

CITY OF FAIRVIEW

BOARD OF COMMISSIONERS SPECIAL MEETING MINUTES

December 19, 2016

Patti L Carroll, Mayor
Shannon L Crutcher, Vice Mayor
Derek K. Burks, Commissioner
Scott Lucas, Commissioner
Debby Rainey, Commissioner
Scott Collins, City Manager
Tom Daugherty, CFO
Larry Cantrell, City Attorney
Brandy Johnson, City Recorder

Present: Carroll, Crutcher, Burks, Lucas, Rainey

Others Present: Collins, Cantrell, Johnson, Daugherty, Hall, Sullivan, Paisley

1. Call to order by Mayor Carroll at 7:04 p.m.

A. Prayer and Pledge led by Mayor Carroll

2. Approval of the Agenda – Commissioner Rainey made a motion for approval with Commissioner Burks seconding. Commissioner Crutcher requested to remove Item C from the Consent Agenda and move to item C under Old Business. All were in favor.

3. Citizen Comments (Limited to the first 5 citizens to sign in and a limit of 3 minutes each) - NONE

4. Awards and/or Recognitions

A. Representative Sam Whitson of the 65th House District was present to introduce himself noting he has a temporary office in Room 209 of the War Memorial building and has requested to be on the Transportation and Healthcare committees. Whitson states he is always available for assistance.

5. Public Announcements - NONE

6. Staff Comments

- A. City Recorder Johnson announces City Hall closures for December 23, 26 and January 2.
- B. Finance Director Daugherty noted Shop with a Cop was a huge success and presents the November 2016 finance report highlighting Year to date revenue of \$1,967,254 which is \$254,270 more than the budgeted amount of \$1,712,984. For November actual revenue came in at \$539,996 which was \$84,058 over the budgeted amount of \$84,058. Expenditures for November were \$318,494 which were \$28,442 less than the budgeted projection of \$346,936. Year to date expenditures total \$2,031, 238 which are \$54,881 less than the budgeted projection of \$2,086,119. Year to date we have a revenue surplus of \$254,270 over budgeted projection and have spent \$53,681 less than projected which equals an overall surplus of \$307,951. Estimated fund balance for the end of November totaled \$2,426,320 (beginning year balance as audited).
- C. Community Services Director Paisley wishes everyone a Merry Christmas and Happy New Year and asks for patience noting that brush and leaf pick up tend to take longer in the winter months as the materials get frozen and don't process as quickly.
- D. Codes Director Hall wished all a Merry Christmas and thanked all for a good year. Mayor Carroll notes she saw the sign for Ace Hardware which is exciting. Hall notes there are four items on the agenda for staff review in the morning but it's hard to get excited before final approval.

7. Approval of the Minutes (only needed if removed from consent agenda)

8. Consent Agenda Consisting of Items as Follows

A. Approval of the Minutes from the December 1, 2016 Board of Commissioners Meeting

- B. Approval of the Minutes from the December 1, 2016 Board of Commissioners Workshop
- C. Moved to Item 11 C

Vice Mayor Crutcher made a motion for approval with Commissioner Burks seconding. All were in favor.

11. Old Business

- A. Discuss and/or Take Action on History Village Funding Request – City Manager Collins notes he has an estimate for painting at \$2,500, spray insulation and subfloor on the plumbing area of \$4,950 plus we need electrical to power the grinder pump and handrail so we are at \$7,500. Collins states he has not spoken with Dr. Rice but knows we are looking for an estimate to complete the project. Vice Mayor Crutcher makes a motion to defer items A and B until we have all the numbers seconded by Commissioner Burks. Crutcher adds the request for Dr. Rice to bring the accounting of the \$7,500 that was left to spend from the last disbursement. All were in favor.
- B. Discuss and/or Take Action on Bill #2016-29, Ordinance No. 943, An Ordinance for an Amendment to the City of Fairview, Tennessee, Budget for Fiscal Year 2016-2017 Budget (History Village) - DEFERRED
- C. Second and Final Reading of Bill #2016-32, Ordinance No. 946, Municipal Floodplain Zoning Ordinance, An Ordinance Adopted for the Purpose of Amending the City of Fairview, Tennessee, Municipal Zoning Ordinance (Ordinance 444) Regulating Development Within the Corporate Limits of Fairview, Tennessee, to Minimize Danger to Life and Property Due to Flooding, and to Maintain Eligibility for Participation in the National Flood Insurance Program and to Repeal in its Entirety Bill Number 2004-18, Ordinance No. 579 – Vice Mayor Crutcher read the caption and made a motion for approval seconded by Commissioner Lucas. All were in favor.

