

CITY OF FAIRVIEW

BOARD OF COMMISSIONERS

February 6, 2014

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

Present: Totty, Johnson, Bissell, Carroll, Sutton
Others Present: Hall, Cantrell, Daugherty, Johnson
Not Present: Johnson

1. M called the meeting to order at 7:04 p.m.

A. The prayer and pledge were led by Mayor Totty

2. Approval of the Agenda –

- A. Mayor Totty notes to Add to New Business under 8I to Cancel the Board of Commissioner's meeting on July 3, 2014
- B. Attorney Cantrell notes a request to add item for 8J under New Business Resolution to Set Public Hearing on March 6 on item 8F

Commissioner Sutton makes a motion for approval and Commissioner Carroll seconds. All were in favor.

3. Citizen Comments – (Limited to the first five (5) citizens to sign in and a limit of three (3) minutes each).

A. No Citizen Comments

4. Awards and/or Recognitions –

- A. Mayor Totty recognizes Fairview High School in the paper – the wrestling team came out second so if you have any interest in accolading the wrestlers or rocking the matches they came out second and the boys will be going to Regionals this weekend. Anyone that is successful at Regionals will carry the Fairview High School wrestling team to State. Also the Fairview High School football team won District awards they were showing off their awards. There is a new trophy in the Fairview High trophy case. So, if you know of any high school students give them kudos and heads up for doing a great job not only in their academics but also in the sports.
- B. Mayor Totty notes in the Tennessee Town & City January 20 edition that Tennessee was voted in 2013 the state of the year according to Business Facilities Magazine, a national economic development publication. Tennessee's top five economic development projects total 6,900 jobs. That's \$3.2 billion in capital investments and seven expansions and new recruitments. The magazine picked the state after evaluating the five projects

with the number of jobs created and that is that Tennessee is the 2013 state of the year.

5. Public Announcements –

- A. Commissioner Sutton reminds everyone of the Chitlin' dinner this coming Saturday at the Lion's Club starting at 4:30. Chitlins, fried chicken, and side items. Adults are \$12, children \$6 – all goes to a good cause. So if you don't love chitlin's you can have chicken. So don't let that stop you from coming on out and supporting the Lion's Club. That's this Saturday at the ballpark Lion's Club.
- B. Interim City Manager Hall reminded everyone that emissions testing is every Monday and Tuesday of each week from 7:30 a.m. to noon.
- C. Commissioner Carroll thanks everyone that came out for the community garden meeting. I think we had a great meeting and it seems like we are going to move forward. I want to invite anyone that is interested in being a part of this exciting opportunity please email me, it's on the website, I'd love to plug you in for the next meeting that way you'll have a chance to get involved. Carroll also notes that the Vice-Mayor has asked her to let everyone know he is absent due to a work trip so I thought I would let y'all know at the beginning so you didn't have to sit there and wonder where he is.
- D. Mayor Totty highlights get connected, stay connected from our IT guy here at City Hall, Mr. Nik Day and he has stated to stay connected in the community and to Fairview happenings, good ways to do this is to attend meetings, the website is Fairview-tn.org, that there is the website Video on demand, there is You Tube channels, they're on Facebook, Twitter, the website updates at bottom right of the Fairview-tn.org is where you can put in your name and your email and you'll get updates as they become available, Comcast channel 19 and U-Verse is up soon and the local newspaper, Observer. So, that's from the IT guy, thanks Nik for providing that of how to get connected and stay connected to the City of Fairview.

6. Approval of the Minutes –

- A. The minutes from the January 9, 2014, Special Called Board of Commissioners Meeting– Commissioner Sutton made a motion to approve and Commissioner Bissell seconded. All were in favor.
- B. The minutes from the January 16, 2014 Board of Commissioners Meeting - Commissioner Sutton made a motion to approve and Commissioner Bissell seconded. All were in favor.

7. Old Business –

8. New Business –

- A. Discuss and/or Take Action on WildRun (RunWild) Bowie Park 6 Miler. Jenny Herrera, Parks Department, notes they are asking permission for Nashville Running Company to return this year and to host their run. It will require park staff to close down the trails on Sunday, July 20th from 6 am to 11 am. They are again offering this year 25% of their profits that they would like to donate back to the park and the City. I have Season here if you have any questions about Nashville Running Club. Commissioner Sutton asks Chief Cooper if we will be able to cover the event for EMS like we did last year and Cooper responds

absolutely. Mayor Totty asks if the insurance and the waiver has been taken care of appropriate for the City. Herrera responds they will as soon as it's approved – they do have insurance for the million dollar and also will pay the fee and deposit. Mayor Totty asks and a hold harmless will be signed on the behalf? Herrera responds definitely and everyone who runs will as well. Commissioner Bissell makes a motion for approval and Commissioner Sutton seconds. All were in favor.

