

CITY OF FAIRVIEW

BOARD OF COMMISSIONERS MEETING MINUTES

February 18, 2016

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, Daugherty, Johnson, Paisley

1. Call to order by Mayor Carroll at 7:00 p.m.

A. Prayer and Pledge by Mayor Carroll

2. Approval of the Agenda – Commissioner Johnson made a motion for approval with Commissioner Crutcher seconding. Vice Mayor Sutton requested the removal of item 10D and City Manager Hall requested the removal of item 10A noting he still needed more information before presenting. 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 – Mayor Carroll recognized Jacob Raines from FHS for receiving the merit award

5. Public Announcements –

- A. City Manager Hall issues a reminder about emissions testing every Monday and Tuesday from 7:30 a.m. until noon
- B. Mayor Carroll announces a prune meeting for the Friends of Bowie Nature Park on Saturday, February 20th and you don't have to be a member to join in and help but welcome new members

6. Staff Comments –

- A. City Manager Hall (as Codes Director) – Roadscapes Grant pre-construction meeting next week. Dan Kubit worked very hard on this project. Mayor Carroll states Anna Emerson with MPO gave her a big compliment on how Mr. Hall has been moving projects forward
- B. City Recorder Johnson – latest census count is just over 7,000 and we will begin the final phase of door knocking over the next week. Commissioner Crutcher asks if we have to certify if we don't exceed the previous numbers and Daugherty states we have no contract so I don't see any need to do so.
- C. Finance Director Daugherty states the TAN was paid off yesterday and all items have been turned in to TDOT for the resurfacing final payment and the GAN should be paid off within the next month as well. Dennis Wolfe with MTAS is conducting a staff study of the fire department. Kudos to training officer Scot Hughes of the Fire Department for working hard to extend the SAFER grant. Rather than extending the grant, they were willing to pay for anyone hired within the time of the grant and we will be receiving \$109,996 within the next few days. January finance report summary: January revenues budgeted \$508,996, actual \$523,257 with a \$14,361 variance. January expenditures budgeted \$448,712 and actuals \$470,799 with a \$22,087 variance. Year-to-date the revenues exceed budget by \$203,903 and expenditures are below budget by \$139,638. This fiscal year-to-date we have revenue of \$3,483,691 and expenditures of \$2,735,986 for a surplus of \$747,705. Current estimated fund balance of \$1,240,691 and for the first time in

Daugherty's tenure all funds show a positive balance. Not yet where we need to be but no negative numbers are nice. Mayor Carroll questions how the funds from the SAFER grant will be accounted for and Daugherty answers surplus.

- D. Community Services Director Paisley announces a Weed Wrangle in Bowie Park on Saturday, March 5 from 9 am until noon. Park staff is looking for volunteers to help remove exotic invasive species. This is a Nashville-wide event but new to Bowie. Pre-register at www.weedwrangle.org.

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 February 4, 2016 Board of Commissioners meeting
- B. Second and Final Reading of Bill #2016-03, Ordinance No. 917, An Ordinance for an Amendment to the City of Fairview, Tennessee, Budget for Fiscal Year 2015-2016 Budget (Appropriate City's 20% Funds for Resurfacing Project)

Vice Mayor Sutton made a motion for approval with Commissioner Bissell seconding. All were in favor.

