

# CITY OF FAIRVIEW

## BOARD OF COMMISSIONERS

March 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

**1. Call to order by Mayor Totty at**

A. Prayer was led by City Manager Hall and the Pledge to the flag led by Mayor Totty.

**2. Approval of the Agenda –** Mayor Totty asks to defer item 7A to May 1 to coincide with the rescheduled court hearing, defer 8I as it has a revision given for further review and request to add to next agenda, addition of 8M Rescind the Vote of the Interim City Manager that was Done on Secret Vote and redo according to the Open Meeting Act, Commissioner Sutton asked to swap positions of 7B and 7C, City Manager Hall requested the addition of 8M Discuss and/or Take Action on E-Citation bid. 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).** – Jon Cherry – Invitation to Chamber Breakfast Tuesday at the Boys & Girls Club from 7:30 – 8:30 a.m. and to the 10<sup>th</sup> Annual Business Expo on March 29<sup>th</sup>.

**4. Awards and/or Recognitions –** Commissioner Sutton thanked those who participated in the food drive and recognized several candidates running for various offices.

**5. Public Announcements –**

- A. City Manager Hall notes the schedule for local emissions testing.
- B. Chief Cooper introduces Tim Johnson, sales manager for Rosenbauer. He wanted to personally let us know that despite numerous setbacks due to extreme weather conditions the quint will be ready for inspection on April 10.
- C. Mayor Totty reviews how to Get Connected & Stay Connected – how to be informed about the happenings in Fairview by Nik Day, IT, City of Fairview.
- D. Commissioner Sutton asks about the U-Verse connection and is told it should be complete by the end of April.

**6. Approval of the Minutes –**

- A. Approval of Minutes from February 6, 2014 Board of Commissioners Meeting – Commissioner Sutton makes a motion for approval with Commissioner Bissell seconding. Mayor Totty notes a procedural error on Page 6 and states she will add to the agenda to redo. All were in favor.

**7. Old Business –**

- A. ITEM DEFERRED to coincide with court hearing

- B. Discuss and/or Take Action on Donation to Middle College High School – Dr. Bass, principal of Middle College High School spoke on the need for the different approach to education that is given at Middle College. Due to their specialized approach to learning they are lacking funding to support these program initiatives that will provide extrinsic value to the students beyond high school. Commissioner Sutton makes a motion to donate \$15,000 to Middle College High School with Vice Mayor Johnson seconding. After further discussion and noting that the three local schools were given \$40 per student Commissioner Bissell makes an amended motion to give \$40 per student at Middle College High School who lives in the 37062 zip code plus a one time gift of \$1,500 out of the School Facilities Tax funds. Vice Mayor Johnson seconded. FOR: Bissell, Johnson, Sutton, Totty, AGAINST: Carroll, motion carried.
- C. Discuss and/or Take Action on Donation Amount for New Fairview Branch of Williamson County Library – Commissioner Sutton states he has had a discussion with Mrs. Grimenstein at the Fairview Branch and the county has decided not to move forward with this project. No Action Needed.
- D. Discuss and/or Take Action on Vacant Board Seats – No current applications on file but if interest, see City Manager or City Recorder.
  - (1) Discuss and/or Take Action on Board of Zoning Appeals Vacant Seat – NO ACTION
  - (2) Discuss and/or Take Action on Industrial Development Board Vacant Seat – NO ACTION
  - (3) Discuss and/or Take Action on Finance Review Committee Vacant Seat – NO ACTION
- E. Discuss and/or Take Action on Additional Streetlights in City – Commissioner Bissell presents the next phase of the plan with Options A, B & C for adding streetlights within neighborhoods. Bissell makes a motion to move forward with Option C which is 60 new lights at \$5,040 annually to be added to the budget next fiscal year. Mayor Totty seconds and all are in favor.
- F. Discuss and/or Take Action on Scheduling MTEM/C/Land Trust of TN Workshop with BOC – City Manager Hall presents the proposed meeting on March 18<sup>th</sup> at 7:00 p.m. but there are conflicts due to Spring Break. He is asked to try and get three options for the end of March.
- G. Hadkfi