- B. Discuss and/or Take Action on Text Marketing System – Interim City Manager Hall notes that he wants to discuss this tonight rather than take any action. It is a text system that will go out to our citizens in case of emergency or if 100 Highway gets shut down the Police Chief or the Fire Chief could put this on immediate system and tonight we have Andrea Beaty is here with Homepages and I would like y'all's input tonight on whether you think this would be a good idea or not is the reason that we are bringing it to you and at this time I want to introduce Ms. Andrea Beaty. Thank you so much for having us here. I really appreciate a few minutes of your time. My name is Andrea Beaty and this is Suzanne Calvert, she is a co-worker and we are the community representatives here in Fairview working on a hyper-local community directory and we also provide Close By text marketing for small businesses but of course in the communities that we do text marketing for we also provide that service to the cities. We do have several cities that are using the program and I've provided a little bit of material so you can see examples of the messages that they send. This is of course a kind of temporary signage display so you can see what the codes look like because what we do is we give you a simple four digit code that we will help you promote. We will provide full color marketing materials so we can get that code out into the community. Most communities that are currently doing our text program currently do a press release with their local newspaper, they will post it on their Facebook and their website. That way the entire community knows how to get plugged in similar to what you were What our cities are really doing is using this as an alert system because the automated phone systems that we use for the school alerts they take a while to dial through to everybody. If there's a school lockdown or a school closure that text can go out within seconds to absolutely everybody on the list. If there's construction going on on Highway 100 or if there's a wreck that's going to log up traffic, that text can go out instamatically to everyone that's in the program. The program is completely opt-in so the messages are only going to go to the people in the community that say I want to be on that list, I want to get those alerts. That way you won't frustrate anybody who does not like to receive text messages. But our program is completely unlimited. You get unlimited messaging and unlimited texting. And our program gives you a dedicated text support specialist so anybody involved with the City that has authorization to set up those type of alerts, if the Police Chief wants to send out a traffic update or if the City Manager wants to announce a community event they can contact the text specialist and that message will go out within minutes. But also in case of emergencies you have the capability to log in from a computer and the authorized personnel can also send those messages directly from the front screen of their cell phone so it can go out immediately to everybody that needs to have those alerts and messages. Mayor Totty asks for questions or comments from the Board. Commissioner Bissell asks if there are any hidden fees and \$995 covers it all. Beaty responds correct, there are absolutely no hidden fees and it is 100% all inclusive. Commissioner Sutton asks if the site

will be flooded with advertisers. Beaty responds it is a text message that comes directly to the front screen of subscribers and the only message they will receive is the one that you send out. They aren't going to get messages from other advertisers. If they opt in to your list they are only getting your messages. Commissioner Bissell says it sounds like a good idea to me. Commissioner Sutton thanks Ms. Beaty for coming out tonight and giving us information on it and look forward to getting involved in it, getting into it a little bit more. Ms. Beaty notes that if there is anything she hasn't addressed in your handouts, please feel free to let me know because I think that there's some great message examples in there from what the other cities are doing. They use it for everything from tornado alerts to a boil alert if there's a water main break, school closures, and of course simple things like the Christmas Parade having to be rescheduled. Being able to at a moment's notice let everybody in the community know about that and when the new event date will be. So, it's a great tool to help you stay connected. Mr. Hall asks Ms. Beaty to confirm the list is compiled without any expense to the city and she confirms.

- C. Discuss and/or Take Action on Tree Board Recommendations – Mayor Totty notes the Tree Board met on Tuesday and then they had a special meeting today at 6:30 on another item.
1. The first item for recommendation, the Tree Commission voted to recommend the approval of the Revised Tree Removal Replacement Plan and Landscape Plan for Alpha Technologies as presented to the Tree Commission on February 4, 2014 with the revised replacement trees that meet the City's approved Tree List. Commissioner Sutton makes a motion for approval and Commissioner Carroll seconds. Sutton asks if we are still looking at the pile of trees where we will be able to see them by Lake Van, that's the cutting zone there, right? Mayor Totty notes this is dealing with Alpha Technologies tree plan at the Industrial Park and their tree planting. All were in favor.
 2. The Tree Commission approved a motion that the BOC approve their density standard with a basal area of 60 to 80 for the Loblolly Pines on Dice Lampley Road out-parcel in the section of Bowie Nature Park west of Little Turnbull Creek and Hidden Hollow Creek. Commissioner Carroll makes a motion for approval and Commissioner Sutton seconds for discussion. Sutton asks if we know exactly what area we are talking about, knows we have a general area but that's a lot of land space we are dealing with. I know part of it is over there where we put the mulch and things like that but I'd like to know a little more about where we are talking about on the trees. Commissioner Bissell notes he's not sure the Tree Board has any jurisdiction in Bowie Park. The Tree Board as I understand it is a subset of the Planning Commission and its area of expertise, if you will, or authority has to do with commercial properties being developed in the City and the replacement of trees. It really doesn't apply to residential and certainly wouldn't apply to Bowie Park because that's not commercial, that's controlled under the Conservation Easement. My second question would be has this been vetted with the Park Committee who we do look at to be involved in those kinds of things. So, until we got some clarification on those two items I really don't think I can

