

CITY OF FAIRVIEW

BOARD OF COMMISSIONERS REGULAR MEETING MINUTES

FEBRUARY 2, 2023

Lisa Anderson, Mayor
Brandon Butler, Vice Mayor
Leslie Fischer-Street, Commissioner
Wayne Hall, Commissioner
Stuart L. Johnson, Commissioner
Tom Daugherty, City Manager
Patrick Carter, City Attorney
Rachel Jones, City Recorder

Staff Present: Daugherty, Jones, Paisley, Sullivan, Blackburn, Meadows, Carter, Hogan

1. **Call to Order by Mayor Anderson at 7:08 P.M.**
2. **Roll Call** - by Jones

	Present	Absent
Mayor Anderson	<u>X</u>	___
Vice Mayor Butler	<u>X</u>	___
Commissioner Hall	<u>X</u>	___
Commissioner Fischer-Street	<u>X</u>	___
Commissioner Johnson	<u>X</u>	___

3. **Prayer and Pledge led by Vice Mayor Butler**

Mayor Anderson reminded the board that we have adopted "Roberts Rule of Order". Any vote "aye" shall be yes, and "nay" shall be no. Any member wanting to speak during the meeting should address the mayor and be recognized to speak.

4. **Approval of the Agenda and Executive Session Announcements**

Motion to approve: Hall

Second: Butler

Discussion: Commissioner Street asked to add discussion regarding the proposed zoning ordinance draft to the agenda. Mr. Carter stated he had spoken with the mayor and staff about starting the RFQ process to hire a professional consultant to review the zoning ordinance, make suggestions and take over.

Commissioner Street asked when the final zoning ordinance would be completed. Mr. Carter stated that the zoning ordinance would not be on any voting agenda until a consultant has been chosen and it has been completed professionally. Commissioner Street asked if there would be workshops held to get citizen comments and public engagement. Mr. Carter stated that probably many workshops would be held with the BOC, PC, staff, and citizens. With the zoning ordinance being pushed back Mayor Anderson asked if item 11B should be deferred. Mr. Carter stated 11B was related to fee structure for permits related to the current zoning ordinance and the current ordinance would remain in effect until the new one is completed. Mr. Sullivan stated 11B is separate from the zoning ordinance. Vice Mayor Butler stated item 11B stemmed from discussion about the parks operational plan that was created to allocate some of the building permit funds to go toward the parks. Mayor Anderson asked if any part of item 11B was fees to go toward the parks. Mr. Sullivan stated it was. Mayor Anderson stated she did not want to wait due to the funds going toward the park. Commissioner Hall asked if they voted tonight would that change the

fee's going toward the park now or would it not take effect until next budget. Mr. Sullivan stated it would go into effect after the second reading. Mr. Carter reminded the board that tonight was just first reading, and he didn't see any harm in hearing it tonight.

	YES	NO	ABSTAIN	RECUSE
Mayor Anderson	<u>X</u>	___	___	___
Vice Mayor Butler	<u>X</u>	___	___	___
Commissioner Hall	<u>X</u>	___	___	___
Commissioner Fischer-Street	<u>X</u>	___	___	___
Commissioner Johnson	<u>X</u>	___	___	___

5-0, Agenda approved as is.

5. Public Hearings (to be done with items)
Done with agenda items - None

6. Citizen Comments

- A. Jeff Pape – 7114 Elrod Rd
- B. Tiffany Wilson-Mobley, 7303 Cox Run Ct
- C. Tim Mangrum – 7326 Fernvale Rd
- D. Susan Morrison – 7250 Northwest Hwy

7. Public Announcements, Awards, Recognitions

- A. City Events - Daugherty

8. Staff Comments and Monthly Reports

- A. Planning Report - Sullivan
- B. Finance Report – Daugherty
- C. Public Works Report - Daugherty
- D. City Manager Report – Daugherty

9. Consent Agenda (Any Item May Be Removed for Individual Consideration)

A. Minutes from Board of Commissioners Meeting January 19, 2023

Motion to approve: Johnson

Second: Hall

Discussion: Commissioner Street stated the swearing in of Commissioner Johnson last meeting was not proper due to the oath being administered by the mayor. Mayor Anderson stated she did not administer the oath as a mayor but as a notary public. Mayor Anderson stated she was given wrong information about notaries being able to administer the oath and the oath was administered again by the city judge. Commissioner Johnson stated he had expressed to City Manager Daugherty the next morning his desire to be sworn in again due to not having a bible available at the meeting. Mayor Anderson pointed out that Commissioner Johnson did not participate in any vote that was taken that night. Mr. Carter stated the minutes accurately state what happened during the meeting. He also stated that the original swearing in was ineffective but the second swearing in was effective and properly done.

	YES	NO	ABSTAIN	RECUSE
Mayor Anderson	<u>X</u>	___	___	___
Vice Mayor Butler	<u>X</u>	___	___	___
Commissioner Hall	<u>X</u>	___	___	___
Commissioner Fischer-Street	<u>X</u>	___	___	___
Commissioner Johnson	<u>X</u>	___	___	___

5-0, Minutes approved as is.

10. **Old Business**

NONE

11. **New Business**

A. **Resolution 05-23, A resolution authorizing the city manager to engage a new city attorney.**

Motion to approve: Hall

Second: Johnson

Discussion: Commissioner Johnson asked City Manager Daugherty to provide a cost analysis of what was paid to former city attorney, Mr. Potter, over the last two calendar years.

	YES	NO	ABSTAIN	RECUSE
Mayor Anderson	<u>X</u>	___	___	___
Vice Mayor Butler	<u>X</u>	___	___	___
Commissioner Hall	<u>X</u>	___	___	___
Commissioner Fischer-Street	<u>X</u>	___	___	___
Commissioner Johnson	<u>X</u>	___	___	___

5-0, motion approved.

B. **Ordinance 2023-01, An ordinance to amend Title 12 of the City of Fairview Municipal Code, specifically, sections related to the city's fee structure for permits and fees related to construction, remodeling, building permits; and industrial, commercial, and residential development.**

Motion to defer to March 2, 2023, meeting with workshop being held prior: Johnson

Second: Street

	YES	NO	ABSTAIN	RECUSE
Mayor Anderson	<u>X</u>	___	___	___
Vice Mayor Butler	<u>X</u>	___	___	___
Commissioner Hall	<u>X</u>	___	___	___
Commissioner Fischer-Street	<u>X</u>	___	___	___
Commissioner Johnson	<u>X</u>	___	___	___

5-0, motion to defer approved.

12. **Communications from the Mayor and Commissioners**

13. **Adjournment** – Commissioner Johnson made a motion for adjournment and the meeting was adjourned at 7:59 P.M.



Rachel Jones, City Recorder