

**BOARD OF COMMISSIONERS****December 7, 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. The meeting was called to order by Mayor Brison at 7:01 p.m.**
  - A. The Prayer and Pledge to the Flag were led by Commissioner Hall.
- 2. Mayor Brison then submitted his resignation as a commissioner member of the Board effective December 7, 2006.** Motion was made by Hall to accept his resignation. Johnson seconded the motion. All were in favor.
- 3. The Oaths of Office for the newly elected Mayor and Commissioner -**
  - A. County Mayor Rogers Anderson was present and administered the oaths to Ken Brison as the first elected Mayor of the City of Fairview and Eddie Arney as the newly elected Commissioner.
  - B. The next item of business was the election of a Vice-Mayor. Arney nominated Johnson. Hall seconded the nomination. Hall then made a motion that all nominations cease and elect Johnson as Vice-Mayor. Arney seconded the motion. All were in favor.
  - C. The next item of business was the appointment of the Commissioner Member to the Planning Commission. Johnson nominated Arney and made a motion that all nominations cease and elect Arney to the Planning Commission. Hall seconded the motion. All were in favor.
- 4. Discuss and/or take action on vacant seat on the Board of Commissioners -**
  - A. Mayor Brison stated that the Board needs to find out who is interested in the position. He suggested that they advertise and ask those interested to come in and fill out an application. Then they can place all of the names into nomination and vote until someone receives three votes. Hall asked Cantrell if he would state the guidelines for filling the vacancy. Cantrell reported on what the TCA says about filling the vacancy. He also explained that the appointment would fill the unexpired term of Ken Brison and if the Board cannot reach an appointment within 90 days then they would have to notify the election commission to call a special election. Hall suggested that names be submitted to the city manager. Cantrell stated that it needs to be put on the next

agenda to discuss and/or take action on the appointment. Arney asked the city manager to put it on the agenda for the next 90 days or until someone is appointed. Mayor Brison asked those present from the press to let the public know the City is taking names for the appointment. It was agreed to have the city manager to take names until the close of business on December 14<sup>th</sup>. It was also agreed that they would take three votes on the names at each meeting and then move on.

**5. Approval of the Agenda –**

- A. Arney 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)**

- A. Crystal Bauer (7148 Locksley Lane) wanted to talk about Arney's proposal on the agenda to limit citizen comments to residents and or property owners of the City. She feels the City is not just about the people who live inside the city limits. She suggested that the citizen comments be divided to allow residents and non-residents to speak. She likes to hear opinions of those outside the city limits and feels they would be taking away the people's rights. She also spoke on the vacant position and asked Arney to not appoint one of his cronies. She felt they should appoint Tim French.
- B. Rosemary Kubit of 7312 Clearview Drive was present to thank those who decorated the Welcome to Fairview signs. She thanked the Christmas Parade workers who did not get to see the parade. A special thanks went to John Stark, Paul Newman, Pam Fuqua and daughter, Dan Kubit, Nancy Stephens, the Police Dept. and Jennifer Wright. She also thanked the participants in the parade. She reported that the FHS band performed at the Tree Lighting on December 3<sup>rd</sup>. The Chamber decorated the tree and Mayor Brison officially turned the lights on.
- C. Allen Bissell (7126 Grammar Drive) stated that he understood some folks spoke about Tim French's integrity at the last meeting. He knows Tim French and trusts him. He asked the Board to look at the qualifications for the appointment of a commissioner. He felt that Tim French should be appointed. Arney was elected by ten votes and if the people want it to be by majority vote then they need to change the charter.
- D. Faye Hanchey of 7267 Northwest Hwy was present to say that she does not agree with changing the citizen comments section of the agenda. She feels this gives people the idea that the Board does not care what people have to say. She stated that a lot of volunteers who work with the children of Fairview do not live in the City. Her basic concern is that they want to hear from some people and not from others. She especially felt people in the urban growth boundary should be allowed to speak.
- E. Tim French thanked everyone who came out to the meeting. He wanted to comment on Miss Anderson and Mr. Beata comments at the last meeting. He feels that Miss Anderson does not know him. He listed his involvement in different organizations. He stated he did not why Miss Anderson is constantly appointed to serve on committees when they could do better. He did not like Mr. Beata's comment on "making a noise". He feels anyone should be able to speak out against our representatives. He spoke on the Brownlyn Farms Development again. He did not feel the citizen comments should be changed.

**7. Awards and/or Recognitions –**

- A. Mayor Brison recognized Darrell Mangrum for his years of service on the Board.