support it at this time. Carroll asks if the Mayor can address that question how it got sent to the Tree Board just out of curiosity. Mayor responds the Tree Board had a discussion about the Loblolly's. The Tree Board was discussing the trees and had the forester and that was a discussion held on Tuesday. Carroll notes she's not so sure Commissioner Bissell is off base on the Tree for the purpose of it but I do feel like that is our expert of people come together as far as the trees and their input would be appreciated but I am curious, I mean, he brings a valid point the purpose of the Tree Board if they would be the ones to really decide this. Totty I also have a concern of not knowing exactly what the parcel is of concern so I believe more information would satisfy me to know a little bit more about what we're voting on. None in favor, all were opposed.

3. Recommendation to the Board of Commission that the City use the Tree Bank funds to improve the streetscape on Bowie Lake Road as the ordinance allows. What might be helpful is the drawing that the arborist looked at at the board meeting, do you have that to put on the overhead? The drawing of the streetscape for Bowie Lake Road that was discussed? City Manager Hall indicates he will go get his copy. Mayor asks if we can put it on the overhead I think that will be very helpful. Commissioner Bissell asks if we know how much that it is, how much of the fund that will take? Mayor replies \$1825 was the total of the trees that were recommended. Mayor recaps that whenever the road was being built the discussion was to have some type of streetscape as you enter Bowie Lake Rd on the left and it was not put into the total plan. At the Tree Board and the Park Board meeting both it was discussed with Interim City Manager Hall about if that can get back on front burner. This was discussed and is why the special meeting was called by the Tree Board for the arborist to review it, approve it, and make suggestions of what trees would be good to use, what are on the tree list and also what would be sustainable. So if you notice as you first come in to the left, that is where they are called green pillars or Pin Oaks where the first yellow marking is and then further down on the left that would be Redbuds which is the City Tree. Any comments or questions from the Board? Commissioner Sutton asks if the area where the new plan goes is that encroaching on the private property there? Totty responds that yes, that is on private property and that is why the amended motion was as the ordinance allows because the Tree Bank ordinance says on City property so that would be a discussion with the Interim City Manager of how the remaining part of that project get completed. It's an approximate \$425 by the arborist's estimation and that could be something where we had a little left over from the widening of the road. That money could be utilized for that or there could be other money that is allowed for landscaping. Mr. Hall do you want to address that? Hall replies yes ma'am, we can handle that on the private property with those funds but funds from the Tree Bank can only be spent on property that belongs to the City which starts at the Community Services

building and goes all the way down to the Fire Department so the Tree Bank fund can handle the cost of that. Commissioner Carroll asks there is a section that we will pay for out of JUST general fund but the rest will be covered by the Tree Bank fund? Hall replies it's roughly \$425. Carroll states she is just restating to make sure it's clear. (No first or second) All were in favor.

D. Discuss and/or Take Action on Park Board Recommendations – the Park Board met on Monday the 3rd. Very, very active, interactive meeting and the Park Board has recommendations for the Board of Commissioners this evening.

