

PUBLIC HEARING

June 9, 2009

A public hearing was held at the Municipal Building on June 9, 2009, pursuant to notice in the Elk Valley Times. Mayor Gwen Shelton, was present and presiding, and the following aldermen were present:

Joe Askins  
Danny Bryant  
Dorothy Small  
Pat Fraley  
Michael Stewart  
Marty Pepper

Two public hearings were held as listed below:

1. Consideration of the 2009-2010 budget
2. Rezoning of Gallant Riverview parking lot

No one appeared in opposition to the above items.

The public hearing was closed.

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Mayor

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Clerk

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REGULAR MEETING  
BOARD OF MAYOR AND ALDERMEN  
JUNE 9, 2009

REFERENCE VIDEO DATED JUNE 9, 2009

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 June 9, 2009. Mayor Gwen Shelton was present and presiding. The following named aldermen were present:

Joe Askins  
Danny Bryant  
Dorothy Small  
Pat Fraley  
Michael Stewart  
Marty Pepper

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

The prayer and Pledge of Allegiance were led by Tim Smith, Cumberland Presbyterian Church.

Motion was made by Joe Askins seconded by Pat Fraley to approve the minutes of the May meetings. Upon roll call, the following voted:

<u>Aye</u>	<u>Nay</u>
Joe Askins	None
Danny Bryant	
Dorothy Small	
Pat Fraley	
Michael Stewart	
Marty Pepper	

Mayor Shelton declared the motion adopted.

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

<u>Aye</u>	<u>Nay</u>
Danny Bryant	None
Dorothy Small	
Pat Fraley	
Michael Stewart	

Marty Pepper  
Joe Askins

Mayor Shelton declared the motion adopted.

Marie Caldwell of Main Street provided an update on recent activities and showed a newly developed promotional video on Fayetteville.

The FPU report was given by Joe Askins. Some items reported on were the Hardees lift station, fire hydrant painting, and aggressive tree trimming.

Dorothy Small discussed school system activities including the science lab construction, Gateway testing, and budget approval.

Danny Bryant reported on police activities and investigation into the recent murder case.

Marty Pepper reported 66 calls for the Fire Department, with \$87,500 in losses due to fire. He commended the Fire Department for their good work in handling the recent fire.

Michael Stewart reported the newly updated baby pool should be open by July 1, Kid's Fish Day will be held on the following Saturday, and a Babe Ruth baseball tournament is scheduled the week of July 4.

Pat Fraley discussed a scheduled work session on the Land Use Transportation Plan, and a rezoning request on Liberty Road which has been referred to the Board of Zoning Appeals for administrative review.

James Lee reported on a Memorandum of Understanding being developed between the Humane Society and SAW, and work in progress on the personnel manual.

Mayor Shelton discussed a feature of the City web site which allows citizens comments to be directed to the Mayor and City Administrator.

Ordinance 2009-3, adopting the 2009-2010 budget, was considered as follows:

**ORDINANCE NO. 2009- 03**  
**AN ORDINANCE ADOPTING THE ANNUAL BUDGET AND CAPITAL**  
**PROGRAM AND TAX RATE OF THE CITY OF FAYETTEVILLE,**  
**TENNESSEE FOR FISCAL YEAR 2010,**

Whereas, the budget process is one of the most important activities undertaken by governments for the public welfare, the budget process being used to make program, service and capital decisions and allocate scarce resources to programs, services and capital;

Whereas, the financial plan developed in this process being the document to communicate the plan the Board of Mayor and Aldermen has decided to implement for the coming fiscal year;

Whereas *Tennessee Code Annotated* Title 9 Chapter 1 Section 116 requires that all funds of the State of Tennessee and all its political subdivisions shall first be appropriated before being expended and that only funds that are available shall be appropriated;

