

CITY OF FAIRVIEW

BOARD OF COMMISSIONERS

May 1, 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, Humber, Johnson, Cooper, Paisley, Russell

Not Present: Daugherty

1. Call to order by Mayor Totty at 7:06 p.m.

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

2. Approval of the Agenda – Mayor Totty noted the need to defer item 6C due to missing pages, and defer 7B due to no applications as well as the addition of 8C to Discuss and/or Take Action on scheduling a workshop for Thursday, May 15, to present the first draft of the budget for fiscal year 2014-2015. Commissioner Sutton made a motion for approval with Commissioner Bissell seconding. 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).

A. Jeanette Mellendorf – spoke in favor of the library expansion noting the library is an asset and draw to the community. She thanked the new owner of McDonalds for the donation for books. She notes that 85% of the patrons of the library are residents of the city and this March over 4,000 items were checked out.

4. Awards and/or Recognitions – NONE

5. Public Announcements –

- A. City Manager Hall notes emissions testing on Mondays and Tuesdays from 7:30 am to noon. He states it is tornado season and there is updated emergency information on the city website and Channel 19 and that the city is currently working on updating the emergency plan. He introduces Frank Humber as the new Codes Director.
- B. Commissioner Bissell asks everyone to get out and vote on May 6. He states the need to check your voter registration card as some polling places have changed.

6. Approval of the Minutes –

- A. Approval of the Minutes from the February 20, 2014 Board of Commissioners meeting – Commissioner Sutton made a motion for approval with Commissioner Bissell seconding. Bissell, Carroll, Johnson & Sutton in favor. Totty against.
- B. Approval of the Minutes from the March 6, 2014 Public Hearing - Commissioner Sutton made a motion for approval with Commissioner Bissell seconding. All were in favor.

- C. Approval of the Minutes from the March 6, 2014 Board of Commissioners meeting - DEFERRED
- D. Approval of the Minutes from the March 20, 2014 Public Hearing - Commissioner Bissell made a motion for approval with Commissioner Sutton seconding. All were in favor.
- E. Approval of the Minutes from the March 20, 2014 Board of Commissioners meeting - Commissioner Sutton made a motion for approval with Commissioner Bissell seconding. All were in favor.
- F. Approval of the Minutes from the March 24, 2014 Special Called Board of Commissioners Meeting - Commissioner Sutton made a motion for approval with Commissioner Bissell seconding. All were in favor.
- G. Approval of the Minutes from the April 3, 2014 Board of Commissioners meeting - Commissioner Bissell made a motion for approval with Commissioner Sutton seconding. All were in favor.
- H. Approval of the Minutes from the April 17, 2014 Public Hearing - Commissioner Bissell made a motion for approval with Commissioner Sutton seconding. All were in favor.
- I. Approval of the Minutes from the April 17, 2014 Board of Commissioners meeting - Commissioner Bissell made a motion for approval with Commissioner Sutton seconding. All were in favor. Commissioner Carroll made a request to include the presentation from the CFO as an attachment to the minutes in the future.

7. Old Business –

- A. Second and Final Reading on Bill #2014-06, Ordinance No. 828, An Ordinance to Change the Zoning of Certain Property in the City of Fairview, Tennessee, Located on Highway 96 North, Near Interstate 40, Owned by the McRedmond Family Partnership. As Shown on, the Fairview Geological Listing of Assessment Roll Map 018, Parcel 22.00, From RS-40 to Commercial General (CG), 25.87 Acres. Kathy Beata spoke on behalf of the McRedmond family rebutting a comment of Mrs. Stark stating the property is not completely surrounded by residential. She also noted its proximity to I-40, it has been on the market for over 4 years and needs to be rezoned to market it properly. She also noted that if a business comes in to purchase it will still have to go through the proper channels to be approved. Commissioner Sutton asks about a second house and Beata responds it is not part of the land being discussed. Vice Mayor Johnson made a motion for approval with Commissioner Sutton seconding. Johnson, Sutton & Totty were in favor. Bissell & Carroll against. Motion carried.
- B. Discuss and/or Take Action on Vacant Board Seats – DEFERRED
- C. Discuss and/or Take Action on Williamsport Estate Subdivision – Mayor Totty states she is looking for an update and would like to inquire with the attorney as members of the public have asked her about the time frame. Mayor Totty notes that she and Mr. Totty were interviewed today. Attorney Cantrell states he has not heard for sure but assumes today was the last interviews. Commissioner Carroll asks for clarification on the contract on the last house and Cantrell states the Board can consider it at any time for the Certificate of Occupancy. Carroll asks if anyone has met with the Totty's on the list of what needs to be done on the property and City Manager Hall responds not at this time. Cantrell states we would need the report and then would be able to come up with what has to be done. Totty notes it was emailed to the Board on February 29. NO ACTION
- D. Discuss and/or Take Action on Update of Fairview Library Branch Expansion from Dolores Greenwald – Dolores Greenwald states she presented the proposal from the City to pay a 47% of the expansion and the county came back and wants it split 50/50 which would be \$90,025. Vice Mayor Johnson asked Ms. Greenwald what happened when she presented the city's proposal. She states they wanted to see a 50/50 split. Commissioner Sutton asked what the original figures were. Greenwald notes it was around \$74-75,000 but they bumped up from the original because of the time elapsed from the architect originally walking the site and giving the estimate. Greenwald states if approved it would go through the open bid process. Commissioner Sutton notes concern of the high square footage cost. Greenwald agrees it is a little high but is not determined

