

REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
MAY 8, 2012

REFERENCE VIDEO DATED MAY 8, 2012

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 8, 2012. 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 H. Lee, City Administrator and Johnny D. Hill, Jr., City Attorney.

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

Approval of Minutes:

1. Motion was made by Pat Fraley, seconded by Dorothy Small, to approve the minutes of the Public Hearing held on Tuesday, April 10, 2012. 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 declared the Public Hearing Minutes approved.

2. Motion was made by Pat Fraley, seconded by Marty Pepper, to approve the minutes of the April 2012 Meeting. Upon roll call, the following voted:

Aye

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

Nay

None

Mayor Underwood declared the April Minutes approved.

3. Motion was made by Pat Fraley, seconded by Dorothy Small, to approve the minutes of the Special Called Meeting on April 23, 2012. Upon roll call, the following voted:

Aye

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

Nay

None

Mayor Underwood declared the Special Called Minutes approved.

Approval of Bills and Additional Bills:

Motion was made by Michael Stewart, seconded by Pat Fraley, to approve the bills and additional bills for payment. 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 declared the bills and additional bills approved.

Reports:

Audited Financial Statement:

Patrick Lile, partner of Winnett Associates, PLLC, explained that his firm issued a clean or “unqualified” report on the general government funds of the City of Fayetteville. Mr. Lile stated that there was one (1) finding in the segregation of duties with the payroll process of the Finance Director. Mr. Lile further explained that there were no issues, just that there needed to be more separation in the duties of the Finance Director. Mr. Lile discussed a management letter that was issued by his firm, which suggested two (2) policies the City should put in place to support the City’s current procedures: Capital Asset Policy and a Fund Balance Policy.

Fire Report:

Fire Chief Danny Travis reported that the Fire Department had 58 calls for service with 33 medical calls, 4 motor accidents with injuries and 1 structure fire and 1 recycle container fire with a combined estimated loss of Twelve Thousand, Five Hundred Dollars (\$12,500.00).

Police Report:

Police Chief Doug Carver reported that there were 141 incidents with 53 arrests, 37 crashes and 37 citations for a total of 1,682 events.

Recreation Report:

Rickey Honey, Recreation Director, reported that the youth baseball and softball summer leagues are in full swing, with the adult softball league to begin in the next few weeks. Mr. Honey explained that the work on the Stone Bridge Park channel will be completed within the next week.

Public Works:

Eddie Plunkett, Public Works Director, reported that 221 tons of residential trash was picked up, along with 344 tons of yard waste for the month of April. Mr. Plunkett stated that May 28th is a city holiday; therefore Monday’s sanitation routes will be picked-up, along with Tuesday, May 29th routes on Tuesday, May 29, 2012.

Planning and Zoning Report:

Ryan Tyhuis, City Planner, reported that for the month of April there were fourteen (14) building permits issued for approximately One Million, Six Hundred Dollars (\$1,600,000.00) in work to be done, with

the fees being Eight Thousand, Eleven Dollars and 97/100 (\$8,011.97). Mr. Tyhuis stated that fifty-eight (58) notice of violations were issued with thirty-five (35) complied and two (2) contacted or granted an extension.

Administrator's Report:

Mr. Lee reported that the "Requests For Qualifications" for the Traffic Signal Timing project was sent out, with four (4) qualifications being submitted. Mr. Lee stated that the committee selected Kimley-Horn and Associates for the project. Mr. Lee explained he would be working with engineer Christopher D. Rhodes, P.E. to draft contract, to be reviewed by the City Attorney. Mr. Lee stated this project is completely funded by Tennessee Department of Transport, with Eighty-Two Thousand Dollars (\$82,000.00) being allocated for the project. Mr. Lee reported that a "Request for Proposal" for the 2013 Employee Health Insurance had been placed in the newspaper to obtain the best program for the employees and the City.

Stone Bridge Park Channel Liner Funding:

Motion was made by Michael Stewart, seconded by Danny Bryant, to rescind the motion passed by the Board of Mayor and Alderman on April 10, 2012, which authorized the payment of Ninety-Four Thousand, Nine Hundred Ninety-Nine Dollars (\$94,999.00) for the Stone Bridge Park channel repairs from funding obtained from the sale of real property known as BioSolid Field. 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 declared the motion approved.

