

CITY OF FAIRVIEW

BOARD OF COMMISSIONERS

May 15, 2014

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

Present: Totty, Johnson, Bissell, Carroll, Sutton

Others Present: Hall, Cantrell, Humber, Daugherty, Johnson, Cooper, Paisley, Russell

1. Call to order by Mayor Totty at 7:05 p.m.

A. Prayer and pledge to the flag were led by Lane Johnson.

2. Approval of the Agenda – Commissioner Sutton made a motion for approval with Vice Mayor Johnson seconding. Recorder Johnson noted that CFO Daugherty would like to add Item 9P Discuss and/or Take Action on Bill #2014-19, Ordinance No. 841. 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. Joyce Prentice – asked the C.O. for Williamsport be rejected until the investigation is complete, reviewed and action taken to correct and if there is any money owed it is paid in full. Her opinion is the property should remain unoccupied until this is resolved and that the city should be reimbursed for attorney fees and investigative fees. She notes it is not hard for good people to do the right thing.

B. Jon Cherry – Clean Sweep is this Saturday, May 17 at 8:00 at Bank of America. Tuesday, May 20 is the inaugural Taste of Fairview to benefit Meals on Wheels from 6:00-8:30 at Old Towne Antiques. He also notes exciting news of a special guest at the July luncheon to be formally announced soon.

4. Business Spotlight – Goin' Postal at 7012 City Center Way, owners Lisa Anderson and Emily Wade. Hours are 9-6 Monday – Friday and 9-2 on Saturday. They are a one-stop shop for postal needs, offering services from USPS, FedEx, UPS, DHL as well as fax, printing, mailbox rental, notary services, sell stamps, passport photos, and hope to implement fingerprinting service soon.

5. Awards and/or Recognitions – Mayor Totty welcomes Dr. Julie Oyer, principal of Fairview High School. Dr. Oyer notes they have had a wonderful year and hope to keep the momentum going through summer school adventure where both elementary and middle school will join the high school students for hands on fun two days a week. She asked if there is any ability for the city to sponsor as they would like to purchase t-shirts for all the students which would cost approximately \$1,000. Williamson County Schools is adopting the Be Nice campaign started this past year by Fairview High and they would like to ask for the City to create a proclamation declaring Wednesday, September 3 Be Nice Day. Commissioner Carroll presented Dr. Oyer with the check for \$5000 for the community garden and Bowie Park seeds.

Vice Mayor Johnson notes that Lane was elected Mayor of J.A. Biztown for Westwood's field trip and that is why he was here this evening.

- 6. Public Announcements –** City Manager Hall noted that emissions testing is every Monday and Tuesday from 7:30 until noon, City Hall is closed for Memorial Day and Fairview High School graduation is next Friday at the Ag Center at 7:00. Mayor Totty states the investigative report on Williamsport has been returned to the city and she read the conclusion of the report aloud which states: After conducting a thorough investigation, we have determined that the approval of the Williamsport Estate Subdivision was a serious oversight on Mr. Lovvorn's part and that Mayor and Walt Totty were not wrongfully involved in that approval. The City could have possibly penalized Mr. Lovvorn for this oversight; however, he resigned shortly after it was discovered. We have found no basis for bringing any action against Mr. Totty or the Mayor. In addition, we conclude that the City cannot require Mr. Totty to go back and fix the deficiencies within the Subdivision. Mr. Totty built a subdivision based on a facially valid, approved plat. We recommend that the city grant after-built variances to clear up any discrepancies with the plat and the Subdivision Regulations. To avoid a similar situation from occurring in the future, the City should revise its Subdivision Regulations so that they are clearer and enact a checks and balances system to ensure that subdivisions are properly discussed and approved by the Planning Commission prior to being signed.

7. Approval of the Minutes –

- A. Approval of the Minutes from the March 6, 2014 Board of Commissioners meeting – Commissioner Sutton made a motion for approval with Commissioner Carroll seconding. All were in favor.
- B. Approval of the Minutes from the May 1, 2014 Public Hearing – Commissioner Sutton made a motion for approval with Commissioner Carroll seconding. All were in favor.
- C. Approval of the Minutes from the May 1, 2014 Board of Commissioners meeting – Commissioner Carroll made a motion for approval with Commissioner Sutton seconding. All were in favor.

