

CITY OF FAIRVIEW

BOARD OF COMMISSIONERS MEETING MINUTES

February 5, 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 7:01 p.m.
 - A. Prayer and Pledge led by Mayor Carroll
2. **Approval of the Agenda** – Vice Mayor Sutton made a motion for approval with Commissioner Crutcher seconding. All were in favor.
3. **Citizen Comments – (Limited to the first 5 citizens to sign in and a limit of 3 minutes each).** –
 - A. Jon Cherry of Fairview Area Chamber of Commerce announces the Chamber is hosting a Progressive Dinner on Tuesday, February 24 beginning at HomeTown Pets at 6:00, moving to The Nail Salon at 6:30 and ending at Goin' Postal at 7:00. The event is free and an opportunity to see what the business is about and get to know the owners. Spring Clean Sweep will be Saturday, March 28 beginning at First Bank at 8:30 am and the Business Expo will be on Saturday, April 18 from 10 am to 2 pm.
4. **Awards and/or Recognitions –**
 - A. Retirement Ceremony honoring Fire Chief Mike Cooper – City Manager Hall read a proclamation honoring Chief Cooper and presented him with an antique fire extinguisher. Members of Fairview Fire Department present honoring Chief Cooper were Captain Jason Lankford, Captain Scot Hughes, Captain Kyle Jones, Captain Jesse Woodard, Lieutenant Sean Sullivan, Lieutenant Clay Gholson and firefighters Chad Harrah and Nick Persinger.
5. **Public Announcements –**
 - A. City Manager Hall announces emissions testing weekly on Monday and Tuesday from 7:30 am to noon.
 - B. City Manager Hall announces a fire department training exercise on Saturday from 8 am to 5 pm at 716 Hwy 96. They will demolish a house via controlled burn.
 - C. Mayor Carroll announces we received an extension on the Roadscapes grant through April 2016.
6. **Staff Comments –**
 - A. CFO Tom Daugherty notes that our goal is to be at 58% in January for expenses and revenues. Our revenues are at 56.1% and expenses at 58.4% average through January 31. More detailed report to follow in two weeks.
 - B. Parks Director Keith Paisley notes that the Parks Department and Friends of Bowie Park have joined with Tennessee Environmental Council in the goal of planting

50,000 trees across the state of Tennessee in one hour on Saturday, February 21. Meet between 9 and 9:30 at shelter one and planting will occur from 10:00 to 11:00 am. This is a test run for a world record attempt. Go to www.bowiepark.org for more information.

- C. City Recorder Brandy Johnson shares status of act requested from Senator Johnson and Representative Durham so captions of ordinances do not have to be read on consent agenda. Senator Johnson's office has filed the act and it is not a private act but one other municipalities may opt in.
- D. Codes Director Frank Humber notes that building permits are really taking off. In 2013, we issued 19 permits, in 2014 39 permits were issued and to date in 2015, 11 permits have been issued. We had a goal of 50 permits for the year and we are well on our way to exceeding that estimate.

7. Approval of the Minutes – (part of consent agenda)

8. Consent Agenda Consisting of Items as Follows:

- A. Approval of the Minutes from the January 15, 2015 Public Hearing
- B. Approval of the Minutes from the January 15, 2015 Board of Commissioners Meeting
- C. Second Reading of 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)
- D. Second Reading of 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
- E. Second Reading of 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)
- F. Resolution #06-15, A Resolution to Set a Public Hearing for the Purpose of Obtaining Public Comment on Ordinance No. 869, Bill #2015-04, An Ordinance to Amend City of Fairview, Tennessee, Zoning Ordinance, Article XVII, Section 16-104.3, "Board of Zoning Appeals, Membership"

Vice Mayor Sutton read the captions for items 10 C, D and E and made a motion for approval with Commissioner Johnson seconding. All were in favor.

9. Old Business - NONE

10. New Business

- A. Discuss and/or Take Action on Certificate of Compliance for Fairview Liquors and Fine Wines, 2382 Fairview Blvd, owners: Jean A Dolan, Ken Karger & Ann McConnell – Vice Mayor Sutton confirmed all three owners present and made a motion for approval with Commissioner Bissell seconding. All were in favor.
- B. Discuss and/or Take Action on Certificate of Compliance Renewal for Good Times Spirits and Wines, owner: Jeff McCord – Vice Mayor Sutton confirmed owner present and made a motion for approval with Commissioner Johnson seconding. All were in favor.
- C. Discuss and/or Take Action on Bill #2015-04, Ordinance No. 869, An Ordinance to Amend City of Fairview, Tennessee, Municipal Zoning Code, Article XVII, Section 15-104.3, "Board of Zoning Appeals, Membership." – Attorney Cantrell states this item was requested by Vice Mayor Sutton in an effort for the Board of Zoning Appeals to hold more efficient meetings by allowing the ex-officio member voting rights if it would provide