Whereas, the Municipal Budget Law of 1982 requires that the governing body of each municipality adopt and operate under an annual budget ordinance presenting a financial plan with at least the information required by that state statute, that no municipality may expend any moneys regardless of their source except in accordance with a budget ordinance and that the governing body shall not make any appropriation in excess of estimated available funds;

Whereas as the Board of Mayor and Aldermen held a hearing where the City Administrator submitted the proposed budget and capital program on June 9, 2009 at 5 PM in the regular meeting of the Board of Mayor and Aldermen and following the hearing, the Board considered final passage of the proposed budget;

Whereas, *Tennessee Code Annotated* Title 6 Chapter 56 Section 206 requires that the Board of Mayor and Aldermen publish the annual operating budget and budgetary comparisons of the proposed budget with the prior year (actual) and the current year (estimated) in a newspaper of general circulation not less than ten (10) days prior to the meeting where the governing body will consider final passage of the budget, and said budget was published on May 27, 2009 in *The Elk Valley Times*;

Now, therefore be it ordained by the Board of Mayor and Aldermen of the City of Fayetteville, Tennessee, that:

**Section 1: REVENUES.** The following is a list of funds available for appropriation. Any portion of the fiscal year 2009 appropriations remaining unexpended and unencumbered shall be credited to the general fund, except that any balance remaining in any other fund at the end of the fiscal year may remain to the credit of that fund and be subject to further appropriation in accordance with *Tennessee Code Annotated* Section 6-56-211.

FUND NAME	FISCAL YEAR 2008	FISCAL YEAR 2009	FISCAL YEAR 2010	EST. FUND BALANCE 07/01/09	AVAILABLE FUNDS
<b>General Fund</b>					
Current Taxes	\$ 6,430,069	\$ 6,340,371	\$ 6,264,051		
Delinquent Taxes	58,963	50,000	55,000		
Nontax Revenues	974,702	908,354	1,187,892		
State Street Aid:					
Street Repair	69,645	75,275	65,200		
Street Lighting	144,339	142,000	150,000		
<b>TOTAL GENERAL FUND</b>	<b>\$ 7,677,718</b>	<b>\$ 7,516,000</b>	<b>\$ 7,722,143</b>	<b>\$ 5,935,395</b>	<b>\$ 13,657,538</b>
Drug Fund	36,229	15,800	13,080	59,766	\$ 72,846
Kids Park	6	1	1	2,070	\$ 2,071
Refuse Collection Fund	510,380	505,250	439,207	763,542	\$ 1,202,749
CDBG Loan Fund	2,003	1,150	430	(999)	\$ (569)
UDAG Loan Fund	19,615	10,000	6,899	392,436	\$ 399,335
Grant Fund	20,625	375,000	-	-	\$ -
Health Insurance Escrow	10,578	5,250	1,680	123,714	\$ 125,394
Debt Service Fund	243,830	71,500	94,800	348,638	\$ 443,438
Industrial Park	11,351	5,600	2,500	217,675	\$ 220,175
Capital Projects	378,834	311,500	219,112	2,497,614	\$ 2,716,726
Landfill Fund	26,379	20,000	30,000	488,780	\$ 518,780
General Purpose School Fund	6,504,171	7,145,836	7,169,911	4,695,576	\$ 11,865,487
<b>TOTAL ALL FUNDS</b>	<b>\$ 15,441,719</b>	<b>\$ 15,982,887</b>	<b>\$ 15,699,763</b>	<b>\$ 15,524,207</b>	<b>\$ 31,223,970</b>

Details of these revenues and other sources of funds are shown in the detailed financial plan attached.