1. The first is the recommendation to the BOC to approve to move forward to design and cost estimate for an ADA trail from Bowie Nature Center to Joann's Classroom. Commissioner Bissell made a motion to approve and Commissioner Sutton seconded. Commissioner Bissell clarified at this point we are just looking at the designing and how much it's going to cost. Mayor Totty responds we are asking for the favorability saying it's a necessity, we need to look at it then if we get it all nailed down we need to find the money for it. Bissell states it sounds like a good thing to me. All were in favor.
2. Recommending for approval the amount specified by the arborist to be spent out of the Tree Bank. The Tree Bank has approved this evening for Bowie Lake Road. I am going to make motion that that be deferred, actually that be tabled indefinite, because the Tree Board picked that up after review of the streetscape by the arborist. It was not in position for the Park Board to make the recommendation on Monday before it was reviewed by the arborist so I'm making that explanation and asking for that to be tabled indefinitely. Commissioner Sutton seconds. All were in favor.
3. Recommend for approving a line item in the park budget for advertising and directional signs for 840 up to \$2000 in the 2014-15 budget and with the request that this is not from the park funds. Commissioner Sutton makes a move to approve for discussion. Commissioner Carroll seconds. Sutton asks where else do we need those signs? As we are coming in from Nashville there is nothing there. Mayor Totty states 840 is the discussion. Sutton states his question is do we need to consider all of it at one time because there is nothing coming in from Nashville. Montgomery Bell Park is there and you don't know you're getting off at Fairview until you get up to the exit basically. On 840, I know that's going to have to be approved for the people at 840, I know there's a sign out there for the antique shop but there's nothing the other way from 40. Mayor Totty states let's clarify because I believe we have Bowie Nature Park signs on both I-40 exits. Sutton states we have it on the off ramp not on the interstate. Mayor Totty says on the blue signs is what you're asking? Sutton confirms yes. Hall asks, it's not on the attractions sign? Sutton states no and it needs to be on all of them in my opinion. Totty states good point. In discussion, did you find the company that we dealt with Mr. Dietze with the signage? Mr. Hall states we've gone back we cannot find it and from what I've been told someone donated the \$1500 for the sign and the park at the time was going to pay for it out of the park fund

for the maintenance fee each year which is \$400. Commissioner Sutton notes that's just for the one sign and Hall confirms. As we found out the other night the mileage on there is wrong too, need to change the mileage on there. We've gone back, went to Crystal and asked her and she didn't have anything on it so far we can't find anything where it was paid for by the City. Totty states it was paid for by a citizen. Sutton states that last year at the back to school thing, the gentlemen was there that makes those signs for the state of Tennessee, I've got his card somewhere. We should have already done that a long time ago, it was brought up a long time ago. If this is our crown jewel and it's everything we say it is it needs to be advertised. And waiting for somebody to get off the interstate, up here by the liquor store, to see a sign for Bowie Park, it's too late. It needs to be on both directions going east and west, needs to be on 840 and on 40. I think there needs to be a better sign at 96 and 100. Commissioner Carroll states it is there on the attraction but there's no pointer. On the big sign where it says attraction it's not there. It says Montgomery Bell Park but it doesn't say Bowie Park. Carroll asks where is the Bowie Park sign on 40? Sutton says as you get off the ramp and go down, its right over there and there's one down there at 96. Commissioner Bissell states he thinks Commissioner Sutton may be missing it and there is a blue attraction sign that has Bowie Park on it. Now, we don't have an independent sign like Montgomery Bell does that's the big brown sign that says state park, but on the blue attraction sign out here at 40 it does say Bowie Park. Sutton asks on the interstate? Bissell and Carroll confirm. Carroll states Mr. Dietze, Totty interjects that's what Mr. Dietze, the citizen, purchased. Great discussion but let me remind, the recommendation is not about the signs or getting the signs. It was brought up that they want to get signs but they don't have the budget. They're asking that we allow the park department to have the line item budget for signs. We still have much time to discuss his having enough, not having enough, the directions, how many, there's more to be discussed because it's not ..and we have a vendor that's all they're asking is that we have it in next year's budget. Hall states I asked that in the meeting the other night, it will be on the north and south Totty states we have a vendor which is where the up to \$2000 but that doesn't include if we have multiple signs or more pointer signs so we may discuss it in budget talk once the park board, and I'm looking for Jenny, once the park department budget is discussed, we may find that for one project but we need additional money in that budget for other line items. Carroll asks for clarification, I was thinking it was a promotional line item that would include the signs so if you would just clarify how we discussed in the meeting. Totty states we discussed about it having advertising, promotion and signs. This particular was for signs because we had a specific amount which was \$2000 but I don't think we were trying to get a \$2000 line item because that would not be enough for what her needs are for advertising and marketing so it was on the signs. Yes, we talked about all of them but if we have the up to \$2000 I

