

PUBLIC HEARING
JUNE 11, 2013

A public hearing was held at the Municipal Building on June 11, 2013, pursuant to notice in the Elk Valley Times. Mayor John Ed Underwood, Jr. was present and presiding, and the following Aldermen were present:

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

A Public Hearing was held as listed below:

1. Rezoning of properties owned by Bank of Lincoln County and/or James & Martha Farrar located on Mimosa Road from R-2 to A-1.

No one appeared for or in opposition to the above hearing.

For a complete record of all comments, reference to the tape of the June 11, 2013 Meeting.

The public hearing was closed.

Mayor

Assistant City Clerk

REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
JUNE 11, 2013

REFERENCE VIDEO DATED JUNE 11, 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 June 11, 2013. Mayor John Ed Underwood, Jr. was present and presiding. The following named Aldermen were present:

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

Not present was Tom Young

Also, present was Johnny D. Hill, Jr., City Attorney and Interim City Administrator Tonya Steelman.

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

Approval of Minutes:

1. Motion was made by Michael Whisenant, seconded by Marty Pepper, to approve the minutes of the May 2013 Meeting. Upon roll call, the following voted:

Aye

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

Nay

None

Mayor Underwood declared the Minutes approved.

2. Motion was made by Gwen Shelton, seconded by Dorothy Small, to approve the minutes of the Special Called Meeting on May 31, 2013. Upon roll call, the following voted:

Aye

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

Nay

None

Mayor Underwood declared the Special Called Minutes approved.

3. Motion was made by Danny Bryant, seconded by Michael Whisenant, to approve the minutes of the Special Called Meeting on June 7, 2013. Upon roll call, the following voted:

Aye

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

Nay
None

Mayor Underwood declared the Special Called Minutes approved.

Reports:

Fire Report:

Fire Chief Danny Travis reported that the Fire Department had 53 calls for service with 34 medical calls.

Police Report:

Police Chief Doug Carver reported that there were 168 incidents with 57 arrests, 50 crashes and 103 citations for a total of 1,716 events.

Recreation Report:

Ricky Honey, Recreation Director, reported that Annual Kid's Fish Day event was a big success and Stone Bridge Park is now open to the public for fishing. Mr. Honey explained the Annual Art Show will be held at Stone Bridge Park June 14th – 15th, 2013. Mr. Honey stated the Firecracker Chase will be held June 29, 2013.

Public Works:

Eddie Plunkett, Public Works Director, reported that 245 tons of residential trash was picked up, along with 286 tons of brush for the month of May.

Planning and Codes Report:

Jeff Seifert, Building Inspector, reported that for the month of May there were ten (10) building permits issued for approximately Ten Million, Four Hundred One Thousand, Nine Hundred Twenty-Eight Dollars (\$10,401,928.00) in work to be done, with the fees being Eleven Thousand, One Hundred Seventy-One Dollars and Forty-Two Cents (\$11,171.42).

Fayetteville City School Board Budge Amendment #6 and Addendum:

Motion was made by Danny Bryant, seconded by Marty Pepper, to approve Fayetteville City School Budget Amendment #6 and Addendum. Upon roll call, the following voted:

Aye

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

Nay

None

Mayor Underwood declared the motion approved.

Computer Policy Amendment:

Motion was made by Gwen Shelton, seconded by Marty Pepper, to amend the City's Computer Policy as followed: "Use of any Internet site that is focused on creating 'networks' of individuals including but not limited to MySpace, Facebook, Twitter, etc. are prohibited; however, law enforcement officers employed by the Fayetteville Police Department shall be permitted to use such websites for investigatory purposes". Upon roll call, the following voted:

Aye

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

Nay

None

Mayor Underwood declared the motion approved.

Parade Permit – Trail of Tears:

Motion was made by Gwen Shelton, seconded by Marty Pepper, to approve the parade permit for the Trail of Tears Remembrance Ride for September 21, 2013. Upon roll call, the following voted:

Aye

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

Nay

None

Mayor Underwood declared the motion approved.

Parade Permit – Southern Weekend of Art:

Motion was made by Michael Whisenant, seconded by Dorothy Small, to approve the parade permit for the 48th Annual Southern Weekend of Art and to close Eufala Street for the event on June 14th through 15th. Upon roll call, the following voted:

Aye

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

Nay

None

Mayor Underwood declared the motion approved

Parade Permit – Firecracker Chase:

Motion was made by Gwen Shelton, seconded by Michael Whisenant, to approve the parade permit for Fayetteville Firecracker Chase for June 29, 2013. Upon roll call, the following voted:

Aye

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

Nay

None

Mayor Underwood declared the motion approved.

Firewall Funding:

Motion was made by Gwen Shelton, seconded by Michael Whisenant, to allow Jerry Taylor, Informational Technology Director, to purchase a new firewall for Three Thousand, Eight Hundred Dollars (\$3,800.00) from Capital Project Fund. Upon roll call, the following voted:

Aye

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

Nay

None

Mayor Underwood declared the motion approved.