**SECTION 2: APPROPRIATIONS.** The governing body appropriates from these anticipated revenues and unexpended and unencumbered funds the following expenditures for fiscal year 2010:

FUND NAME	FISCAL YEAR 2008	FISCAL YEAR 2009	FISCAL YEAR 2010	EST. FUND BALANCE 6/30/10
<b>General Fund</b>				
General Government	\$ 1,265,378	\$ 1,189,736	\$ 1,201,070	
Public Safety	3,293,740	3,363,802	3,540,173	
Public Works	1,307,627	1,364,600	1,320,833	
Health & Welfare	611,708	618,545	648,415	
Debt Service	219,618	58,000	60,000	
Education	648,923	674,231	716,505	
Capital Projects	210,000	210,000	210,000	
<b>TOTAL GENERAL FUND</b>	<b>\$ 7,556,994</b>	<b>\$ 7,478,914</b>	<b>\$ 7,696,996</b>	<b>\$ 5,960,542</b>
Drug Fund	42,672	28,600	25,400	47,446
Kids Park	159	1,000	3,079	(1,008)
Refuse Collection Fund	504,217	511,566	545,323	657,426
CDBG Loan Fund	-	47,524	48,032	(48,601)
UDAG Loan Fund	-	1,000	1,000	398,335
Grant Fund	20,625	375,000	-	-
Health Insurance Escrow	27,406	48,250	32,781	92,613
Debt Service Fund	398,400	71,500	94,778	348,660
Industrial Park	217	2,500	3,000	217,175
Capital Projects	269,348	348,053	211,020	2,505,706
Landfill Fund	15,484	20,000	30,000	488,780
General Purpose School Fund	6,809,411	7,665,624	7,562,852	4,302,635
<b>TOTAL ALL FUNDS</b>	<b>\$ 15,644,933</b>	<b>\$ 16,599,531</b>	<b>\$ 16,254,261</b>	<b>\$ 14,969,709</b>

Details of these appropriated expenditures are shown in the detailed financial plan attached.

**SECTION 3: STATEMENT OF INDEBTEDNESS.** The Board of Mayor and Aldermen recognizes that the municipality has bonded and other indebtedness and includes a statement of this indebtedness.

STATEMENT OF BONDED OR OTHER INDEBTEDNESS	DEBT REDEMPTION (Principal)	INTEREST REQUIREMENTS	DEBT AUTHORIZED AND UNISSUED	CONDITION OF SINKING FUND
TN Loans 2005	\$ 25,000	\$ 45,000		
TN Municipal Bond Fund Variable Rate Pooled Loan Program Series 1995	\$ 91,000	\$ 15,000		
TN Energy Efficiency Loan	\$ 24,778	\$ -		

Appropriations of \$94,778 and \$106,000 from the Debt Service Fund and General Purpose School Fund, respectively, have been included and authorized for the payment of current debt obligations and any planned debt obligations for the coming fiscal year. The Board of Mayor and Aldermen anticipates and has budgeted for no new debt in the coming year.

Details of the debt services requirements are shown on in the detailed financial plan.

**SECTION 4: CAPITAL IMPROVEMENT PROGRAM.** During the coming fiscal year the Board of Mayor and Aldermen has planned for the following capital projects and has included a statement listing these capital projects and the sources of financing for these projects:

STATEMENT OF PROPOSED NEW CAPITAL PROJECTS	PROPOSED FINANCING BY APPROPRIATIONS	PROPOSED FINANCING BY DEBT
		\$ -
2 Fully Equipped Patrol Units	\$60,700	\$ -
Pick Up 4x4	\$25,750	\$ -
2 Wheel Drive Pick Up	\$18,750	\$ -
Riding Mower	\$14,000	\$ -
Domain Server	\$10,000	\$ -
Shotgun Racks & Install	\$9,500	\$ -
Exhaust Vent	\$8,500	\$ -
18-Voice Amplifiers	\$7,500	\$ -
Fire Dept Furniture	\$5,000	\$ -
Bedding	\$4,000	\$ -
Duty Holsters	\$4,600	\$ -
<b>TOTAL</b>	<b>\$ 168,300</b>	<b>\$ -</b>

Details of capital projects to be implemented in the coming fiscal year including sources of financing are in the detailed financial plan attached.