8. Old Business –

- A. Discuss and/or Take Action on Williamson County Trustee Collection of City of Fairview Property Taxes- Commissioner Sutton made a motion for approval with Commissioner Bissell seconding. Commissioner Sutton made a motion to defer this until after the newly elected county trustee is in office and we can get a full representation of how they will run this program. Mayor Totty asked Sutton if he had a projected date and he replied 3 months into the tax season for next year. It was stated this will be revisited in March. Commissioner Bissell seconded and commented that the election doesn't take place until August and what we just had was the Republican primary and suggested no action at this time. All were in favor of the amended motion.
- B. Discuss and/or Take Action on Certificate of Occupancy at 7215 Old Franklin Road for Williamsport Estate Subdivision – City Manager Hall notes that Mr. Totty asked him to put this on the agenda for release of the C.O. Vice Mayor Johnson made a motion for approval with Commissioner Carroll seconding. Commissioner Sutton asked the Codes Department if everything has been completed that was recommended by the City Engineer. CM Hall states the house has passed inspection. Commissioner Sutton verifies the roads had nothing to do with the house. Commissioner Carroll asks if all fees have been paid and CM Hall verified they have. Attorney Cantrell notes that there are no statutes that allow you to hold the permit any longer and if you did it would place the city in the position of potential liability, even personal liability. This was a laundry list of mistakes. Mr. Humber is in the process of reviewing the codes and bringing them up to date so this should not happen again. Commissioner Sutton asks if there is no recourse on the plat because it has already been filed. Cantrell confirms this was a facially valid plat. Commissioner Sutton states the investigator found there is no recourse to the city to correct any issues either so there will be no cost to the city and Cantrell confirms. Roll call vote: Bissell – nay, Carroll – aye, Johnson – aye, Sutton – nay, Totty – abstain due

to personal interest. Motion does not pass. Commissioner Bissell states that in the normal process of a C.O. the Board does not get involved and since the investigation is complete, the Board has no standing. Bissell makes a motion the property revert to normal processing where the Building Inspector and Codes Director would make the decision and we would remove ourselves. Mayor Totty asks Commissioner Bissell to restate the motion which is to release jurisdiction and release the request for the Certificate of Occupancy to the Codes Department to do what they normally do. Commissioner Sutton seconds the motion. Roll call vote: Bissell – aye, Carroll – aye, Johnson – aye, Sutton – aye, Totty – abstain due to personal interest. Motion passes.

- C. Discuss and/or Take Action on Vacant Board Seats – Mayor Totty presents Scott McCoy's application for the Finance Review Committee. Commissioner Carroll makes a motion for approval with Bissell seconding. Bissell notes a concern about process and states that in looking at his experience is not sure that he equates what we originally asked for. If that is the case, we should open up to someone else who might not have had the finance experience as originally specified. It's nothing against Mr. McCoy and his qualifications. Vote on motion to approve McCoy's application: Bissell – nay, Carroll – aye, Johnson – nay, Sutton – nay, Totty – aye. Application not approved. Commissioner Bissell makes a motion to repost for two weeks with less strict requirements stating they can have peripheral knowledge of budget and finance gained through another main occupation who might not have thought they qualified with Commissioner Sutton seconding. All were in favor. Mayor Totty asks the status of a response from Mitch Dowdy who spoke with the Vice Mayor and wants to remain on the board and Michael Mitchell who we have not heard back from yet. Mayor Totty presents Mitch Dowdy and Ricky Campbell for the Board of Zoning Appeals. Vice Mayor Johnson makes a motion for approval with Commissioner Sutton seconding. All were in favor. Mayor Totty presents Ken Weaver for the Industrial Development Board with Commissioner Sutton making a motion for approval and Vice Mayor Johnson seconding. All were in favor. Mayor Totty states the Park Board has one opening for a citizen seat and requests that staff put out an advertisement for this position. Mayor Totty presents for the Planning Commission Todd Behan and Brandon Butler with Commissioner Bissell making a motion for approval and Commissioner Sutton seconding. Commissioner Carroll states that it has always been advertised for any position becoming available but also notes the common practice has been to keep the person currently sitting in that seat if they wish to remain. Carroll notes she has no problem with these candidates but if that has been procedure shouldn't we stick with it? Attorney Cantrell notes that has been procedure to advertise them in the past. Mayor Totty notes that we need to retract the vote for the Board of Zoning and Industrial Development Board. Vice Mayor Johnson makes a motion for retraction of the previous votes for Board of Zoning and Industrial Development Board with Commissioner Sutton seconding. All were in favor. Mayor Totty notes we should advertise for 2 seats for the Board of Zoning Appeals, 1 Industrial Development Board seat, 1 Park Commission seat, 3 Planning Commission seats, 1 Finance Review Committee seat and 1 Beer Board seat. Applicants should be present at the June 5 meeting and those currently holding seats would not need to submit new applications.

