

# CITY OF FAIRVIEW

## BOARD OF COMMISSIONERS MEETING MINUTES

March 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 pm**

A. Prayer and Pledge led by Ron Rowe

**2. Approval of the Agenda –** Vice Mayor Sutton noted to address the corrections on the rezoning stating property is on Old Nashville Road. Commissioner Bissell requested to add items as follows; 9A Discuss and/or Take Action on Second Reading of Bill #2015-05, Ordinance No. 870, An Ordinance for an Amendment to the City of Fairview, Tennessee, Budget for the Fiscal Year 2014-2015 (Park Utility Vehicle/Park Stage), 10F Discuss and/or Take Action on Bid Approval for Resurfacing Grant Contingent Upon TDOT Concurrence, 10G Discuss and/or Take Action on RJ Young Contract for Upgrade to Parks Dept., Police Dept., and Fire Dept. Copiers. City Manager Hall states we have not received TDOT approval yet and requests to defer the addition of 10F. Vice Mayor Sutton made a motion for approval with Commissioner Bissell 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. Henrietta Hall asked about the status of Channel 19 on behalf of many citizens who have asked her. She states that a lot of people don't have access to a computer to view the live feed. She also asked if the videos posted to YouTube have been edited as what gets posted is different than what is seen in person.

Mayor Carroll thanked Mrs. Hall for heading up the employee appreciation lunch and thanked all the citizens who had a part in the lunch.

**4. Awards and/or Recognitions –**

A. Mayor Carroll thanked the Public Works department for their efforts to keep the citizens safe in the recent bad weather

**5. Public Announcements –**

A. Commissioner Bissell states he met with Dr. Rice and the grand opening for History Village has been set for June 13 at 10:00 am noting more details will follow as planning progresses.

B. City Manager Hall notes emissions testing every Monday and Tuesday from 7:30 until noon.

**6. Staff Comments –**

- A. Keith Paisley, Public Works Director notes that the Street department filled 109 potholes and used 173 bags of cold mix costing around \$2,253 since January. Paisley notes that some repairs cannot be completed with cold mix because it will not bind in some instances. Those will be addressed with hot mix as soon as possible.
- B. Frank Humber, Codes/Planning Director states we are starting to see results of the Codes Review Committee. They have had a couple of very productive meetings and what you see is mostly the work of the committee members, not city staff.
- C. Brandy Johnson, City Recorder states 2014 taxes now have penalty and interest added. The deadline for 2013 real property tax payment is March 27. In response to a citizen comment on the city website Johnson notes that the names of property owners with delinquent taxes are in no way published as a means of embarrassment but simply because it is required by statute.
- D. Tom Daugherty, CFO states the Finance Review Committee has scheduled a special meeting for March 26 to finalize revenue projections for next fiscal year. Daugherty states they request a joint workshop with the Board of Commissioners on March 31 at 6:00 pm to discuss a strategic plan for wrapping up this fiscal year. This will allow them to be prepared for any discussions and action that may be needed at the April 2 Board of Commissioners meeting. Daugherty notes that for the first time this fiscal year we have a surplus. Mayor Carroll asks if the FRC has discussed solutions if cuts are needed and Daugherty replied they are looking at multiple options and these will be discussed in detail at the special FRC and joint BOC/FRC workshop. Commissioner Johnson asks for specifics on the revenue shortfall and Daugherty replies it consists of \$69,000 local option sales tax, \$100-125,000 sales tax and \$70,000 property taxes noting that projections were based on a 60-day turnover while it appears we are actually looking at a 90-day turnover. Johnson asks if projection figures have been realigned based on this information and Daugherty states the projections have remained and adjustments will be made going into the next fiscal year. Johnson states his concern about unintentionally giving citizens the wrong information and the negative impact that is having. Commissioner Crutcher states how close the actuals are to the projections show how good we are at projecting and are not necessarily an accurate indicator of where we actually are. Bissell clarifies that projections are a tool to help in preparing the budget and that there will be monthly fluctuations but the real indicator is where we are at the end of the year. The Board agreed upon the suggested joint workshop on March 31 and Attorney Cantrell asked that the FRC special meeting and joint workshop be advertised as required.

**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 19, 2015 Board of Commissioners Meeting
- B. Second Reading of Bill #2015-04, Ordinance No. 869, An Ordinance to Amend City of Fairview, Tennessee, Municipal Zoning Code, Article XVII, Section 16-104.3, "Board of Zoning Appeals, Membership"

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

**9. Old Business**

- A. Discuss and/or Take Action on Second Reading of Bill #2015-05, Ordinance No. 870, An Ordinance for an Amendment to the City of Fairview, Tennessee, Budget for the Fiscal Year 2014-2015 (Park Utility Vehicle/Park Stage) - Vice Mayor Sutton read the caption. Commissioner Johnson made a motion for approval with Vice Mayor Sutton seconding. All were in favor.