it will cost that amount – it could be a little lower or if the board wishes, the square footage could be expanded to use the total amount of funds. Jerry Bull, chairman of the Board of Trustees of the Williamson County Library System and a resident of Fairview notes that the Trustees have been behind this project since he proposed it two and a half years ago. The County has been really insistent with all projects that there will be a 50/50 split or they will not happen. This is a working estimate from the property department and agree that the square foot calculation seems absurd. He states that everyone in the county will be paying for this expansion through their taxes. Bull reminds the board that the county pays the operating budget for the library of over a quarter million dollars a year and proposes joint approval of the project. Commissioner Sutton states he has a problem with agreeing to an open ended contract, which is what this feels like, with the jump in price and no testing done to back it up. Sutton notes he wants it done but also want to be good stewards of the money from the school facilities fund. Bull asks if there wouldn't have to be joint approval of the project once the bids are in. Sutton says that would have to be part of the contract or agreement and that sounds good to me and have a cap on it. Vice Mayor Johnson asked who produced this document you're speaking of, would that be Al Ritter? Greenwald answers it is Keith Feinstein who works with Al Ritter. Commissioner Carroll made a motion to meet the county 50/50 on the library expansion project with a cap of \$90,025 with Mayor Totty seconding. Commissioner Sutton amended the motion to state that it be the 800 square feet requested at this time and the city be present for bid opening and final approval of any plans with Mayor Totty seconding. All were in favor of the amendment. All in favor of the original motion.

8. New Business –

- A. Discuss and/or Take Action on State of Tennessee Electrical Contract Amendment – Codes Director Frank Humber explains this is a revision to the state contract noting the location change of the Codes Department. Commissioner Bissell makes a motion for approval with Commissioner Sutton seconding. Mayor Totty highlights that Sharon Hall is listed as the contact and it would be more appropriate to make the contact the Director of the department or the City Manager. Mayor Totty amends the motion so that the contact reads Department Head, Frank Humber. All were in favor of the amended motion. Mayor Totty calls the vote on the original motion and all were in favor.

Mayor Totty handed the meeting over to Vice-Mayor Johnson and exited at 7:42 pm

- B. Discuss and/or Take Action on final version of Brazos Technology Proposal, Software License and Maintenance Agreements for e-citation software – Commissioner Bissell states these relate to the GHSO grant expenditure that was approved a couple of months ago. We are re-approving some documents that were already approved plus one that was never signed, this is no cost to the city and the actual price has gone down, the Commissioner Bissell makes a motion to re-approve participation in the grant and all three contracts for approval and Commissioner Sutton seconded. All were in favor.
- C. Discuss and/or Take Action on scheduling a workshop for Thursday, May 15, to present the first draft of the budget for fiscal year 2014-2015. Commissioner Bissell makes a motion for approval with Commissioner Carroll seconding. Vice Mayor Johnson states he would like to propose either starting the regular meeting early or call a special meeting for a budget hearing so it could be televised and would like to amend the motion as such. Commissioner Sutton seconds. Commissioner Bissell agrees this is a good idea because workshops don't allow for decisions to be made and aren't broadcast. All were in favor. Commissioner Carroll agrees due to the subject matter it should be on television and internet. Vice Mayor Johnson also notes his opinion on workshops is they aren't very productive. Commissioner Bissell agreed that personally he feels it is frustrating having the same conversation over and over but not being able to make a decision.

