

CITY OF FAIRVIEW

BOARD OF COMMISSIONERS

April 17, 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 7:06 p.m.**
 - A. Prayer and Pledge to the flag led by Mayor Totty.
2. **Approval of the Agenda** – Vice Mayor Johnson requested by the City Attorney to add Item 9H of Discuss and/or Take Action on Compromise and Settlement Agreement of Givens Cut Road and it was requested to hear this item out of sequence after item 8A. Commissioner Sutton made a motion for approval. No second. 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).** – NONE
4. **Business Spotlight** – Walker's Books, 7106 Old Nashville Road, Jillian Walker – owner, notes new location at address above and hours of 10 to 7 Mon, Tues, Thurs, Fri & Sat and 10 to 4:30 or 5:00 on Wednesday. Commissioner Sutton points out they are the second largest bookstore in Williamson County.
5. **Awards and/or Recognitions** – NONE
6. **Public Announcements** – City Manager Hall states a reminder about emissions testing, notes new Codes Director Frank Humber begins on Monday and that City Hall is closed for Good Friday. Commissioner Carroll notes the Bowie Jubilee scheduled for May 3 at Joann's Classroom in Bowie Park. Mayor Totty notes that National Day of Prayer is May 1 and hope that everyone enjoys a blessed Easter.
7. **Approval of the Minutes** – City Recorder Johnson addressed the proposed minute corrections from the February 20, 2014 Board of Commissioners meeting noting that the tapes had been checked and minutes were accurate as presented. Board requested re-presenting the minutes on the May 1 agenda for approval.
8. **Old Business** –
 - A. Second and Final Reading of 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 No. 796 And To Annex Only Overbey Road, Per the Original Bill #2013-01, Ordinance No. 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's Growth Boundary. Vice Mayor Johnson made a motion for approval with Commissioner Sutton seconding. All were in favor.

- B. Second and Final Reading of Bill #2014-07, Ordinance 829, An Ordinance for an Amendment to the City of Fairview, Tennessee, Budget for Fiscal Year 2013-2014 (donation to Middle College High School). Vice Mayor Johnson made a motion for approval with Commissioner Sutton seconding. All were in favor.
- C. Discuss and/or Take Action on Vacant Board Seats – No applications at this time but it was noted that there is an open seat on the Beer Board and on the Finance Review Committee. Applications are available on the website or at City Hall.
- D. Discuss and/or Take Action on Williamson County Trustee Collection of Fairview City Property Taxes – After a brief discussion, Commissioner Sutton made a motion to defer this item until after the May 6 Election with Commissioner Carroll seconding. All were in favor.
- E. Discuss and/or Take Action on Fairview City Projects – City Manager Hall gave a status on the following City Projects:
 - Bowie Lake Rd – treescape to be completed soon out of Tree Bank fund
 - Cox Pike/Cumberland Drive resurfacing grant – waiting on 100% approval from engineer
 - Park Burn/Thin test site – almost completed
 - Evergreen Park – on hold
 - History Village – should be completed by Memorial Day to turn over to Dr. Rice

9. New Business –

- A. Discuss and/or Take Action on Recommendations from BOC Workshop with MTEMC & Land Trust of Tennessee – City Manager Hall notes the board has the agreement and the type of grass seed requested is lacking but he has the request from Mike Berkley on the type of seed. Attorney Cantrell notes the easement is fairly typical for a utility easement and has no issues with it. Vice Mayor Johnson makes a motion for approval with Commissioner Sutton seconding for discussion. Commissioner Sutton asks about vicarious liability with this contract. Attorney Cantrell apply. Mayor Totty asks about confirming which type of pole was selected. Attorney Cantrell reminds the Board that it was asked the lines be installed vertical rather than 10-pin crossarms and notes that should be stated in the request. FOR: Bissell, Johnson, Sutton, Totty, AGAINST: Carroll. Motion carried.
- B. Discuss and/or Take Action on Hiring of Forest Management Company – City Manager Hall states he has proposals from two foresters, one from Mitchell Forestry for \$9,000 and the other from Mr. Boggs for \$8,500. After confirming that the Land Trust has approved both of them Vice Mayor Johnson made a motion to allow the City Manager to select either of them based on whichever is better suited for us. Commissioner Sutton seconded and all were in favor.
- C. Discuss and/or Take Action on Adding Signage to Promote the Fairview Business District – Vice Mayor Johnson turns the floor over to Chamber of Commerce Treasurer, Bill Taylor, who presents a request from the Chamber to share with the City the cost for signs directing non-local traffic to Fairview's business district. After discussion, Commissioner Carroll makes a motion that the City put into the budget for next fiscal year at least 4 signs with a cost of up to \$3000 with Commissioner Bissell seconding. All were in favor. It was noted that final design and location of signage is pending.
- D. Discuss and/or Take Action on City Judge's Compensation – Commissioner Sutton states this is only discussed every 8 years and would like the recommendations of the Board. After some discussion and questioning of judge candidates Commissioner Sutton withdrew his motion.
- E. Discuss and/or Take Action on Park Board Recommendations – Mayor Totty shares a request to the Board for the financial analysis on monies spent and any legality of Bowie Funds according to the deed of transfer. Commissioner Bissell states the Park Board doesn't have this authority because they are an advisory committee only and they are to act on what they are given charge of. Attorney Cantrell confirms that the Park Fund is to be spent for park purposes but it is up to the Board to determine exactly how they are