would remove that if that would be the whole advertising budget because she needs more than that. Carroll states if we limit it to a line item budgeted just for signs instead of promotional and including the signs under it. Mayor Totty notes they will have a second line. Commissioner Bissell asks if they are asking us to consider that or to approve that now? Totty states she is recommending and Jenny was with us and the Park Board recommend for approval a line item in the Park budget for directional signs on 840 up to \$2000 in the 2014-15 budget and with the request that this funds did not come from the park fund. Bissell states I have some difficulty with us mandating a line item in a budget and not waiting until the budget process. I don't have any problem with us agreeing that we will address it during the budget process and if we think it's the right thing to do we will fund it. But to say right now we're going to have a line item and it's going to do this and this is how we're going to pay for it to me is just not the budget process we've been using and I think we ought to wait until the budget process starts. Carroll states she actually thinks it's a good idea to have it but doesn't know if it's necessary. Bissell interjects he's not saying he's against it he's just saying he doesn't think now is that time to start approving ad hoc budget items because then we'll find we get to the budget process and something higher on the food chain may be pressing us that we want to do and we can't do it because we've already ad hoc'd everything out. Carroll states that just because you put a line item on the budget doesn't mean you have to fund it any certain amount. You could put it on there without, we already know we have to pay for the signs that was funded by the individual who purchased the sign. We have a yearly fee that we have to pay and right now that's coming out of just the park budget, where was that coming from? Sutton states the general funds. Carroll states she thinks it was something in the park. Hall states we actually have a line item for signs already. Mayor Totty states it has \$500 in it currently. Carroll states so it doesn't need to be added, it's just the amount to change. Hall states it can be approved at budget time. Sutton asks if we need to make a budget amendment to cover this for now. Mayor Totty replies no because it's next year's budget. Hall notes the line item is for general signs not just park signs, stop signs, etc. Sutton notes like we have at City Hall. Carroll agrees there's no need to do it now. Bissell states it sounds like to him what they are looking for is an assurance for two things; one, and I think it should come out of the sign budget, not out of the Bowie Park fund, two, that we add to that and I think that's a valid request, I just don't think that we do that now, I think we do that as part of our budget process is the only point I was trying to make. All were against.

- E. Discuss and/or Take Action on Vacant Board Seats – we have several board seats that are available due to either time limits or resignation. We have an Industrial Board seat available, we have a Board of Zoning Appeals available, we have a Planning Commission seat available and there is a Park Board seat that is available but that will be filled by a Planning Commissioner at the

Tuesday meeting that's on their agenda. First of all we have applications listed on the website Fairview-tn.org if you want to fill out an application it is a download on the website. If you want to pick up an application at City Hall you can do so with City Recorder Mrs. Johnson or Interim City Manager Hall. We have this evening two applications submitted specifically for the Municipal Planning Commission. We have Ms. Henrietta Hall and Mr. Ron Rowe, are they present? I want to correct, I did not have these, we have four applicants for the Planning Commission, Mr. Mitchell Dowdy and Mr. John Hall. Ms. Henrietta the reason we ask for the candidates to come forward is a simple question and answer and usually one of the best questions to ask is why do you think that this is of interest to you and then I'll ask the Board if they have any other questions specifically just to get to know what your interest is. Welcome.

- Ms. Henrietta Hall states her interest in the Planning Commission is mostly because I've lived here for 30-some years, I think, and I have watched from afar our City grow and I feel that with my experience in Interior Design and I do know how to read plans. City planning I think is an important part of where we want to go and where do we want to be 25 years from now and I would like to be a part of that for the better of the whole town and I think it's important, it's really important. Mayor Totty asks the Board if they have any questions or statements to Ms. Hall. Commissioner Carroll states no, I know her, she would probably be a good one. Mayor Totty states thank you very much, appreciate your interest and calls Mr. John Hall to the podium.
- Commissioner Sutton asks if there is a resemblance there? John Hall replies slightly. Commissioner Carroll asks if ya'll are related to Mr. Hall. John Hall states actually he was hoping to find something that would say that we were maybe 47th cousins or something but as far back as I can go all the way to England we aren't related. Actually, not knowing that my mother was going to apply for this position, I'm going to defer to her and allow her and her expertise to speak for itself. Let's just call this a recommendation for her.
- Mayor Totty notes that Mitch Dowdy is not present and calls Mr. Ron Rowe to the podium. Mayor makes a statement that Mr. Rowe is currently sitting as the Mayor's designee. At this point if he is appointed to the Planning Commission he would be taking the seat of Mr. Bob Benson that was resigned and then I or my designee would retain the seat that is for the Mayor according to the Charter. Welcome, Mr. Rowe.
- Rowe states you took the words right out of my mouth. Mayor states we will just ask what is your interest and why is this of interest to you. Rowe replies the interest is he can be on the Commission until 2015 and then possibly at that time be reappointed, whereas where I'm at right now is kind of a temporary that only goes for the term of the Mayor. I just put my application in for the extended term versus the shorter term. Mayor Totty asked for questions/comments from the Board. Commissioner Bissell asks how many PC vacancies we have and Mayor Totty replies one. Commissioner Carroll asks how Rowe is enjoying sitting in for the Mayor and he replies it's a challenge, it's interesting, I enjoy it. I think I can bring a lot to the table. Carroll asks how many meetings he has attended and Rowe replies just one. Commissioner Sutton asks Rowe if he realizes he is being recruited for others and Rowe confirms. Sutton notes he

has asked for him to be included on the codes committee that we are overseeing, that he has a lot of knowledge and feels he could be very helpful, too. Sutton asks for the Boards blessings to add Mr. Rowe to that committee. Commissioner Carroll asks Rowe how long he has worked in the Codes. Rowe responds he has had six years experience in Planning and Zoning. He attached a letter as a reference from the Mayor of the town he served in.

