

CITY OF FAIRVIEW

BOARD OF COMMISSIONERS MEETING MINUTES

January 5, 2017

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, Daugherty, Johnson, Hall, Humphreys, O'Neal, Paisley, Sullivan

1. Call to order by Mayor Carroll at 7:10 p.m.

A. Prayer and Pledge led by Mayor Carroll

2. Approval of the Agenda – Vice Mayor Crutcher made a motion for approval seconded by Commissioner Lucas. 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 - NONE

5. Public Announcements - NONE

6. Staff Comments

A. Community Services Director Paisley reminded everyone of the possible weather coming in and asked all to be cautious

B. Mayor Carroll welcomed new police chief, Zack Humphreys

C. Codes Director Hall notes we learned of a multi-modal grant opportunity that we are looking into further for application. Hall recaps building permits over the last ten years highlighting growth of the city; 2006 – 78, 2007 – 49, 2008 – 34, 2009 – 14, 2010 – 10, 2011 – 20, 2012 – 29, 2013 – 21, 2014 – 47, 2015 – 68, 2016 – 79.

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 19, 2016 Workshop

B. Approval of the Minutes from the December 19, 2016 Public Hearing

C. Approval of the Minutes from the December 19, 2016 Board of Commissioners Meeting

~~D. Second and Final Reading on Bill #2016-33, Ordinance No. 947, An Ordinance to Change the Zoning of Certain Property in the City of Fairview, Tennessee, Located at 2480 Fairview Boulevard, Owned by Craig Cropper and Wife, Janet Cropper, as Shown on, Williamson County Tax Map 46, Parcel 69.00, From RS-40 (Residential) to CG (Commercial General) removed from consent agenda~~

E. Second and Final Reading of 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 requests the removal of item D to Old Business Item B. Vice Mayor Crutcher made a motion for approval of the revised Consent Agenda with Commissioner Lucas seconding. All were in favor.

11. Old Business

- A. Discuss and/or Take Action on Setting Community Meetings to Seek Citizen Input on Current City Needs – Mayor Carroll requested this item to create meetings similar to the Town Hall forum as part of the preparation for the comprehensive plan and help understand needs for the budget. Vice Mayor Crutcher suggests waiting until we hire a firm to allow the citizens to directly convey ideas to the firm. Carroll agrees noting she is more concerned with budget planning at this time. Commissioner Burks notes if we have an idea of the general direction we want to go we can use that for budget plans and as a beginning point for the strategic plan. Crutcher voices concern over lack of focus if we go ahead with committees at this time. City Manager Collins notes he is developing a RFQ (Request for Qualifications) on the comprehensive plan to be returned no later than the end of the first quarter. Within that proposal will be community involvement meetings to identify needs and establishing committees of a core group for moving forward. We do have significant factors out of our control which complicates matters. No action taken. City Manager Collins to move forward with RFQ.
- B. Second and Final Reading on Bill #2016-33, Ordinance No. 947, An Ordinance to Change the Zoning of Certain Property in the City of Fairview, Tennessee, Located at 2480 Fairview Boulevard, Owned by Craig Cropper and Wife, Janet Cropper, as Shown on, Williamson County Tax Map 46, Parcel 69.00, From RS-40 (Residential) to CG (Commercial General) – Vice Mayor Crutcher read the caption. Craig and Janet Cropper were present. Vice Mayor Crutcher recused himself from the discussion and vote. Commissioner Burks made a motion for approval seconded by Commissioner Lucas. Mayor Carroll stated she spoke to the land owner who indicated they were not going to sell the property and she was inclined to believe the land owner's plan which is why she was not going to oppose rezoning that property. Carroll continues she generally has issues changing from residential to commercial but as this touches a larger commercial property it changes her mindset. Commissioner Rainey notes they say they are not selling but could turn around and sell tomorrow. Commissioner Burks questioned a 2 acre tract behind the one for proposed change. Owner Craig Cropper states he owns that as well and if plans come to fruition they would need another residence and plan to use this property for that purpose. Additional questions of future possibilities were debated and Commissioner Burks stated when you extend the edge of commercial zoning it becomes a continual process and is always a leap of faith. FOR: Carroll; AGAINST: Burks, Lucas, Rainey; ABSTAIN: Crutcher. Motion failed.