**8. Public Announcements – None**

## 9. Approval of the Minutes –

- A. Presented for approval were the minutes of the Board of Commissioners Meeting held on November 16, 2006. Johnson made a motion to approve the minutes as presented. Hall seconded the motion. All were in favor.

## 10. Old Business –

- A. Presented for Second and Final Reading was Bill #2006-39: Rezoning of Map 46, Parcel 18.01 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. Since a representative was not present, Arney made a motion to defer action until the next meeting. Johnson seconded the motion. All were in favor.
- B. Presented for Second and Final Reading was Bill #2006-40: Amending the City's Sewer Use Ordinance to comply with the WADC Ordinance. Mayor Brison read the caption. Arney made a motion to pass Bill #2006-40 on second and final reading. Hall seconded the motion. All were in favor.
- C. Presented for Second and Final Reading was Bill #2006-41: Rezoning of the property located at 7221 Keysham Drive from R-20 to AR-5, Map 46, Parcel 25.01 containing 12.35 acres. Owners – James N. and Karyn S. Green. Mayor Brison read the caption. Mr. Green was present. Arney made a motion to pass Bill #2006-41 on second and final reading. Johnson seconded the motion. All were in favor.

## 11. New Business –

- A. Recommendations from the Planning Commission Meeting held on November 14, 2006:
  - (1) Appoint J.T. King as the Planning Commission Member to the Historical Preservation Commission. Arney made a motion to appoint King. Hall seconded the motion. All were in favor.
  - (2) Approve the Tree Replacement Schedule recommended by the Fairview Municipal Tree Commission. Hall made a motion to have Cantrell prepare the necessary ordinance. Arney seconded the motion. All were in favor.
- B. Award Bid on Lot 10G in the Industrial Park and accept contract – City Mgr. Forehand reported that there was only one bid received. It was from Chas. Hawkins Company Inc. in the amount of \$156,900.00. The planned use of the land is for Greymont Kennels and will employ 22 people in the first phase. There are contingences in the contract that say they would like to go to the Planning Commission before closing or until June 15, 2007. Hall made a motion to accept the bid and contract. Arney seconded the motion. All were in favor.
- C. Award Bid on the old city hall property and accept contract – City Mgr. Forehand reported that no bids were received.
- D. Presented for adoption was Resolution #36-06 Adopting the Williamson County Multi Hazard Mitigation Plan. (see attached memo) Mayor Brison read the caption. Hall made a motion to adopt the Resolution. Arney seconded the motion. All were in favor.
- E. Presented for First Reading was Bill #2006-42: Amending the Fairview Municipal Code by allowing only residents and property owners in the City to speak at meetings of the Board of Commissioners – Arney stated that Commissioner Hall has suggested that we have a workshop on the issue. Johnson made a motion to defer action on Bill #2006-42. Arney seconded the motion. All were in favor. Hall then made a motion to have a workshop on December 21<sup>st</sup> at 6:00 p.m. Arney seconded the motion. All were in favor.

- F. Presented for First Reading was Bill #2006-43: Amending Fairview Municipal Code in relation to the Alcoholic Beverages Section on inspection fees for licensed retailers- City Mgr. Forehand reported that our ordinance presently calls for an 8% inspection fee. Because of the population of Williamson County we need to lower that to 5%. Mayor Brison read the caption. Hall made a motion to past Bill #2006-43 on first reading. Arney seconded the motion. All were in favor.
- G. Presented for adoption was Resolution #37-06 to participate in the Three Star Program for 2007 - Mayor Brison read the caption. Johnson made a motion to adopt the Resolution. Hall seconded the motion. All were in favor.
- H. Discuss the placement of portable car ports – Arney stated that this has been discussed for some time. The present ordinance says that a carport has to be attached to the house or behind the house. It was decided to add this to the agenda for the workshop on December 21<sup>st</sup>.

**12. City Manager Items for Discussion and/or Action –**

- A. Miscellaneous Updates –
  - (1) Forehand reported that Kathy Haney, Planning and Codes Director, has resigned effective December 4, 2006 after 19 years of service to the City due to health problems.
- B. City Attorney Comments – None

**13. Communications from the Mayor and Commissioners –**

- A. Hall congratulated Brison for being elected Mayor and Johnson for being appointed Vice-Mayor.
- B. Arney wished Darrell Mangrum the best and congratulated Mayor Brison.
- C. Johnson congratulated the Mayor and Arney. He also thanked Darrell Mangrum for his years of service.
- D. Brison thanked everyone who participated in the election and his supporters. He congratulated Arney.

**14. The meeting adjourned at 8:30 p.m.**

Kathleen Daugherty, CMC  
City Recorder