Ordinance No. 2013-04:

Ordinance No. 2013-04, an ordinance entitled, "An Ordinance Amending Zoning Ordinance Of Fayetteville, Tennessee, To Provide For The Inclusion Of Required Regulatory Changes To The Official Zoning Map.", was considered. Said Ordinance is as follows:

ORDINANCE NO. 2013-04
CITY OF FAYETTEVILLE, TENNESSEE

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

WHEREAS, an owners of one of the parcels of property listed below have requested that they be rezoned for the purpose of utilizing said property for agricultural purposes; and,

WHEREAS, on May 28, 2013 the Fayetteville Municipal/Regional Planning Commission did review and recommend for adoption, rezoning the following parcels; and,

WHEREAS, the Fayetteville Regional Planning Commission does recommend to the Board of Mayor and Alderman that the "Zoning Map of Fayetteville, Tennessee", be amended as hereafter described; and,

WHEREAS, a public hearing was conducted by the Board of Mayor and Alderman of the City of Fayetteville, Tennessee on June 11, 2013; 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:

Section 1. Change the zoning classification of the following described parcels of real estate from R-2, Medium Density Residential, to A-1, Agricultural District, herein described as:

Section 2. Map, Parcel, Deed Book and Page numbers as follows, to wit:

	<u>Map</u>	<u>Parcel</u>	<u>Deed Book</u>	<u>Page</u>
Bank of Lincoln County	67	66.01	Z14	301
Bank of Lincoln County	67	66.05	Z14	301
James R. and Martha Farrar	67	66.00	J14	231

Section 3. The attached drawing, labeled "Exhibit A", depicting the above listed rezoning area shall be incorporated herein by reference.

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

ADOPTED THIS 11th DAY OF JUNE, 2013



City Clerk



Mayor

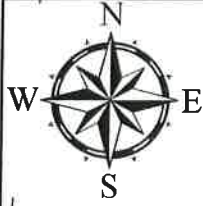
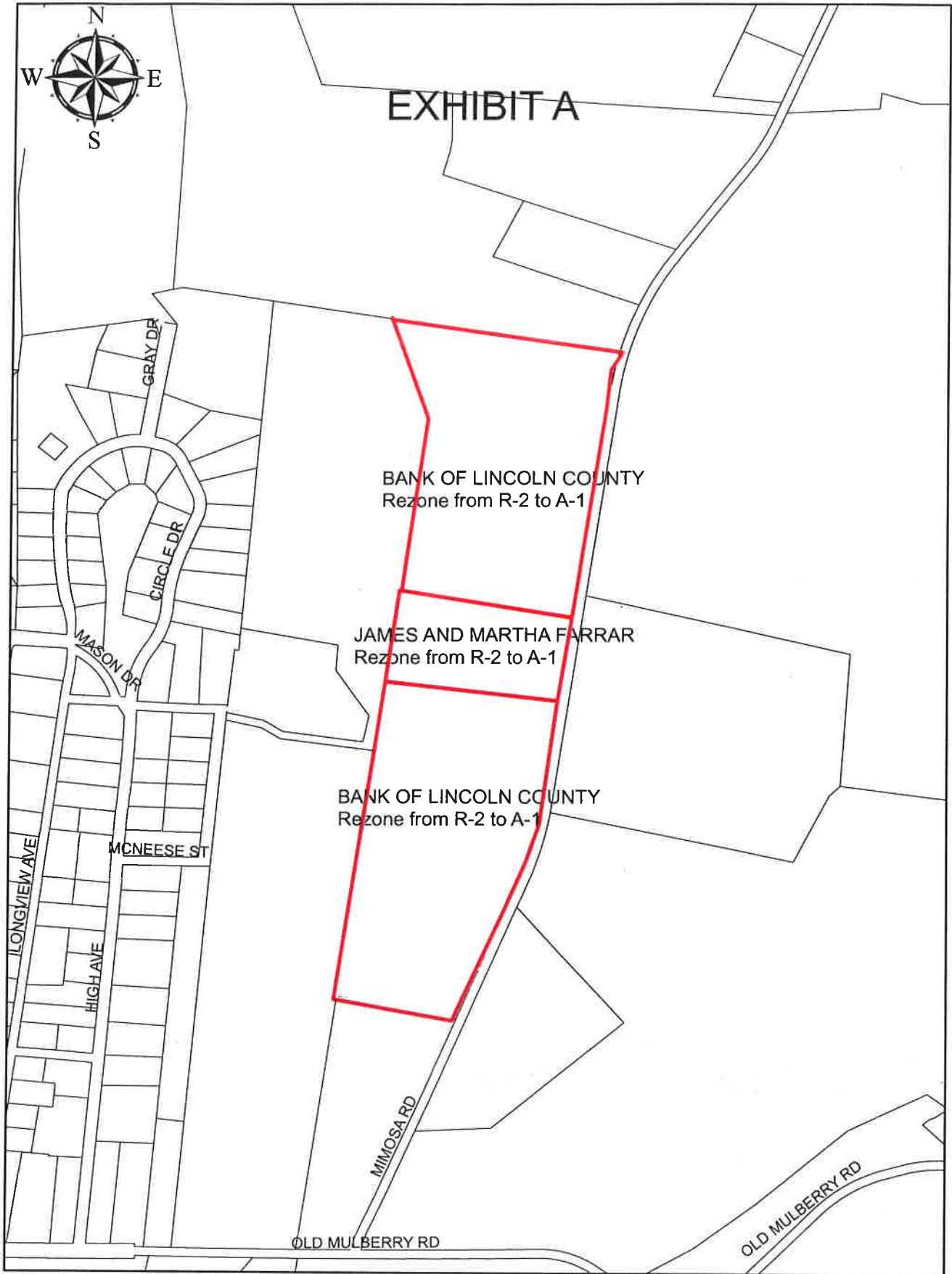