**SECTION 5: BUDGET CONTROL.** At the beginning of each quarterly period during the fiscal year and more often if required by the Board of Mayor and Aldermen, a report shall be submitted showing the relation between the estimated and actual revenues and other sources of funds and expenditures to date. At any time it is determined that revenue is not meeting estimates; the City Administrator may impound appropriations to ensure expenditures do not exceed revenues.

**SECTION 6: EXCESS APPROPRIATIONS PROHIBITED.** No appropriation listed above shall be exceeded without an amendment of the budget ordinance as required by the Municipal Budget Law of 1982 *Tennessee Code Annotated* Section 6-56-208 and Section 9-1-116. In addition, no appropriation may be made in excess of available funds except to provide for an actual emergency threatening the health, property or lives of the inhabitants of the municipality and declared by a two-thirds (2/3) vote of at least a quorum of the Board of Mayor and Aldermen in accord with Section 6-56-205 of the *Tennessee Code Annotated*. The budget and capital program budget ordinance may be amended in the same manner as any other ordinance may be amended.

**SECTION 7: TRANSFER OF MONEY.** Money, not to exceed \$5,000, may be transferred from one appropriation to another in the same fund by the City Administrator as allowed by Section 6-56-209 of the *Tennessee Code Annotated*. Any resulting transfers shall be reported to the governing body at its next regular meeting and entered into the minutes.

**SECTION 8: BUDGET DETAIL.** A detailed financial plan will be attached to this budget and become part of this budget ordinance. In addition, the published operating budget and budgetary comparisons shown by fund with beginning and ending fund balances and the number of full

time equivalent employees required by Section 6-56-206, *Tennessee Code Annotated* will be attached.

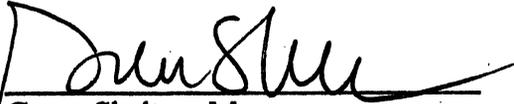
**SECTION 9: DIRECTOR OF LOCAL FINANCE BUDGET APPROVAL.** This ordinance will not be the official budget of the City of Fayetteville until it is approved by the Director of the Division of Local Finance in the Office of the Comptroller of the Treasury as required by *Tennessee Code Annotated* Section 9-21-403. The City of Fayetteville may operate under this ordinance as a continuation budget until the Director's approval has been obtained as long as operating expenditures do not exceed available funds and cash receipts during the continuation budget period and all outstanding debt service is paid.

**SECTION 10: TAX RATE.** The City of Fayetteville's fiscal year 2010 tax rate for real property shall be \$1.3195 per each \$100 of assessed value.

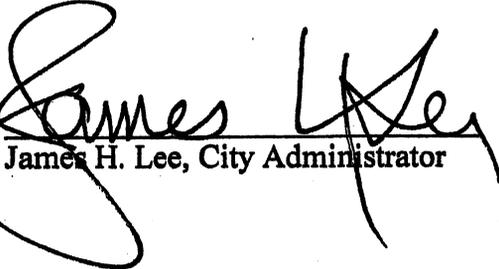
**SECTION 11:** This ordinance shall take effect July 1, 2009, the public welfare requiring it. All ordinances or parts of ordinances in conflict with any provision of this ordinance are hereby repealed.

June 9, 2009

Date



Gwen Shelton, Mayor



James H. Lee, City Administrator

Motion was made by Pat Fraley seconded by Dorothy Small to adopt ordinance 2009-3. Upon roll call, the following voted:

<u>Aye</u>	<u>Nay</u>
Dorothy Small	None
Pat Fraley	
Michael Stewart	
Marty Pepper	
Joe Askins	
Danny Bryant	

Mayor Shelton declared ordinance 2009-3 adopted.

Motion was made by Joe Askins seconded by Marty Pepper to reconsider the funding request for the Retire Tennessee Program and fund them at \$1750.00. Upon roll call, the following voted:

<u>Aye</u>	<u>Nay</u>
Pat Fraley	None
Michael Stewart	
Marty Pepper	
Joe Askins	
Danny Bryant	
Dorothy Small	

Mayor Shelton declared the motion adopted.