- Commissioner Bissell asks if we know why Mr. Dowdy didn't make it, was he notified? Recorder Johnson states that he was not asked to be here and Bissell repeats he was not asked to be here. Bissell makes a motion to defer the actual selection until the 20th when Vice-Mayor Johnson will be back and Mr. Dowdy has a chance to be notified and can make an appearance. Commissioner Sutton seconded. Commissioner Carroll noted in comments that she thinks this is a wise idea because last time there were some citizens complaints feeling like we rushed through the last process so I do think it's a good idea to make sure that everybody is notified and make sure they come to the meeting. Carroll also asks about the people who did show up tonight. Bissell notes they would not need to come. Carroll restates they would not need to come back unless they just wanted to, we would welcome you to but if something happened then we've heard from you and we appreciate you coming. Commissioner Sutton notes this is normal procedure when everybody wasn't properly notified. All were in favor.
- F. Discuss and/or Take Action on Bill #2014-01, Ordinance No. 823, An Ordinance to Repeal, Revise and Remove All Reference To Annexation Of Givens Cut Road From Bill #2013-01, Ordinance 796 And To Annex Only Overbey Road, Per the Original Bill #2013-01, Ordinance 796 And Its Existing County Road Right Of Way Into The City of Fairview, Tennessee. All The Proposed Roadway For Annexation Lies Within The City Of Fairview, Tennessee's Growth Boundary. Commissioner Bissell makes a motion for approval and Commissioner Sutton seconds for discussion. Mayor asks for Attorney Cantrell to explain what has taken place. Cantrell notes that he requested this to be put on there but as the Board remembers when this action started there was three or four allegations or parts of the suit that has now been boiled down through various legal maneuvers to one section of Givens Cut Road only. The only reason I'm asking for this, and I will be glad to explain this, I'm not trying to keep the Board in the dark in any way, but I would ask that we pass this on first reading. As you are well aware, nothing is final until the second reading. The reason I want this is it gives us a tool. We have a motion for summary judgment for both parties on March 3, 2014 at 9 am in the Circuit Court in Franklin. I'm asking for this for a strategic reason which I prefer not to divulge tonight, I prefer to divulge it after we have the hearing on the 3rd and then the second reading of this, our second reading if you approve this and the resolution would be on the 6th of March. So I ask the Board to bear with me and pass this on first reading. There is a strategic legal reason that I want to do this and I prefer not to divulge that at this time but I will fully divulge it to you on the 6th. Mayor Totty asks what are the wishes of the Board? Commissioner Bissell notes you have a motion. Totty notes we are in discussion, sorry, any other discussion? Commissioner Sutton notes he will be looking forward to the discussion on the 6th. Cantrell notes that discussion will be full and you are welcome to attend the

hearing on the 3rd if you'd like, it's open. Mayor Totty asks for any other discussion and there was none. All were in favor.

- G. Discuss and/or Take Action on Planning Commission's Recommendation for Rezoning Application for Property Located on Highway 96 North, Map 18, Parcel 22.00, 25.857 Acres from RS-10 to CG (Commercial General). McRedmond Family Partnership, Owner. Attorney Cantrell notes the only action needed from the Board tonight is to approve him preparing the documents. Commissioner Sutton makes a motion for approval and Commissioner Bissell seconds. Commissioner Carroll notes discussion that she would like to amend this to defer back to the Planning Commission because there was discussion from some citizens worried that there was no discussion at the Planning Commission and I would like to defer it back for them to take a closer look at it. Commissioner Bissell seconds the amendment. All were in favor. Mayor Totty asks Cantrell if that negates the prepare the documents motion and he confirms.
- H. Discuss and/or Take Action on Independence Day Celebration – City Manager Hall notes we have had a meeting and just need the Board's permission to move forward with the plans and that's what we're asking for tonight. Commissioner Bissell makes a motion to approve and Commissioner Sutton seconds. Mayor Totty asks for any discussion. Sutton asks if this will still fall under the previous budget we've talked about before? Hall notes we are holding it awful close to it, yes sir. Hopefully we can get a good deal on the fireworks like we did last year. All were in favor.

