

REGULAR MEETING  
BOARD OF MAYOR AND ALDERMEN  
DECEMBER 14, 2010

REFERENCE VIDEO DATED DECEMBER 14, 2010

The Board of Mayor and Aldermen of the City of Fayetteville, Lincoln County, Tennessee, met in open, public session at the regular meeting place of said Board in the Municipal Building of said City at 5:00 p.m. on December 14, 2010. Mayor John Ed Underwood, Jr., was present and presiding. The following named Aldermen were present:

Danny Bryant; Pat Fraley; Marty Pepper; Dorothy Small; Michael Stewart; and Thomas Young, Sr.

Also present was James S. Hereford, Jr., City Attorney, and James H. Lee, City Administrator.

The pray was lead by Alderman Bryant and the pledge was lead by Alderman Small.

**Approval of Minutes:**

1. Motion was made by Pat Fraley, seconded by Dorothy Small, to approve the minutes of the November 2010, Meeting. Upon roll call, the following voted:

Aye

Danny Bryant; Thomas Young, Sr.; Dorothy Small; Pat Fraley; Michael Stewart; and Marty Pepper

Nay

None

Mayor Underwood, Jr., declared the minutes approved.

2. Motion was made by Pat Fraley, seconded by Michael Stewart, to approve the minutes of the Organizational Meeting on October 29, 2010.

Aye

Thomas Young, Sr.; Dorothy Small; Pat Fraley; Michael Stewart; Marty Pepper; and Danny Bryant

Nay

None

Mayor Underwood, Jr., declared the minutes approved.

**Approval of Bills and Additional Bills:**

Motion was made by Pat Fraley, seconded by Marty Pepper, to approve the bills and additional bills for payment. Upon roll call, the following voted:

Aye

Dorothy Small; Pat Fraley; Michael Stewart; Marty Pepper; Danny Bryant; and Thomas Young, Sr.

Nay  
None

Mayor Underwood, Jr., declared the bills and additional bills approved.

**Reports:**

**Main Street:**

Charla Scivally, representing Main Street, thanked the Host of Christmas Past Board Members for their hard work during the Host event. Ms. Scivally discussed that the building that houses Main Street has been sold but this transaction will not affect Main Street. Ms. Scivally stated that the "Robert E. Lee" historical brick will be laid at the Court House when the weather permits.

**Swearing in of a Police Officer:**

Police Officer Pamela Edmonson was sworn in by Mayor Underwood, Jr.

**FPU Report:**

Britt Dye, CEO of Fayetteville Public Utilities, stated that FPU is preparing for potential ice storms and taking necessary precautions to help prevent power outages. Mr. Dye reported that the reason for the internet being down lately was due to someone cutting into the AT&T internet lines around Nashville. Mr. Dye stated that the TVA (Tennessee Valley Authority) would be making some changes in the coming months.

**Fire Report:**

Fire Chief Danny Travis reported that the Fire Department had 51 calls for service with 29 medical calls, 2 motor accidents (with injuries), and 1 vehicle fire for \$1,500.00 in property loss.

**Police Report:**

Police Chief Doug Carver reported that there were 102 incidents, with 36 arrest, 39 crashes, and 63 citations for a total of 2,009 events.

**Public Works:**

Eddie Plunkett, Public Works Department Head, reported that for the month of November 121 tons of commercial trash was picked-up, 165 tons of residential trash was picked-up, and 107 tons of leaves were picked-up. Mr. Plunkett also stated that there was 16,002 gallons of gasoline sold within 23 departments.

**Recreation Report:**

Rickey Honey, Recreation Department Head, stated there were over one hundred (100) entries in the Christmas Parade, which made for the biggest parade in several years. Mr. Honey stated that they are still working on renovations to the recreation center, which should be completed in the coming weeks.

**Planning and Zoning Report:**

Ryan Tyhuis, City Planner, reported that for the month of November there were 12 building permits for a total of \$126,000.00. Mr. Tyhuis stated that the Planning Commission discussed a minor subdivision plat and the annexation of property located at Marty Road. The Planning Commission recommended sending Ordinance 2011-01 to the Board of Mayor and Alderman for a Public Hearing and adoption.

**Administrator's Report:**

Mr. Lee stated that all of the work to the exterior doors will be finished by the end of the week, the replacement of lights will be finished by Christmas, and the roof repair work will be completed by January, weather permitting. Mr. Lee stated that the City School Board would like to have a Special Called Work Session in January to discuss the addition of a High School.

**Fayetteville City School System's Budget Amendment #3:**

Motion was made by Dorothy Small, seconded by Danny Bryant, to approve the School System's Budget Amendment #3. Upon roll call, the following voted:

Aye

Pat Fraley; Michael Stewart; Marty Pepper; Danny Bryant; Thomas Young, Sr.; and Dorothy Small

Nay

None

Mayor Underwood, Jr., declared the motion adopted.

