

City of Fairview

BOARD OF COMMISSIONERS

December 2, 2004

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: Arney, Hall, Johnson, Mangrum
Others Present: Deck, Cantrell
Absent: Brison

1. Vice-Mayor Arney called the meeting to order at 7:09 p.m.

A. Vice-Mayor Arney led the prayer and pledge to the flag.

2. Approval of the Agenda –

- A. Cantrell asked the Board to defer until the next meeting the Hwy. 100 annexations. He also gave them a copy of the ABC rules on liquor by the drink and an on-site ordinance to review.
- B. Added to the agenda was the appointment of two members to the Tree Commission.
- C. Hall made a motion to approve the agenda with the above changes. Mangrum seconded the motion. All were in favor.

3. Citizen Comments – None

4. Awards and Recognitions -

- A. Commissioner Mangrum presented a Proclamation to the Fairview Titans Pee Wee Football team for winning the Junior Pro Superbowl Championship on Nov. 13th. The Fairview Titans Cheerleaders cheered the team to victory.

5. Public Announcements – None

6. Approval of the Minutes –

- A. Presented for approval were the minutes of the Board of Commissioners Meeting held on November 18, 2004. Mangrum made a motion to approve the minutes as corrected. Arney stated that Johnson will be on the Board of Zoning Appeals. Johnson seconded the motion. All were in favor.
- B. Presented for approval were the minutes of the Special Board Meeting held on November 30, 2004. Mangrum made a motion to approve the minutes as presented. Johnson seconded the motion. All were in favor.

7. Old Business –

- A. Proposal from SSR (city engineer firm) on metering the sewer pump stations – since no one was present from SSR, Mangrum made a motion to defer the item until the next meeting. Hall seconded the motion. All were in favor.
- B. Presented for second and final reading was Bill #2004-34: Rezoning of the Turnkey Developers, Inc. Property on Northwest Hwy. from a RS-40 zone to an AR-5A zone, Map 21, p/o Parcel 60.03 containing 5.50 acres. Arney read the caption. Hall made a motion to pass Bill #2004-34 on second and final reading. Johnson seconded the motion. All were in favor.
- C. Presented for second and final reading was Bill #2004-35: Amending Section 16-208 of the Fairview Municipal Code on driveway and access permits. Arney read the caption. Mangrum made a motion to pass Bill #2004-35 on second and final reading. Johnson seconded the motion. All were in favor.
- D. Annexation to the I-840 interchange including annexation of all properties along Hwy. 100 to the Hickman County line and also to the Davidson County line- deferred until the December 16th meeting.
- E. Chamber of Commerce Office at City Hall – Deck presented his recommendations to the Board. The number one recommendation was to locate the Chamber at the Nature Center. The number two recommendation was to locate them off the city hall foyer where the court clerk currently works on court dates and at traffic school sessions. There is no phone at this station and the workstation contains no built in drawers or storage space. There will have to be additional counter space added to accommodate the Chamber. (see attached memo) Hall asked Dianne Ellis to speak on the recommendations. Ms. Ellis felt that, since she would not be president of the Chamber after December, she should take the recommendations to the Chamber of Commerce Board of Directors meeting next week. However, she personally felt the Nature Center is not an appropriate place for the Chamber. A decision on the Chamber of Commerce office was deferred until the next meeting.
- F. Discuss Beer and Alcohol Ordinances – Arney reported that Cantrell had prepared an ordinance (Bill #2004-37) changing the distance requirement for beer sales which came out of the workshop on November 30th. Arney read the caption. He then asked Cantrell to explain the ordinance. Cantrell stated that the ordinance repeals the distance requirement. Cantrell went on to explain that the Alcohol Beverage Commission regulates liquor by the drink. But the Board can set particular zones for new restaurants who may want to sale liquor by the drink. Johnson made a motion to approve Bill #2004-37 on first reading. Hall seconded the motion. Mangrum stated that he did not agree with the distance requirement being at zero feet. After further discussion, Hall made a motion to amend the ordinance to make the distance requirement for on site consumption at 500 feet and at 100 feet for package beer sales. Johnson seconded the motion. Vote on motion to amend the ordinance: *For*: Hall, Johnson, Arney. *Against*: Mangrum. Vote on the motion to pass Bill #2004-37 on first reading: *For*: Hall, Johnson, Arney. *Against*: Mangrum.
It was discussed requiring a NCIC background check on all applicants and adding the cost of \$28.00 to the beer application fee. Deck stated that they could not add the cost of the background check to the beer application fee. But he will have the NCIC background check put on the next agenda.

8. New Business -

- A. Recommendations from the Planning Commission Meeting held on November 9, 2004:
 - (1) Rezoning application for 7112 Wiley Circle to be rezoned from RS-40 to R-20 PUD, Town Center Overlay, Map 42-H, Group C, Parcel 2.00 – Debby Lampley, owner. Hall stated that the Planning Commission unanimously approved the rezoning. Hall then made a motion to proceed with the rezoning. Johnson seconded the motion. All were in favor.
 - (2) The Planning Commission also recommended that if the Board of Commissioners approves annexation requests to not allow any new development in the area until the sewer issue is resolved. After discussion on the issue, Johnson made a motion to deny the request. Mangrum seconded the motion. All were in favor. It was decided to have a Workshop Meeting with the Planning Commission on Thursday, December 9th at 5:30 p.m. to discuss the sewer issue.
- B. Community Development Block Grant Project – Deck advised that there is a CDBG grant available for the spray fields portion of the sewer project. They could get up to \$500,000 in grant money. Johnson made a motion to approve applying for the grant. Mangrum seconded the motion. All were in favor.
- C. Appointments to replace Tim Mangrum on the Planning Commission and Deanna Carpenter on the Beer Board. It was discussed that advertising for applicants has not produced any volunteers. Therefore it was decided to let the Board submit names to the Mayor for the January 6th meeting.
- D. Resolution calling for a referendum to change the election of the Mayor – Mangrum stated that he asked for this to be put on the agenda because several people feel the mayor needs to be elected by the citizens and not by the Board. He stated that at present the Charter says that they can do a referendum to see if the people want the person receiving the highest number of votes in an election to be mayor. The mayor would still have the same powers and duties as a mayor chosen by the Board of Commissioners. Johnson asked if a candidate could actually choose to run for Mayor. Cantrell stated that he would have to research that and report back at the next meeting. Action on the Resolution was deferred until the next meeting.

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

- A. Added to the Agenda – Deck reported that the Tree Commission is presently short two members. It was decided to have the Board members also submit names to the Mayor for the January 6th meeting. Deck also reported that the 2004 tree writing contest winners have not received their Savings Bonds yet. (an event the Board agreed to co-sponsor with Tom Randolph and John Blade) He wanted to know if the Board wants to present them at a meeting. It was agreed to present the Savings Bonds to the winners at a Board Meeting. Deck also reported that Nashville Natives has agreed to provide 5 redbud or dogwood trees (one for each winner) to be planted at city hall if the Board has no objections. It was agreed to allow the trees to be planted at city hall.
- B. City Manager's Employment - Discussion was deferred until a later date.
- C. Deck gave the Board Members a list of proposed Ad Hoc Committee members to be considered at the next Board Meeting.

10. Communications from the Mayor and Commissioners –

- A. Arney reported that Mayor Brison will be coming home from the hospital tomorrow following open heart surgery. Arney also advised that he felt the article in the local paper concerning the sewer project was not entirely accurate.

11. The meeting adjourned at 8:25 p.m.

Kathleen Daugherty, CMC
City Recorder