**10. New Business**

- A. Discuss and/or Take Action on Bill #2015-07, Ordinance No. 872, An Ordinance to Change the Zoning of Certain Property in the City of Fairview, Tennessee, Located at 7326 Fernvale Road, Owned by Timothy R. Mangrum and Wife, Jessica Mangrum, as Shown on, the Fairview Geological Listing of Assessment Roll Map 042, Parcel 065.12, 1.03 Acres, From RS-10 to RM-12 – Vice Mayor Sutton read the caption noting the change to Old Nashville Road for the property address and made a motion for approval with Commissioner Bissell seconding. The property owner was present. All were in favor.
- B. Discuss and/or Take Action on Resolution No. 08-15, A Resolution to Set a Public Hearing for the Purpose of Obtaining Public Comment on Changing the Zoning of Certain Property in the City of Fairview, Tennessee, Located at 7326 Fernvale Road, Owned by Timothy R. Mangrum and Wife, Jessica Mangrum, as Shown on, the Fairview Geological Listing of Assessment Roll Map 042, Parcel 065.112, 1.03 Acres, From RS-10 to RM-12. This Resolution Sets the Public Hearing for March 19<sup>th</sup>, 2015, at 7:00 p.m., Fairview, Tennessee City Hall – Vice Mayor Sutton read the caption noting the correction in address of the property to Old Nashville Road. Property owner was present. Commissioner Bissell made a motion to approve with the correct address and the public hearing is scheduled for April 2 due to cancellation of meeting for inclement weather. Commissioner Johnson seconded and all were in favor.
- C. Discuss and/or Take Action on Bill #2015-08, Ordinance No. 873, An Ordinance to Amend City of Fairview, Tennessee, Municipal Zoning Code, Article XVI, Section 16-102.5, “Building Permits” and to Authorize the Non Enforcement of 2009 International Building Code Section 105, Permits, Subsection 105.2, “Work Exempt from Permit”, Sub, Building, Paragraph (1), Which has Been Adopted by the City of Fairview Shall Not be Enforced by the Codes Department of the City of Fairview, Tennessee, and Shall be Treated as Deleted – Vice Mayor Sutton read the caption and made a motion for approval with Commissioner Johnson seconding. Attorney Cantrell explains this is one of the changes to come out of the Codes Review Committee and it requires that all commercial buildings must have a building permit. The City adopted the International Building Code and we cannot make changes to the Code but we can change how we apply it. All were in favor.
- D. Discuss and/or Take Action on Resolution No. 09-15, A Resolution to Set a Public Hearing for the Purpose of Obtaining Public Comment on an Ordinance to Amend City of Fairview, Tennessee, Municipal Building Code, Article XVI, Section 16-102.5, “Building Permits” and to Authorize the Non Enforcement of 2009 International Building Code Section 105, Permits, Subsection 105.2, “Work Exempt from Permit”, Sub, Building, Paragraph (1), Which has been Adopted by the City of Fairview Shall not be Enforced by the Codes Department of the City of Fairview, Tennessee and Shall be Treated as Deleted – Vice Mayor Sutton read the caption and made a motion for approval with Commissioner Johnson seconding. Attorney Cantrell states this is a change to a zoning ordinance so the Planning Commission has to act before it comes back to the BOC for second reading. Mayor Carroll asks if safeguards are in place to protect us before this is finalized and Cantrell replies yes, it is pending legislation. All were in favor.
- E. Discuss and/or Take Action on Resolution No. 04-15 PC, A Resolution from the City of Fairview, Tennessee Municipal Planning Commission to the City of Fairview, Tennessee Board of Commissioners Relative to the Request to Reduce the Performance Bond for the Walmart Development – Vice Mayor Sutton read the caption. Commissioner Bissell made a motion for approval with Vice Mayor Sutton seconding. Codes Director Humber states this is a recommendation from the engineer to reduce the bond but is a little unusual because the Planning Commission usually sets the bond. Attorney Cantrell notes the engineer requested this in a resolution because of the situation of converting the present performance bond to a maintenance bond for 1 year in the amount of \$40,000 but timing will not begin until all parties have agreed and the new bond is in place. There was some confusion about whether the bond was being lowered or converted and Attorney Cantrell clarified it is being converted. Mayor Carroll asked about dead trees on the property and City Manager Hall stated this does not apply to the public right of way or include landscaping. All were in favor.