**Bike Trails in the BioSolid Field:**

1. Motion was made by Danny Bryant, seconded Pat Fraley, to suspend the rules pursuant to Section 25 of the Robert's Rules of Order to discuss the topic before making a main motion. Upon roll call, the following voted:

Aye

Michael Stewart; Marty Pepper; Danny Bryant; Thomas Young, Sr.; Dorothy Small; and Pat Fraley

Nay

None

Mayor Underwood, Jr., declared the motion adopted.

2. After much discussion by Danny Bryant, Pat Fraley and Britt Dye, CEO of Fayetteville Public Utilities, motion was made by Michael Stewart, seconded by Danny Bryant, to close the bike trails that are on the BioSolid field and to remove the bridge.

Aye

Marty Pepper; Danny Bryant; Thomas Young, Sr.; Dorothy Small; Pat Fraley; and Michael Stewart

Nay

None

Mayor Underwood, Jr., declared the motion adopted

**Resolution R-10-08 to Call for Public Hearings on the Plan of Service and Annexation of Property located on Marty Road:**

Resolution R-10-08, a resolution scheduling Public Hearings on the Plan of Service and Annexation of a certain area by the City of Fayetteville, Tennessee, located on Marty Road; was considered, which is as follows:

**RESOLUTION No: R-10-08**  
**CITY OF FAYETTEVILLE, TENNESSEE**

**A RESOLUTION SCHEDULING PUBLIC HEARINGS ON THE PLAN OF SERVICE AND ANNEXATION OF A CERTAIN AREA BY THE CITY OF FAYETTEVILLE, TENNESSEE**

**WHEREAS**, a plan of service for the proposed annexation hereinafter described has been prepared and referred to the Fayetteville Planning Commission for review; and,

**WHEREAS**, T.C.A 6-5-102(b) and T.C.A 6-51-101 require public hearings to be conducted at least fifteen (15) days prior to the adoption of a plan of service and at least seven (7) days prior to the adoption of an annexation ordinance by the City of Fayetteville; and,

**WHEREAS**, three copies of said plan of service will be made available for public inspection during regular business hours at the Fayetteville Municipal Building, Fayetteville/Lincoln County Public Library, and Fayetteville Public Utilities; and,

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Mayor and Alderman of the City of Fayetteville, Tennessee that:

**Section 1.** The Fayetteville Planning Department is hereby required to have published in the Elk Valley Times, notice that two (2) public hearings before this body will be held on the 11<sup>th</sup> day of January, 2011, at 5:00PM, to consider the adoption of a plan of service and annexation ordinance for the following described property located on Marty Road:

<u>PROPERTY OWNER:</u>	<u>MAP</u>	<u>PARCEL</u>	<u>DEED BOOK</u>	<u>PAGE</u>
Tennessee Livestock Producers, Inc	67	80.01	G14	665

**Section 2.** This resolution shall become effective after its passage, the public welfare requiring it.

ADOPTED THIS 14th DAY OF December 2010.

  
CITY ADMINISTRATOR

  
MAYOR

Motion was made by Pat Fraley, seconded Dorothy Small, to approve Resolution R-10-08. Upon roll call, the following voted:

Aye

Danny Bryant; Thomas Young, Sr.; Dorothy Small; Pat Fraley; Michael Stewart; and Marty Pepper

Nay

None

Mayor Underwood, Jr., declared the Resolution approved

**Ordinance 2011-01 – Swimming Pool Audible Alarm – Call for Public Hearing:**

Motion was made by Dorothy Small, seconded by Michael Stewart, to call for a Public Hearing for Ordinance 2011-01 to amend the Zoning Ordinance of Fayetteville, Tennessee to provide for the inclusion of amendments to Chapter 5, Section 14-506 Swimming Pool Restrictions – Swimming Pool Audible Alarm. Upon roll call, the following voted:

Aye

Thomas Young, Sr.; Dorothy Small; Pat Fraley; Michael Stewart; Marty Pepper; and Danny Bryant

Nay

None

Mayor Underwood, Jr., declared the motion approved.

**Board Appointments:**

1. Motion was made by Dorothy Small, seconded by Marty Pepper, to reappoint Ray Landman to the Board of Zoning and Appeals. Upon roll call, the following voted:

Aye

Dorothy Small; Pat Fraley; Michael Stewart; Marty Pepper; Danny Bryant; and Thomas Young, Sr.

Nay

None

Mayor Underwood, Jr., declared the motion approved.

2. Motion was made by Danny Bryant, seconded by Thomas Young, Sr., to appoint Robert Strope to the Fayetteville-Lincoln County Regional Airport Authority. Upon roll call, the following voted:

Aye

Pat Fraley; Michael Stewart; Marty Pepper; Danny Bryant; Thomas Young, Sr.; and Dorothy Small

Nay

None

Mayor Underwood, Jr., declared the motion approved.

Motion was made, seconded, and unanimously adopted to adjourn.

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Mayor

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Clerk