

REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
OCTOBER 9, 2012

REFERENCE VIDEO DATED OCTOBER 9, 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 October 9, 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 Stewart.

Approval of Minutes:

1. Motion was made by Dorothy Small, seconded by Pat Fraley, to approve the minutes of the Public Hearing held on Tuesday, September 11, 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 Dorothy Small, to approve the minutes of the September 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 September Minutes approved.

Reports:

Tennessee Renewable Energy and Economic Development Council (TREEDC):

Warren Nevad, MTAS-UT, discussed the functions of TREEDC and requested the City of Fayetteville consider becoming a member with a membership fee of One Hundred Dollars (\$100.00) per year.

Fire Report:

Fire Chief Danny Travis reported that the Fire Department had 49 calls for service with 36 medical calls, and 3 accidents with injuries.

Police Report:

Police Chief Doug Carver reported that there were 143 incidents with 72 arrests, 52 crashes and 71 citations for a total of 1,718 events.

Recreation Report:

Ricky Honey, Recreation Director, reported that clean-up and repair work would continue at Battle Park. Halloween Happenings will be held on October 23, 2012, at 5:00 p.m.

Public Works:

Eddie Plunkett, Public Works Director, was not present; therefore no report was given.

Planning and Zoning Report:

Ryan Tyhuis, City Planner, reported that for the month of September there were eleven (11) building permits issued for approximately Seven Million, One Hundred Thousand Dollars (\$7,100,000.00) in work to be done, with the fees being Thirty Thousand, Four Hundred Seventy-Four Dollars and 79/100 (\$30,474.79). Mr. Tyhuis stated that twenty-nine (29) new notices of violations were issued, with thirty-two (32) complied, two (2) summoned to court, one (1) fined, one (1) dismissed, three (3) administratively closed and two (2) properties cleaned by the Recreation Department or by Public Works, with an invoice sent to the property owner for the work that was done.

Administrator's Report:

Mr. Lee advised that a police officer had resigned. Mr. Lee reported that the Art Council has made a request to use Stone Bridge Park. Mr. Lee stated that an inmate had been used to do some painting in the Municipal Building.

Art Council's Use of Stone Bridge Park:

Motion was made by Michael Stewart, seconded by Danny Bryant, to allow the Art Council to install electrical wiring at Stone Bridge Park at the Art Council's expense. 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 motion approved.

Motion was made by Michael Stewart, seconded by Marty Pepper, to allow the Art Council to use Stone Bridge Park in the Spring. 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.

Resolution R-12-08:

Resolution R-12-08, a resolution entitled, “A Resolution Of The City of Fayetteville, Tennessee Supporting The Tennessee Renewable Energy And Economic Development Council (TREEDC) And Approving Membership As A TREEDC Advisory Board Member”, was considered. Said Resolution is as follows:

**CITY OF FAYETTEVILLE
RESOLUTION NO. R-12-08**

**A RESOLUTION OF THE CITY OF FAYETTEVILLE, TENNESSEE
SUPPORTING THE TENNESSEE RENEWABLE ENERGY AND
ECONOMIC DEVELOPMENT COUNCIL (TREEDC) AND APPROVING
MEMBERSHIP AS A TREEDC ADVISORY BOARD MEMBER**

WHEREAS, now is the time for Tennessee to strengthen its approach on communicating ideas and distributing information at the community level to boost awareness regarding renewable energy and economic development goals; and

WHEREAS, the Tennessee Renewable Energy and Economic Development Council (TREEDC) was founded on August 21, 2008 by Tennessee mayors representing the cities of Pikeville, Gainesboro, Graysville and Crossville, along with the University of Tennessee President Emeritus Dr. Joseph E. Johnson and the University of Tennessee Municipal Technical Advisory Service (MTAS) who share a common bond to promote and connect renewable energy with sustainable economic development in Tennessee; and

WHEREAS, the City of Fayetteville possesses the opportunity to be a city of leadership development for world marketplace energies accompanied by increased economic development; and

WHEREAS, this capability lies in the advancement of biofuels, biomass related sustainable development, increased energy independence and self reliance and the creation of an intelligent statewide network would serve this issue well through competent leadership, sharing of ideas, resources and planning that involves biofuels, solar and waste to clean energy; and

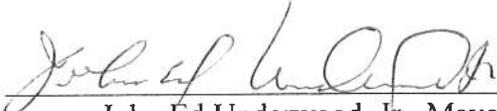
WHEREAS, TREEDC's mission is to provide leadership by connecting technology and energy with sustainable economic development through a regional network of local communities that work to promote the development of renewable energy and economic development programs; and

WHEREAS, citizens of Fayetteville, the state of Tennessee and the area serve to benefit economically from increased energy developments; and

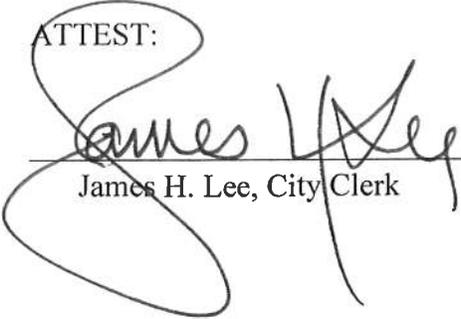
WHEREAS, the City of Fayetteville recognizes the need to preserve, protect and further enhance the goals and mission of the Tennessee Renewable Energy and Economic Development Council; and

NOW, THEREFORE, BE IT RESOLVED that the City of Fayetteville desires to become a member of the Tennessee Renewable Energy and Economic Development Council Advisory Board in their search for new energy sources and praises their advocacy which aligns with the nation's popular desire to produce more renewable energy.