## 8. New Business –

- A. 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, 25.87 Acres from RS-15 to CG (Commercial General). Mc Redmond Family Partnership, owner. – Commissioner Sutton makes a motion for approval with Vice Mayor Johnson seconding. All were in favor.
- B. Discuss and/or Take Action on Williamson County Trustee Request for Collection of Future City of Fairview Property Taxes - Current Williamson County Trustee Joey Davis and candidate for trustee, Karen Paris, present a proposal for the county to collect city property taxes. The up front fee would be \$14,656 (\$4 per parcel) based on 2013 figures and they would roll in collection of delinquent taxes, answer all phone calls relating to taxes and basically take over anything having to do with collection of city property tax. Payments to the city would occur once a month by draft. Vice Mayor Johnson asked if the county would be willing to place a satellite office in Fairview for tax collection, vehicle registration, etc. The date for a decision on this issue is no later than July. Mayor Totty asked CFO Daugherty for more detail regarding the financial side of this matter. NO ACTION.
- C. Discuss and/or Take Action on 2014-2015 Budget Workshops Schedule – CFO Daugherty presents his suggestions for workshop schedule. Mayor Totty makes a motion to schedule workshops for March 20, April 3 & April 17 at 5:30 prior to the Board of Commissioners meetings at 5:30 p.m. with Vice Mayor Johnson seconding. All were in favor. Commissioner Bissell asks as the Finance Committee Chair to work in an expanded role during the budget cycle to assist CFO Daugherty in his first budget with the city. All agreed this was an excellent idea.

- D. Discuss and/or Take Action on Recommendations from BOC Workshops – Commissioner Bissell made a motion for the starting salary of City Manager to be \$80,742 (the ending salary of the last City Manager) with Vice Mayor Johnson seconding. All were in favor. Mayor Totty made a motion for second interviews with Mr. Young and Mr. Hall. The motion failed for lack of a second. Commissioner Bissell made a motion that the person selected for next City Manager be given a three year contract to include all city benefits with Vice Mayor Johnson seconding. FOR: Bissell, Johnson, Sutton, AGAINST: Carroll, Totty, Motion carried. Commissioner Bissell makes a motion to pay up to \$10,000 moving expenses and Vice Mayor Johnson seconds. Commissioner Carroll amends the motion to pay up to \$5,000 moving expenses with Commissioner Sutton seconding. All were in favor.
- E. Discuss and/or Take Action on Hiring of Permanent City Manager Position - Mayor Totty asks for a motion from the floor to name a preferred candidate. Commissioner Bissell makes a motion to conduct the vote with all four candidates interviewed in nomination with Commissioner Sutton seconding. Roll call vote: Bissell: Hall, Carroll: Hall, Johnson: Hall, Sutton: Hall, Totty: Young. Commissioner Carroll and Vice Mayor Johnson added comments about the candidates and voting process.
- F. Discuss and/or Take Action on Recommendations from Park Commission – Mayor Totty presents the following for approval by the Board:
- Bowie Lake Road Streetscape Plan, Commissioner Sutton makes a motion for approval with Vice Mayor Johnson seconding. All were in favor.
  - Engage an Engineer to Conduct an estimate cost and plan layout for an ADA plan of approximately 1300' on the lower Loblolly Loop. Mayor Totty makes a motion for approval with Commissioner Bissell seconding. After further discussion and noting monies already spent, Commissioner Sutton makes an amended motion to ask for the cost estimate of the Lake Van Trail also with Vice Mayor Johnson seconding. Commissioner Bissell makes a suggestion to withdraw all motions and makes a motion to obtain an estimate to look at current plans and defer further action until get cost estimate. Commissioner Bissell makes a suggestion to defer any action until we have a cost estimate. Vice Mayor Johnson withdrew second and Commissioner Sutton withdrew his motion. Commissioner Bissell removed his second from the original motion. Commissioner Bissell makes a motion to defer until the first meeting in April with the City Manager to get an estimate of what the plans would cost for the Park Boards recommendation of the trail for lower Loblolly Loop and the estimate to substitute the new materials for the ADA path around Lake Van. Vice Mayor Johnson seconds. All were in favor.
  - Request for the Board of Commissioners to Engage an Engineer for cost estimate on ADA access trail from the Nature Center to Joann's Classroom. Commissioner Sutton makes a second for discussion. City Manager Hall notes that Will Griggs was out yesterday and took a look to get a feel for what needs to be done. We will be looking into a grant to replace the LPRF grant that would hopefully be applied to this trail. Hold off on surveying until we know something about the grant. Commissioner Bissell makes a motion to defer until April 3 with the same general instructions as the previous motion. Vice Mayor Johnson seconded and all were in favor.
  - Request for approval of reburn of area done in 2012 and the dome plus areas 1 through 6. Commissioner Sutton makes a motion for approval with Vice Mayor Johnson seconding. All were in favor.
  - Request the Board of Commissioners approval under recommendation of a Tennessee forester and a Tennessee conservation forester that we look for Loblolly 60-80 basal count identified in sections 1-6 to be

