

City of Fairview

**BOARD OF COMMISSIONERS**

**May 3, 2012**

Beverly D Totty, Mayor  
Allen Bissell, Vice-Mayor  
Patti L Carroll, Commissioner  
Stuart L Johnson, Commissioner  
Toney R Sutton, Commissioner  
Andrew Hyatt, City Manager  
Larry Cantrell, City Attorney  
Theresa Porter, City Recorder

Present: Totty, Bissell, Carroll, Johnson, Sutton

Others Present: Hyatt, Cantrell, Porter, Harris, Hooper, Pewitt, Lovvorn, Cooper

- 1. Mayor Totty called the meeting to order at 7:0 p.m.**
  - A. The prayer and pledge were led by Donn Lovvorn.
- 2. Approval of the Agenda –**
  - A. Mayor Totty added item 7E “TN Forestry Update”.
  - B. Commissioner Johnson made a motion to approve the agenda as amended. Commissioner Sutton seconded. 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. Awards and/or Recognitions –**
  - A. Mayor Totty announced that Mid State Heating and Air was awarded by Middle TN Electric the 2011 Award of Excellence.
- 5. Public Announcements –**
  - A. City Manager Hyatt reminded everyone that the emission testing is on Tuesdays on Hwy 96 from 7:30 a.m. to 12:00, he also mentioned that Jenny will be here to give a report on May Fest.
  - B. Mayor Totty announced that May is National Preservation month and that there will be a Town Hall Meeting on May 31, 2012 at 7:00 p.m. at City Hall.
- 6. Approval of the Minutes –**
  - A. The minutes for the April 19, 2012 Board of Commissioners meeting were presented for approval. Commissioner Sutton made a motion to approve. Commissioner Carroll seconded. All were in favor.
- 7. Old Business –**
  - A. Second and Final Reading of Bill #2012-05, Ordinance No. 784 To Repeal and Replace Ordinance No. 772 Amending the Municipal Code – Vice Mayor Bissell read the caption. Vice-Mayor Bissell made a motion to approve. Mayor Totty seconded. All were in favor.
  - B. Discuss and/or take action on the Park Entrance – Vice-Mayor Bissell introduced Jack Cannon and Bob Benson from the Park Board. The Park Board recommends that the widening of Bowie Lake Road be accomplished in two phases. Phase I would extend from Fairview Blvd to the entrance at Bowie Park and would include curbs and sidewalks. Phase II would include

sidewalks and would extend from the entrance of Bowie Park to the Y intersection adjacent to the Nature Center and would include paving in front of the Nature Center and the parking lot. Vice-Mayor Bissell made a motion to give staff permission to begin the bid process and that the Park Board will provide additional information at the next meeting. Commissioner Carroll seconded. All were in favor.

- C. Discuss and/or take action on Public Officer – Vice Mayor Bissell stated that he and City Manager Hyatt interviewed both candidates for the position and both had the construction experience but Mr. Weaver had experience with civil procedures and knew how to conduct a hearing. Vice-Mayor Bissell and City Manager Hyatt both recommended Mr. Weaver for the position. Vice-Mayor Bissell made a motion to hire Mr. Weaver. Mayor Totty seconded. Commissioner Sutton asked about the \$100 a month pay and made a motion to amend the pay to increase it to \$200 a month. Mayor Totty made an amendment to the amendment to re-evaluate the pay in 30 days. Amendment two was seconded by Commissioner Carroll. All were in favor except Commissioner Johnson. Commissioner Sutton withdrew his amendment. All were in favor of the original motion.
- D. Discuss and/or take action on Signalization at the Intersection of Fairview Boulevard and Cox Pike – City Manager Hyatt stated that TDOT has approved the traffic light and will be paying for it. No action was taken. Commissioner Sutton stated that this just saved the City \$150,000. Mayor Totty thanked TDOT and Highways Inc. and she stated that she is pleased that the project has gone well.
- E. Discuss and/or take action on TN Forestry updated – Director Hooper introduced Mr. Dwight Barnett with the area Forestry Division. He is the advising and consulting arborist for Bowie Nature Park. He stated that our forest is crowded and is subject to Pine Beetle infestation in the next couple of years. If this happens we will have falling trees, a fire risk and we may have to shut down a section of the park. He recommends getting started this fall in the pine thinning. He recommended using prairie native grass for replacement and it will draw in birds. Commissioner Sutton made a motion that when Mr. Barnett has concluded his study, bring it back in front of the board to discuss and/or take action as far as a committal part on a contractor. Mayor Totty seconded. All were in favor.