9. New Business –

- A. Discuss and/or Take Action on Bill #2014-08, Ordinance No. 830 (HRA payments) – Vice Mayor Johnson read the caption. CFO Daugherty notes as mentioned earlier we need some funds for HRA and this would move unused funds from various line items approved by department heads as unused funds. Commissioner Sutton made a motion for approval with Commissioner Bissell seconding. All were in favor (Vice Mayor Johnson did not vote – he exited the meeting for a brief recess).
- B. Discuss and/or Take Action on Bill #2014-09, Ordinance No.831 (Welcome Sign Lighting) – Mayor Totty read the caption. CFO Daugherty notes this is moving money over from the capital projects fund to pay for the welcome sign lighting. Commissioner Bissell made a motion for approval with Commissioner Sutton seconding. Commissioner Carroll asks for clarification on whether the lighting is there or not. Bissell notes that the

- signs are there but not the lighting. For – Bissell, Johnson, Totty, Sutton. Against – Carroll.
- C. Discuss and/or Take Action on Bill #2014-10, Ordinance No.832 (Salary in Financial Administration) - Vice Mayor Johnson read the caption. Commissioner Sutton made a motion for approval with Commissioner Bissell seconding. Commissioner Carroll noted that this was for the finance assistant position that was recommended by the audit and now are amending for. All were in favor.
 - D. Discuss and/or Take Action on Bill #2014-11, Ordinance No.833 (Memberships, Subs, Dues & Registration Fees) - Vice Mayor Johnson read the caption and made a motion for approval. Commissioner Sutton seconded. Commissioner Carroll expressed a concern on removing salaries out of Street department with the possibility of overtime if we have a storm before the end of the year. CFO Daugherty stated there are no salaries coming out of Street department they are out of State Street Aid and we have overtime allotment. All were in favor.
 - E. Discuss and/or Take Action on Bill #2014-12, Ordinance No.834 (Drug Testing Fees) - Vice Mayor Johnson read the caption and motion for approval with Commissioner Bissell seconding. All were in favor.
 - F. Discuss and/or Take Action on Bill #2014-13, Ordinance No.835 (Part-time Salaries, Street Lighting, Paving & Improvements, Gravel & Repairs) - Vice Mayor Johnson read the caption. Vice Mayor Johnson made a motion for approval with Commissioner Sutton seconding. All were in favor.
 - G. Discuss and/or Take Action on Bill #2014-14, Ordinance No.836 (History Village & Bowie Lake Rd) - Vice Mayor Johnson read the caption and made a motion for approval with Commissioner Sutton seconding. Commissioner Carroll asked about funds coming from Bowie Fund for History Village and Commissioner Bissell clarified that the funds for History Village are out of capital improvements and the money for Bowie is out of the Park Fund. FOR: Bissell, Carroll, Johnson, Sutton, AGAINST: Totty. Motion carried.
 - H. Discuss and/or Take Action on Bill #2014-15, Ordinance No.837 (Bowie Tree Thinning & Controlled Burn) - Vice Mayor Johnson read the caption and made a motion for approval with Commissioner Sutton seconding. Commissioner Carroll questioned if the funds for History Village were coming out of Bowie Park fund. Commissioner Bissell states no, Capital Project Fund is for the part that is History Village and Bowie Fund is for the Bowie Park part. For: Bissell, Carroll, Johnson, Sutton. Against: Totty. Motion carried.
 - I. Discuss and/or Take Action on Bill #2014-16, Ordinance No.838 (Improvements to Historic Village) - Vice Mayor Johnson read the caption and made a motion for approval with Commissioner Sutton seconding. Mayor Totty noted that capital improvements fund was to prepare infrastructure for the future and would like to see building our reserves and that fund. All were in favor.
 - J. Discuss and/or Take Action on Bill #2014-17, Ordinance No.839 (Debt Service) - Vice Mayor Johnson read the caption and made a motion for approval with Commissioner Bissell seconding. All were in favor.
 - K. Discuss and/or Take Action on Car Allowance for City Manager – Commissioner Bissell noted that City Manager Hall rotated his vehicle to the Codes Director. He made a motion to give the City Manager a car allowance and continue to use his personal vehicle in May and June. Commissioner Sutton seconded. Bissell continues with research findings on amounts for car allowances which range from a low of \$500 to a high of \$2,000 monthly. He would like to see approval for City Manager \$600 per month to compensate for use of his personal vehicle in the performance of his duties. Commissioner Sutton seconded and asked if that included a gas allowance. Bissell notes that would be the \$600 would be total. Commissioner Carroll asked about giving a gas allowance. Vice Mayor Johnson stated the City Manager can fill up at the city gas tanks and in the past a car allowance was given on top of the gas. Carroll expresses concern over the current budget state and giving the \$600 per month allowance offering the alternative of paying mileage and gas. Bissell asks if Carroll has an amount in mind and she replies that she knows it's a predicament and in his contract it states he will be provided a city vehicle. Vice Mayor Johnson makes a motion to shuffle vehicles – give the truck Humber is driving back to Hall, give John Bledsoe's to Humber and give the

