

City of Fairview

BOARD OF COMMISSIONERS

December 21, 2006

Ken Brison, Mayor
Stuart L. Johnson, Vice-Mayor
Eddie Arney, Commissioner
Wayne Hall, Commissioner
Shirley Forehand, City Manager
Larry Cantrell, City Attorney
Kathleen Daugherty, Recorder

Present: Brison, Arney, Hall, Johnson
Also Present: Forehand and Cantrell

1. **Mayor Brison called the meeting to order at 7:02 p.m.**
 - A. The Prayer and Pledge to the Flag were led by Josh Pendergrass.
2. **Approval of the Agenda –**
 - A. Hall made a motion to approve the agenda as presented. Johnson 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. Dianne Ellis of 7861 Crow Cut Road advised that the Chamber of Commerce will host its annual breakfast on January 16th at 7:30 p.m. at the Fairview Recreation Center and the cost will be \$10 per person. She also felt that if the Board limits the citizen comments she will not be able to make such announcements and wondered if she would be allowed to do this under Public Announcements. She then advised that she is concerned about Fairview and that because of a major issue on the agenda a few months ago we are now divided by who lives in the City and who does not. She felt we should all embrace Fairview.
 - B. Don Campbell advised he traveled a lot in the military and would not want to live anywhere else. He gave a brief history lesson on allowing people to speak. He does not live in the city limits but does live in the urban growth plan and feels decisions made will have an impact on him and he wants to have an input in the decisions made by the Board of Commissioners. He told Commissioner Arney that his item on the agenda to change the citizen comments shows that he is misguided and represents a deeply disturbed attitude toward his fellow citizens.
 - C. Barbara Doak advised that she is a citizen of the city of Fairview and can come and speak at any time unless they decide to stop the citizen comments. She stated that there are three candidates for the open seat on the Board and only one received the second highest number of votes in the recent election. She felt Mr. Mangrum should have run in the election if he wanted to be a Commissioner. She asked the Board to not ignore the votes of the citizens.

- D. Josh Pendergrass advised that he is in college and just finished a course on government. He also gave a short history lesson on the freedom of speech. He hopes to return to Fairview when he graduates in May; therefore he is concerned about what happens in Fairview. He warned the Board Members to remember that the citizens need to agree with their decisions. He suggested that they have a special election and let the candidates and the city split the cost.
- E. Time French stated that it is a shame that an election and a building issue have driven such a wedge in our community. It is time we move on. He has respect for Mr. King and Mr. Mangrum (the other two candidates for the commissioner position). He did not feel he would be appointed to the position and wished he had the opportunity to discuss any issues the Board Members may have with him.

4. Awards and/or Recognitions –

- A. Mayor Brison presented Kathy Haney (former director of the Planning and Codes Department) a plaque for her nineteen (19) years of service to the City. Haney resigned due to health reasons.
- B. City Mgr. Forehand recognized the Williamson County Cultural Arts Commission for its displays which will be at city hall until the end of January. The artists were ages two (2) thru eighty-two (82). She invited everyone to come by and see them.
- C. Police Chief Harris thanked the Brentwood Police Chief Ricky Watson and Officer Allen Hardcastle for helping him to obtain fifteen (15) AR-15 rifles for his department. Chief Harris also thanked some of the city workers who assisted his department by helping to direct traffic when there was a bad wreck Tuesday on Hwy. 100. They were Randy Beck, Todd Bratcher, Joe Howard, and Tag Erland.

5. Public Announcements – None

6. Approval of the Minutes –

- A. Presented for approval were the minutes of the Public Hearing held on December 7, 2006. Johnson made a motion to approve the minutes as presented. Arney seconded the motion. All were in favor.
- B. Presented for approval were the minutes of the Board of Commissioners Meeting held on December 7, 2006. Arney made a motion to approve the minutes as presented. Johnson seconded the motion. All were in favor.

