

# CITY OF FAIRVIEW

## BOARD OF COMMISSIONERS MEETING MINUTES

April 7, 2016

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

Present: Carroll, Sutton, Bissell, Crutcher, Johnson

Others Present: Hall, Cantrell, Daugherty, Johnson, Harris, O'Neal

**1. Call to order by Mayor Carroll at 7:25 p.m.**

A. Prayer and Pledge led by Mayor Carroll

**2. Approval of the Agenda –** Vice Mayor Sutton made a motion for approval with Commissioner Johnson seconding. 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**

A. Mayor Carroll congratulated all the athletes who competed in the Special Olympics event at the High School today

**5. Public Announcements**

A. Finance Director Daugherty announces the Donna Bledsoe 5K on April 16 at Bowie, registration begins at 8 am with the run beginning at 9 am

B. Mayor Carroll notes Walk Across Williamson this Saturday

C. Mayor Carroll states Fairview Rec League Baseball and Softball kicks off this Saturday

**6. Staff Comments –**

A. Codes Director Hall announces Greenland Estates is up for review by the Planning Commission on Tuesday for construction phase as well as the final phase of Kyles Creek. Dunkin Donuts received permits for their interior remodeling and Hardees resubmitted their rendering which is of 91% brick this time by their choosing. Grants are moving forward and many have noticed the dead grass in the median for the Roadscapes. Dedication for this project is planned for May 21 at 2:00 p.m. honoring Dan Kubit. An amendment for Safe Routes to School is on tonight's agenda.

B. Finance Director Daugherty notes he hopes to pay off the GAN tomorrow and is excited about what he believes is our first completed grant from TDOT. Daugherty states he found \$14,000 from Sun Trust due to us from debt restructure and he will be applying to receive this and needs signatures from the Mayor and Vice Mayor for approval.

C. Carroll notes Bowie Summer Camps are still accepting registrations

**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 March 17, 2016 Board of Commissioners Meeting

B. Second and Final Reading on Bill #2016-04, Ordinance No. 918, An Ordinance to Change the Zoning of Certain Property in the City of Fairview, Tennessee, Located off Cox Pike, Owned by Billy Pomeroy

and Robert Pomeroy, Jr., as Shown on, Williamson County, Tax Map 43, Parcel 32.04, (2.0 Acres) and Map 21, Parcel 61.06 (40.69 Acres) and Map 021MA, Parcel 37.01 (0.5 Acres) from RS-20 to R-20 PUD Overlay

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

## **9. Old Business**

- A. Discuss and/or Take Action on Discussion from Board of Commissioners Workshop held April 7 – Bissell notes the Board met at 6 p.m. to discuss preventing door to door calling by for-profit businesses after 6:00 p.m. and prohibiting the delivery of flyers, phone books, etc. by placing those items in driveways and Bissell passed out sample ordinances. Bissell makes a motion to incorporate the workshop discussion and his proposals to draft ordinances for the Board's consideration, seconded by Commissioner Crutcher. Vice Mayor Sutton asks if permits are required and Cantrell notes yes that is already a part of Chapter 9 of the Charter. Commissioner Johnson questions who will enforce these ordinances and Bissell replies Codes and Police. FOR: Bissell, Carroll, Crutcher, Sutton; AGAINST: Johnson. Motion carries.