one Greg is driving to John. Mr. Hall notes he doesn't mind driving his personal truck and has offered to do so because of the current budget situation. Carroll asked how far Hall lives from city hall and he replied 3 miles, 4 at the most. Hall notes he is on call 24 hours a day and discussed earlier in the day with the city attorney about possible liability issues if he were to have an accident in his personal vehicle while attending to city business would TML cover it. Commissioner Sutton asked if Greg Dewire's position required a vehicle and Mr. Hall answered no. Sutton states he thinks that would be the simplest solution. Johnson agrees and states he stands with his motion and is waiting for a second. Commissioner Sutton seconds. Commissioner Carroll states if it can be handled with Mr. Hall shuffling cars there is no need to vote and Mayor Totty agrees that would be getting into employee issues. City Attorney Cantrell states the board cannot tell Mr. Hall what to do as far as shuffling cars and he recommended retracting the motions on the floor and let Mr. Hall handle it internally. Mr. Hall notes he has let Greg use the vehicle because he doesn't have any other way to work currently. Commissioner Bissell shares his concern of being in breach of contract and feel the need to take action to provide that vehicle. Commissioner Carroll states the difference is he gave up the vehicle he was provided. City Attorney Cantrell notes it wouldn't be breach of contract in this situation where it was his idea to do so. Cantrell also states if Mr. Hall is using his personal vehicle on city business to approve him doing so in the event there is an accident so he doesn't end up personally liable. Vice Mayor Johnson withdrew his motion. Attorney Cantrell notes that Commissioner Bissell is correct in that technically it is a breach of his contract but he is a party to it and couldn't bring any action. Cantrell asks the board to formally approve Mr. Hall driving his personal vehicle for city business. Vice Mayor Johnson asks if the city is covered when an employee who does not get a city vehicle based on his position with the city has an accident in the city vehicle. Cantrell notes he would have to check with TML on that stating that normally if the city gives permission he would be. Mr. Hall states that he was told that if he gave permission that we would be covered. Commissioner Bissell asked if it would be proper under this agenda item to address the liability issue or if it would have to be a future meeting. Cantrell states it would have to be a future meeting. Commissioner Sutton asks about fully reimbursing Mr. Hall for any expenses with driving his personal vehicle relating to city duties for the next two months. It was decided to let Mr. Hall make the call relating to city vehicles and who will drive them so there was no action on the agenda item.

