

CITY OF FAIRVIEW

BOARD OF COMMISSIONERS

June 5, 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, Carroll, Sutton

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

Not Present: Bissell

1. Call to order by Mayor Totty at 7:01 p.m.

A. Prayer and pledge to the flag were led by Mayor Totty.

2. Approval of the Agenda – Commissioner Sutton asked for the addition of Item 7N Discuss and/or Take Action on Extension for Safe Routes to School Grant, Mayor Totty asked to defer Item 6B due to some items being incomplete, Commissioner Carroll asked for the addition of Item 8B Discuss and/or Take Action on Employee Merit Plan Removal for 2014/15. Commissioner Sutton made a motion for approval with Commissioner Carroll 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. Danny Scott – appreciates MTEMC for what they do with electricity but not for their track record on contract jobs. His personal experience with right of way management was the right of way was extended beyond where it should have been and three colonies of bees were killed because of overspray when toxins were sprayed. He notes that MTEMC was very nice and professional and offered compensation. His objective is for MTEMC to for a change in policy and protocol to gain control over their random, haphazard contracted spraying. His recommendation to the City in considering the herbicide be used to speak to the right of way specialist and get a documented case history of farm ponds killed, honeybees killed and incidental damages caused by overspray and going beyond their right of way.

4. Awards and/or Recognitions – Mayor Totty congratulates all of the seniors of Fairview High who graduated as well as the seniors across America for their accomplishment in 2014.

5. Public Announcements – City Manager Hall noted that emissions testing is every Monday and Tuesday from 7:30 until noon. Commissioner Sutton stated the Fishing Rodeo is Saturday at Evergreen Lake at Veterans Memorial Park from 7 to 10 am with registration at 6:30 am.

6. Approval of the Minutes –

A. Approval of the Minutes from the May 15, 2014 Special Board of Commissioners Meeting – Commissioner Sutton made a motion for approval with Vice Mayor Johnson seconding. All were in favor.

B. Deferred.

7. Old Business –

- A. Discuss and/or Take Action on Vacant Board Seats – Mayor Totty asks if there were any applications for the Beer Board and Recorder Johnson answers no. Totty states there are two open seats for the Board of Zoning Appeals of Mitch Dowdy and Ricky Campbell. They were not present but were notified so the decision is deferred. The Industrial Development Board seat of Ken Weaver is open and Weaver noted he would be willing to allow someone else who is interested to take the seat. Mayor Totty notes that Mr. Hall would be happy to answer any questions about that board. Mark Dietze resigned his seat on the Park Commission and Jim Power has an application. Commissioner Sutton made a motion to put Mr. Power on the Park Commission with Vice Mayor Johnson seconding. All were in favor. Mayor Totty notes three seats are available on the Planning Commission of Brandon Butler, Todd Behan and Michael Mitchell who would all like to remain in their seats plus new applications from Susan Hotaling and Jim Power. Susan Hotaling shares that she has worked at Vanderbilt for 16 years and has a heavy finance background, thought Planning Commission sounded interesting with all the growth happening now and she would love to be part of the planning stages. Jim Power shared that he has a background of working with contractors and rezonings and understands the process and is fascinated by the way government works. Mayor Totty notes that 2 of the 3 currently sitting in expiring seats are not present and asks Mr. Cantrell to verify if they must be present. Cantrell states our ordinance reads if you have business before the board you must be present. Mayor Totty asks for nominations and Commissioner Carroll makes a motion to defer to allow those currently in the seats an opportunity to be present with Commissioner Sutton seconding. Mayor Totty amends the motion to recommend that Michael Mitchell who is present to be approved with Commissioner Sutton seconding. Vote on the amended motion to reappoint Mitchell: all were in favor. Vice Mayor Johnson asks if we require those who are present tonight to be present at the next meeting. Cantrell confirms they are welcome to be here but they have appeared before the board and are not required to be present again. Mayor Totty requests Recorder Johnson to read the statements from Todd Behan who said he could not attend due to work schedule but would like to be reappointed and from Brandon Butler thanked for the opportunity and noted would not be able to attend due to being out of town and noted his continued education. Vote on original motion to defer other positions, FOR: Carroll, Johnson, Sutton, AGAINST: TOTTY. Motion carries. Mayor Totty notes there is a high school senior position on the Park Board that will be decided by the principal in August 2014 at the beginning of next school year. Totty continues that we have one open seat on the Finance Review Committee and three applicants, Susan Hotaling, Scott McCoy and Brian Baker. Susan Hotaling shared her background is in finance, she works for Vanderbilt in grants management, feels experience in finance and federal agencies would be beneficial. Scott McCoy states he is an IT manager, as a department head he is responsible for managing budgets exceeding \$1M and the difficult decisions of prioritizing budget items and feel could be helpful in reviewing similar issues here. Brian Baker shares his interest in part for his childrens future, for 12 years has worked for Optum owned by United Health Group, for 10 years has been in HR and for last 2 years involved with financial revenue projections and forecasts with \$1M budgets monthly and think background suits for this position and interested in opportunity for his family. Mayor Totty asks for the wishes of the Board and Vice Mayor Johnson makes a motion to defer until the next meeting based on a request from the Chairman of the Finance Review Committee with Commissioner Sutton seconding. Commissioner Carroll makes a motion to add all three qualified candidates to the committee. Mayor Totty asks opinion from Attorney Cantrell regarding the makeup of the committee. Cantrell asks if the committee was created by ordinance and Totty responds it's an Ad-Hoc committee. Cantrell states you could change the matrix of the committee by having an agenda item to do so. Mayor Totty amends the motion for Brian Baker to fill the vacant seat on the Finance Review Committee with Commissioner Carroll seconding. Mayor Totty notes she also got a memo from Commissioner Bissell stating whatever we thought was best would be fine