Attorney Cantrell asks Mayor Totty to go back to F for just a moment. Something you need to be aware of but doesn't require any action of the Board. Since this was passed on first reading, be aware that I'm going to request that it be referred to the Planning Commission because they have to act on it before it can come up for second reading. To let you know, you don't have to accept what their recommendation is, whatever it is, but we are going to ask that it be added to the Planning Commission agenda for Tuesday night for them to make a recommendation that is required by the statute. Just to advise you I failed to do that. Thank you. Commissioner Sutton asks if that is going to require any limitations of notification time. Cantrell responds that is why we need to add it. Sutton asks if that will be enough time. Cantrell responds yes, sir, if we add it to the Commission, yes, you only require 15 days. Sutton notes the next meeting is the 11th and Cantrell notes you have 16 days in there and then to the 6th.

- I. Discuss and/or Take Action on Cancelling July 3, 2014 Board of Commissioners Meeting – Commissioner Sutton makes a motion for approval and Commissioner Carroll seconds. Sutton notes that is the scheduled night for the fireworks for explanation. Carroll notes it might bring a good crowd. All were in favor.
- J. Discuss and/or Take Action on Resolution Setting a Public Hearing on March 6, 2014, for the Purpose of Obtaining Public Comment on Annex of Overbey Road and its Right of Way, and Repealing, Removing and Deleting Givens Cut Road and Its Existing County Road Right of Way From the Plan of Annexation Into the City of Fairview, Tennessee. All the Proposed Roadway for Annexation Lies Within the City of Fairview, Tennessee's Growth Boundary. Commissioner Bissell made a motion for approval and Commissioner Carroll seconded for

discussion. Carroll asks if this is the section of road the county's had and we are trying to annex it in? Attorney Cantrell notes this is the two sections of road that was in the county that leads down to the annexation of the property of the Beatas and this is the public hearing on the ordinance we just passed on Item F. Mayor Totty asks for other discussion. Commissioner Sutton clarifies that it is the discussion to remove it from the annexation. Cantrell confirms that would be the discussion. Sutton states he just wanted to make it clear that is really what we are talking about. All were in favor.

9. City Manager Items for Discussion –

C. Miscellaneous Updates –

(a) City Manager Hall has no comments

D. Staff Comments

- Chief Cooper gave the Fire report for the month of January and states they ran 83 calls last month. The highest month since they stopped the county contract and the numbers are sneaking back up there a little bit every month. If the board remembers, he got a sub at Firehouse Subs a couple of months ago and saw the application/notification of their grant on their wall. We got our grant, \$7000 for a brand new thermal imaging camera. Thank you, Firehouse Subs.
- Chief Harris gave the Police report for the month of January stating they ran 511 calls, down about 100 from the same month last year. There were 21 non-injury accidents and 9 injury accidents. Commissioner Sutton asked about the lights flashing as he has had several inquiries about this. Harris notes they are working on that and he would like to get the Board to approve it and that it will cost us about \$300 give or take. Sutton asked if we could add that and Cantrell states not at this time. Harris notes he has spoken with the City Manager and has plans to add that to the first meeting in March. Sutton notes that it is a plan to be able to adjust the lights to turn them to flashing from 11 to 6 or x number of hours, whatever they decide on. Harris notes it's ready and he's going to bring it to the Board. Sutton congratulates Harris and his department for several good drug busts this month, mainly prescription drugs which is the number one problem, I think, that we have around here. Commissioner Bissell asks Chief Harris if we have any updates on the firing range and the negotiations. Harris notes he talked to him yesterday and Mike Adams apologized for being busy and said he would get with his attorney and get the agreement prepared. Once we get it, I will give it to our attorney to let him look at it and then will present it to the Board. Commissioner Sutton notes he had some discussion with Mr. Hall about the turning lanes here in front of WalMart and I think you agree that the way it's set right now is a dangerous situation and we are going to be asking the engineers for WalMart about extending that turning lane all the way up to that next street because as it is if you turn into Fred's you're going to be crossing a double yellow line and it's very dangerous. Chief Harris confirms that it is dangerous right now but until they get the road finished... Sutton notes it's something we need to do to get the designers in there prior to them topping it and just for people's information, we are working on it. Harris confirms it is a safety issue. Mayor Totty notes that Jeremy Durham, the State Representative was in the area and talking with the persons that seem to feel it unsafe. Was

the wreck area the same area there or was that a different location? Harris notes it was different. Mayor Totty notes that until they top it and do the new markings, it would not be valid of what's going to be there of an end product. Also, I sent the reference info to Jeremy Durham that TDOT, Mr. Mike Brown, is in discussion so hopefully they are talking to the right people at this point. Commissioner Sutton notes he was at the meeting out here at Fred's with Representative Durham, it was very cold that day and the discussion was it is extremely unsafe but it is doable and I talked to him today and he hasn't gotten anything back from TDOT at this time, so we are in the process of getting it done.