- L. Discuss and/or Take Action on Park Truck – Vice Mayor Johnson asks Parks/Streets Department Head Paisley to explain the purpose of the truck being requested. Paisley replies the Parks Department needs another pick up truck to provide services, it's 4WD, crew cab to take additional people on trail system, haul trailers. Vice Mayor Johnson notes that the truck is on state bid. Vice Mayor Johnson makes a motion for approval with Commissioner Sutton seconding. Commissioner Carroll shares concerns asking what they've been doing up to this point, why couldn't they share a truck with Streets, swap a truck and with using Bowie funds to pay for it. Paisley responds that sharing is a challenge for scheduling, trash can't be picked up with the jeep, the right of way mowing crew needs their truck so the issue is there of needing access and it not being available. City Attorney Cantrell states the funds can be spent for park improvements and the requirements are pretty broad. It was discussed that the state currently pays the city about \$18,000 per year for cutting but that may change next year. Mayor Totty points out the cost is \$32,000 plus \$3,000 for additional equipment and accessories for a total of \$35,000. Mayor Totty stated she wants them to be equipped but wanted to know if there was any other vehicle available other than a 2015 \$32,000 vehicle. Paisley noted that the other trucks on state contract were more expensive and he didn't recommend buying used because of problems encountered in the past with used vehicles. Commissioner Carroll expressed great concern over the expenditure when we are in this financial state and can't provide a vehicle to the City Manager whose contract states he gets a vehicle. The life of the truck was also questioned if it was 4 years and Commissioner Bissell answered that the life of the truck would be much longer and closer to 10 years versus the police vehicle 4 year rotation because it would not be running for an entire shift. Bissell amends the motion to say that the Park staff keeps a log of everywhere they go

and at the end of the year an analysis is done and money would be put back into the Bowie Park fund for the percentage it was not used in Bowie Park. Vice Mayor Johnson seconded. Questions were asked about the need for 4WD and how many 4WD vehicles the city owns. Paisley stated that 4WD is a need for being on the trails and for use during winter storms. Commissioner Carroll asked if the truck would go home with an employee and Paisley replied that would be up to the City Manager. With further questions on the various vehicles in the Parks Department and if they are 4WD and what their mileage is, Commissioner Carroll amended the motion for Keith to come back with a full list of all the vehicles, their mileage and maintenance for Parks and Public Works with Mayor Totty seconding. At the request of Commissioner Sutton, Mayor Totty clarifies the motions. The first was to approve the request, the amendment was to keep a log book to be tallied at the end of the year to see if it was utilized for areas outside of the park and the second amendment was for the report from the department head on existing vehicles. Vote on the 2nd amendment, FOR: Totty, Carroll, AGAINST: Bissell, Johnson, Sutton. Motion failed. On the first amendment: All were in favor. On the original motion, FOR: Bissell, Johnson, Sutton, AGAINST: Carroll, Totty. Motion Carried.

- M. Discuss and/or Take Action on Park Maintenance Building – Vice Mayor Johnson asks Parks Director Paisley to explain the request. Paisley states the Parks Department is asking permission to send out bids on a 40x70 maintenance building. He notes they currently use the police impound lot which inhibits revenue. We currently have two smaller storage buildings filling up quickly and there is a need for this building in the park to prolong the life of equipment and provide on-site storage. Commissioner Sutton asks if there is a quote Mayor Totty clarifies the estimate in the packet states \$30,000 for the building, \$30,000 for the concrete and \$30,000 for the plumbing, electrical and interior finish work so \$90,000 estimate. Commissioner Carroll asks if Paisley asked for this to be put on the agenda after talking about it in the budget meetings. Paisley responded yes that he is trying to get an accurate cost estimate and is simply asking to go to bid noting the approval would be up to the Board. Vice Mayor Johnson confirms that is the case and states he was at the recent Friends of the Park meeting noting that to make this happen would require the blessing of the Land Trust once we have an exact location and they would like to see wood siding on the building to make it blend in better which would skyrocket the figure. Johnson made a motion to approve this to go to bid and come back to the Board for approval with Commissioner Sutton seconding. Carroll states she spoke to a Friends representative who spoke of the request for a more natural look but did not see this as the priority item over such things as ADA trail to Joann's Classroom or stage. FOR: Bissell, Johnson, Sutton, AGAINST: Carroll, Totty. Motion carried.
- N. Discuss and/or Take Action on Park Chipper – Vice Mayor Johnson defers to Parks Director Paisley. Paisley states they would like permission to go to bid to get accurate numbers for a smaller chipper than what the Street department has so they could get out on the trails which would be very helpful after storms. Vice Mayor Johnson made a motion for approval with Commissioner Sutton seconding. Mayor Totty questioned what the percentage of usage would be in and out of the park noting that in current budget talks a new chipper is budgeted for the Street Dept for next year. Paisley states this one would be used in the park and would chip branches up to 8". Totty states we do chipper service for the public noting it was stated in budget talks that chipper is on its last leg. Paisley responded yes, most of the equipment in the Street department is 10 to 15 years old. Totty questioned whether the smaller chipper size. Commissioner Sutton added the idea for the smaller size is it is more maneuverable for the trails. Vice Mayor Johnson states he agrees with the Mayor's logic and that if needed in an emergency situation the same principal as applied to the truck could be applied here. Totty asks if this smaller size chipper would be large enough for the needs of the park. Paisley responds yes that this is 8" and the one Streets uses is a 12". Totty notes they would be able to create their own repair material for trail maintenance and repair. FOR: Bissell, Johnson, Sutton, Totty, AGAINST: Carroll. Motion carried.
- O. Discuss and/or Take Action on Update on ADA Trail at Bowie Park – Mayor Totty offers background info that this has been an outstanding item with the Park board and staff for