Motion was made by Dorothy Small seconded by Michael Stewart to approve the City Schools 2009-2010 budget in the amount of \$8,737,252. Upon roll call, the following voted:

<u>Aye</u>	<u>Nay</u>
Michael Stewart	None
Marty Pepper	
Joe Askins	
Danny Bryant	
Dorothy Small	
Pat Fraley	

Mayor Shelton declared the motion adopted.

Resolution R-09-07, A Resolution to Notify Lincoln County, Tennessee, of the City of Fayetteville's Decision to Review Its Efforts In the Area of Economic Development And The Consequential Reduction in Its Funding Of The Joint Industrial Development Corporation, was considered, which is as follows:

**CITY OF FAYETTEVILLE**

**Resolution No. R-09- 07**

**RESOLUTION TO NOTIFY LINCOLN COUNTY, TENNESSEE, OF THE CITY OF FAYETTEVILLE'S DETERMINATION TO REVIEW ITS EFFORTS IN THE AREA OF ECONOMIC DEVELOPMENT AND THE CONSEQUENTIAL REDUCTION IN ITS FUNDING OF THE JOINT INDUSTRIAL DEVELOPMENT CORPORATION**

WHEREAS, the Mayor and Board of Aldermen desire to follow the Plan of Organization of Joint Industrial Development Corporation, as amended ( the "Plan"); and

WHEREAS, the Plan provides in paragraph 9 thereof that "The term of this Plan is determined by the funding provided by both governmental bodies. Because contractual obligations may exist between the joint Industrial Development Board and the Industrial Recruiter, each governing body must give the other one (1) one year notice if funding is to be reduced."; and

WHEREAS, the City of Fayetteville has contributed annually to the joint Industrial Development Board and it is the City's intent to include NINETY THOUSAND AND NO/100 (\$90,000.00) DOLLARS in its 2009-2010 annual budget to fund its share of the funding; and

WHEREAS, it has been the City's desire to cooperate with Lincoln County in promoting economic development in Fayetteville and the County; and

WHEREAS, the City has concerns with respect to whether or not the City is getting value for its contribution and questions the overall focus on the economic development program of the City and County; and

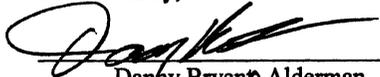
WHEREAS, considering the current state of the economy, both locally and nationally, it is more imperative than ever that the City provide a viable economic development program to better serve the people of the City of Fayetteville and to help maintain and promote additional jobs.

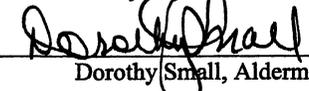
**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Aldermen of the City of Fayetteville, Tennessee, as evidenced by the signatures of the Mayor and the members of the Board of Aldermen, that the governing body of Lincoln County, Tennessee, be notified of the City of Fayetteville's determination to review its efforts in the area of economic development and the consequential reduction in its funding of the joint Industrial Development Corporation.

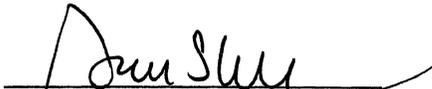
**BE IT FURTHER RESOLVED** that a copy of this Resolution be delivered to the Mayor of Lincoln County, Tennessee, and to Chairman of the Fayetteville-Lincoln County, Tennessee, Industrial Development Corporation, forthwith.

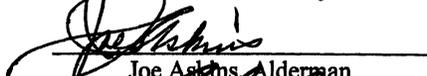
Passed this the 9th day of June, 2009.