12. New Business

- A. Discuss and/or Take Action on Resolution No. 14-16, A Resolution to Set a Public Hearing for the Purpose of Obtaining Public Comment on the Annexation of Certain Property Located at 7338 Overbey Road, Herein Described Below and to Incorporate Same Within the Corporate Boundaries of The City of Fairview, Tennessee; The Property to be Annexed is Located in Williamson County, City of Fairview, Tennessee Geological Listing of Assessment Roll Map 46, Parcel 44.06, Containing 2.17 Acres Belonging to Erick Allen Maggart and Wife Kelly Lenore Lampley Maggart – Vice Mayor Crutcher read the caption and made a motion for approval seconded by Commissioner Burks. The Maggarts were present in the audience. All were in favor.
- B. Discuss and/or Take Action on Appointment to Tree Commission – Mayor Carroll noted we have an application from Scott McCoy and verified no additional apps from City Recorder Johnson. Vice Mayor Crutcher made a motion to approve Scott McCoy's application seconded by Commissioner Burks. All were in favor.
- C. Discuss and/or Take Action on Bill #2016-24, Ordinance No. 948, A Replacement for Bill #2015-36, Ordinance No. 901, An Ordinance to Change the Zoning of Certain Property in the City of Fairview, Tennessee, Located on Horn Tavern Road, Owned by Raymond Pruitt and Wife, Brownie Lee Pruitt, as Shown on, Williamson County, Tax Map 022, Parcel 15.00, from RS-40 (Residential), to RS-15 PUD (Residential Planned Unit Development) – Vice Mayor Crutcher read the caption and made a motion for approval seconded by Commissioner Burks. Commissioner Rainey asked for some explanation for the newbies. It was discussed that the PUD becomes the zoning if approved. Engineer Gary Martin was present representing the project. It was discussed that this previously began the rezoning process but halted due to lack of available sewer taps, however, that has been remedied and 20 taps have been released for the first phase of the project. Some voiced concern over the possibility of running out of taps halfway through the project so some items might not be completed though Martin was not concerned. Mayor Carroll reminded the Board that the Planning Commission should stay firm and not release the bond to protect from non-completion noting she does like the price ranges and variety offered with this development. All were in favor.
- D. Discuss and/or Take Action on Resolution No.17-16, A Resolution to Set a Public Hearing for the Purpose of Obtaining Public Comment on Changing the Zoning of Certain Property in the

City of Fairview, Tennessee, Located on Horn Tavern Road, Owned by Raymond Pruitt and Wife Brownie Lee Pruitt, as Shown on, Williamson County, Tax Map 022, Parcel 15.00 From RS-40 (Residential) to RS-15 PUD (Residential Planned Unit Development) – Mayor Carroll read the caption. Vice Mayor Crutcher made a motion for approval seconded by Commissioner Lucas. All were in favor.

