

REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
OCTOBER 14, 2014

REFERENCE VIDEO DATED OCTOBER 14, 2014

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 14, 2014. 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 were Scott Collins, City Administrator and Johnny D. Hill, Jr., City Attorney

The prayer was lead by Alderman Pepper and the pledge was lead by Alderman Whisenant

Approval of Minutes:

Motion was made by Dorothy Small, seconded by Michael Whisenant, to approve the minutes of the September 2014 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 Minutes approved.

Oath of Office:

Police Officers John Counts and Tommy Hopson were sworn in by Mayor Underwood.

Reports:

Fayetteville/Lincoln County Industrial Development Board:

Elaine Middleton, Executive Director, explained that the Frito-Lay utility and road location is on-going, with the Tennessee Department of Transportation to bid the road work in January and the project to begin in March. Ms. Middleton stated that there is interest in the Spec building from a Chinese company.

Fayetteville Public Utilities:

Britt Dye, the CEO/General Manager, explained that during the last few days of storms, the electrical system did not have any major issues, with only minor outages. Mr. Dye stated that the contractors have broken ground on the now water treatment plant. Mr. Dye discussed the good audit report for their last operating year, as well as controlling cost.

Fayetteville/Lincoln County Library:

Jill Rael, the Library Director, reported that there will be a Latin Guitar Concert November 16th. Ms. Rael explained that they are working on a grant in conjunction with the Sci-Quest and Art with the STEM modules, which will be a year long program.

Keep Fayetteville/Lincoln County Beautiful:

Gail Randolph, Director of Keep Fayetteville/Lincoln County Clean, presented a Stone Plaque to the Board of Mayor and Alderman in appreciation of their support "in recycling and fighting against litter". Ms. Randolph stated that they will be having an Open House on November 14, 2014, and invited everyone to come.

Tennessee Promise - Mentoring:

Laura Monks, Motlow State Community College Director of the Fayetteville Campus, discussed the new program called Tennessee Promise Begins, which allows high school seniors who complete their Tennessee Promise application by November 1, 2014, and graduate from high school next spring to have the opportunity to attend a community college or technology school tuition-free beginning with the fall 2015 semester.

Fire Report:

Fire Chief Danny Travis reported that the Fire Department had 71 calls for service, 51 medical calls, 3 accident with injuries and 2 bomb threats.

Police Report:

Police Chief Richard Howell reported that there were 157 incidents with 68 arrests, 48 crashes and 91 citations for a total of 1,782 events.

Recreation Report:

Ricky Honey, Recreation Director, stated that "Pink in the Park" at Stone Bridge Park October 20th and 30th. Mr. Honey reported that Halloween Happenings will take place October 21st and the Annual Christmas Parade will be December 6th.

Public Works:

Eddie Plunkett, Public Works Director, reported that for the month of September there was 222 tons of sanitation was picked up, along with 425 tons of leaves and brush.

Planning and Codes Report:

Jeff Siefert, Building Inspector, reported for the month of May there were eleven (11) building permits issued for approximately Sixty-Four Thousand, Three Hundred Seventy-One Dollars and 46/100 (\$64,371.46) in work to be done, with the fees being Two Thousand, Five Hundred Dollars and 30/100 (\$2,500.30).

Administrator's Report:

Mr. Collins stated that the contract for the Washington Street paving project has been signed with paving to begin next week. Mr. Collins reported that the City is working on various grants: 1) Downtown Funding to help current business owners around the square and 2) a motor transportation grant.

Camp Blount:

After a full and through discussion, motion was made by Danny Bryant, seconded by Tom Young, to enter into contract with the State of Tennessee, Tennessee Historical/Wars Commission and the City of Fayetteville, and to authorize the Mayor to sign the contract. 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.

Recess:

Motion was made by Danny Bryant, seconded by Marty Pepper, to take a five (5) minute recess.

Call to Order:

Motion was made by Michael Whisenant, seconded by Gwen Shelton, to call the meeting to order. 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.

