

CITY OF FAIRVIEW
BOARD OF COMMISSIONERS
WORK SESSION MINUTES
APRIL 17, 2025, 6:00 PM, CITY HALL

Lisa Anderson, Mayor
Chris McDonald, Vice Mayor
Don Bufalini, Commissioner
Wayne Hall, Commissioner
Carolyn Roberts, Commissioner
Tom Daugherty, City Manager
Patrick Carter, City Attorney
Rachel Jones, City Recorder

Staff Present: Tom Daugherty, Rachel Jones, Ethan Greer, Patti Carroll, Scott Hughes, Keith Paisley, Ben Knox, Bre Bailey, Curtis Broadbent, Keith Reed, Patrick Carter

BOC MEMBERS	PRESENT	ABSENT
Mayor Anderson	X	
Vice Mayor McDonald	X	
Commissioner Bufalini	X	
Commissioner Hall		X
Commissioner Roberts		X

❖ **Call to Order by Mayor Anderson at 6:05 P.M.**

• **Items for Discussion:**

- 7061 City Center Way** – City Manager Tom Daugherty stated that the city had previously entered into a letter of intent with Ms. Jewell English to purchase the property located at 7061 City Center Way. Mr. Daugherty stated the city originally negotiated a purchase price of \$625,000 with the seller financing the property for ten years at five percent interest. Mr. Daugherty stated after speaking with the city's financial advisor John Warner with Cumberland Security he realized the importance of getting rid of the bond funds and informed Ms. English that the city had rather pay cash for this property instead of financing it. Mr. Daugherty stated that Ms. English gave a counteroffer to sell the property for \$700,000 stating the increase in price is due to her not collecting interest over the ten year period. Ms. English stated she received an offer for the property and in turn came to the city who has first right of refusal due to a lease agreement to see if the city was interested in purchasing the property and she reached an agreement with Mr. Daugherty on a price of \$625,000 with her holding the note for ten years. Ms. English stated that later Mr. Daugherty came back wanting to pay cash and she has asked to split the interest that she would have made by holding the note. Commissioner Bufalini asked if an appraisal was done on this property. Mr. Daugherty replied no appraisal has been done. Commissioner Bufalini asked if Mr. Daugherty is planning to get an appraisal. Mr. Daugherty replied he currently does not have a plan to get an appraisal. Commissioner Bufalini noted the lease agreement stating that the city has the option of renewing the lease for \$300 per month up to fifty years. Commissioner Bufalini stated the lease agreement calls for the city and the seller to each get an appraisal and meet in the middle. Mr. Daugherty stated that is to be done if the two parties cannot come up with a price. Mr. Daugherty stated in this situation there is a specific price asked for by the seller. Commissioner Bufalini stated he feels it is in the best interest of the city to get an appraisal done on the property. Mr. Carter stated if the appraisal is less than the asking price Ms. English is under no obligation to sell it. Mr. Carter also stated that Ms. English has spoken to an attorney that has serious legal concerns regarding the lease agreement since it was not prepared by an attorney. Mr. Carter stated he also has concerns that the lease agreement will not be enforceable

from the city's perspective. Vice Mayor McDonald asked if the other party still has intentions to purchase the property if the city passes on it. Ms. English replied she has not reached back out to them due to the city having the letter of intent. Ms. English stated the other interested party has offered her \$650,000. Vice Mayor McDonald questioned Ms. English as to why the city has to pay more than \$650,000. Ms. English replied because the city agreed to finance the property over ten years with her holding the loan. Vice Mayor McDonald stated he understands the lease agreement may not hold up but it is an agreement signed by both parties and he would think that means something. Ms. English stated the lease agreement could become a legal issue due to it holding her IRA hostage which is what the agreement does because it allows the city to renew it for fifty years at an amount of \$300 per month and the lease agreement is transferable to the new owner if she was able to sell it which would not allow the new owner to build on the property. Mr. Carter stated who ever purchased the property could be held subject to the lease agreement which makes the property probably not sellable. Vice Mayor McDonald stated he understands, he just wants to make sure the city is not over paying for the property. Mr. Carter gave a brief recap of the situation explaining how we have reached this point. Mr. Carter also added that Ms. English believes the city is in default of the lease agreement due to late and/or missing payments. Vice Mayor McDonald asked when the payments were missed. Ms. English replied she has provided a list of missed payments to Mr. Daugherty. Ms. English clarified that the missed payments and late payments were not recent and that Mr. Daugherty has been on top of it. Ms. English stated that if the city does not want to purchase the property she will not sell it at this time and will proceed with legal actions to have the lease agreement revoked. Mr. Carter reminded the board that at this time there is not a contract on the property, that the city has signed a non-binding letter of intent only. Mr. Carter stated he believes it is a good idea to get an appraisal on the property. The board agreed on getting an appraisal and Mr. Daugherty stated he would get it ordered next week.

2. **TPUDC Timeline** – City Planner Ethan Greer stated initial comments have been submitted to TPUDC and a list of final comments is being compiled from the staff review. Mr. Greer stated all comments should be sent to TPUDC by the end of next week. Mr. Greer stated TPUDC is in the process of drafting the public draft which will likely be out within thirty days. Mr. Greer stated once the public draft is complete TPUDC will present the draft to the public and then have a thirty day comment window for the public to be able to comment on the document. Mr. Greer stated once that is completed TPUDC will draft the final draft which will be presented to the Planning Commission then proceed to the Board of Commissioners for two readings and a public hearing. Mr. Greer stated the timeline for final adoption is August – September.
3. **Emergency Readiness Plan** – Mr. Daugherty stated the city is a part of the county's emergency plan through EMA in conjunction with TEMA and FEMA. Mr. Daugherty stated the city's police, fire, and PIO are notified very quickly of any emergencies however the city is not equipped to handle major emergency events and will follow the plan set about by the county.
4. **Relocation of stop signs in Cumberland Estates** – Commissioner Bufalini explained that some of the stop signs in Cumberland Estates are hidden by trees. Mr. Greer explained that those stop signs are temporary signs and will be removed and replaced when the correct posts come in and they will address the trees at that time. Mayor Anderson suggested relocating the trees. Vice Mayor McDonald suggested having a traffic engineer address the situation before adding additional signs.
5. **Informational city signage** - deferred to a future work session.

6. Utilization of Tree Bank funds – Commissioner Bufalini asked for a clear direction on how to utilize tree bank funds. Mr. Daugherty stated the funds must be spent for landscaping on public property. Mr. Daugherty stated it is a budgetary item and he has put money in the budget this year from the tree bank fund for the cloverleaf project and additionally he usually puts in around \$40,000 in case any landscaping comes up throughout the year. Mr. Daugherty stated some of the funds may be used for the Historical Village project for landscaping. Mr. Daugherty stated these invoices are accounted for just like any other expense. Mr. Daugherty clarified that there is nothing in the 2025 budget but stated he does have \$75,000 in the 2026 budget out of the tree bank account specifically for the cloverleaf project. Mr. Daugherty stated if more funds are needed it will require a budget amendment. Mr. Daugherty stated as of March 30, 2025; the tree bank account balance is \$569,297.99.

❖ **Adjournment by Mayor Anderson at 7:06 P.M.**



Rachel Jones, City Recorder

<https://www.youtube.com/watch?v=j21AMLmfUgE>