning of property located at 2882 and 2886 Fairview Blvd. from RS-40 to CG (Commercial General) – Rickey and Gail B. Mangrum, Owners. Johnson read the caption and made a motion to pass Bill #2008-50 on first reading. Arney seconded the motion. All were in favor.
- R. Presented for Adoption was Resolution No. 53-08: Set Date of December 18, 2008 for a Public Hearing on the Annexation and Rezoning of the Mangrum Property. Johnson read the caption and made a motion to adopt the Resolution. Bissell seconded the motion. All were in favor.
- S. Presented for First Reading was Bill #2008-51: Annexation and Changing the Zoning of property located 2922 Fairview Blvd. from Agricultural to R-20 – Julie Thomas and Cynthia Mangrum, Owners. Johnson read the caption and made a motion to pass Bill #2008-51 on first reading. Arney seconded the motion. All were in favor.
- T. Presented for Adoption was Resolution No. 54-08: Set Date of December 18, 2008 for a Public Hearing on the Annexation and Rezoning of the Thomas and Mangrum Property located at 2922 Fairview Blvd. Johnson read the caption and made a motion to adopt the Resolution. Bissell seconded the motion. All were in favor.

- U. Presented for First Reading was Bill #2008-52: Annexation and Changing the Zoning of property located at 3027 Fairview Blvd. from RS-40 to CMU (Commercial Mixed Use) – Premier Development Partners, LLC, Owner. Johnson read the caption and made a motion to pass Bill #2008-52 on first reading. Arney seconded the motion. All were in favor.
- V. Presented Adoption was Resolution No. 55-08: Set Date of December 18, 2008 for a Public Hearing on the Annexation and Rezoning of property owned by Premier Development Partners, LLC. Johnson read the caption and made a motion to adopt the Resolution. Arney seconded the motion. All were in favor.
- W. Presented for First Reading was Bill #2008-53: Annexation and Changing the Zoning of property located at 3024 Fairview Blvd. from RS-40 to Commercial - Donald S. and Donna C. Spicer, Owners. Johnson read the caption and made a motion to pass Bill #2008-53 on first reading. Arney seconded the motion. All were in favor.
- X. Presented for Adoption was Resolution No. 56-08: Set Date of December 18, 2008 for a Public Hearing on the Annexation and Rezoning of the Spicer Property. Johnson read the caption and made a motion to adopt the Resolution. Bissell seconded the motion. All were in favor.
- Y. Presented for First Reading was Bill #2008-54: Annexation and Changing the Zoning of property located along Highway 100, Map 70, Parcels 16.00, 16.06, 16.07, 16.08, 16.09 to AR-15; Carolyn Wheeler, Gary Wheeler, Deanna Wheeler, Rosemary Adams and William S. Sullivan, Owners. Johnson read the caption and made a motion to pass Bill #2008-54 on first reading. Arney seconded the motion. All were in favor.
- Z. Presented for Adoption was Resolution No. 57-08: Set Date of December 18, 2008 for a Public Hearing on the Annexation and Rezoning of Map 70, Parcels 16.00, 16.06, 16.07, 16.08 and 16.09 located on Highway 100. Johnson read the caption and made a motion to adopt the Resolution. Arney seconded the motion. All were in favor.
- AA. Presented for First Reading was Bill #2008-55: Annexation and Changing the Zoning of property located at 2852 Fairview Blvd. from RS-40 to CG (Commercial General) – Steve and Deborah Thompson, Owners. Johnson read the caption and made a motion to pass Bill #2008-55 on first reading. Arney seconded the motion. All were in favor.
- BB. Presented for Adoption was Resolution No. 58-08: Set Date of December 18, 2008 for a Public Hearing on the Annexation and Rezoning of the Thompson Property. Johnson read the caption and made a motion to adopt the Resolution. Bissell seconded the motion.
- CC. Presented for First Reading was Bill #2008-56: Annexation and Changing the Zoning of property located along Highway 100, Map 70, Parcel 17.01 from RS-40 to CG (Commercial General) / CMU (Commercial Mixed Use) – Nancy Peck Walker (Carl Walker), Owner. Johnson read the caption and made a motion to pass Bill #2008-56 on first reading. Arney seconded the motion. All were in favor.
- DD. Presented for Adoption was Resolution No. 59-08: Set Date of December 18, 2008 for a Public Hearing on the Annexation and Rezoning of the Walker Property. Johnson read the caption and made a motion to adopt the Resolution. Bissell seconded the motion. All were in favor.

EE. Change the name of Grand Blvd. and Gateway Blvd. – City Mgr. Forehand recommended a couple of names. Arney made a motion to send this to the Public Safety Committee for a recommendation. Sutton seconded the motion. All were in favor. City Mgr. Forehand advised that Mangrum and Hall were the two Commissioners on the Public Safety Committee. It was decided to let the two new commissioners (Bissell and Sutton) be on the Public Safety Committee. Forehand will set a date for the meeting and let the Committee members know.

11. New Business –

- A. Accept Resignation of Allen Bissell as a Citizen Member of the Planning Commission – Johnson made a motion to accept the resignation of Bissell. Arney seconded the motion. All were in favor.
- B. Presented for Adoption was Resolution No. 47-08: Sale of Fire Station Property to Southstar – Johnson read the caption and made a motion to adopt the Resolution. Sutton seconded the motion. Bissell asked if the property had been appraised. Forehand advised that the Board had previously set the minimum bid at \$400,000 but the last appraisal was in the amount of \$264,000. Brison recused from voting. For: Johnson, Arney, Bissell, Sutton. Motion passed.
- C. Presented for Approval was a Contract to Sell Fire Station Property to Southstar – City Mgr. Forehand reported that she felt the \$300,000 offer was a fair price and that Southstar wants eighteen months for a closing date. Cantrell advised that he had reviewed the contract. Johnson made a motion to approve the contract. Arney seconded the motion. Brison recused from voting. For: Johnson, Arney, Bissell, Sutton. Motion passed.
- D. Discuss changing or canceling Board Meeting on January 1, 2009 – Vice-Mayor Johnson asked the city attorney for his opinion on canceling the meeting since it is on New Year's Day. Cantrell advised that they can reschedule the meeting or cancel it. Johnson made a motion to cancel the meeting. Arney seconded the motion. All were in favor.

12. City Manager Items for Discussion -

- A. Miscellaneous Updates – Forehand reported that a citizen has contacted her about having a bridge named for a fallen soldier, Timothy Walker, who was one of Fairview's own. She advised that if there is no objection she will check on getting the process started. There were no objections.
- B. City Attorney Comments – Cantrell wished everyone a Happy and Safe Thanksgiving.

13. Communications from the Mayor and Commissioners –

- A. Bissell thanked everyone who supported him in the election.
- B. Johnson thanked Bissell and Sutton for the race that they ran. He thanked Mangrum and Hall for their years of service to the City. He thanked the voters for a third term on the Board and the Board Members for electing him Vice-Mayor for another two years.
- C. Sutton thanked everyone for their support during the campaign. He also stated that he appreciates the loyalty Mangrum and Hall has shown while they were on the Board. He also advised that he was looking forward to working with everyone on the Board.

- D. Arney thanked Bissell for running in the election. He advised that he worked with him on the Planning Commission and that Bissell does his research before making a decision. He stated that he is looking forward to working with Bissell and Sutton. He wished everyone a Happy Thanksgiving.
- E. Brison welcomed the new commissioners to the Board and welcomed Johnson back on the Board. He also welcomed the crowd that was present.

14. The meeting adjourned at 7:55 p.m.

Kathleen Daugherty, CMC
City Recorder