9. City Manager Items for Discussion – City Manager Hall notes that U-verse is up and running tonight.

A. Miscellaneous Updates – NONE

B. Staff Comments –

- (1) Chief Cooper gave the Fire Department report for the month of April noting they had 52 calls. The new ladder truck is in. The Dept plans to apply for a lower ISO rating after all the changes in the ISO system in July. The 4 that they hope to get will put Fairview Fire Dept in the top 20% in Tennessee according to ISO ratings and this will account for big savings in insurance premiums. Commissioner Sutton notes we should now look into changing code restrictions on building heights with the added access of the ladder truck of four stories as noted by Chief Cooper.
- (2) Lt. Roy Russell gave the Police Department report for the month of April noting they had 15 accidents, 7 being in the city and only 1 injury accident. He also bragged on the number of DUI arrests the PD makes with their 24 officers. Also noted they are seeing larger numbers of unlicensed drivers.
- (3) Parks Director Keith Paisley notes there is a Bowie Jubilee on Saturday, May 3 from 2 to 3 pm with the pickin' party to follow from 3 to 5 pm. Barks for Parks is also on Saturday, May 3 from 9 am to 2 pm. Paisley states the Street Dept is trying to wrap up the leaves and brush pick up in the next couple of weeks so please move it out to the road.
- (4) Codes/Planning Director Frank Humber gave the Codes Department summary for the month of April. He noted there were 9 building permits issued with a total construction cost of \$830,000, 15 inspections were performed, 2 certificates of occupancy issued and 1 plans review. He is excited about some possible new things going on: new convenience store, a new site for Fast Pace and a new sector for Western Woods.

C. City Attorney Comments – Attorney Cantrell notes he received back from Ms. Given's attorney the settlement and compromise agreement duly executed as presented. Happy to report that issue will soon be closed. Cantrell mentions the meeting today with some of the staff and how impressed he is with the idea of cross-training for customer service. He notes that the agenda for the special meeting cannot be changed after it is set, unlike a regular meeting. Commissioner Carroll states that they would be likely not to take a vote in the special meeting because of the phases required for approval. Commissioner Bissell says he doesn't see them approving the whole budget but may decide on certain aspects. Cantrell clarifies that you do not have to vote but the agenda cannot be changed.

10. Communications from the Mayor and Commissioners –

- A. Commissioner Bissell – noted Election Day is May 6 and encouraged everyone to get out and vote. He also wanted to clear up a comment from the last meeting about the park document he provided to Mr. Tarolli. This was his document that he created, not the city's, which is why you had to ask him and why he said the city could charge for copies.
- B. Commissioner Carroll – Referenced the minutes and she thought the Mayor requested word for word but would like to revisit and consider the way they were done prior to that as a summary with key points. She asked Attorney Cantrell for his opinion and experience on the matter. Cantrell replied that the minutes have to factually relate what happened. You would need to keep the tape to produce an authentic record if necessary. Carroll states that citizens come to review these records and it's much easier to read as a summary.
- C. Commissioner Sutton – recognized candidates running for municipal judge's seat and asked for everyone to get out and vote in the election on May 6. He also recognized new local business, Goin' Postal, and what they have to offer.
- D. Vice Mayor Johnson – Notes that 7 of the 8 minutes that were approved tonight were true minutes and not dictation. From my understanding, the way the minutes were formerly done was a request of the Mayor to the former City Recorder and not a vote. The City Manager instructed the City Recorder to create summary minutes moving forward and I believe had the full authority to do so. Cantrell replies it is a simple procedural matter and the City Manager has the authority unless the board instructs him otherwise. City Manager Hall notes he has heard both Theresa and Brandy listen to the tapes for hours on end. He made the decision to go with true minutes to catch up and

keep from interfering with the other City Recorder duties. Hall requested the Board let him know otherwise, but until he hears, they will be done with target points, motions, key discussion and votes. With the cross-training we are doing there are many other jobs that need to be learned. Johnson stated they should also be on the next meeting for approval to prevent a backlog. Cantrell notes the minutes should fairly and accurately reflect the actions taken by the board. Hall notes he researched past minutes with the City Recorder before deciding to move forward in this manner. Commissioner Bissell asks if it goes on the agenda. Johnson states until someone asks otherwise we should keep it as the City Manager decided. Bissell notes Commissioner Carroll requested that attachments, such as the Financial Report, be included as part of the minutes and I endorse that. Johnson agrees. Johnson announces that Bowie Park summer camps are filling up fast and welcomes new U-verse subscribers.

- 11. Adjournment** - Commissioner Sutton makes a motion for adjournment with Commissioner Bissell seconding. All were in favor and meeting was adjourned at 8:30 pm.

Brandy Johnson
City Recorder