

CITY OF FAIRVIEW

BOARD OF COMMISSIONERS MEETING MINUTES

January 15, 2015

Patti L Carroll, Mayor
Toney R Sutton, Vice-Mayor
Allen Bissell, Commissioner
Shannon L Crutcher, Commissioner
Stuart L Johnson, Commissioner
Wayne Hall, City Manager
Larry Cantrell, City Attorney
Brandy Johnson, City Recorder

Present: Carroll, Sutton, Bissell, Crutcher, Johnson

Others Present: Hall, Cantrell, Humber, Daugherty, Johnson, Paisley

1. **Call to order by Mayor Carroll** at 7:02 p.m.
 - A. Prayer and Pledge led Commissioner Johnson
2. **Approval of the Agenda** – Vice Mayor Sutton made a motion for approval with Commissioner Bissell seconding. Commissioner Johnsons stated the city attorney requests the addition of item 11K under new business for Resolution 5-15 and Recorder Johnson notes items 11J and 10A need to be heard out of order just before item 8 Consent Agenda. All were in favor.
3. **Business Spotlight** – Anytime Fitness, 7048 City Center Way, Motto: Be Stronger than Your Excuses! Anytime Fitness has over 2100 locations nationwide open 24/7. Anytime Fitness offers personal training and group fitness in a safe and secure facility plus online services. Karen brought complimentary 7 day passes and informed us of January enrollment of only \$15 (regularly \$49).
4. **Awards and/or Recognitions** –
 - A. Employee of the Month Recognition to Corporal Kodi Knight
 - B. Colonel Aide de Camp certificate presentation to City Manager Hall by State Representative Jeremy Durham
5. **Citizen Comments** – NONE
6. **Public Announcements** –
 - A. City Manager Hall notes emissions testing every Monday and Tuesday from 7:30 am until noon.
 - B. City Recorder Johnson presents a power point on the design details of the new city flag
7. **Staff Comments** - NONE
8. **Approval of the Minutes** – (see consent agenda)
10. **Old Business – (heard out of order)**
 - A. Discuss and/or Take Action on Second Reading of Bill #2014-40, Ordinance No. 862, An Ordinance to Amend the City of Fairview, Tennessee, Title 1, Chapter 1, Section 1-103, "Order of Business." – Vice Mayor Sutton read the caption. Commissioner Bissell made a motion for approval with Vice Mayor Sutton seconding. Commissioner Crutcher

asked about a couple of typos to be corrected. All were in favor subject to correction of typographical errors.

11. New Business – (heard out of order)

- J. Discuss and/or Take Action on Resolution #01-15, A Resolution Creating a Consent Agenda for the City of Fairview, Tennessee – Mayor Carroll read the caption with Commissioner Bissell making a motion for approval and Vice Mayor Sutton seconding. All were in favor.

9. Consent Agenda Consisting of Items as Follows:

Mayor Carroll states a reminder that citizens can request items be removed from the consent agenda by discussing with a Board member prior to the start of the meeting.

- A. Approval of the Minutes from the December 18, 2014 Public Hearing
- B. Approval of the Minutes from the December 18, 2014 Board of Commissioners Meeting
- C. Discuss and/or Take Action on Second Reading of Bill #2014-42, Ordinance No. 864, An Ordinance to Annex Certain Property, Located at 7300 Stark Lane, Herein Described Below and to Incorporate Same Within the Corporate Boundaries of the City of Fairview, Tennessee; Belonging to Jason Lankford and Shannon Lankford. All the Property Proposed for Annexation Lies Within the City of Fairview, Tennessee's Growth Boundary
- D. Discuss and/or Take Action on Resolution 26-14, A Resolution Adopting a Plan of Services for the Annexation of Property Belonging to Jason Lankford and Shannon Lankford and to Incorporate the Same Within the Corporate Boundaries of the City of Fairview, Tennessee. The Property is Located at 7300 Stark Lane, Fairview, Tennessee, and is Shown on City of Fairview, Tennessee, Geological Listing of Assessment Roll Map 18, Parcel 14

Vice Mayor Sutton read captions for item 8C with Commissioner Bissell making a motion for approval and Vice Mayor Sutton seconding. All were in favor.