Ordinance No. 2014-13:

Ordinance No. 2014-13, an ordinance entitled, "An Ordinance Amending The 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. 2014-13
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, the owners of the parcel of property listed below have requested that it be rezoned for the purpose of continuing to utilize the property as residential; and,

WHEREAS, on August 26, 2014 the Fayetteville Municipal/Regional Planning Commission did review and recommend for adoption, the following rezoning; 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 October 14, 2014; 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 parcel of real estate from C-3, General Commercial District, to R-1, Low-Density Residential District, herein described as:


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

	<u>Map</u>	<u>Parcel</u>	<u>Deed Book</u>	<u>Page</u>
Gregory and Sandra K. Piercy	079E	013.00	S14	483-484

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 14th DAY OF October, 2014

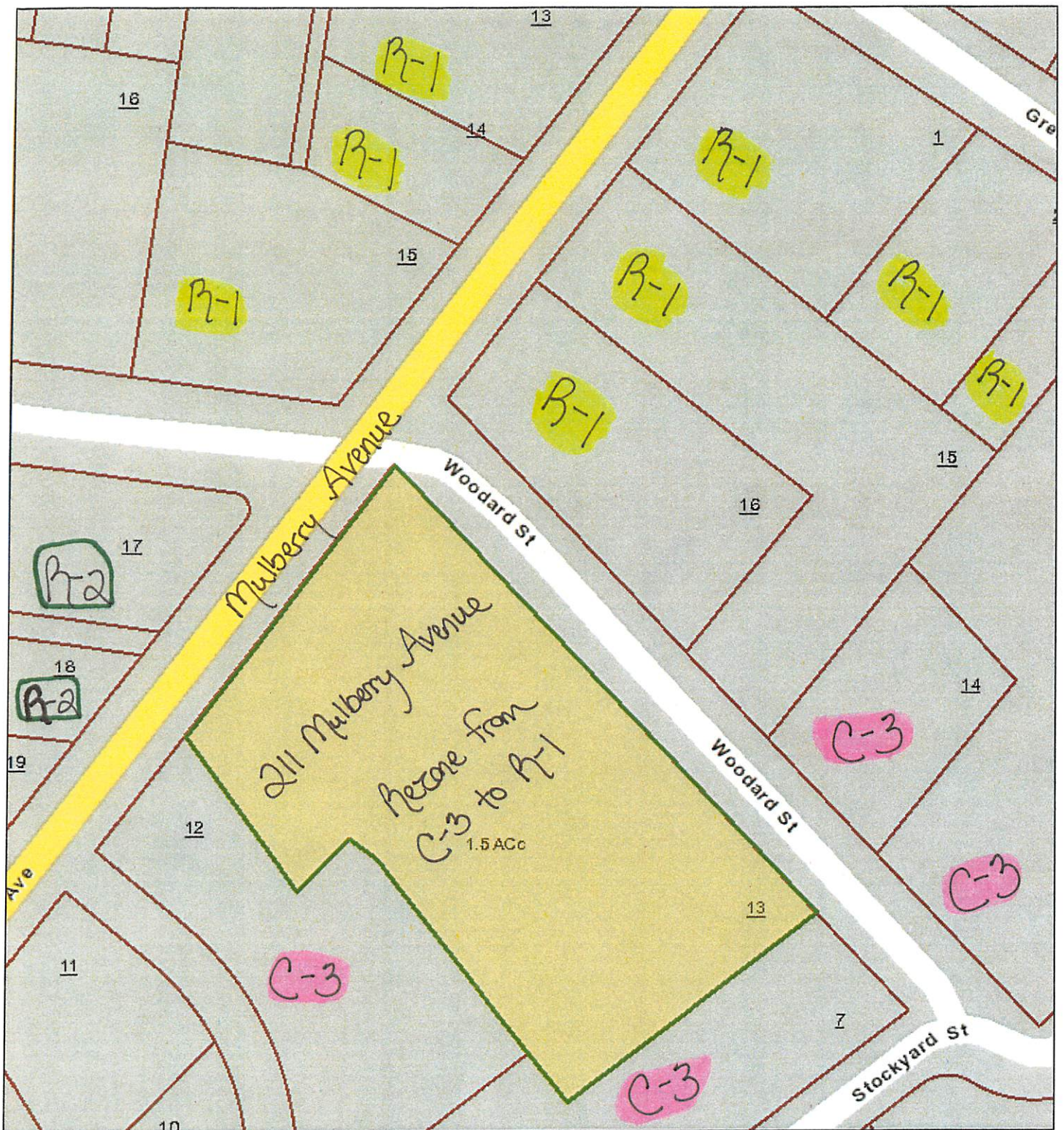


Scott Collins, City Clerk



John Ed Underwood, Jr., Mayor

Lincoln County - Parcel: 079E F 013.00



September 2, 2014

"Exhibit A"

Motion was made by Danny Bryant, seconded by Marty Pepper, to approve Ordinance No. 2014-13. 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 Ordinance adopted.

Humane Society Grant:

Due to the lack of information, no action was taken at this time.

Drainage Tile on Forrest and Jefferson:

Motion was made by Gwen Shelton, seconded by Dorothy Small, to approve “not to exceed” Thirty Thousand Dollars (\$30,000.00) from Capital Project Fund for the drainage tile on Forrest Avenue and Jefferson Street. 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.