- F. Discuss and/or Take Action on RJ Young Contract for Upgrade to Parks Dept., Police Dept., and Fire Dept. Copiers – Commissioner Bissell deferred to CFO Daugherty who stated he was approached by the Police Department regarding their copier needs. Daugherty discovered that the Police actually copy more volume wise than all other divisions combined. He has worked with the leasing company and worked out a substantial upgrade for the Police as well as needed upgrades for Fire and Parks. The increase will be \$130 per month but they are crediting \$122 per month for the next four months to keep that line item static until the new budget year. Vice Mayor Sutton made a motion for approval with Commissioner Bissell seconding. Mayor Carroll asked if we are paying \$122 per month currently. Daugherty clarifies we pay \$658 monthly and that will increase to \$780 in July with the new equipment. Carroll asked how many copiers are in City Hall and Daugherty replied three. Carroll inquires if the Police copier is no longer adequate and CFO confirmed. She asked if Fire and Parks currently have copiers and CFO confirmed. Carroll suggested sharing copiers upstairs in City Hall and moving a bigger copier to Police and not changing the contract. Daugherty explains the Codes copier is on a separate contract with Xerox and the others are with RJ Young. Vice Mayor Sutton notes that the number of copies needed would stay the same and would have to be adjusted in the contract if shuffle copier location and a rise in the number of copies would raise the monthly cost. Carroll asks that this be put aside and address the possibility of moving copiers around at the next staff meeting. Sutton asks when the contracts are up and Daugherty states he thinks 2 years on RJ Young and 2 to 3 years on Xerox and that he's looking to consolidate to one company when possible. Carroll asks what the Codes copier is costing and Daugherty states he believes \$340 per month. Carroll makes a motion to defer until we receive further information. No second – motion dies. Carroll asked if the codes copier was efficient enough for all of upstairs and Daugherty states he will have to up the amount of copies so the cost would increase. Carroll asks for the numbers because it seems logical when spending that amount. City Manager Hall notes that the copiers already act as a printer/scanner for several PC's. Commissioner Johnson states it would be \$1,560 increase for next budget year and I don't feel that Tom would have presented if he didn't see a need and feel confident we can cover the increase in the next budget year. Daugherty states a concern over new technology, such as e-citations, that require additional usage of the copier. Commissioner Bissell states there is a need and if it wasn't a contract they wouldn't even need to ask for Board approval this fiscal year. He continues that we will not solve our budget problem by \$100 or \$200 increments and the need here is more significant than the impact on the budget noting not approving would be penny wise and pound foolish. Carroll states it is a contract that she has to sign if approved and she is entitled to have discussions. She asks staff if they thought to move copiers around and Daugherty replies no because of the trouble we have already had with the machines. Carroll notes that Westwood Elementary has 3 copiers for the entire building and the high school only has 2. FOR: Bissell, Crutcher, Johnson, Sutton; AGAINST: Carroll, Motion passes.

#### 11. City Manager Items for Discussion –

##### A. Miscellaneous Updates –

- (1) City Manager Hall stated that Channel 19 should be repaired as soon as we get on the technician's schedule. Hall complimented the emergency staff of police, fire and public works for their efforts during the recent winter weather.

Mayor Carroll verifies that the part is fixed and we are waiting for installation but we are still streaming live to YouTube. Recorder Johnson states the equipment is set to automatically upload when it completes recording and live streaming. Carroll states citizens are saying what is posted is different from the live version. Commissioner Crutcher states he noticed a delayed start but believes that may be from YouTube and doesn't believe it is deliberate. Commissioner Bissell asks if there is a delay and Commissioner Johnson states it is about 40 seconds. Bissell clarifies that is so the stream may be monitored for inappropriate content. Carroll asks that we check for the glitch noting it does not seem very transparent if we have two versions and it needs to

be addressed. She asks if the Finance Review Committee meeting earlier was live streamed and Johnson states it shows on YouTube with tonight's Board of Commissioners directly under it.

- B. City Attorney Comments – Attorney Cantrell notes the state committee has completed their legislation on bullying so expect to repeal the resolution passed a few months ago and replace with the recommended wording from the state. He gave an update of the consent bill legislation. Cantrell also explains a current bill regarding the Open Records Act which would allow to charge for labor and copies even to prepare documents for viewing which is not currently allowed.

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

- A. Commissioner Bissell – No Comments
- B. Commissioner Crutcher states that he will not be present at the next meeting noting this is something that was planned before he was elected.
- C. Commissioner Johnson states we have addressed Mrs. Hall's two issues but we will find out what is going on.
- D. Vice Mayor Sutton thanked all the staff for their help holding to the budget, thanked Codes Review Committee for their work, and asks the community to check on their neighbors during inclement weather.
- E. Mayor Carroll states she attended the quarterly Williamson County Economic Development meeting with most mayors in the county in attendance and a very common theme of their reports was dealing with all the salt and potholes from recent weather. Carroll states that she is here to discuss agenda items and will not be belittled for asking questions. She states she is in no way taking authority away from the city staff by questioning agenda items. Carroll continues stating the people voted and said it was ok for her to ask questions and though the Board will not always vote the same way we all still have the right to vote.

- 13. Adjournment** – Vice Mayor Sutton made a motion for adjournment with Commissioner Crutcher seconding. All were in favor and meeting was adjourned at 8:45 p.m.

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**Brandy Johnson**  
**City Recorder**