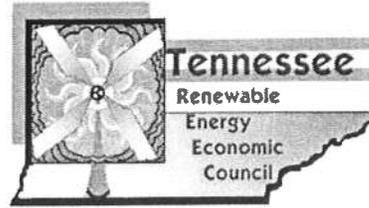
Approved and adopted this 9th day of October, 2012.



John Ed Underwood, Jr., Mayor

ATTEST:


James H. Lee, City Clerk



INVOICE 61412

2012 TREEDC Annual Membership Dues

Fayetteville, Tennessee

\$100

Due Date July 1, 2012

Payable to TREEDC

601 W. Summit Hill Drive

Suite B 200

Knoxville, Tennessee 37902

Thank you,

A handwritten signature in cursive script, appearing to read "Alan Howard".

Executive Director

Motion was made by Danny Bryant, seconded by Michael Stewart, to approve Resolution R-12-08 and to include proper funding in order to be a member of TREEDC. 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 Resolution approved.

Ordinance No. 2012-16:

Ordinance No. 2012-16, an ordinance entitled, "An Ordinance To Contract The Corporate Boundary Of The City Of Fayetteville, Tennessee", was considered. Said Ordinance is as follows:

ORDINANCE NO. 2012- 16
CITY OF FAYETTEVILLE, TENNESSEE

**AN ORDINANCE TO CONTRACT THE CORPORATE BOUNDARY OF THE CITY OF
FAYETTEVILLE, TENNESSEE**

WHEREAS, Tennessee Code Annotated 6-51-201(b)(1) provides that any incorporated city or town may, after notice and public hearing, contract its limits within any given territory upon its own initiative or by ordinance when it appears in the best interest of the affected territory; and,

WHEREAS, ownership of the following 2.07 acre portion of property has been transferred from the Industrial Development Board of the City of Fayetteville and Lincoln County, Tennessee through the execution of a General Warranty Deed found in Deed Book B14 Page 108; and,

WHEREAS, a public hearing before this body was held on the 9th day of October, 2012, pursuant to a notice thereof published in the Elk Valley Times on September 26, 2012; and,

WHEREAS, a map of the subject areas was made available for public inspection at the Fayetteville Municipal Building on September 26, 2012; and,

WHEREAS, it has been determined that it is in the best interest of the City of Fayetteville and the property owner to de-annex said area as a result of its sale; and,

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

SECTION 1: The 2.07 acre territory, currently located within the corporate limits of the City of Fayetteville, shown below and further described in the James Easley/Industrial Development Board of the City of Fayetteville Subdivision filed at the Lincoln County Register of Deed's Office in Plat Book P5 Page 137 shall hereby be removed from the corporate limits of the City of Fayetteville, Tennessee:

<u>PROPERTY OWNER</u>	<u>MAP</u>	<u>PARCEL</u>	<u>DEED BOOK</u>	<u>PAGE</u>
James and Breda Easley	81	2.00	B14	108

SECTION 2: The 2.07 acre portion of the above listed parcel is shown on the attached map labeled "Exhibit A" and said map shall be incorporated herein and attached hereto.

SECTION 3. Pursuant to T.C.A. §6-51-204, all municipal jurisdiction over said area shall cease upon the effective date of this ordinance and the Lincoln County Assessor of Property shall be notified of said contraction.

SECTION 4: This ordinance shall be effective from and after its passage, the public welfare requiring it.

ADOPTED THIS 9th DAY OF OCTOBER, 2012.


MAYOR

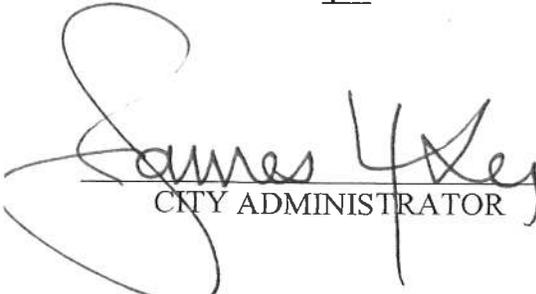

CITY ADMINISTRATOR

EXHIBIT "A"