Resolution No. R-14-06:

Resolution No. R-14-06, a resolution entitled, “Resolution Authorizing The City Of Fayetteville To Apply For The Fiscal Year 2015 Transportation Alternatives Program”, was considered. Said Resolution is as follows:

RESOLUTION NO. R-14-06

**A RESOLUTION AUTHORIZING THE CITY OF FAYETTEVILL TO APPLY FOR
THE FISCAL YEAR 2015 TRANSPORTATION ALTERNATIVES PROGRAM**

WHEREAS, the Tennessee Department of Transportation has responsibility for the administration of the Tennessee Department of Transportation-Transportation Alternatives program (TA) which is designed to assist communities in their efforts to enhance transportation concerns; and

WHEREAS, the City of Fayetteville, acting by and through its Board of Aldermen proposes to apply for TA funds for the purpose of performing eligible transportation enhancement activities that will benefit the majority of the residents of the City of Fayetteville; and

WHEREAS, the City of Fayetteville will provide local financial support in conjunction with the TA funds to complete the project; and

WHEREAS, the City of Fayetteville, as a recipient is required to designate and appoint a Financial Officer to perform certain duties in the administration of said grant; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the City of Fayetteville as follows:

BE IT FURTHER RESOLVED THAT, Mayor John Ed Underwood, Jr., is hereby authorized to execute and submit an application with appropriate assurances to the State of Tennessee, Department of Transportation, requesting Fiscal Year 2015 TA funds for the 2015 City of Fayetteville Downtown Improvement Project.

BE IT FURTHER RESOLVED THAT, the City of Fayetteville will be responsible for the local cash /match toward the project to be provide in full by the general account; and

NOW, THEREFORE, BE IT RESOLVED, Mayor John Ed Underwood, Jr., is hereby designated and appointed as Financial Officer and to perform on behalf of the City of Fayetteville, Tennessee, those acts and assume such duties as are consistent with said position.

READ AND ADOPTED this the 14th day of October, 2014.



Mayor

ATTEST:



City Clerk

Motion was made by Danny Bryant, seconded by Gwen Shelton, to approve Resolution No. R-14-06. 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 Resolution adopted.

Resolution No. R-14-07:

Resolution No. R-14-07, a resolution entitled, “Initial Resolution Authorizing The Issuance Of Not To Exceed Two Million General Obligation Bonds Of The City Of Fayetteville, Tennessee”, was considered. Said Resolution is as follows:

The Board of Mayor and Aldermen of the City of Fayetteville, Tennessee, met in regular session on October 14, 2014, at 5:00 p.m. at the Municipal Building, East Side Public Square, Fayetteville, Tennessee, with the Honorable John Ed Underwood, Jr., Mayor, presiding.

The following Aldermen were present:

The following Aldermen were absent:

There were also present Gregory Scott Collins, City Administrator/City Clerk, Tonya Steelman, Finance Director/Assistant City Clerk, and John Hill, Jr., City Attorney.

After the meeting was duly called to order, the following resolution was introduced by _____, seconded by _____ and after due deliberation, was adopted by the following vote:

AYE:

NAY:

None

Resolution No. R-2014-07

INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED TWO MILLION DOLLARS (\$2,000,000) GENERAL OBLIGATION BONDS OF THE CITY OF FAYETTEVILLE, TENNESSEE

BE IT RESOLVED by the Board of Mayor and Aldermen (the "Board") of the City of Fayetteville, Tennessee (the "Municipality") that for the purpose of financing, in whole or in part, (i) construction, renovation, repair, improvement and equipping of a law enforcement facility and other public buildings; (ii) the acquisition of vehicles and equipment, including but not be limited to public works vehicles and equipment, public safety vehicles and equipment, computer hardware and software and other technological equipment; (iii) the acquisition of land for public facilities, preservation of open space, drainage systems, parks, parking facilities, recreation facilities, rights-of-way, highways, streets and roads, bridges, sidewalks, and public buildings; (iv) the construction, improvement, renovation and equipping of drainage systems, parks, parking facilities, recreation facilities, rights-of-way, highways, streets and roads bridges, sidewalks and public buildings and facilities; (v) acquisition of all property real and personal, appurtenant thereto, or connected with such capital projects and construction of related infrastructure; (vi) payment of legal, fiscal, administrative, architectural and engineering costs incident thereto; (vii) reimbursement to the Municipality for funds previously expended for any of the foregoing; and (viii) payment of costs incident to the issuance and sale of such bonds therefor, there shall be issued bonds of said Municipality in the aggregate principal amount of not to exceed \$2,000,000, which shall bear interest at a rate or rates not to exceed 5% per annum, and which shall be payable from unlimited ad valorem taxes to be levied on all taxable property within the corporate limits of the Municipality.

