

REGULAR MEETING  
BOARD OF MAYOR AND ALDERMEN  
MAY 11, 2010

REFERENCE VIDEO DATED MAY 11, 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 May 11, 2010. Mayor Gwen Shelton was present and presiding. The following named Aldermen were present:

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

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

The prayer and pledge was led by Pastor Jeff Davis of the Hope Assembly of God.

**Approval of Minutes:**

Motion was made by Danny Bryant, seconded by Dorothy Small, to approve the minutes of the May 2010, Meeting. Upon roll call, the following voted:

Aye

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

Nay

None

Mayor Shelton 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

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

Nay

None

Mayor Shelton declared the bills and additional bills approved.

**Reports:**

**Fayetteville City Schools Budget Amendment:**

Motion was made by Danny Bryant, seconded by Dorothy Small, to approve the Fayetteville City School Budget Amendment number 5. Upon roll call, the following voted:

Aye

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

Nay

None

Mayor Shelton declared the motion adopted.

**FPU Report:**

Joe Askins reported the sewer rehab work on South Lincoln Avenue is approximately ninety percent (90%) complete. The gas leak survey for the Cecily Johnson Supply and High Pressure Mains has been completed. Three (3) minor leaks have been found, one leak has been repaired and the other two (2) leaks are scheduled for repair. During the month of May, all gas valves will have routine maintenance performed on them. The 2010 pole inspection has been completed and will begin replacing the poles.

**School Board Report:**

Dorothy Small congratulated the Fayetteville Junior High Soccer team on their district win. Ms. Small stated the roof work on the Fayetteville Junior High work continues. The School System's Audit was accepted by the State Municipal Audit. The application for the Tennessee State City School District Official Statutory bond fiscal agent for the local education agency was approved to become effective July 1, 2010. The contract for the new Director of Schools was approved.

**Police Report:**

Danny Bryant reported the Police Department had 105 incidents with 60 arrests, 59 traffic crashes, 106 traffic citations, and police activity totaled 2,168. The Criminal Investigation Division has 245 cases: 8 open, 3 closed, and 5 arrests.

**Fire Report:**

Marty Pepper reported 77 calls for the Fire Department, 48 medical calls, 5 motor accident (with injuries), and no property loss.

**Recreation Report:**

Michael Stewart reported the pump at the swimming pool and the aerator at Stone Bridge Park has been replaced.

**Planning and Zoning Report:**

Pat Fraley stated the Planning Commission discussed Riverbend's request to deannex from the City. The Commission approved training hours the members had taken. The Commission passed a possible Ordinance on walls and fences to be brought forth to the Board of Mayor and Alderman.

**Administrator's Report:**

Jim Lee stated the City has hired a new 911 Dispatcher, Renata Peavy. Interviews for the Street Department will begin next week. Mr. Lee reminded the public that letters are being sent out to those whose lawns are over twelve (12) inches high.

**Mayor's Report:**

Mayor Shelton reminded candidates running for various offices that the City of Fayetteville has a sign Ordinance and if the signs are in the right-of-ways, they will be picked up. Mayor Shelton stated the City received an Energy Grant for the Municipal building, in which work on the building should begin soon. The Board of Mayor and Alderman will have one (1) more work session to finish working on the 2011 budget.

The Trail of Tears Committee has decided to go to the Fayetteville Junior High School instead of the Lincoln County High School.

**Riverbend Farms:**

Mr. Gerald Mayo, representing Riverbend Farms, discussed the various reasons to deannex out of the City, such as: a Horse Community is not compatible with the City, the City has been uncooperative, property taxes have increased forty-seven percent (47%) since being annexed into the City and the City has not followed up on a Plan of Service.

**Speed Limit on Alley between Swanson Boulevard and West Washington Street:**

Ordinance 2010-07, an ordinance of the City of Fayetteville, Tennessee, establishing a speed limit on the alley between Swanson Boulevard and West Washington Street to ten (10) miles per hour was considered, which is as follows:

ORDINANCE NO. 2010 - 07

AN ORDINANCE OF THE CITY OF FAYETTEVILLE, TENNESSEE, ESTABLISHING A SPEED LIMIT ON THE ALLEY BETWEEN SWANSON BOULEVARD AND WEST WASHINGTON STREET TO TEN (10) MILES PER HOUR.

WHEREAS, the Board of Mayor and Alderman of the City of Fayetteville is interested in providing for safe traffic flow within the City, and

WHEREAS, Section 15-301 of the Municipal Code of the City of Fayetteville states that a speed limit of thirty (30) miles per hour will apply in the City unless otherwise designated, and

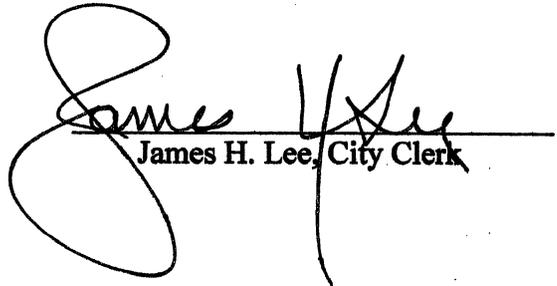
WHEREAS, it appears that the alley between Swanson Boulevard and West Washington Street is presently unsafe in that it will not accommodate a speed limit of thirty (30) miles per hour;

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the City of Fayetteville, Tennessee, that there is established a maximum speed limit of ten (10) miles per hour on said alley. Said alley shall be posted with speed limit signs accordingly.