spent. Commissioner Bissell made a motion to deny the request with Vice Mayor Johnson seconding. FOR: Johnson, Bissell, Sutton, AGAINST: Carroll, Totty. Motion carried.

- F. Discuss and/or Take Action on Finance Committee Recommendations – Commissioner Bissell notes there are no recommendations at this time but states the Committee had their first meeting and discussed the current fiscal state, looked at allocations and how to avoid deficit and also consolidation of funds. Their next meeting is on May 8.
- G. Discuss and/or Take Action on the Release of Lien/Deed of Trust @ 1524 Highway 96 N, Vicky Dogra, owner, Al Deck Trustee – Attorney Cantrell notes this is a matter of housekeeping. The amount on the lien has been paid in full and this releases their obligation to the City. Vice Mayor Johnson made a motion for approval with Commissioner Sutton seconding. All were in favor.
- H. Discuss and/or Take Action on Compromise and Settlement Agreement on Givens Cut - Attorney Cantrell notes he sent the board the agreement yesterday via email and that he added to the agreement for Givens to pay the Circuit Court bill. Vice Mayor Johnson makes a motion for approval with Commissioner Sutton seconding. Mayor Totty asks for the motion to be restated. Cantrell states it is to approve the offer of settlement and compromise subject to approval by Givens if accepted as is and notes that any changes made would not be approved or binding. All were in favor.

10. City Manager Items for Discussion – City Manager Hall thanked everyone for their work today and wished everyone a Happy Easter.

- A. Miscellaneous Updates – NONE
- B. Staff Comments – CFO Daugherty presented the finance report for March 2014 restating concern with the revenues below projections and the need to freeze spending.
- C. City Attorney Comments – Wishes everyone a happy and safe Easter.

11. Communications from the Mayor and Commissioners –

- A. Commissioner Sutton – Notes City Manager Hall did a great job with the state of the city address at the Chamber of Commerce lunch and he is excited about future developments in our city.
- B. Vice Mayor Johnson – Reviews the \$2.35 Million in salaries as mentioned in the workshop and notes that sounds like a large figure but add 19% to include taxes and retirement and when that total is divided over 70 employees gives an average salary of \$39,950. Wished the Mayor a Happy Birthday.
- C. Commissioner Bissell – Notes that the Finance Review Committee is working with the City Manager and CFO on several avenues to close the deficit. He states that even though our cash flow is weak as a city we are actually in a strong equity position with \$23 Million in hard assets with a relatively small amount of debt at \$3.5 Million which includes the new police cars and the quint. He notes that he voted to deny the Park Board request because it was not their place to request the information as they are set up noting they are a sub-organization and that our city attorney has already ruled those expenditures would be that way. He offers his research on an accounting of where the funds have gone if any individual asks him.
- D. Commissioner Carroll – States that the Chamber luncheon went great today. Voted no on MTEMC easement because she had trouble with their answer to citizen of using sub-contractors and not taking responsibility. Understands Commissioner Bissell's view on the Park Board request but feels they are a board appointed by the city and they should have the information.
- E. Mayor Totty – Thanks Mr. Hall for the information delivered from his heart at the state of the city address. Wishes everyone a Happy Easter week.

12. Adjournment – Commissioner Bissell made a motion for adjournment. No second. Meeting adjourned at 9:22 p.m.

Brandy Johnson
City Recorder