- E. Discuss and/or Take Action on Acceptance of Fiscal Year 2016 Year End Audit – Vice Mayor Crutcher made a motion seconded by Commissioner Rainey. Mayor Carroll noted this was an excellent audit and praised the city staff and past board members for their amazing recovery job. Carroll noted the CFO is already working to correct the findings. All were in favor.
- F. Discuss and/or Take Action on Termination of Interlocal Agreement with Williamson County for Adequate School Facilities Tax – Vice Mayor Crutcher made a motion for approval with Commissioner Burks seconding. Attorney Cantrell notes this does not affect receipt of the tax nor the amount of the tax which is set up by a private act of the state. This eliminates the requirement to go before the county for approval of spending funds. All were in favor.
- G. Discuss and/or Take Action on Material Contract for Pyro Shows – Commissioner Burks made a motion for approval with Vice Mayor Crutcher seconding. Burks questioned if the amount was more than last year and City Recorder Johnson noted it is \$500 more. Burks also asked if our guys will continue to shoot the show and Recorder Johnson confirmed. All were in favor.
- H. Discuss and/or Take Action on Bill #2016-35, Ordinance No. 949, An Ordinance to Amend Title 7, Chapter 2 and Title 12 of the City of Fairview's Municipal Code by Repealing Ordinance 784, Adopted May 3, 2012 and Replacing it in its Entirety by the Above Styled Ordinance – Vice Mayor Crutcher read the caption. Commissioner Burks made a motion for approval seconded by Vice Mayor Crutcher. Commissioner Burks notes several typos to be corrected. Attorney Cantrell notes the ordinance is fully amendable prior to the second reading and this will allow Mr. Hall to implement the 2012 codes to be current with state regulations. All were in favor.
- I. Discuss and/or Take Action on Filling Board Seats for BOC Members
 - a. Industrial Development Board – Commissioner Rainey nominated Commissioner Lucas for the seat on the Industrial Development Board seconded by Vice Mayor Crutcher. All were in favor.
 - b. Tree Commission – City Manager Collins states there has been some discussion on amending the Tree Board membership to the Mayor and a BOC member at large. Commissioner Rainey has expressed an interest to continue serving, however, the issue of a voting majority of the BOC on the Tree Commission would create many other issues. Commissioner Crutcher makes a motion for the attorney to draft a revision for the Mayor and another member of the BOC to serve on the Tree Commission. Crutcher withdraws his motion and makes another motion to have the attorney change the language of the membership of the Tree Commission to be two members of the Board of Commissioners appointed by the BOC rather than the Mayor and Vice Mayor as it currently reads as well as creating a second ordinance so that no quorum of the BOC would be allowed on any other Board. Motion was seconded by Commissioner Burks. All were in favor.

13. City Manager Items for Discussion

- A. Miscellaneous Updates - City Manager Collins notes this meeting will adjourn to executive session and they don't anticipate the need for action so the Board will not reconvene. We have hired a new police chief, Zack Humphreys, who was slated to begin January 3 but with Interim Chief Smith's last day of last Friday, will begin the transition sooner. Collins thanked Chief Smith who stepped into the role of Interim Chief and appreciated all his work. Collins sent the Board an email to consider the creation of committees including Public Safety, Planning & Zoning, Public Works and Admin to be discussed at the next meeting. This would include a once per month meeting and any status reports, matters, or proposals from the committee would be brought to the Board by the associated Board member.
- B. City Attorney Comments – Attorney Cantrell wishes the Board of Commissioners, citizens and members of all other boards a Merry Christmas and Happy New Year.

14. Communications from the Mayor and Commissioners

- A. Commissioner Rainey - NONE

- B. Commissioner Lucas – wished everyone a Merry Christmas and Happy New Year, to be safe and stay warm.
- C. Commissioner Burks – wished a Merry Christmas to the city employees who provide services and to the public if you are looking for somewhere to serve, check board openings and also with one of our many local civic organizations.
- D. Vice Mayor Crutcher - NONE
- E. Mayor Carroll – wished all a Merry Christmas and Happy New Year noting that sometimes the discussion seems painful, especially with a new board but we are supposed to ask questions. Carroll is excited to begin a new year.

15. Adjournment to Executive Session to discuss pending and potential litigation – motion by Commissioner Burks, seconded by Lucas. Meeting adjourned at 8:22 p.m.

Brandy Johnson
City Recorder