- a quorum or in the event a tie-breaking vote is needed. Vice Mayor Sutton made a motion for approval with Commissioner Johnson seconding. All were in favor.
- D. Discuss and/or Take Action on Service Contract for IT in Courtroom – Commissioner Bissell defers to CFO Tom Daugherty for details on the contract. Daugherty presents the 1 year contract from Interactive Solutions at \$8,317 to include all parts and labor, travel time, 24 hour online support and tech support. Daugherty states that Channel 19 is currently not transmitting and we are in the process of determining the cause. We have had to go to the dealer who installed our equipment for the repair. This repair (if the problem is as currently diagnosed) will cost at least \$3,000 and likely more. They have agreed to roll in our current open service call to the contract if we approve. Commissioner Bissell made a motion for approval with Vice Mayor Sutton seconding. The Board had discussion about budget for this item and why we don't currently have a service contract for such expensive equipment. The contract includes a listing of all parts in our system and several parts cost \$5,000 and up. Discussion was had about the importance of this service to the citizens and how it would be covered under our current budget. CFO Daugherty shared the cost would be divided among four departments: Court, Codes, Police and Streets split between the line items of salaries, operating supplies, office machinery, computer equipment and overtime, and that it makes a lot of sense to invest in this contract. Further questions about payment schedule for the contract and if there was a deadline for approval. Commissioner Johnson amends the motion to approve based on negotiating 4 equal payments with Vice Mayor Sutton seconding. FOR: Carroll, Crutcher, Johnson, Sutton, AGAINST: Bissell, Motion carried. Original motion tabled until we receive an answer on the amended motion.
- E. Discuss and/or Take Action on the Recently Passed Resolution Concerning Gifts to the City - Commissioner Bissell states he has heard more confusion on this resolution than anything else during his tenure in office. Bissell offered a motion for the following changes: insert in excess of \$10,000 into the first sentence after on behalf of the City; remove the last sentence of the first paragraph; in the second paragraph, add "when the value of the donation or gift is in question" in the first sentence after prior to voting to accept a donation or gift; change will conduct to should conduct; in paragraph three after the first phrase of the first sentence add "when the legality or gift is in question"; change will seek to should seek; in the fourth paragraph insert after Board of Commissioners "or receiving official if less than \$10,000 should; and remove the word may. Commissioner Crutcher made a motion to accept these changes with Vice Mayor Sutton seconding. All were in favor.
- F. Discuss and/or Take Action on Bowie Park Summer Camp Fee Change – Commissioner Crutcher defers to Parks Director Keith Paisley. Paisley states the parks department would like to change the full day camp fee to \$125 and add a half day camp at \$75. He noted Mr. Hall has approved and he is asking the Board's approval. Vice Mayor Sutton made a motion for approval with Commissioner Bissell seconding. Sutton comments these fees are still well under those of camps in the surrounding area. Attorney Cantrell reminds Paisley a full listing of all park fees should be posted in the park, at city hall, on the website and any other public location in town that the city uses to post notices. All were in favor.
- G. Discuss and/or Take Action on Grant Committee – Mayor Carroll suggests creating a grant committee to research grant options and do some legwork as a way to utilize the skill set of our citizens. It would be an advisory committee that works with city staff to would bring data on available grants in for further discussion. It was discussed that Mr. Hall would set up this committee as he sees the need. No action.
- H. Discuss and/or Take Action on Assistance to the Hearing Impaired in Attendance of Meetings at City Hall – Vice Mayor Sutton defers to City Recorder Johnson who shares an update on research. Johnson notes we have determined what type of system we will need to utilize and are researching options that will work with our current sound system. Budget pricing for the ones we have found run \$1,000 to \$1,500. These are smaller FM transmitter systems that utilize a transmitter that works with our sound system and the user wears a receiver with headphones. The systems we are looking at have 2 or 4 units each. No action.

11. City Manager Items for Discussion –

- A. Miscellaneous Updates – NONE
- B. City Attorney Comments – Attorney Cantrell notes a follow up on the state legislature bill and was pleased they are doing it as general legislation rather than a private act. He also announces that a lawsuit was filed on January 30, docket #2015-41, Mooneyham versus Officer Ray Martin, Terry Harris as Police Chief, City of Fairview and Wayne Hall as City Manager. Cantrell states this is now public record and anyone can obtain a copy of the suit. He continues that it will be defended vigorously.

12. Communications from the Mayor and Commissioners –

- A. Commissioner Johnson – NO COMMENTS
- B. Vice Mayor Sutton reminds everyone to wear red tomorrow to support heart disease.
- C. Commissioner Bissell – NO COMMENTS
- D. Commissioner Crutcher – NO COMMENTS
- E. Mayor Carroll thanks everyone for attending and notes a great article about Fairview was in the Tennessean this week and has sparked lots of interest. Mayor Carroll reminds every one of the benefit for Joey Hughes on Saturday night at Binkley's – dinner at 6:30 and music begins at 7:00. Carroll recognizes John Stark's 90th birthday noting he is a special citizen, former mayor and former fire chief.

13. Adjournment - Vice Mayor Sutton made a motion for adjournment with Commissioner Bissell seconding. All were in favor and meeting was adjourned at 8:20 p.m.

Brandy Johnson
City Recorder