10. New Business

- A. Discuss and/or Take Action on Bill #2015-02, Ordinance No. 867, An Ordinance of the City of Fairview, Tennessee to Add a New Section to the City of Fairview, Tennessee Zoning Ordinance, Article XIV Section 14-112, Page XIV – 39, Vested Development Rights, And Providing for Conflicts Within the Zoning Ordinance, Effective Date and Severability Within the New Section and the Existing Zoning Ordinance – Vice Mayor Sutton read the caption and made a motion for approval with Commissioner Bissell seconding. Attorney Cantrell states the majority of the operations proceedings are mandated by the state with a few exceptions where the city can interject their preferences. Commissioner Crutcher pointed out two typos which were noted to be changed prior to the second reading. All were in favor.
- B. Discuss and/or Take Action on Resolution #04-15, A Resolution of the Board of Commissioners of the City of Fairview, Tennessee, Establishing a Uniform Policy on the Acceptance of Gifts and Other Donations to the City – Mayor Carroll read the caption. Commissioner Crutcher asks Attorney Cantrell what exactly this is and why it is on the agenda. Cantrell states it came out of good intentions around budget time of a citizen wanting to give cash to the general fund which is not legal. He continues that we need a policy in place of who can accept gifts, what gifts are acceptable and how they can be accepted. We should do our due diligence based on the complexity of the gift. Commissioner Crutcher requests information prior to the release of the agenda so he may know how to answer any questions from citizens and Attorney Cantrell states he will prepare a brief summary to send along with the agenda. Vice Mayor Sutton made a motion for approval with Commissioner Johnson seconding. All were in favor.
- C. Discuss and/or Take Action on Resolution #03-15, A Resolution Requesting the General Assembly of the State of Tennessee and Specifically State Senator Jack Johnson and State Representative Jeremy Durham to Sponsor a Private Act for Passage in the State Legislature on Behalf of the City of Fairview, Tennessee for Relief from the City of

Fairview, Tennessee Charter Provision C-28, Codified in Tennessee Code Annotated §6-20-215 Requiring that Every Ordinance Either Have The Ordinance or if Adopted by Ordinance the Caption to Every Ordinance Read on Two (2) Separate Occasions to Pass any Ordinance by the City of Fairview, Tennessee - Vice Mayor Sutton reads the caption and makes a motion for approval with Commissioner Johnson seconding. Johnson states this is to help the consent agenda work as it should so we won't have to read the ordinance captions. Roll call vote; JOHNSON: aye, SUTTON: aye, CRUTCHER: aye, BISSELL: aye, CARROLL: aye. Motion passes unanimously.

- D. Discuss and/or Take Action on a Fairview Leadership Program – Mayor Carroll proposes starting a leadership program for our community noting she participated in the Williamson County School's ambassador program and greatly benefited from it. The program would be similar in style to the Leadership Nashville program already in place. It would be approximately a 6 week program to provide the opportunity to see how the city runs. She would like to include department heads, speakers, see how each department works as a way to invest in our community. Mayor Carroll makes a motion to begin a leadership program with Vice Mayor Sutton seconding noting he thinks it is a great idea. Carroll states she would love to take the lead on this program but would also love input from the Board. All were in favor.
- E. Discuss and/or Take Action on Bill #2015-01, Ordinance No. 866, An Ordinance for an Amendment to the City of Fairview, Tennessee, Budget for Fiscal Year 2014-2015 Budget (Bridge at Turnbull Creek) – Vice Mayor Sutton read the caption. Bissell defers to Crutcher who makes a motion for approval with Vice Mayor Sutton seconding. Crutcher states this is a budget amendment to move \$2,000 from the Park Fund to build a pedestrian bridge over Turnbull Creek. He notes it has been a safety issue and they will use telephone poles as the base to construct the bridge. Crutcher continues that park staff wants to construct the bridge during the winter months and it will make the trail more accessible to all. Mayor Carroll confirms the funds will come from the Park Fund. Attorney Cantrell suggests the city engineer review the structure and asks what class the poles are. Parks Director Paisley states they are environmentally friendly and are class 1 or 2. All were in favor.
- F. Discuss and/or Take Action on Recommendations from the Finance Review Committee – Bissell states there are no recommendations at this time. Bissell gives the following update: most of the committee is working on revisions of the Policy and Procedure Manual, Bissell is working on health insurance for next year, they developed a plan for the budget process where more responsibility falls on the department heads and at the next committee meeting they are working on an analysis of the fire department payroll system. No action needed.
- G. Discuss and/or Take Action on Setting a Workshop for all Boards and/or Committees to Define their Role and Structure – Commissioner Bissell states it has come to his attention that we continue to have situations where there is not a clear line of authority with boards and committees and he believes it would be good to have a meeting with the chairmen from all boards and committees directly following the Town Hall meeting. Vice Mayor Sutton makes a motion to have the meeting as noted above with Commissioner Bissell seconding. Commissioner Johnson states this was actually recommended by a citizen. There was some discussion and the Board all liked the idea of the workshop and clarifying any issues. Commissioner Crutcher suggested any recommendations to the Board be presented in writing. Johnson noted that several of the boards are not keeping or submitting minutes as they are required to do either. Mayor Carroll states she would like a copy of all minutes sent to the Board. It was decided that the committee chair or a representative from each committee should plan to attend the workshop. All were in favor and Commissioner Bissell states he will do his homework and put together a packet.
- H. Discuss and/or Take Action on Resolution #02-15, A Resolution of the City of Fairview, Tennessee Authorizing the City's Chief Financial Officer/Budget Officer to Transfer Moneys from one Appropriation to Another Within the Same Fund – Vice Mayor Sutton read the caption. CFO Daugherty states this will allow him to transfer funds within the same department so that shortfalls or overages within a department can be shifted