BE IT FURTHER RESOLVED by the Board that the City Clerk of the Municipality be, and is, hereby directed and instructed to cause the foregoing initial resolution relative to the issuance of not to exceed \$2,000,000 general obligation bonds to be published in full in a newspaper having a general circulation in the Municipality, for one issue of said paper followed by the statutory notice, to-wit:

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 bonds, such bonds will be issued as proposed.

Gregory Scott Collins, City Clerk

Adopted and approved this 14th day of October, 2014.

Mayor

ATTEST:

City Clerk

STATE OF TENNESSEE)
COUNTY OF LINCOLN)

I, Gregory Scott Collins, certify that I am the duly qualified and acting City Clerk of the City of Fayetteville, Tennessee, and as such official I further certify that attached hereto is a copy of excerpts from the minutes of a regular meeting of the governing body of the Municipality held on October 14, 2014; that these minutes were promptly and fully recorded and are open to public inspection; that I have compared said copy with the original minute record of said meeting in my official custody; and that said copy is a true, correct and complete transcript from said original minute record insofar as said original record relates to not to exceed \$2,000,000 General Obligation Bonds of said Municipality.

WITNESS my official signature and seal of said Municipality on this the _____ day of October, 2014.

City Clerk

(SEAL)

Motion was made by Marty Pepper, seconded by Danny Bryant, to approve Resolution No. R-14-07. 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 Resolution adopted.

Ordinance No. 2014-14:

Ordinance No. 2014-14, an ordinance entitled, "An Ordinance Amending The Annual Budget And Capital Program Of The City Of Fayetteville, Tennessee, For Fiscal Year 2015", was considered. Said Ordinance is as follows:

ORDINANCE NO. 2014- 14

AN ORDINANCE AMENDING THE ANNUAL BUDGET AND CAPITAL PROGRAM OF THE CITY OF FAYETTEVILLE, TENNESSEE, FOR FISCAL YEAR 2015,

WHEREAS, the Board of Mayor and Alderman has established a program to encourage efficient budget management by returning 50% of budgeted savings to departments; and

WHEREAS, Tennessee Code Annotated requires these items to be budgeted expenditures;

NOW, THEREFORE BE IT ORDAINED by the Board of Mayor and Alderman of the City of Fayetteville, Tennessee, that the following amounts be added to the budgeted amounts set forth for fiscal year 2015 in Ordinance No. 2014 - 08.

City Court	\$ 975
Administration	\$ 5,481
Information Technology	\$ 2,868
Purchasing	\$ 590
Police	\$ 10,000
Fire	\$ 10,000
Street	\$ 10,000
Garage	\$ 7,105
Recreation	\$ 10,000
Transfer to Capital Projects	\$ 47,795

This ordinance shall take effect upon its passages, the public welfare requiring it. All ordinances or parts of ordinances in conflict with any provision of this ordinance are hereby repealed.

October 14, 2014

Date


John Ed Underwood, Jr., Mayor


Gregory Scott Collins, City Clerk

Motion was made by Michael Whisenant, seconded by Marty Pepper, to approve Ordinance No. 2014-14. 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 Ordinance adopted.

Host of Christmas Past – One Time Financing:

Motion was made by Dorothy Small, seconded by Marty Pepper, to approve the one (1) time financing of Seven Hundred Dollars (\$700.00) for the Host of Christmas Past Committee to have electrical hook-up for the snow event. 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.

Call for Public Hearing:

Motion was made by Dorothy Small, seconded by Michael Whisenant, to call of a Public Hearing to update the Building and Code Regulations. 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.

Parade Permit – Life Chain:

Motion was made by Gwen Shelton, seconded by Marty Pepper, to approve the parade permit for the Life Chain on October 26, 2014. 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.

Parade Permit – Fear Not Festival:

Motion was made by Gwen Shelton, seconded by Michael Whisenant, to approve the parade permit for the Fear Not Festival on October 31, 2014. 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.

Parade Permit – Host of Christmas Past:

Motion was made by Dorothy Small, seconded by Gwen Shelton, to approve the parade permit for the Host of Christmas Past for November the 7th -8th, 2014. 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.

Parade Permit – Lincoln County High School Homecoming Parade:

Motion was made by Danny Bryant, seconded by Dorothy Small, to approve the parade permit for the Lincoln County High School Homecoming Parade on October 24, 2014. 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

City Clerk