some time of the need for this. City Manager Hall defers to Codes Director Humber who has an estimate for discussion purposes from the city engineer on the ADA trail to Joann's classroom. Humber shares for a 5' wide conventional concrete sidewalk would be \$25,000 for 6' wide \$30,000 and for 8' wide \$40,000 noting there would be additional engineering and inspection fees to go along with that. In discussion with the engineer it was determined this should be submitted for a parks and rec grant with the state but the submission time has passed for this year so we should get everything in order to submit timely next year. Commissioner Bissell asks what percentage the grant covers and Humber states it is an 80/20 grant. It was discussed that it would be next summer before anything would be completed if we wait for the grant. Vice Mayor Johnson stated he thinks we should move forward with the Joann's classroom trail and use the grant for the Lake Van trail. Mayor Totty states we are in a very big state of liability based on the fact that Jenny is turning people away from programs the public is being invited to because we cannot provide access. Commissioner Sutton asks what the difference is in liability now versus the last few years this has been in discussion. Commissioner Bissell responds the public is invited to programs being held at Joann's Classroom and walking the lake trail, while important, is a choice. Sutton notes he doesn't want it to be specific for those with handicaps to only be able to use certain areas of the park and is passionate that we do it the right way. Commissioner Bissell makes a motion to begin the bid process to see exactly what it would cost to build an ADA trail to Joann's Classroom and we delay another six months and take one shot for the grant for the Lake Van trail and if we don't get the grant that this Board will take action to build the trail and absorb the cost. Vice Mayor Johnson seconded. Mayor Totty amends the motion to move forward with the 5' sidewalk at up to \$25,000 to Joann's Classroom paid for out of Bowie Park fund with Commissioner Carroll seconding. Commissioner Bissell asks if this doesn't have to go to bid and Totty confirmed it does but this is to approve up to \$25,000. Commissioner Carroll states concern over Bissell's motion for the funds to be in the Bowie Park fund. Bissell replies he doesn't think it will be paid out of Bowie funds but he is wanting to make a commitment to move forward with this project and feels that the city will be in a better financial position by next year. Carroll states we were committed as we went through the process of having the engineering and drawings completed. Bissell notes he thinks it fell through when it was separated from the greenway project and feels we should move forward with the Joann's classroom trail since that is where the activity has grown. Vice Mayor Johnson asks City Attorney Cantrell how the \$25,000 max will affect the bid process. Cantrell responds it can be part of the documents so the contractor has notice that \$25,000 has been appropriated and no bid will be accepted that is over \$25,000 so everyone knows up front. All were in favor of the amended motion. Commissioner Bissell withdrew and restated his motion to aggressively pursue the grant money for an ADA trail around Lake Van and if we receive a grant we fund our portion of that to build the trail. If we do not receive a grant that we determine the feasibility of doing it on our own. We do not continue to defer it and make a decision after the grant process as soon as we hear on the grant. Commissioner Carroll seconds. Mayor Totty states that is an undetermined amount and it was discussed that it was around \$600,000 for Lake Van. Bissell withdraws his motion and restates as a new motion of aggressively pursue the grant process and if the grant is approved we will find a way to approve our 20% with Commissioner Carroll seconding. Mayor Totty amends the motion to say we move forward on the grant proposal and evaluate the cost of the estimate for a final decision with Bissell seconding. Vice Mayor Johnson asks City Attorney Cantrell if the city is in jeopardy of being sued in the meantime for not allowing access. Cantrell responds that the law states there has to be a reasonable effort to fix and not required to make everything accessible. For example, a sign could be posted to ask for assistance if needed. All were in favor of the amended motion.