without affecting the bottom line. Daugherty states according to MTAS most cities do business this way. Cantrell confirms that is correct that the state gives the BOC the authority the grant this authority to the CFO who must report to the Board at the next meeting where the funds were moved and the amount(s). Vice Mayor Sutton made a motion for approval with Commissioner Bissell seconding. Commissioner Johnson asked Attorney Cantrell if he would say this has happened here and Cantrell states he has no personal knowledge but it does happen and so is best to grant authority with the requirement to report the action to the Board. Crutcher requests clarification on whether the transfers would be within a fund or department and Daugherty states department. Mayor Carroll requests CFO Daugherty add this information to his monthly finance report as well. All were in favor.

- I. Discuss and/or Take Action on Bill #2015-03, Ordinance No. 868, An Ordinance to Amend the Municipal Code of the City of Fairview, Tennessee, Municipal Code Title 20, Miscellaneous, Chapter 6, Fees for Use of Facilities in Bowie Park Section 20-601 (1) Miscellaneous (a) Fees and Correct Spelling in Municipal Code Title 20, Miscellaneous, Chapter 6, Fees for Use of Facilities in Bowie Park Section 20-601 (1) Miscellaneous (b) – Vice Mayor Sutton read the caption. Commissioner Crutcher makes a motion for approval with Vice Mayor Sutton seconding. Parks Director Paisley states the park staff would like to be able to change program fees to remain competitive of other summer camps in the area. Commissioner Crutcher asks if this only applies to summer camps. Attorney Cantrell states it applies to all miscellaneous fees of the parks which have not been changed since 2004 when the original ordinance was passed. This would give the Parks department an opportunity to act quickly by recommending to the City Manager the fee structure for his approval. Crutcher asks what if the Board doesn't agree with the fees set? There was discussion stating this is not to institute new fees and certainly does not include any kind of park access fee. Commissioner Bissell amends the motion to approve and make a policy that any adjustments to fees are reported to the Board each month with Vice Mayor Sutton seconding. Cantrell states the City Manager should report the fees to the Board before they are instituted. All were in favor.
- K. Discuss and/or Take Action on Resolution No. 05-15, A Resolution to Set a Public Hearing for the Purpose of Obtaining Public Comment on the Addition of a New Section to the City of Fairview, Tennessee Zoning Ordinance, Article XIV, Section 14-112, Page XIV – 39, Vested Development Rights, and Providing for Conflicts Within the Zoning Ordinance, Effective Date and Severability Within the New Section – Commissioner Johnson read the caption and made a motion for approval with Vice Mayor Sutton seconding. All were in favor.

10. City Manager Items for Discussion –

A. Miscellaneous Updates –

- i. City Manager Hall notes our website is being updated and the new site should be online soon. City Hall is closed Monday for Martin Luther King, Jr. day and the Codes Review Committee is scheduled to meet on Thursday, January 29th at 5:30 just prior to the Town Hall meeting.
- ii. Vice Mayor Sutton states he would like to request that contact to be made with Becky Coil who is in charge of the Citizens Watch program with the Williamson County Sheriff's Department would like to start back the program in Fairview noting he has had several requests for this recently and we should all do what we can to help out our local police. Sutton also requests an item be placed on the next agenda to discuss and/or take action on implementing a program of assistance to the hard of hearing in the audience at city hall.
- iii. Mayor Carroll asks about any questions on the City Manager Report or Finance Presentation and Mr. Hall states they will be on the website tomorrow.

- B. City Attorney Comments – Attorney Cantrell will create the summary on resolutions/ordinances as requested and pass along to Recorder Johnson to fill in the numbering to match the agenda. He also reminds those who need to file a state ethics report to do so by January 31 on their website and failure to do so can result in a hefty penalty up to removal from office.

11. Communications from the Mayor and Commissioners –

- A. Commissioner Bissell thanks the Board for passing the consent agenda and notes he feels a sense of accomplishment. He went to the county meeting on Monday and really liked their voting equipment. Bissell is in favor of pursuing technology such as tablets and is hoping the technology can get back on the agenda as soon as our finances improve.
- B. Commissioner Crutcher offered congratulations to Mr. Hall and wants the people to know what kind of City Manager we have. He recently contacted Mr. Hall about a minor issue and it was resolved the next day.
- C. Commissioner Johnson – no comments
- D. Vice Mayor Sutton - no comments
- E. Mayor Carroll states she is excited about the leadership program as a way to get citizens involved. She also notes they had a great trip to the county meeting.

12. Adjournment – Vice Mayor Sutton made a motion for adjournment with Commissioner Johnson seconding. All were in favor and meeting was adjourned at 8:46 p.m.

Brandy Johnson
City Recorder