12. New Business

- A. Discuss and/or Take Action on Resolution No. 18-16, A Resolution to Establish Staff Committees in the Areas of Public Safety, Public Works, Planning and Administration - Commissioner Crutcher read the caption. City Manager Collins explains he has established staff committees and this would be an expansion to departmental committees. The committees would meet monthly and I request you vote to assign one Commission member to each committee with the Mayor to be in and out of all the meetings. Each BOC member would bring the information back to the Board. As you have no districts to represent this would allow each member to have a specific area of responsibility and help the staff as a partner. Vice Mayor Crutcher made a motion for approval with Commissioner Lucas seconding. Collins noted based on general conversations and interest he suggested Lucas for the Administrative, Burks for the Planning, Crutcher for Public Safety and Rainey for Public Works. Crutcher withdrew his motion and Lucas his second. Crutcher made a motion to approve the resolution with and the city manager's suggestions for committee appointments seconded by Commissioner Rainey. All were in favor. Collins thanked the Board noting he believes these committees will be a great tool.
- B. Discuss and/or Take Action on Bill #2016-36, Ordinance No. 950, An Ordinance to Amend City of Fairview, Tennessee, Municipal Code, Title 13, "Property Maintenance Regs.," Chapter 4, "Tree Planting and Protection" Section 13-403 "Establishment of a Tree Commission." – Vice Mayor Crutcher read the caption and requested the amendment of the ordinance to read two members of the Board of Commissioners and made a motion to approve as amended seconded by Commissioner Lucas. Mayor Carroll noted she will abstain from the vote as she has spent the last six years fighting public perception of Board members doing something for their own gain. Even though the change may be pure in heart with no bad intention it is still the same action. If we take an ordinance that has been here and rewrite it to meet another commissioner's need we are doing basically what we've been accused of in the past so in good conscience I cannot vote

for this and will abstain. Mayor Carroll called for a vote if there is no more discussion. ABSTAIN: Carroll; FOR: Burks, Crutcher, Lucas, Rainey.

- C. Discuss and/or Take Action on Bill #2016-37, Ordinance No. 951, An Ordinance to Amend the City of Fairview, Tennessee Municipal Code, Title 1, "General Administration," Chapter 1, "Board of Commissioners," by Addition of Section 1-108, "Appointments to Boards and Commissions." – Vice Mayor Crutcher read the caption. Attorney Cantrell explains this was drawn up so that no Board or Commission appointed by the BOC would not have more than two BOC members. Vice Mayor Crutcher states his view was to prevent a quorum of BOC members on any other board but it doesn't resolve the issue of resigning as a citizen when elected to the BOC. I prefer not to address at all because it has been common knowledge that when elected you give up your citizen seat. Commissioner Burks argues that common sense is not so common and it would be simpler to say that if you are on a committee or board appointed by the BOC and you run for office and are elected for the BOC you must give up that citizen seat. Attorney Cantrell suggested deferral for re-drafting the ordinance. Commissioner Burks made a motion to defer seconded by Vice Mayor Crutcher. All were in favor.

13. City Manager Items for Discussion

- A. Miscellaneous Updates - City Manager Collins announces the executive session at the end of the meeting noting he anticipates no votes and no action to last no more than 30 minutes. Collins welcomes Chief of Police Zack Humphreys noting he's glad to have him on board after a lengthy hiring process. Collins references Hall's announcement on permits and growth noting we have had not only residential growth but also a good bit of commercial growth. The amended budget will include a city planner as we need to update subdivision regulations and include a line item for planning commission training.
- B. City Attorney Comments - NONE

14. Communications from the Mayor and Commissioners

- A. Commissioner Rainey – NONE
- B. Commissioner Lucas – NONE
- C. Commissioner Burks states the vote on rezoning was difficult. As an attorney, I am aware of individual and property owner rights and protecting those rights. However, once the property goes commercial we lose control and would feel much better voting on it with concrete plans for the property's future. The Lions Club is holding a chitlins supper on February 11 so make plans to attend.
- D. Vice Mayor Crutcher – NONE
- E. Mayor Carroll - NONE

- 15. Adjournment to Executive Session to Discuss Pending Litigation** – Vice Mayor Crutcher made a motion for adjournment with Commissioner Rainey seconding. Meeting adjourned to executive session at 8:17 p.m.

Brandy Johnson
City Recorder