BE IT FURTHER ORDAINED that this ordinance shall take effect immediately upon passage, the municipal welfare requiring it.

Adopted this the 11th of May 2010.

  
Gwen Shelton, Mayor

  
James H. Lee, City Clerk

Motion was made by Marty Pepper, seconded by Michael Stewart, to approve Ordinance 2010-07. Upon roll call, the following voted:

Aye

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

Nay

None

Mayor Shelton declared the motion adopted.

**Humane Society Contract:**

Motion was made by Joe Askins, seconded by Marty Pepper, to accept the contract with the Humane Society. Upon roll call, the following voted:

Aye

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

Nay

None

Mayor Shelton declared the motion adopted.

**Call for Public Hearing on Ordinance 2010-06 amending wall/fence specifications:**

Motion was made by Pat Fraley, seconded by Marty Pepper, to refer Ordinance 2010-06 back to the Work Session for further discussion. Upon roll call, the following voted:

Aye

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

Nay

None

Mayor Shelton declared the motion adopted.

**Lee's Creek Easement Agreement:**

Motion was made by Dorothy Small, seconded by Michael Stewart, to allow Mayor Shelton to sign the Assurance relating to Real Property Acquisition which relates to Lee Creek Bridge stream bank stabilization. Upon roll call, the following voted:

Aye

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

Nay

None

Mayor Shelton declared the minutes approved.

**Resolution R-10-02 – In honor of Billy Joe Evans:**

Resolution R-10-02, a resolution of respect and esteem for and in honor of Billy Joe Evans was considered, which is as follows:

**CITY OF FAYETTEVILLE**  
**Resolution No R-10-02**

**RESOLUTION OF RESPECT AND ESTEEM FOR AND IN HONOR OF  
BILLY JOE EVANS**

WHEREAS, Billy Joe Evans has served for 22 years as Superintendent or as Director of the Fayetteville City Schools, and

WHEREAS, during this time, he has been a strong leader, transforming the financial standing of the system to a position of tremendous strength, and,

WHEREAS, whether as Superintendent or Director, he consistently pursued the most talented individuals to fill staff and teaching vacancies and to complement the school system with the very best personnel possible for administration and classroom instruction, and,

WHEREAS, his vision for system improvements which has been shared with the Board of Education and has catalyzed efforts for implementation which were in the best interests of the students, teachers and staff, and,

WHEREAS, he maintained a positive working relationship with the Board of Mayor and Aldermen and worked to ensure the uninterrupted financial support necessary to provide the very best facilities and equipment for enhanced teaching and learning in our schools, and,

WHEREAS, he has supported both academic and athletic excellence in order to provide the Fayetteville City Schools with the very best facilities possible for all activities, and,

WHEREAS, during his career, he served as a principal, a football coach, and a member of the Board of Directors for the Tennessee Organization of School Superintendents, and,

WHEREAS, his years of coaching experience have created a network of colleagues across the state with whom he shares a relationship of mutual trust and respect, and,

WHEREAS, in addition to playing football for Middle Tennessee State University, he served with distinction for over 20 years on the Legislative Council for the Tennessee Secondary Schools Athletic Association and for over 8 years as District 8 Athletic Association President, and,

WHEREAS, he has been enshrined in the Tennessee Secondary Schools Athletic Association Hall of Fame, and,

WHEREAS, to the employees of the Fayetteville City Schools and to residents throughout Fayetteville and Lincoln County, he will forever be known as "Coach,"

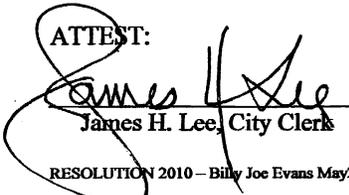
**NOW, THEREFORE**, be it resolved by the Board of Mayor and Alderman of the City of Fayetteville that the services of "Coach" Billy Joe Evans to the students, teachers and staff of the Fayetteville City School System be recognized and that he be honored with a resolution of respect and esteem in order to manifest the City of Fayetteville's sincere appreciation for his efforts in improving the quality of education.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be delivered to "Coach" Billy Joe Evans, forthwith.

ADOPTED AND APPROVED this 11<sup>th</sup> day of May, 2010.

  
Gwen Shelton, Mayor

ATTEST:

  
James H. Lee, City Clerk

Motion was made by Dorothy Small, seconded by Joe Askins, to accept Resolution R-10-02. Upon roll call, the following voted:

Aye

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

Nay

None

Mayor Shelton declared the minutes approved.

**Community Comments:**

Community improvements comments were as follows:

1. Edna Bright – 116 McDonald St. – stated she received a house through the THDA (Tennessee Housing Development Agency) but the house is defective, it should be torn down and rebuilt.
2. Lewis Curtis – River Rd. – asked if the name changing of River Rd. to Curtis-Askins Rd. was reported to the Post Office or the State. Mr. Curtis stated the City should have a program for children in the summer.
3. Alan Booth – 411 Cherry St. – asked if there was as an official Facebook page and why not?
4. Judy Bowman – 20 Rambo Rd. – asked if the Board had received the four letters that were sent to them because there was no response from the Board on the letters.

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

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Mayor

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Clerk