## **10. New Business**

- A. Discuss and/or Take Action on Certificate of Compliance for Wine in Grocery Stores at Wal-Mart – Attorney Cantrell states this is the first application for wine in grocery stores we have received and shares that the city doesn't issue licenses as that is done by the Alcoholic Beverage Commission at the state level. The city issues only a certificate showing a clear background check and secure location within the city that meets zoning regulations. Cantrell reviews the statute requirements for cities. Tucker Herndon, attorney for Walmart was present. Commissioner Crutcher makes a motion for approval with Vice Mayor Sutton seconding. All were in favor.
- B. Discuss and/or Take Action on Recommendations from Park Commission – Ron Rowe, Park Commission Chairman, notes he is revisiting these items that were previously approved by the Board but have not been acted on. Rowe hopes to refresh the Board on the projects and bring them back to the table.
  - (1) ADA Trail to Joann's Classroom would provide wheelchair access from the Nature Center back porch to Joann's Classroom and would link to Bowie Lake Road sidewalk which means one could travel from Highway 100 to Joann's Classroom. City Manager Hall states the survey was done but engineering has not been completed. About a year ago the cost associated with the project was around \$25,000.
  - (2) Completion of the Forest Management Plan is the only item remaining in the Bowie Park Master Plan and the Park Commission recommends moving forward on this unless circumstances prevent. Mayor Carroll reminds that a plan was approved but then rescinded and Hall states there was some dissatisfaction with the test area noting the first bid was under \$10,000 and the second one over. The Land Trust will need to approve the plan as well. Carroll states she doesn't know if they have to approve as it was previously approved to be paid for out of the park fund. Finance Director Daugherty was questioned as to the balance in the park fund and Daugherty stated around \$130,000.
  - (3) Road Paving in Front of Nature Center – this is a good time to move forward with the cost of paving down. Recent estimates run around \$30,000 while the original estimate was double that cost. Vice Mayor Sutton state he thinks we are ready to move forward on all these projects. Interim City Manager Hall states he will move forward with engineering on Joann's Classroom trail and put the paving to bid. Mayor Carroll requests checking on the direction for the Forest Management Plan and placing this item back on the agenda when it is ready for discussion.
- C. Discuss and/or Take Action on Approval of Chipper Bid – Hall reminds of the recent chipper issues noting to repair was going to create a major bill and not guaranteed to last. We received three bids, one did not meet specs and staff recommends acceptance of the low bid in the amount of \$43,831. Vice Mayor Sutton made a motion for approval with Commissioner Johnson seconding. All were in favor.
- D. Discuss and/or Take Action on Amendment #2 to Safe Routes to School Contract – Hall states this is an amendment to complete the final phase of this grant. Vice Mayor Sutton made a motion for approval with Commissioner Johnson seconding. All were in favor.
- E. Discuss and/or Take Action on Interlocal Cooperation Agreement 21<sup>st</sup> Judicial District Drug Task Force – Commissioner Crutcher made a motion for approval with Commissioner Johnson seconding.

Vice Mayor Sutton questions if we pay in for this agreement and Harris states no, this is a standard agreement for all cities in the county. Attorney Cantrell states this is a typical interlocal agreement and he has no problems with it. All were in favor.

- F. Discuss and/or Take Action on Police Department Vacation Buy Down – Daugherty notes because of low staffing in the Police Department many haven't been able to take their vacation days and if they do it requires overtime. Rather than losing their time or having to pay overtime, we offer a solution of buying down their vacation time. The funds are available in the salaries line item due to attrition and we recommend paying the \$27,000 with no amendment needed. Commissioner Crutcher asks if the Board needs to take action and Harris states it's never been done before. Vice Mayor Sutton questions the buy down limits. Daugherty states he's not aware of any limits and Harris notes they will not buy down any amount that can be rolled over. Sutton questions being fair to other departments but it was discussed the PD is in a unique situation so this only applies to them. Mayor Carroll asks how many patrol officers we budgeted for and Chief Harris replies 16 and we are short 6 currently. All were in favor. (No first or second)
- G. Discuss and/or Take Action on Bill #2016-07, Ordinance No. 921, An Ordinance for an Amendment to the City of Fairview, Tennessee, Budget for the Fiscal Year 2015-2016 Budget (Chipper) – Vice Mayor Sutton read the caption and Finance Director Daugherty explained this is to appropriate State Street Aid funds for the chipper purchase. Vice Mayor Sutton made a motion for approval with Commissioner Johnson seconding. Commissioner Crutcher stated concern over using the funds to purchase when use is for chipper service versus what falls on the street. Cantrell states if we don't report usage to the state then there is no problem. Todd Bratcher, Street Supervisor, verified we don't report usage. All were in favor.
- H. Discuss and/or Take Action on City of Fairview Budget for 2016-2017 Fiscal Year – Finance Director Daugherty states he wants to discuss two aspects of the budget; revenue and salaries. Daugherty reviews the 2016-17 budget goals, including; increase proficiency in the policies and procedures, human resources, risk management and public relations; performance based merit raises for employees; increase health insurance program; staff the fire department with 4 per shift; restructure the staffing of the police department. Daugherty notes on the revenue side, the county is completing reassessments and in discussions with the property assessor, Brad Coleman, has used a figure that is as accurate as possible until we have the final numbers from the county (likely 6 weeks out). Commissioner Crutcher notes he wishes to remain revenue neutral and will not vote for another increase for the citizens. Commissioner Bissell questions how growth is accounted for and whether it would be revenue neutral per individual or for the entire city. Mayor Carroll states we should give the people a break anyway and she's scared to project revenue. Bissell reminds that Daugherty is using finite numbers we have experienced in 2016. Crutcher states we don't need to give money back just to say we did and we need to be where we need to be. Carroll states the difference between now and the past is we are living within our means and not over projecting the budget so we are in a stronger position. Vice Mayor Sutton states the stabilization plan is looking great and we should look at cuts after it is fully accomplished with adjustments for inflation as he is against the city padding its pockets. Crutcher says Daugherty's goals are good but he doesn't necessarily agree with them as he didn't see a goal concerning the citizens. Crutcher continues there are other approvals such as the ones brought forward this evening by Mr. Rowe that have been approved but not funded such as software for codes and finance, park projects, land use map study, impact fee study. Crutcher states we designated 15 cents of last year's increase to specific purposes and we need to make sure it is being used as such. He continues he doesn't see any capital improvements but sees making the city a better place to work. Daugherty states the city's strongest asset is it's employees noting he planned to wait another year before upgrading finance software and we can always remove the extra 15 cents to lower the tax rate and return to the citizens. Crutcher states he's not a proponent for an HR position this year stating he believes we can get that service through a consulting basis. He doesn't understand expanding city government and though he doesn't think it's unreasonable for the employees to see some increase he is concerned over the inconsistencies and requests an explanation on how the figures came about, particularly questioning the raise for Finance Director Daugherty and what it is based on. Vice Mayor Sutton noted he particularly feels the impact fee should be a high priority because of the revenue we are losing and requests this to be added to the next agenda. Daugherty explains some think we should have a merit raise across the board but it's up the supervisor to determine the exact amount. Bissell notes the idea in creating the step system was to remove the subjectivity and have a plan for the future. Crutcher states it seems the system is