- P. Discuss and/or Take Action on Bill #2014-19, Ordinance No. 841 (Bowie Lake Rd Treescape) – Vice Mayor Johnson read the caption and made a motion for approval with Commissioner Sutton seconding. All were in favor.

10. City Manager Items for Discussion –

A. Miscellaneous Updates – NONE

B. Staff Comments –

(1) Codes Director Frank Humber has grant updates:

- Safe Routes to School – agreement is set to expire in June. A 12 month extension was requested and an 18 month extension was granted. This grant is 100% funding.
- Resurfacing Grant – waiting on response from TDOT on what we need to do to allocate funding the move forward and will be back in contact with them to push as quickly as we can

Commissioner Sutton asks about the status of adding safety barriers at Fairview Elementary school by the playground and Mr. Hall states he is trying to gather support for that to go before the school board for permission to do so. Sutton states he would be glad to do that. Hall notes that is a very dangerous spot despite the 15 MPH speed limit and the children play on the playground throughout the day.

(2) City Manager Hall notes that Highway 100 paving is supposed to begin no later than next Tuesday. We have 8 new businesses coming to town. Taco Bell construction is running good, Farm Bureau office, Tractor Supply pet supply store, would like to see the money come in and build our reserves

(3) CFO Daugherty presents the April financial report. (See attached report) Commissioner Bissell asks Daugherty about any updates from the auditor on accrual vs modified accrual methods of accounting. Daugherty asks the board about moving forward on a contract with the auditor from last year.

(4) Parks & Streets Director Paisley states the treescape on Bowie Lake Rd should be finished tomorrow. June 7 is the fishing rodeo at Evergreen Lake at the Veterans Memorial Park from 7:00 to 10:00am. He asks the citizens to be cautious as the Street Department begins right of way cuttings.

C. City Attorney Comments – Attorney Cantrell states he received a letter from the Williamson County Election Commission about setting our city election with the state election on November 4 and will present a resolution to do so at the next meeting. He notes the US Supreme Court opinion on opening legislative sessions with a prayer was ruled acceptable as long as people are selected at random or across the board. Commissioner Carroll asked about the park truck questioning whether other bids are required. Cantrell confirmed this was on a state bid so competitive bids are not required.

11. Communications from the Mayor and Commissioners –

A. Commissioner Bissell states there has been lots of progress at History Village. The wiring has been run, sidewalks built and handicap parking has been framed up. He notes he met with Codes Director on the street light projects and we are ready to move along with the second phase but no money will be expended until after July 1.

B. Commissioner Carroll – Likes the motto Be Nice and is thankful for the city staff and their desire to move things forward, applauds the city staff for taking a hard look and believes the only way to get back is to cut spending, build reserves, and then can take on more projects but until then focus on existing projects and finish what we can with money we have.

C. Commissioner Sutton introduced candidates running for city judge, notes he feels strongly about Dr. Bowie's gifts to the city and not just the healthy be able to enjoy them, thanks the board for their hard work and looks forward to closure on this situation

D. Vice Mayor Johnson notes to CFO Daugherty he will get to go home early tonight as he has been at the office until at least 11:00 many nights the past couple of weeks.

E. Mayor Totty notes there will be an event on Memorial Day at Hudgins Cemetery at 9 am and asks direction from the City Attorney on posting the investigation on the website for public viewing. Cantrell notes it is up to the Board to decide but not required by the open records act. Totty asked if it would not be a City Manager call and Cantrell notes the City Manager could do without board approval and Totty notes she would have no objection if that is what he wants to do.

- 12. Adjournment** – Commissioner Sutton makes a motion for adjournment with no second. All were in favor. The meeting was adjourned at 10:23 pm.

Brandy Johnson
City Recorder