Motion was made by Michael Stewart, seconded by Danny Bryant, to approve the allocation of Twenty-Two Thousand Dollars (\$22,000.00) for the payment of the Stone Bridge Park channel replacement project from funds obtained from the sale of real property known as BioSolid Field, and combined previously authorized Seventy-Three Thousand Dollars (\$73,000.00) from capital improvements to fund the total project of Ninety-Four Thousand, Nine Hundred Ninety-Nine Dollars (\$94,999.00). Upon roll call, the following voted:

Aye

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

Nay

Pat Fraley

Mayor Underwood declared the motion approved.

Selling of Wells Hill Park:

Motion was made by Marty Pepper, seconded by Michael Stewart, to allow the City Administrator, James H. Lee to look into the bidding process to obtain an auctioneer to sell the Wells Hill Park owned by the City of Fayetteville. 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 declared the motion approved.

Senior Citizens Deed Approval:

Motion was made by Danny Bryant, seconded by Pat Fraley, to postpone this matter until the next regularly scheduled Board Meeting. 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 declared the motion approved.

Resolution R-12-04:

Resolution R-12-04, a resolution entitled, "State Industrial Access (SIA) Programs For Frito-Lay, Inc.", was considered. Said Resolution is as follows:

**CITY OF FAYETTEVILLE
RESOLUTION NO. R-12-04**

STATE INDUSTRIAL ACCESS (SIA) PROGRAMS FOR FRITO-LAY, INC

WHEREAS, the City of Fayetteville, Tennessee, is vitally interested in the economic welfare of its citizens and wishes to provide the necessary leadership to enhance this area's capabilities for growth and development; and

WHEREAS, the provision of jobs to area citizens by local industry is both necessary and vital to the economic well-being of the City of Fayetteville; and

WHEREAS, the Industrial Highway Act of 1959 authorizes the Tennessee Department of Transportation to contract with cities and counties for the construction and maintenance of "Industrial Highways" to provide access to industrial areas and to facilitate the development and expansion of industry within the State of Tennessee; and

WHEREAS, Frito-Lay, Inc. plans to further expand their existing facility creating additional jobs vital to the economy of the City of Fayetteville as well as the State of Tennessee; and

WHEREAS, the construction of an industrial access road to serve said proposed plant is necessary and vital to the successful completion of this project and the future economic well-being of this area.

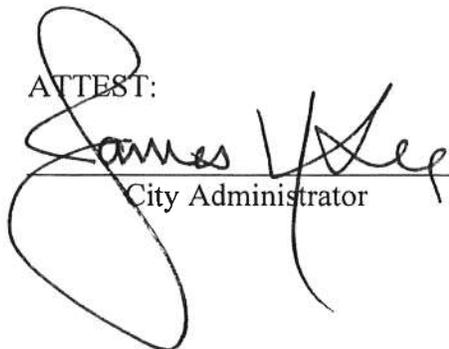
NOW, THEREFORE BE IT RESOLVED by the City of Fayetteville, that a contract be entered into with the Tennessee Department of Transportation for assistance in construction and completion of the herein proposed industrial access highway under the provisions of the Industrial Highway Act of 1959.

ADOPTED THIS 8TH DAY OF MAY, 2012.



Mayor

ATTEST:



City Administrator

Motion was made by Dorothy Small, seconded by Michael Stewart, to adopt Resolution R-12-04. 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 declared the Resolution approved.

Fill Material for Frito-Lay from City Property:

Motion was made by Danny Bryant, seconded by Marty Pepper, to allow Frito-Lay to remove fill material “not to exceed” three (3) acres from land owned by the City of Fayetteville, located adjacent to Frito-Lay, at no cost to Frito-Lay. 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 declared the motion approved.

Authorize the Mayor to Sign a Contract with Kimley-Horn and Associates for Traffic Signal Timing Project:

Motion was made by Danny Bryant, seconded by Pat Fraley, to give the Mayor authorization to sign a contract, on behalf of the City of Fayetteville, with Kimley-Horn and Associates for the Traffic Signal Timing Project. 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 declared the motion approved.

Call for Public Hearing:

Motion was made by Pat Fraley, seconded by Marty Pepper, to call for a public hearing on the rezoning of Falcon Lighting from R-1 to C-2.

Motion was made by Danny Bryant, seconded by Marty Pepper, to amend the main motion by adding to the motion “in order to correct a mapping error”. Upon roll call, the following voted on the amendment:

Aye

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

Nay
None

Mayor Underwood declared the motion approved.

Upon roll call, the following voted on the main motion:

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

Nay
None

Mayor Underwood declared the motion approved.

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

Mayor

Clerk