cut and extracted from the recommendation from a hired forester and sell timber to offset the cost of the forester and cutting expenses. Vice Mayor Johnson made a motion for approval with Commissioner Sutton seconding. All were in favor.

G. Discuss and/or Take Action on Recommendations from Tree Board –

- Recommend to Board of Commissioners to approve revised Bowie Lake Road treescape with tree quantity increased to 12 redbud trees on public property and placement subject to the clearing of underground utilities retaining the wording from the original recommendation to use the Tree Bank funds as Ordinance 822 allows for the trees planted on public property – Commissioner Sutton made a motion for approval with Vice Mayor Johnson seconding. All were in favor.
- In accordance with one of the duties of the Tree Commission as stated in Title XIII, section 13-404.4, to study the urban forest including problems involving the city tree population and seek ways to implement needed work the Tree Board recommends the tree planting and protection ordinance be amended to provide that on public properties within the city of Fairview the Loblolly Pine density standard of a basal area of 60 to 80 be adopted – Vice Mayor Johnson notes the forester stated in the workshop but would like in writing so I would like to make a motion to defer with Commissioner Carroll seconding. All were in favor.
- Recommends to the Codes department to issue formal notice to PGM Properties that they are in non-compliance with the Fairview landscape ordinance in response to Bowie Commons and that this item will be placed on the Tree Commission's April meeting agenda for discussion and suggest a representative of PGM Properties be present – City Manager Hall states he will see to it that happens.
- Redo for correcting procedural errors: The recommendation for approval of the Tree Bank money funds for the Bowie Lake Road streetscape as allowed by ordinance. Commissioner Sutton makes a motion for approval with Commissioner Carroll seconding. All were in favor.

H. Discuss and/or Take Action on Timing of Flashing Traffic Signals – Chief Harris notes it has been requested the traffic lights on Hwy 100 flash late at night and this will cost about \$100 per light. He requests approval and the board to set the time of flashing. Commissioner Bissell makes a motion that the lights flash from 11 pm to 5 am with Commissioner Sutton seconding. After further discussion Vice Mayor Johnson amended the motion for lights to flash from 10 pm to 6 am with Bissell seconding. Noting that curfew is at 11 Commissioner Sutton made a motion that the lights flash from 11 pm to 6 am with Vice Mayor Johnson seconding. The original motion and first amended motion were negated. All were in favor.

I. Discuss and/or Take Action on Policy and Procedure Recommendation from City Attorney on Appointment to Open Seats on City of Fairview Boards or Commissions – DEFERRED

J. Discuss and/or Take Action on Correcting Voting Error from Appointment of Planning Commission Seats on December 19, 2013 – Vice Mayor Johnson made a motion for approval with Commissioner Bissell seconding. FOR: Bissell, Johnson, Sutton, Totty, AGAINST: Carroll, motion passed. Mayor Totty nominates Brandon Butler and Commissioner Sutton nominates Tim Mangrum. Vice Mayor Johnson makes a motion for approval with Commissioner Sutton seconding. All were in favor. Mayor Totty noted this was to be in compliance with the open meetings act and the newly appointed seats will expire the same as what they were previously appointed.

K. Discuss and/or Take Action on Resolution No. 02-14, 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 on Old Nashville Road, Owned by Timothy R. Mangrum and wife, Jessica Mangrum, as Shown on the Fairview Geological Listing of Assessment Roll Map 042, Parcel 06512, 1.03 Acres, From RM-12 to RS-10. This Resolution Sets the Public Hearing for March 20, 2014, 7:00 P.M., Fairview, Tennessee, City Hall. – Vice Mayor Johnson made a motion for approval with Commissioner Sutton seconding. All were in favor.