7. 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. Johnson read the caption and made a motion to pass Bill #2006-39 on second and final reading. Arney seconded the motion. Mayor Brison announced that Tony Cavender was present. All were in favor.
- B. 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. Johnson read the caption. Mayor Brison asked for a motion to approve the Bill. There was no motion. Bill died for lack of a motion.
- C. Presented for Second and Final Reading was Bill #2006-43: Amending Fairview Municipal Code in relation to the Alcoholic Beverages Section on inspection fees for licensed retailers. Johnson read the caption and made a motion to pass Bill #2006-43 on second and final reading. Arney seconded the motion. All were in favor.

- D. Presented for First Reading was Bill #2006-44: Adopting the Tree Replacement Schedule recommended by the Tree Commission. Johnson read the caption and made a motion to pass Bill #2006-44 on first reading. Hall seconded the motion. All were in favor.
- E. Discuss the placement of portable car ports – Brison advised that it was decided at the workshop meeting to send this to the Planning Commission. Arney made a motion to send it to the Planning Commission. Johnson seconded the motion. All were in favor.
- F. Discuss and/or take action on the vacant position on the Board of Commissioners - Mayor Brison stated that there are three applicants: J.T. King, Darrell Mangrum, and Tim French. Brison then placed all three names into nomination and made a motion that all nominations close. Johnson seconded the motion. Brison asked Mr. Cantrell if they should have a roll call vote. Cantrell advised that it should be by roll call. Brison also stated that they previously decided to take three votes and if no one is appointed then wait until the next meeting and take another vote. Vote on motion: All were in favor. Commissioner Hall stated that he would take the first vote. He also stated that he would like to say that he feels he is always the deciding vote when it comes to elections concerning the Board. He felt they should not have had an elected Mayor because of the upset it has caused in the community. He stated that one commissioner helped him to get the density down in the Brownlyn Farms Development and that was Darrell Mangrum and he felt he should vote for him and cast his vote for Mangrum. Arney stated that he also votes for Darrell Mangrum. Brison stated that he is voting for Tim French because he said he would vote for whoever he received the most calls about and that was French. Johnson stated that two years ago he was the highest vote getter but Brison was elected Mayor by the Board Members. This year he was second and last in the Mayor race. He spoke with two of the other candidates for commissioner in the recent election and they felt that Mangrum should be appointed. Therefore, Johnson voted for Mangrum. Brison stated that according to the votes cast Mangrum is appointed as Commissioner. Cantrell advised that Mangrum will have to be sworn in at the next meeting.

Votes: Hall - Mangrum

Arney – Mangrum

Brison – French

Johnson – Mangrum

*Mayor Brison asked at the January 4th Meeting that it be put into the minutes his statement that he preferred to have a special election to fill the vacancy (but the election commission advised that the city could not hold a special election for this position).

8. New Business –

- A. City Mgr. Forehand advised that she has received a request from the Tree Commission for a joint workshop of the Planning Commission and Board of Commissioners to host bioretention awareness on rain gardens. They would like to have the workshop on March 22, 2007. Arney made a motion to have the workshop on March 22, 2007 at 7:00 p.m. Johnson seconded the motion. All were in favor.

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

- A. Miscellaneous Updates – None
- B. City Attorney Comments – Cantrell thanked the Board of Commissioners, the Planning Commission and the city staff for working with him during the past year. He will miss Kathy Haney. He wished everyone a Merry Christmas and a Happy New Year.

10. Communications from the Mayor and Commissioners –

- A. Johnson thanked Kathy Haney for her years of service to the City. He feels they do not need to say who can or cannot speak at meetings but did feel that citizen comments should be moved to the end of the agenda. He stated that he agreed with almost everything that Mr. Campbell said. He also felt that there are some things that don't need to be said in public.
- B. Arney thanked Kathy Haney for her work with the City. He stated that it was suggested to him that they add another slot to the citizen comments and make it three citizens of the City and three residents of the County. Also if there is a large group to have a spokesperson for the group. He wished everyone a Happy Holidays.
- C. Hall encouraged J.T. King, Tim French and even Josh Pendergrass to continue working for the City. He thanked Kathy Haney for the help she has been to him since he has been on the Planning Commission and the Board of Commissioners. He wished everyone a Merry Christmas.
- D. Brison thanked Kathy Haney for her years of service to the City and wished everyone a Merry Christmas and a Happy New Year.

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

* correction

Kathleen Daugherty, CMC
City Recorder