## **8. New Business –**

- A. Approval of Resolution No. 06-12 Requesting the Fairview, Tennessee Municipal Election Be Held In Conjunction with the November 6, 2012 Presidential Election – Commissioner Sutton made a motion to approve. Commissioner Carroll seconded. Vice-Mayor Bissell read the caption. City Manager Hyatt stated that the qualifying deadline is August 16, 2012 at noon and the petition will be available for candidates on May 18, 2012. All were in favor.
- B. Discuss and/or take action on the Number of Auxiliary Officers – Chief Harris stated that the number of auxiliary officers allowed by ordinance is 12. He then asked the Board to increase the number of auxiliary officers allowed. Commissioner Sutton made a motion to increase the number of auxiliary officers up to the number of police officers. Commissioner Carroll seconded. After further discussion Commissioner Sutton withdrew his motion and Commissioner Carroll withdrew her second. Commissioner Carroll made a motion to remove the cap on the number of auxiliary officers allowed. Commissioner Carroll removed her motion. The Board took the action to address the City Attorney to work on an ordinance to remove the cap on both the auxiliary officers and the volunteer firemen.
- C. Discuss and/or take action on Declaring the 1995 Nissan Surplus Property – Chief Harris stated that the police department received this vehicle from the court. The value of the vehicle is \$1,300 and the tow bill is \$1,500. The tow company agreed to keep the car and wipe out the tow bill. City Attorney stated

that no bid process is necessary as long as there is more owed than the worth of the vehicle. Vice-Mayor Bissell made a motion to allow the tow company to keep the vehicle and wipe out the tow bill. Commissioner Carroll seconded. All were in favor.

- D. Discuss and/or take action on Hold/Harmless Agreement for Scott Fetzer Electrical Group – City Manager Hyatt stated that this is for the May Fest parking and, it is our custom to use this type of agreement. Commissioner Sutton moved to approve. Vice-Mayor seconded. All were in favor.
- E. Discuss and/or take action on Hold/Harmless Agreement for GES Fairview LLC – City Manager Hyatt stated that this is for the May Fest parking. Commissioner Johnson made a motion to approve. Commissioner Sutton seconded. All were in favor.

**9. City Manager Items for Discussion –**

A. Miscellaneous Updates –

- (1) City Manager Hyatt stated that there is a lot going on around Fairview. The structural engineer report for Triangle School will be ready next week for distribution. Bid opening for the Greenway Project will be on May 15, 2012.

B. Staff Comments –

- (1) Chief Cooper gave his fire department report.
- (2) Director Donn Lovorn gave his codes and planning department report.
- (3) Chief Harris asked the Board for approval to apply for the Governor's Highway Safety Grant. He stated that we've gotten it for the past 7 years, it's a 100% grant and this year it is \$28,360. It helps us do overtime pay for saturation, buy equipment, and last year it allowed us to double our DUI arrests. The Board told Chief Harris to move forward.
- (4) Director Hooper gave his street department report. Program Director Jenny Herrera gave an update on May Fest, May 26, 2012 from 12 to 9. The event is free and there will be no parking in the park.

- C. City Attorney Comments – On items 8D and 8E the City Manager checked with our insurance carrier and they are ok with this and we did not waive any sovereign immunity.

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

- A. Commissioner Carroll thanked the park staff and everyone involved with May Fest for their work. She stated that she is thrilled about the new traffic light and thanked the staff for staying on top of it and working things out.
- B. Vice-Mayor Bissell – None
- C. Commissioner Sutton mentioned Fairview Florist and asked everyone to support them and all the local businesses. He offered his condolences to the family of Jason Edens, he died in Afghanistan a hero. He graduated from Franklin in 2007 and left behind a wife. He stated that his thoughts and prayers go out to his family.
- D. Commissioner Johnson - None
- E. Mayor Totty - None

**11. Mayor Totty called for a motion for adjournment –**

- A. Vice-Mayor Bissell made a motion for adjournment and Commissioner Sutton seconded. All were in favor. The meeting adjourned at 8:32 p.m.

---

**Theresa Porter  
City Recorder**