

REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
JANUARY 8, 2013

REFERENCE VIDEO DATED JANUARY 8, 2013

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 January 8, 2013. Mayor John Ed Underwood, Jr. was present and presiding. The following named Aldermen were present:

Danny Bryant, Marty Pepper, Gwen Shelton, Dorothy Small, Michael Whisenant, and Tom Young

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 was lead by Alderman Pepper.

Approval of Minutes:

1. Motion was made by Danny Bryant, seconded by Michael Whisenant, to approve the minutes of the Public Hearing held on Tuesday, December 11, 2012. Upon roll call, the following voted:

Aye

Danny Bryant, Tom Young, Dorothy Small, Michael Whisenant, Gwen Shelton, and Marty Pepper

Nay

None

Mayor Underwood declared the Public Hearing Minutes approved.

2. Motion was made by Marty Pepper, seconded by Dorothy Small, to approve the minutes of the December 2012 Meeting. Upon roll call, the following voted:

Aye

Tom Young, Dorothy Small, Michael Whisenant, Gwen Shelton, Marty Pepper, and Danny Bryant

Nay

None

Mayor Underwood declared the December Minutes approved.

3. Motion was made by Gwen Shelton, seconded by Michael Whisenant, to approve the minutes of the Special Called Meeting held on Thursday, December 27, 2012. Upon roll call, the following voted:

Aye

Dorothy Small, Michael Whisenant, Gwen Shelton, Marty Pepper, Danny Bryant, and Tom Young

Nay
None

Mayor Underwood declared the Special Called Meeting Minutes approved.

4. Motion was made by Danny Bryant, seconded by Gwen Shelton, to approve the minutes of the Special Called Meeting held on Thursday, January 3, 2013. Upon roll call, the following voted:

Aye
Michael Whisenant, Gwen Shelton, Marty Pepper, Danny Bryant, Tom Young, and Dorothy Small

Nay
None

Mayor Underwood declared the Special Called Minutes approved.

Reports:

Fayetteville/Lincoln County Library:

Jill Rael, the new Library Director, stated that even though this was only her second day on the job she had several goals for the upcoming year: to develop a more aggressive Children's Program/Activities, obtain new equipment for the Genealogy room, to continue the Lecture Series, and invite local authors to do book signing.

Fire Report:

Fire Chief Danny Travis reported that the Fire Department had 56 calls for service with 38 medical calls, 4 accidents with injuries, 1 call concerning carbon monoxide poisoning due to a faulty central unit and 1 structure fire with a property loss of \$2,100.00.

Police Report:

Police Chief Doug Carver reported that there were 183 incidents with 58 arrests, 49 crashes and 30 citations for a total of 1,547 events.

Recreation Report:

Ricky Honey, Recreation Director, reported that trout fishing is continuing at the Stone Bridge Park. Mr. Honey stated softball and baseball sign-ups will be January 19th and 26th. Mr. Honey discussed that a committee has been selected to prioritize the recreation wishes of the community. The report is due by February 26, 2013. Then community members may stop by the Recreation Department and fill out a form pertaining to the needs of a Recreation Department.

Public Works:

Eddie Plunkett, Public Works Director, reported that 222 tons of residential trash was picked up, along with 98 tons of brush and 50 tons of leaves for the month of December.

Planning and Zoning Report:

Ryan Tyhuis, City Planner, reported that for the month of December there were twelve (12) building permits issued for approximately Three Million, One Hundred Thousand Dollars (\$3,100,000.00) in work to be done, with the fees being Seven Hundred Twenty-Seven Dollars (\$727.00).

Administrator's Report:

Mr. Lee reported the City is now accepting credit and debit cards for property tax payments. Mr. Lee stated that on February 23, 2013, is the next Strategic Planning Session held at Henry Horton State Park. Mr. Lee explained that he is working with CGI Communications to update the video on the City's website.

Resolution R-13-03:

Resolution R-13-03, a resolution entitled, "An Initial Resolution Authorizing The City Of Fayetteville, Tennessee, To Issue General Obligation Bonds In An Aggregate Principal Amount Of Not To Exceed \$6,240,000", was considered. Said Resolution is as follows:

RESOLUTION NO. R-13-03

INITIAL RESOLUTION AUTHORIZING THE CITY OF FAYETTEVILLE,
TENNESSEE, TO ISSUE GENERAL OBLIGATION BONDS IN AN AGGREGATE
PRINCIPAL AMOUNT OF NOT TO EXCEED \$6,250,000

WHEREAS, the Board of Mayor and Aldermen of the City of Fayetteville, Tennessee (the "Municipality") has determined that it is necessary and advisable to issue general obligation bonds for the purpose of financing certain public improvements as more fully set forth herein; and

WHEREAS, pursuant to Section 9-21-205, Tennessee Code Annotated, prior to issuing bonds for said purposes, it is necessary to adopt an initial resolution authorizing said bonds.