EXHIBIT A



Motion was made by Danny Bryant, seconded by Dorothy Small, to adopt Ordinance No. 2013-04. Upon roll call, the following voted:

Aye

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

Nay

None

Mayor Underwood declared the Ordinance adopted.

Ordinance No. 2013-05:

Ordinance No. 2013-05, an ordinance entitled, "An Ordinance Of Fayetteville, Tennessee, To Adopt A Continuing Appropriation And Budget For The Fiscal Year 2013-2014.", was considered. Said Ordinance is as follows:

**ORDINANCE NO. 2013-05
CITY OF FAYETTEVILLE, TENNESSEE**

**AN ORDINANCE OF THE CITY OF FAYETTEVILLE, TENNESSEE TO
ADOPT A CONTINUING APPROPRIATION AND BUDGET FOR THE
FISCAL YEAR 2013 – 2014**

WHEREAS, it now appears the 2013 – 2014 fiscal year budget for the City of Fayetteville will not be approved by July 1, 2013;

WHEREAS, the City has outstanding indebtedness; and

WHEREAS, sufficient revenues are being collected to support the continuing appropriations;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND
ALDERMEN OF THE CITY OF FAYETTEVILLE, TENNESSEE AS FOLLOWS:**

SECTION 1. The amounts set out in the Fiscal Year 2012 – 2013 Appropriation and Budget are hereby continued until a new Fiscal Year 2013 -2014 Appropriation and Budget is adopted.

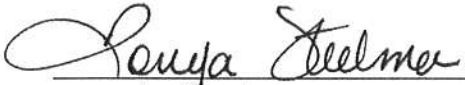
SECTION 2. The City Recorder shall forward a copy of this ordinance to the State Comptroller of the Treasury requesting approval.

BE IT FURTHER ORDAINED that this Ordinance shall take effect from and after its passage and its provisions shall be in force from and after July 1, 2013, the public welfare requiring it.

ADOPTED THIS 11TH DAY OF JUNE, 2013



Mayor



Assistant City Clerk

Motion was made by Michael Whisenant, seconded by Marty Pepper, to approve Ordinance No. 2013-05. Upon roll call, the following voted:

Aye

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

Nay

None

Mayor Underwood declared the Ordinance adopted.

Board Appointments for Industrial Development Board (IDB):

1. Motion was made by Danny Bryant, seconded by Marty Pepper, to appoint Battle Bagley, III, to the IDB Board as a County Appointment and to be approved by the County Government. Upon roll call, the following voted:

Aye

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

Nay

None

Mayor Underwood declared the motion approved.

2. Motion was made by Danny Bryant, seconded by Marty Pepper, to reappoint Mickey Lawson to the IDB Board as a County Appointment and to be approved by the County Government. Upon roll call, the following voted:

Aye

Michael Whisenant, Marty Pepper, Danny Bryant and Mayor Underwood (due to the lack of four (4) votes)

Nay

Gwen Shelton

Abstain

Dorothy Small

Mayor Underwood declared the motion approved.

3. Motion was made by Gwen Shelton, seconded by Marty Pepper, to appoint Jeff Alder to the IDB Board as a City Appointment. Upon roll call, the following voted:

Aye

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

Nay

None

Mayor Underwood declared the motion approved.

Call for Public Hearing on Rezoning Wallis Property on South Elk Avenue:

Motion was made by Gwen Shelton, seconded by Dorothy Small, to call for a public hearing to rezone property owned by Steven and Jennifer Wallis located on South Elk Avenue. Upon roll call, the following voted:

Aye

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

Nay

None

Mayor Underwood declared the motion approved.

Alderman Young now attending.

Call for Public Hearing on Fiscal Year 2014 Budget:

Motion was made by Michael Whisenant, seconded by Dorothy Small, to call for a public hearing on the Fiscal Year 2014 Budget. 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.

Call for Public Hearing on Tax Rate:

Motion was made by Danny Bryant, seconded by Marty Pepper, to call for a public hearing to set the City's Tax Rate. 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.

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

Mayor

Assistant City Clerk