  
\_\_\_\_\_  
Pat M. Fraley, Alderman and Vice Mayor

  
\_\_\_\_\_  
Danny Bryant, Alderman

  
\_\_\_\_\_  
Dorothy Small, Alderman

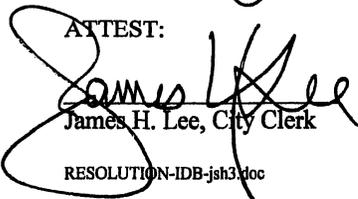
  
\_\_\_\_\_  
Gwen Shelton, Mayor

  
\_\_\_\_\_  
Joe Atkins, Alderman

  
\_\_\_\_\_  
Marty Depper, Alderman

  
\_\_\_\_\_  
Michael Stewart, Alderman

ATTEST:

  
\_\_\_\_\_  
James H. Lee, City Clerk

Motion was made By Dorothy Small seconded by Pat Fraley to adopt resolution R-09-07.  
Upon roll call, the following voted:

Aye

Marty Pepper

Joe Askins

Danny Bryant

Dorothy Small

Pat Fraley

Michael Stewart

Nay

None

Mayor Shelton declared the motion adopted.

Ordinance 2009-04, Rezoning Gallant-Riverview Parking Lot, was considered,  
which is as follows:

ORDINANCE NO. 2009- 04  
CITY OF FAYETTEVILLE, TN

AN ORDINANCE AMENDING THE "ZONING ORDINANCE OF FAYETTEVILLE,  
TENNESSEE", TO PROVIDE FOR THE INCLUSION OF REQUIRED REGULATORY  
CHANGES TO THE OFFICIAL ZONING MAP

WHEREAS, the Fayetteville Regional Planning Commission has recommended to the Board of Mayor and Aldermen that the "Zoning Map of Fayetteville, Tennessee", be amended as hereafter described, and;

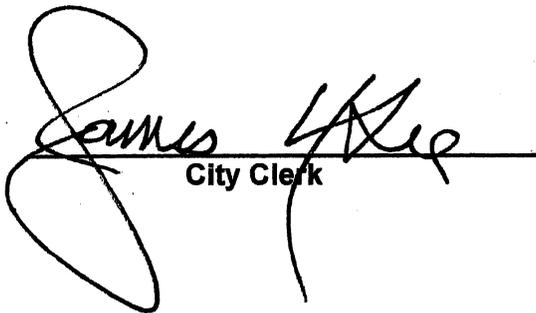
NOW, THEREFORE; BE IT ORDAINED, by the Board of Mayor and Alderman of the City of Fayetteville that the "Zoning Ordinance of Fayetteville, Tennessee" be amended as follows: Change zoning classification for the portion of the following described real estate fronting on West Market Street, previously listed as tax parcel numbers 16.01 and 17.00 having been combined with tax parcel 5.00 on May 13, 2009, from R-3 "High Density Residential" to C-3 "General Commercial District," herein described as:

Maps and Parcels as follows, to wit:

	<u>MAP</u>	<u>GROUP</u>	<u>PARCEL</u>	<u>DEED BOOK</u>	<u>PAGE</u>
Riverview Memorial Park, Inc.	79F	B	5.00	J-14	222

BE IT FURTHER ORDAINED that this Ordinance shall take effect from and after its passage, the public welfare requiring it.

ADOPTED THIS 9th DAY OF June, 2009

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
Mayor

Motion was made by Pat Fraley seconded by Danny Bryant to adopt ordinance 2009-04. Upon roll call, the following voted:

<u>Aye</u>	<u>Nay</u>
Danny Bryant	None
Dorothy Small	
Pat Fraley	
Michael Stewart	
Marty Pepper	
Joe Askins	

Mayor Shelton declared ordinance 2009-04 adopted.

Mayor Shelton expressed appreciation to Micky Lawson and Marshall Arney for their service to the FPU Board.