FRITO-LAY

JAMES AND BRENDA EASLEY
Map 81 Parcel 2.00

2.07 Acre portion of Map 81 Parcel 2.00
to be de-annexed to correct city limit line

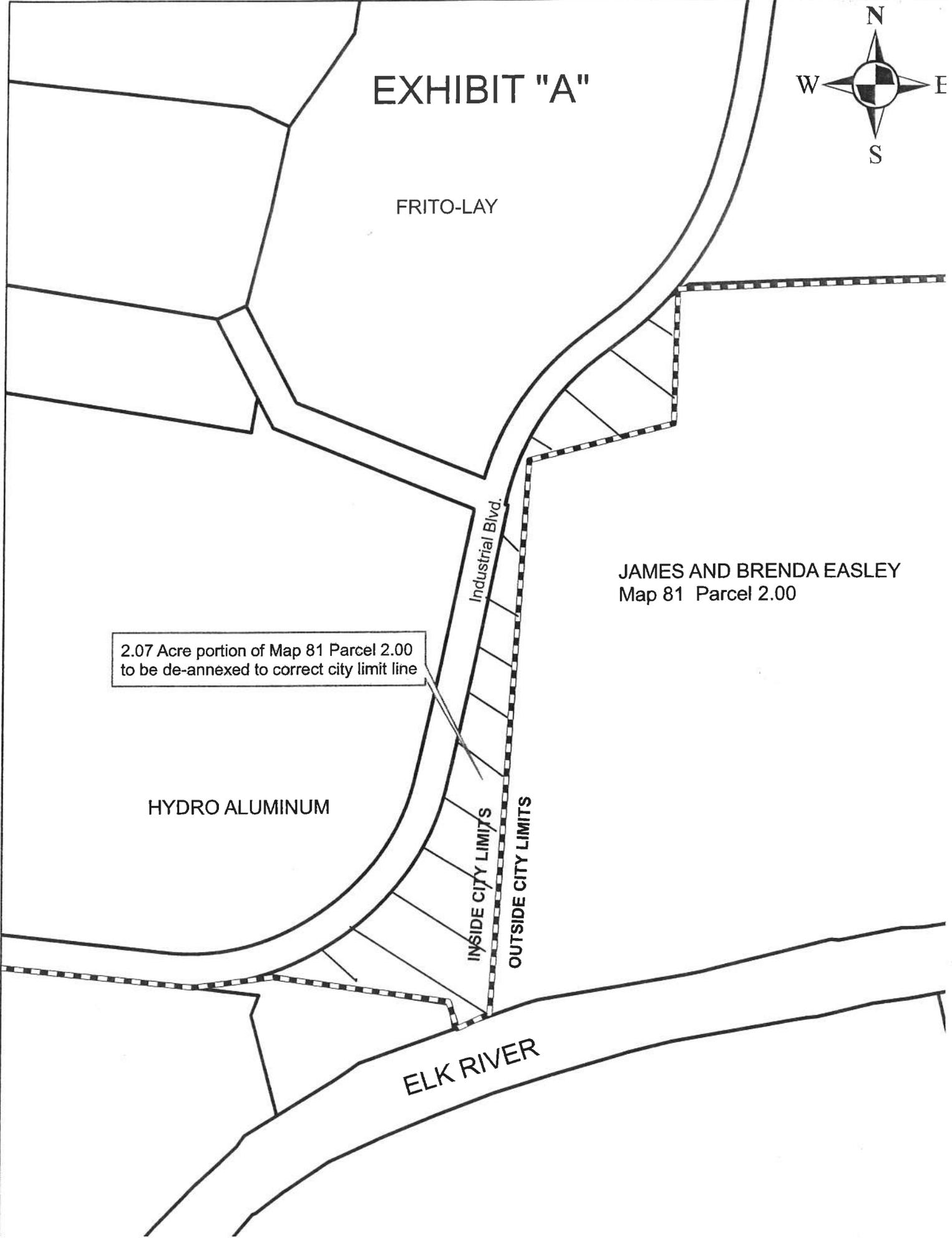
HYDRO ALUMINUM

Industrial Blvd.

INSIDE CITY LIMITS

OUTSIDE CITY LIMITS

ELK RIVER



Motion was made by Dorothy Small, seconded by Pat Fraley, to approve Ordinance 2012-16. Upon roll call, the following voted:

Aye

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

Nay

Danny Bryant

Mayor Underwood declared the Ordinance adopted.

Computer Policy:

Motion was made by Dorothy Small, seconded by Pat Fraley, to adopt the "Computer Use and Monitoring Guidelines". 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.

Closing of Streets for "Host of Christmas Past" and Reindeer Run (5K):

Motion was made by Marty Pepper, seconded by Michael Stewart, to approve the requested street closings for the Host of Christmas Past and the Reindeer Run. 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.

Closing Washington Street – "Trunk or Treat" – Fayetteville Baptist Church:

Motion was made by Michael Stewart, seconded by Marty Pepper, to allow the street closing as requested by the First Baptist Church on October 31, 2012, on Washington Street from Main Street to Elk Avenue, for their activity Fear Not Feast. 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 motion approved.

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

Mayor

Clerk