- E. City Attorney Comments – Wants to publicly thank the Board for allowing him to add the resolution to the agenda tonight.

10. Communications from the Mayor and Commissioners –

- A. Commissioner Sutton noted that all who love chitlins be there Saturday night from 4:00 on. I try to recognize people who are running for office especially when it's something that directly affects Fairview. Lee Dryer is here tonight who will be running for City Judge for the City of Fairview which is a very important position and if anyone has any questions for him feel free to ask him later on.
- B. Commissioner Bissell a quick question about this (holds up paper) and Mayor Totty notes they will talk about it after and notes that he's referring to logistics of Thursday and Friday of Interim City Manager and it was just logistics of location and food provided.
- C. Commissioner Carroll notes she appreciates everyone coming out tonight and appreciates your input. You heard me say a couple times tonight I had citizens ask about certain things and certain votes so I'm really trying to point out exactly what the citizens have complained or wanted. I normally don't take the time to point it out sometimes I just go up here and go into my vote and go into discussion but I do want the citizens to know I do listen if there is a concern, if you feel like there is something that wasn't done right, not that I can always help, but I will bring it up for discussion and try to get to the bottom. Sometimes if it's right before a meeting then I can't do a whole lot about it except defer something. 96 may be fine but I did speak to a couple people tonight feeling like it was not discussed enough so that's why I made the decision to do what I do because it will not hurt a thing to go back to the Planning Commission and have more discussion especially when it comes to things like zoning because that affects people and neighborhoods and even though there's commercial around it but there's residential too, so I never have a problem bringing something back up and just wanted to make that statement. Jack Cannon is gone and I wish he was still here because I didn't give him enough recognition. When we were talking about the community garden, you talk about a citizen getting involved, he has spent the last couple years with big visions and serving on boards and he doesn't just take an idea but he gives you the solution, here's how you pay for it, here's what it could look like, these are the potential, I mean, he goes over and beyond any expectations and with this community garden he's done the homework and research and met with people and we barely get through the meeting and he already has donations, we already have grants and that's his skill set. I know that may not always be everybody else's but I do encourage you to use your strengths for the City. These committees are the best place to serve and I'm excited that we have people interested in this but I've been just

always impressed with the time and the effort that he does and the research. Like I said, I'm sorry he's not here but I should have given him a little credit when I was speaking of the community garden.

- D. Mayor Totty notes that this evening the park did not speak but we have a great article "Fall in Love with Bowie Nature Park" in Fairview and they have activities such as yoga, strollers, nature families, wildlife tracking, so there is something going on at Bowie Nature Park all the time. They also are on Facebook, and they have the website or they would be glad for you to call anytime 799-5544 to stay involved in what's going on in the Bowie Nature Park. The last thing I would like to comment is in the article of "Tennessee Town & Cities" it talks about why cities matter. If you would please let me read this. It says no one likes paying taxes but everyone depends on their city to deliver the basic quality of life services such as fire, police protection, clean water and neighborhood parks. But beyond public safety and meeting basic infrastructure needs, cities serve as center for job creation and are engines for economic growth in the state. Cities are the heart of a community. Most Americans either reside or work in cities and the police programs and services of those places touch people's lives directly. Whether cities succeed or fail significantly impacts the state's and the nation's economic recovery and long term prosperity. So, as we move forward, I would like to invite anyone that may be interested in economic development or the overview of the city and it's well being, there is the Fairview Economic Task Force which meets on the third Monday which will be the 17th at 6pm here at City Hall. It's open to the public. And the last thing is the report identifies 10 critical imperatives facing cities nationwide and I think I'm bringing this up more to say there's a lot of cities that are in growing places, such as Fairview, and I thought this was very interested. Says 10 Critical Imperatives Facing American Cities. They include taking action to address challenges such as shrinking middle class, climate change, deterioration of transportation, infrastructure, and a lack of trust in government. When our cities are strong, our nation's families prosper, our economy thrives and our environment grows healthier. And I'll read to you the highlights. It says fragile physical health, deteriorating transportation infrastructure, shrinking of the middle class, inadequate access to higher education, the need for affordable housing, a less than welcoming return for veterans, gang violence, broken immigration system, broken processes, climate change and extreme weather, the lack of public trust in government. So I saw this in the article and I thought we are facing challenges just like other cities nationwide. So I do employ and ask that citizens comments, citizens input and citizens involvement continues and I just want to thank everyone that is here this evening and the people that are watching and that look through other media outlets that are getting involved and staying connected because this is our town and we look forward to serving and leading but also being a part of the community with you.

Commissioner Sutton made a motion to adjourn. Commissioner Bissell seconded. All were in favor. The meeting adjourned at 8:12 p.m.

Brandy Johnson
City Recorder