Motion was made by Michael Stewart seconded by Dorothy Small to appoint Linda Schoenrock to the FPU Board. Upon roll call, the following voted:

<u>Aye</u>	<u>Nay</u>
Dorothy Small	None
Pat Fraley	
Michael Stewart	
Marty Pepper	
Joe Askins	
Danny Bryant	

Motion was made by Dorothy Small seconded by Marty Pepper to appoint William Hurd to the FPU Board. Upon roll call, the following voted:

<u>Aye</u>	<u>Nay</u>
Pat Fraley	None
Michael Stewart	
Marty Pepper	
Joe Askins	
Danny Bryant	
Dorothy Small	

Motion was made by Dorothy Small seconded by Pat Fraley to appoint Danny Shelton to the Board of Adjustments and Appeals. Upon roll call, the following voted:

<u>Aye</u>	<u>Nay</u>
Michael Stewart	None
Marty Pepper	
Joe Askins	
Danny Bryant	

Dorothy Small  
Pat Fraley

Motion was made by Danny Bryant seconded by Joe Askins to reappoint Danny Gentry to the Board of Adjustments and Appeals. Upon roll call, the following voted:

<u>Aye</u>	<u>Nay</u>
Marty Pepper	None
Joe Askins	
Danny Bryant	
Dorothy Small	
Pat Fraley	
Michael Stewart	

Motion was made by Dorothy Small seconded by Marty Pepper to reappoint Roy Jones to the Board of Adjustments and Appeals. Upon roll call, the following voted:

<u>Aye</u>	<u>Nay</u>
Joe Askins	None
Danny Bryant	
Dorothy Small	
Pat Fraley	
Michael Stewart	
Marty Pepper	

Motion was made by Danny Bryant seconded by Pat Fraley to reappoint Paul Braden to the Board of Adjustments and Appeals. Upon roll call, the following voted:

<u>Aye</u>	<u>Nay</u>
Danny Bryant	None
Dorothy Small	
Pat Fraley	
Michael Stewart	
Marty Pepper	
Joe Askins	

Motion was made by Danny Bryant seconded by Dorothy Small to reappoint Toddy Layne to the Board of Adjustments and Appeals. Upon roll call, the following voted:

<u>Aye</u>	<u>Nay</u>
Dorothy Small	None
Pat Fraley	
Michael Stewart	

Marty Pepper  
Joe Askins  
Danny Bryant

Mayor Shelton declared the appointments approved.

Resolution R-09-08, Initial Resolution authorizing the issuance of a \$4,980,000 Water and Sewer Revenue and Tax Bond, Series 2009 of the City of Fayetteville, Tennessee, was considered as follows:

Resolution R-09-08 is available at the Municipal Building

Motion was made by Joe Askins seconded by Dorothy Small to adopt Resolution R-09-08. Upon roll call, the following voted:

Aye

Pat Fraley

Michael Stewart

Marty Pepper

Joe Askins

Danny Bryant

Dorothy Small

Nay

None

Mayor Shelton declared the resolution adopted.

Resolution R-09-09, A Resolution Authorizing the Issuance of a four million nine hundred eighty thousand dollar (\$4,980,000) water and sewer revenue and tax bond, series 2009 of the City of Fayetteville, Tennessee; providing for the collection and disposition of the revenues from the Water and Sewer System of the Municipality; making provision for the issuance, sale and payment of said bond; establishing the terms thereof and the disposition of proceeds therefrom, and the levy of a tax under certain conditions for the payment of principal and interest on the bond; and providing details relating to the issuance of bond anticipation notes, was considered, which is as follows:

Resolution R-09-09 is available at the Municipal Building

Motion was made Dorothy Small seconded by Danny Bryant to adopt Resolution R-09-09. Upon roll call, the following voted:

Aye

Michael Stewart

Marty Pepper

Joe Askins

Danny Bryant

Dorothy Small

Pat Fraley

Nay

None

Mayor Shelton declared Resolution R-09-09 adopted.

