

City of Fairview

## **BOARD OF COMMISSIONERS**

**December 18, 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, Arney, Bissell, Johnson, Sutton

Absent: Forehand

Others Present: Cantrell, Lovvorn

**1. Mayor Brison called the meeting to order at 7:02 p.m.**

A. The Prayer and Pledge to the Flag were led by Vice-Mayor Johnson.

**2. Approval of the Agenda –**

- A. Vice-Mayor Johnson advised that he would like to add to the Agenda as Item C. under New Business to set a formal date for applications for a member of the Planning Commission.
- B. In the absence to City Mgr. Forehand, Donn Lovvorn asked that approval of a Certificate of Compliance for the 182 Wine and Spirits be added to the Agenda as Item D. under New Business.
- C. Johnson made a motion to approve the Agenda as amended. Arney 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. Dr. Neil Rice was present to give the Board an update on what is happening with the Historical Committee. He advised that the Jingo Post Office has been completed at a cost of \$35,000. A sign will be made for it that says "U.S. Post Office, Jingo, Tennessee 1858". They entered into a contract for \$50,000 for work on the Triangle School. He asked the Board to consider naming the two streets on the Agenda after W.W. Wallace and Niel Walker Sullivan who were two pioneers of education in Fairview.

**4. Awards and/or Recognitions – None**

**5. Public Announcements – None**

## 6. Approval of the Minutes –

- A. Presented for approval were the minutes of the Board of Commissioners Meeting held on December 4, 2008. Bissell made a motion to approve the minutes as presented. Sutton seconded the motion. All were in favor.

## 7. Old Business –

- A. Presented for adoption was Resolution No. 61-08: Plan of Services for the Annexation of Hwy. 100 West and the existing Rights of Way from the existing city limits to the Hickman County Line and the I-840 Interchange. (The Resolution was approved by the Planning Commission on December 9, 2008). Johnson read the caption and made a motion to adopt the Resolution. Arney seconded the motion. All were in favor.
- B. Presented for Second and Final 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 I-840 Interchange. Johnson read the caption and made a motion to pass Bill #2008-43 on second and final reading. Arney seconded the motion. Bissell stated that he is not against the annexation but feels it may be premature. For: Arney, Brison, Johnson, Sutton. Against: Bissell
- C. Presented for Second and Final 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 second and final reading. Arney seconded the motion. All were in favor.
- D. Presented for Second and Final 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 second and final reading. Arney seconded the motion. All were in favor.
- E. Presented for Second and Final Reading was Bill #2008-48: Annexing and Changing the Zoning of property located at 2883 Fairview Blvd. from RS-40 to CG (Commercial General) – John F. and Denna C. Castro, Owners. Johnson read the caption and made a motion to pass Bill #2008-48 on second and final reading. Arney seconded the motion. All were in favor.
- F. Presented for Second and Final 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 second and final reading. Arney seconded the motion. All were in favor.
- G. Presented for Second and Final 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 second and final reading. Arney seconded the motion. All were in favor.

- H. Presented for Second and Final 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 second and final reading. Arney seconded the motion. All were in favor.
- I. Presented for Second and Final 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 second and final reading. Arney seconded the motion. All were in favor.
- J. Presented for Second and Final 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 second and final reading. Arney seconded the motion. All were in favor.
- K. Presented for Second and Final 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 second and final reading. Arney seconded the motion. All were in favor.
- L. Presented for Second and Final 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 second and final reading. Arney seconded the motion. All were in favor.
- M. Presented for Second and Final 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) – Carl Walker (Nancy Peck Walker, Owner). Johnson read the caption and made a motion to pass Bill #2008-56 on second and final reading. Arney seconded the motion. All were in favor.
- N. Approval of Application of the Friends of Bowie Nature Park for a link from the City's Website. Johnson made a motion to approve the application. Arney seconded the motion. All were in favor.
- O. Approval of Names to replace Grand Blvd and Gateway Blvd – Donn Lovvorn advised that the Board Members were given a list of the names submitted. The list included those already being used by the 911 system. After discussion on the names submitted it was decided to omit names of people. Lovvorn explained where these streets will be located. Bissell made a motion to change Grand Blvd. to American Way and Gateway Blvd. to Commerce Way. Arney seconded the motion. All were in favor.

- P. Discuss sign ordinance and approve on first reading Bill #2008-44: Amending the Yard Sale Ordinance. Bissell advised that the Sign Committee's main purpose in trying to craft an ordinance was very simple and that was yard sales happen at the same time that our City is basically on show for people who want to come here as new residents and we need to be conscious of that so that when we are advertising our yard sales and having our yard sales we need to remember that the signs need to be picked up and also the way we display the signs. After discussion on held on the wording of Bill #2008-44 and the sign ordinance, Arney made a motion to defer action until Commissioner Bissell and Donn Lovvorn can get together and revise the ordinance. Johnson seconded the motion. All were in favor.
- Q. Discuss having a class on parliamentary procedure – Commissioner Arney stated that he had asked the city attorney to teach a class on Roberts Rule of Order. It was decided to have the class before the Planning Commission Meeting on February 10<sup>th</sup> beginning at 5:45 p.m. and include the Planning Commission Members.

#### **8. New Business –**

- A. Recommendations from the Planning Commission held on December 9, 2008:
  - (1) Approval of rezoning application for a portion of the property located at 2401 Fairview Blvd. from RS-40 to CG (Commercial General) Map 47 H, Group A, Parcel 18.00, 1.49 acres – SCV LLC, Owner. Bissell made a motion to have the city attorney prepare the necessary ordinance. Johnson seconded the motion. All were in favor.
  - (2) Allow the city attorney to enter into a settlement with Holland Contractors relative to Kingwood Subdivision. Johnson made the motion to allow the city attorney to enter into a settlement with Holland Contractors. Bissell seconded the motion. All were in favor.
- B. Approval to apply for a Polaris Ranger through the U.S. Smokeless Tobacco Company's Operation Ranger Program for 2009 - Johnson made a motion to apply for the Polaris Ranger. Arney seconded the motion. All were in favor.
- C. Added to the Agenda – Set formal date to advertise for the vacant Planning Commission seat. Johnson made a motion to accept applications thru Friday, January 30, 2009 at the close of business and place the appointment on the Boards Agenda for February 5, 2009 and request that the Planning Commission not elect officers until the full Planning Commission Board is set. Sutton seconded the motion. All were in favor.
- D. Added to the Agenda – Approval of Certificate of Compliance for the 182 Wines and Spirits located at 1518 Hwy. 96 North. Arney made a motion to approve the Certificate of Compliance. Johnson seconded the motion. All were in favor.

**9. City Manager Items for Discussion -**

- A. Miscellaneous Updates – None
- B. City Attorney Comments – Cantrell stated that since this is the last meeting for this year that he would like to wish all Boards, Staff Members and employees that he has the privilege of meeting with a Merry Christmas and a safe and Happy New Year. He also advised that he has enjoyed working the Board this year and looks forward to working with them next year.

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

- A. Sutton wished everyone a Merry Christmas.
- B. Arney wished everyone Happy Holidays.
- C. Johnson wished everyone a Merry Christmas.
- D. Bissell asked Lovvorn to put together a list of those properties located in the City that are bordered on all four sides by City properties and when it is completed put it on the Board's Agenda. He wished everyone a Safe and Happy Holiday Season.
- E. Brison wished everyone a Merry Christmas and Happy New Year.

**11. The meeting adjourned at 8:35 p.m.**

Kathleen Daugherty, CMC  
City Recorder