- L. Discuss and/or Take Action on Resolution No. 03-14, 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 on Horn Tavern Road, Owned by Walter C. Totty and Wife, Beverly D. Totty, as Shown on the Fairview Geological Assessment Roll Map 22, Parcel 133, 8.37 Acres, From R-40 to R-20. This Resolution Sets the Public Hearing for March 20, 2014, 7:00 P.M., Fairview, Tennessee, City Hall. – Vice Mayor Johnson made a motion for approval with Commissioner Bissell seconding. Mayor Totty notes she would like to recuse herself from the vote. All were in favor.
- M. Rescind Vote of Interim City Manager According to the Open Meetings Act – Mayor Totty notes the reason for the repeal is the vote needs to be public record. Commissioner Bissell makes a motion to repeal the appointment with Commissioner Carroll seconding. All were in favor. A roll call vote is to be performed voting for the same candidate as the original vote: Bissell: Hall, Carroll: Boyer, Johnson: Hall, Sutton: Hall, Totty: Lovvorn
- N. Discuss and/or Take Action on Approval of the E-Citation Bid – Captain Sutton presents that this E-citation system is 100% funded through reimbursement by the GHSO grant. The system is designed to reduce error in ticket writing, speed up the citation process and help collect data. Commissioner Bissell makes a motion for approval with Commissioner Carroll seconding. Mayor Totty asks for clarification if these are on traffic lights. Captain Sutton confirms they are not on traffic lights and are handheld devices to be used by officers when writing citations. All were in favor.

**9. City Manager Items for Discussion** – City Manager Hall states that 100% of city employees are now CPR certified. Roy Russell, Bryan Bissell and myself will be proactive in Risk Management policies of the City (feedback from TML Risk Management conference). Three recent certifications to sign off on federal grants, Title VI, Brandy Johnson, Right of Way Acquisitions and Grant Phases, John Bledsoe and Todd Bratcher. Tom Daugherty passed another class on his way to CMFO. Thank everyone for the great honor bestowed upon me and I will do everything in my power not to disappoint.

- A. Miscellaneous Updates – NONE
- B. Staff Comments –
  - (1) Parks Director Paisley thanks his department for taking on the ice storm, notes he hopes to have the trails back open on Saturday and they will be renting a chipper to assist with clearing all the debris
  - (2) Chief Harris presents the police report for the month of February
  - (3) Chief Cooper presents the fire report for the month of February
  - (4) City Manager Hall presents the Codes report for the month of February
- C. City Attorney Comments – Congratulates Mr. Hall on his appointment of City Manager. Clarifies that all cities in Tennessee receive the adequate facilities tax from the state.

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

- A. Commissioner Bissell – Request to add to the March 20 agenda – Discuss and/or Take Action on 1) Welcome sign lighting, 2) History Village. Clarifies the impression he may have given regarding previous city manager Hyatt and he has the utmost respect for him and apologizes having used his name. Endorses Mr. Humber as possible Codes Director. Summarized reasons behind voting for Mr. Hall.
- B. Commissioner Carroll – Clarifies that she is the one who asked for the workshop video to be pulled from YouTube. Request to add to March 20 agenda – Discuss and/or Take Action on Taping and Airing of City Workshops
- C. Commissioner Sutton – Describes history of relationship with Wayne Hall and his respect for him. Notes issue with lack of trash cans at restaurants with drive through

windows to which Mr. Hall sent a letter and the issue has been resolved. Announces that the Williamson County Election Commission decided not to have satellite early voting and residents will have to go to Franklin for early voting noting this especially affects the elderly, handicapped residents along with those who work out of the city and asks for those who don't agree with this to call the Election Commission at 790-5711.

- D. Vice Mayor Johnson – Congratulated Mr. Hall on the permanent City Manager position. Apologized to former City Recorder, David Mayberry, for neglecting to consider him in his comments on Facebook this week. Request to add to the March 20 agenda – Discuss and/or Take Action on Electronic Voting System.
- E. Mayor Totty - Congratulated Mr. Hall on his new position, thanked the Commission for their deliberation, highlighted Public Works Director and employees, Fire Chief and Police Chief and their force on their dedication and hard work during the recent ice storm.

**11. Adjournment** – Commissioner Sutton makes a motion for adjournment with Vice Mayor Johnson seconding. All were in favor. Meeting adjourned at 11:00 p.m.

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