Resolution R-09-10, Loan Resolution of the Mayor and Board of Alderman of the City of Fayetteville authorizing and providing for the incurrence of indebtedness for the purpose of providing portion of the cost of acquiring, constructing, enlarging, improving, and/or extending its water facility to serve an area lawfully within its jurisdiction in the principal amount of Four Million Nine Hundred Eighty Thousand and XX/100 Dollars pursuant to the provisions of the laws of the State of Tennessee, was discussed, which is as follows:

Resolution R-09-10 is available at the Municipal Building

Motion was made by Joe Askins seconded by Marty Pepper to adopt Resolution R-09-10. Upon roll call, the following voted:

<u>Aye</u>	<u>Nay</u>
Marty Pepper	None
Joe Askins	
Danny Bryant	
Dorothy Small	
Pat Fraley	
Michael Stewart	

Mayor Shelton declared the resolution adopted.

Motion was made by Dorothy Small seconded by Michael Stewart to authorize the Mayor to execute a quit claim deed for an undeveloped road to the 911 building. Upon roll call, the following voted:

<u>Aye</u>	<u>Nay</u>
Joe Askins	None
Danny Bryant	
Dorothy Small	
Pat Fraley	
Michael Stewart	
Marty Pepper	

Mayor Shelton declared the motion adopted.

Motion was made by Danny Bryant seconded by Pat Fraley to change the plans for the Greenway grant from the sidewalk from downtown to Stonebridge Park to redo sidewalks on the square. Upon roll call, the following voted:

<u>Aye</u>	<u>Nay</u>
Danny Bryant	None
Dorothy Small	
Pat Fraley	
Michael Stewart	
Marty Pepper	
Joe Askins	

Mayor Shelton declared the motion adopted.

Motion was made by Dorothy Small seconded by Danny Bryant to approve \$2045 emergency funding to replace a freezer compressor at the Animal Shelter. Upon roll call, the following voted:

<u>Aye</u>	<u>Nay</u>
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Dorothy Small  
Pat Fraley  
Michael Stewart  
Marty Pepper  
Joe Askins  
Danny Bryant

None

Mayor Shelton declared the motion adopted.

Motion was made by Joe Askins seconded by Michael Stewart to approve up to \$3,000 to complete the concrete work around the new kiddie pool which was donated by Trilogy Pools. Upon roll call, the following voted:

<u>Aye</u>	<u>Nay</u>
Pat Fraley	None
Michael Stewart	
Marty Pepper	
Joe Askins	
Danny Bryant	
Dorothy Small	

Mayor Shelton declared the motion adopted.

Motion was made by Danny Bryant seconded by Pat Fraley to approve an additional \$35,000 to add to the \$75,000 in the budget to purchase a new knuckleboom truck. Upon roll call, the following voted:

<u>Aye</u>	<u>Nay</u>
Michael Stewart	None
Marty Pepper	
Joe Askins	
Danny Bryant	
Dorothy Small	
Pat Fraley	

Mayor Shelton declared the motion adopted.

Citizen's comments were made as follows:

1. Lewis Curtis – sidewalks in his area with stimulus funds
2. Charles Rice – loud noise, trash and litter at 501 and 503 N. Elk
3. Bud Smith – agree with Mr. Rice
4. Sara Bryan – comments on charter, property on N. Lincoln, and Concerns with preservation of historic properties
5. Lewis Schumacher – drainage concerns in Wellsbrook

6. Eugenia Lancaster – comments on charter and drainage problem at 611 1<sup>st</sup> Ave.
7. Lewis Curtis – comments on Charter
8. Kathleen McGunigile – comments on problems at 501 and 503 N. Elk should have been addressed in a better way
9. James Rice – resident of 503 N. Elk
10. Ms. Ward – resident of 503 N. Elk
11. Alice Palacio – study has been sanctioned regarding City High School
12. Lela Parker – stray animals are problem on N. Elk

Danny Bryant commented on the sidewalk study and also discussed the charter; Marty Pepper care with fireworks; and Michael Stewart and Dorothy Small commented on their vote on the charter issue.

After all comments were completed, motion was made, seconded, and unanimously adopted to adjourn.

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Mayor

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Clerk