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

1. For the purpose of refinancing, by conversion to general obligation bonds, all or a portion of the Municipality's outstanding General Obligation Capital Outlay Notes, Series 2011, dated October 5, 2011, the proceeds of which were authorized to be used for financing the costs associated with (a) the design, construction, repair, renovations and equipping of elementary and middle schools and elementary and middle school facilities located in the Municipality including, but not limited to (i) classroom, multi-purpose room and cafeteria additions and improvements to Ralph Askins Elementary School; (ii) ancillary space, kitchen and cafeteria additions and improvements to Fayetteville Middle School; (b) payment of legal, fiscal, administrative, architectural and engineering costs incident to any or all of the foregoing; and (c) payment of the costs of issuance of the Notes, and for the purpose of financing the costs of issuance and sale of the general obligation bonds, the Municipality is hereby authorized to issue general obligation bonds in an aggregate principal amount of not to exceed \$6,250,000. The bonds shall bear interest at a rate or rates not to exceed 6% per annum and shall be payable from ad valorem taxes to be levied on all taxable property within the corporate limits of the Municipality.

2. The City Clerk of the Municipality is hereby authorized and directed to cause the foregoing resolution to be published in full in a newspaper having a general circulation in the Municipality for one issue of said paper following by the following notice:

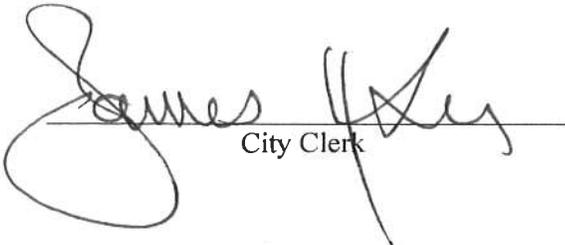
NOTICE

The foregoing resolution has been adopted. Unless within twenty (20) days from the date of publication hereof a petition signed by at least ten percent (10%) of the registered voters of the Municipality shall have been filed with the City Clerk of the Municipality protesting the issuance of the general obligation bonds, such bonds will be issued as proposed.

James H. Lee, City Clerk

3. This Resolution shall be in immediate effect from and after its adoption, the public welfare requiring it.

This the 8th day of January, 2013.



City Clerk



Mayor

Motion was made by Danny Bryant, seconded by Gwen Shelton, to adopt Resolution R-13-03. Upon roll call, the following voted:

Aye

Gwen Shelton, Marty Pepper, Danny Bryant, Tom Young, Dorothy Small, and Michael Whisenant

Nay

None

Mayor Underwood declared the Resolution adopted.

Ordinance No. 2013-01:

Ordinance No. 2013-01, an ordinance entitled, "An Ordinance To Establish A Charge For False Emergency Alarms That Are Not Caused By A Violent Act Of Nature.", was considered. Said Ordinance is as follows:

Motion was made by Marty Pepper, seconded by Gwen Shelton, to adopt Ordinance No. 2013-01. Upon roll call, the following voted:

Aye

Marty Pepper, Danny Bryant, Tom Young, Dorothy Small, Michael Whisenant, and Gwen Shelton

Nay

None

Mayor Underwood declared the Ordinance adopted.

Sanitation Rate Increase:

Motion was made by Dorothy Small, seconded by Marty Pepper, to defer (postpone) this matter to be discussed at the February 23, 2013, Strategic Planning Session, then to be taken up at March's Board of Mayor and Alderman Meeting. Upon roll call, the following voted:

Aye

Danny Bryant, Tom Young, Dorothy Small, Michael Whisenant, Gwen Shelton, and Marty Pepper

Nay

None

Mayor Underwood declared the motion approved.

Approval To Bid For Carts and Automated Truck:

Motion was made by Dorothy Small, seconded by Marty Pepper, to defer (postpone) this matter to be discussed at the February 23, 2013, Strategic Planning Session, then to be taken up at March's Board of Mayor and Alderman Meeting. Upon roll call, the following voted:

Aye

Tom Young, Dorothy Small, Michael Whisenant, Gwen Shelton, Marty Pepper, and Danny Bryant

Nay

None

Mayor Underwood declared the motion approved.

Notice Of Limited Use Agreement For Wells Hill Property:

Motion was made by Gwen Shelton, seconded by Michael Whisenant, to allow the Mayor to sign a Notice Of Limited Use Agreement for Wells Hill property with the Tennessee Department of Environment and Conservation. Upon roll call, the following voted:

Aye

Dorothy Small, Michael Whisenant, Gwen Shelton, Marty Pepper, Danny Bryant, and Tom Young

Nay

None

Mayor Underwood declared the motion approved.

Board Appointments:

1. Motion was made by Dorothy Small, seconded by Gwen Shelton, to reappoint Dorothy Daniels to the Recreation Board. Upon roll call, the following voted:

Aye

Michael Whisenant, Gwen Shelton, Marty Pepper, Danny Bryant, Tom Young, and Dorothy Small

Nay

None

Mayor Underwood declared the motion approved.

2. Motion was made by Danny Bryant, seconded by Dorothy Small, to appoint David Moore to the Recreation Board. Upon roll call, the following voted:

Aye

Gwen Shelton, Marty Pepper, Danny Bryant, Tom Young, Dorothy Small, and Michael Whisenant

Nay

None

Mayor Underwood declared the motion approved.

3. Motion was made by Gwen Shelton, seconded by Michael Whisenant, to reappoint Joyce Eady to the Fayetteville Housing Authority Board. Upon roll call, the following voted:

Aye

Marty Pepper, Danny Bryant, Tom Young, Dorothy Small, Michael Whisenant, and Gwen Shelton

Nay

None

Mayor Underwood declared the motion approved.

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

Mayor

Clerk