9. Old Business

10. New Business

- A. ~~Discuss and/or Take Action on Utilizing a Consulting Firm and Outside Source for Background Checks on Future Executive Level Hires~~ – removed from agenda
- B. Discuss and/or Take Action on Finance Review Committee – Commissioner Crutcher stated after discussions with the CFO and seeing our financial ship has righted he doesn't feel the Finance Review Committee adds any value in assisting the CFO with his job. Due to the involvement of citizens who volunteer Crutcher wishes to give direction and define the role or disband the committee rather than the current uncertainty about its function. Mayor Carroll believes it has a function and is a checks and balances as recommended by the auditor. Commissioner Johnson reminded that the same ones who recommended the committee no longer believe it necessary. Carroll states she didn't agree with the auditors on that item and it is a good opportunity for citizen involvement. Crutcher asks for Daugherty's opinion and Daugherty states he feels the committee serves no useful purpose and he recommends it be eliminated. Daugherty notes if he needs help or an answer he will call someone who knows more than him such as the Comptroller, audit firm or MTAS. Bissell agrees with Daugherty stating the committee helped get us to the point we are at but now we need to stay the course under the oversight of the City Manager, CFO and BOC. Bissell suggests the suspension of the committee that could be resurrected at any time necessary. Commissioner Crutcher makes a motion to suspend the meetings of the Finance Review Committee until the City Manager or CFO requests the reconvening of the committee seconded by Vice Mayor Sutton. FOR: Bissell, Crutcher, Johnson, Sutton; AGAINST: Carroll. Motion carries.
- C. Discuss and/or Take Action on Ballot Measures – Commissioner Crutcher states he has been looking into deadlines for referendums for the general election in November but also wants the attorney to check into charter changes. Originally the Mayor was elected among the Board but now is popularly elected at the same time one Commission seat is up. Crutcher would like to see a change so 2 Commission seats are elected with the Mayor and the other two Commission seats elected on the other cycle. He asks Attorney Cantrell how to best legally facilitate this and get the citizens input. Crutcher also proposes term limits of two terms with a requirement to sit out a term or run for another seat with the Mayor seat considered a different seat from Commissioner. Cantrell states this would begin with a resolution but he will research and bring the options forward for discussion. No vote.
- D. ~~Discuss and/or Take Action on Tree Commission~~ - removed from agenda

10. City Manager Items for Discussion –

- A. Miscellaneous Updates – City Manager Hall praised the Planning Commission noting Tuesday's meeting went very well and sometimes we take them for granted but they all did an excellent job. Mayor Carroll asks about any news on the investigation and Hall states soon.
- B. City Attorney Comments – Cantrell states the BOC gave authorization for the rezoning of Polston Place II but he needs copies of the current deeds as noted at both the PC and BOC meetings. As soon as he receives these he will prepare the documents.

11. Communications from the Mayor and Commissioners –

- A. Commissioner Bissell – questioned whether we have an ordinance against for-profit solicitation. And if we do, we need to figure out how to enforce it and if we don't we need to put it on the agenda.
- B. Commissioner Crutcher – states Monday will be 3 weeks since the media first reported the incident with the PD and in light of the investigation he would like the Board to consider the BOC conducting a public hearing on issues surrounding the PD as an opportunity to prepare and preserve for public record. Crutcher notes it is an opportunity for this elected body to take a look at the overall operation in a public forum and vote on whether the BOC will conduct a public hearing. City Manager Hall states he would be in favor of this and it was decided to hold a special meeting on Thursday, February 25 at 6:30 p.m. to set all the parameters such as times, dates and who will be required to be there. Commissioner Bissell questions whether Crutcher sees this as impacting Mr. Hall's investigation or as additional. Crutcher states additional and Mr. Hall should still see fit to take actions as expeditiously and swiftly as possible noting the hearing would be conducted as collateral to that.
- C. Commissioner Johnson - NONE
- D. Vice Mayor Sutton – Please fill out your census information
- E. Mayor Carroll – thanked the Planning Commission for doing their part and to Mr. Butler for coordinating the Q & A session, to Lisa Anderson for conducting very well as chair. It was a very productive session and answered a lot of questions. Carroll states there has been a lot of confusion with the investigation and she wants to be clear on where we stand. We are in the midst of an internal investigation by Mr. Hall. We did consult with the District Attorney and reps from the TBI did come spend time here and walked away because there is no criminal investigation. They did state if we encounter criminal concerns to contact them again. This is why the records requests stated there was a criminal investigation. The TBI rep was at city hall when that response went out. Carroll apologizes if anyone feels they were misled but employees do have certain rights. We cannot comment on an ongoing investigation and the Board is not over personnel matters. Carroll encourages citizens to call with questions.

12. Adjournment – Commissioner Johnson made a motion for adjournment seconded by Vice Mayor Sutton and meeting was adjourned at 8:09 p.m.

Brandy Johnson
City Recorder