going to break us with the employee related expenses going up, up, up every year noting no one is entitled to their job. Carroll believes the step system needs to be re-evaluated and maybe we should look at a cost of living raise this year until we can study the system more. Bissell reminds that raises were not given last year and we promised to do them but didn't give, also, those who have received promotions but are not being paid for the higher position and we need to improve the health insurance program which adds value to the employee. Crutcher reveals he will recuse himself from any discussion and vote on the health insurance because his family participates in it and that is clearly a conflict of interest. Carroll states she doesn't think that is the intent of this item and perhaps we need a work session to further discuss. Daugherty states he will give the Board a salary break down analysis. Carroll notes she worries about moving forward like everything is fixed and doesn't want to be married to the step plan and forced to continue to give raises we can't afford. Carroll requests a special meeting and the time is set for Wednesday, April 13 at 1:00 p.m. to further discuss.

- I. Discuss and/or Take Action on Hiring New City Manager – Mayor Carroll states we need to decide what the committee is going to look like and what the process will be. Carroll suggests the 5 BOC members plus 4 to 5 citizens. Bissell notes he's okay with MTAS coordinating but states he wants to see all applications received noting they can cull out those that don't meet the requirements themselves. Vice Mayor Sutton asks if they will receive applications for the committee and Carroll states she has considered various ways. Other questions to answer for the ad will include salary range and moving expenses. Mayor Carroll makes a motion to add to the special meeting for the vote on the citizen committee made of those with hiring/management experience and to suspend the rules so they are not required to be present, seconded by Bissell. Commissioner Johnson questioned whether the citizens would be required to have a degree or government experience. Johnson made a motion for the committee to be made of (5) 18 year olds – there was no second so the motion died. Johnson exited the podium at 9:33 p.m. All were in favor of the original motion.

#### **10. City Manager Items for Discussion –**

- A. Miscellaneous Updates – Interim City Manager Hall states regarding grants, he received an email from MPO regarding the sidewalk grants which noted Fairview's history of not completing grants. Our recent completions are making a big difference and will help with our future with TDOT.
- B. City Attorney Comments – As information for the Board, the lawsuit filed against the city and 3 employees has been dismissed with prejudice (can't rebring the action). Cantrell has filed a motion with Holland Paving Co. to dismiss their lawsuit for failure to state a claim on which relief will be granted and that motion will be heard on May 12. The city has been advised that the charter revisions will not be considered by the legislature until the next session as this session ended early due to election year.

#### **11. Communications from the Mayor and Commissioners – NONE**

#### **12. Adjournment – Vice Mayor Sutton made a motion for adjournment and meeting was adjourned at 9:59 p.m.**

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