with him. Vice Mayor Johnson withdrew his original motion. All were in favor. Mayor Totty also notes there is an opening on the Beer Board for which we are accepting applications.

- B. Discuss and/or Take Action on Revision to MTEMC Easement – City Manager Hall defers to City Attorney Cantrell who notes the Land Trust had some request for housekeeping items which is the reason for the revision. Vice Mayor Johnson asked if they had representatives here to answer questions to which the answer is no. Mayor Totty made a motion to defer until the next meeting with Vice Mayor Johnson seconding. Attorney Cantrell requests that MTEMC be notified this will not be considered until such time as they can attend. All were in favor.
- C. Second and Final Reading of Bill #2014-08, Ordinance No. 830 (HRA payments) – Vice Mayor Johnson read the caption and made a motion for approval with Commissioner Sutton seconding. All were in favor.
- D. Second and Final Reading of Bill #2014-09, Ordinance No.831 (Welcome Sign Lighting) – Vice Mayor Johnson read the caption and made a motion for approval with Commissioner Sutton seconding. FOR: Johnson, Sutton, Totty, AGAINST: Carroll. Motion passes.
- E. Second and Final Reading of Bill #2014-10, Ordinance No.832 (Salary in Financial Administration) - Vice Mayor Johnson read the caption and made a motion for approval with Commissioner Sutton seconding. All were in favor.
- F. Second and Final Reading of Bill #2014-11, Ordinance No.833 (Memberships, Subs, Dues & Registration Fees) - Vice Mayor Johnson read the caption and made a motion for approval with Commissioner Sutton seconding. All were in favor.
- G. Second and Final Reading of Bill #2014-12, Ordinance No.834 (Drug Testing Fees) - Vice Mayor Johnson read the caption and made a motion for approval with Commissioner Sutton seconding. All were in favor.
- H. Second and Final Reading of Bill #2014-13, Ordinance No.835 (Part-time Salaries, Street Lighting, Paving & Improvements, Gravel & Repairs) - Vice Mayor Johnson read the caption and made a motion for approval with Commissioner Sutton seconding. All were in favor.
- I. Discuss and/or Take Action on Bill #2014-14, Ordinance No.836 (History Village & Bowie Lake Rd) – Item was deferred until after a recess because minutes presented from first read on May 15, 2014, didn't list a motion, second or vote. After a recess at the end of new business items and determining process was proper and the motion passed first reading, Vice Mayor Johnson read the caption and made a motion for approval with Commissioner Sutton seconding. Commissioner Carroll asked why this was not separated and CFO Daugherty responds because two funds were paying for something into one line item. FOR: Johnson, Sutton, AGAINST: Carroll, Totty. Motion fails and Attorney Cantrell states the item should be placed on the agenda for June 19 for a vote by the full board because all amendments must be approved or voted down by June 30.
- J. Second and Final Reading of 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. All were in favor.
- K. Second and Final Reading of 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. All were in favor.
- L. Second and Final Reading of Bill #2014-17, Ordinance No.839 (Debt Service) - Vice Mayor Johnson read the caption and made a motion for approval with Commissioner Sutton seconding. Commissioner Carroll asked CFO Daugherty for an explanation and he replied it is separating out the principal and interest line items. All were in favor.
- M. Second and Final Reading of 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.
- N. Discuss and/or Take Action on Extension of Safe Routes to School Grant – Commissioner Sutton notes this is an extension of 18 months from TDOT for additional time to complete the project. Attorney Cantrell notes the amendment changes the completion date paragraph but the remainder of the original agreement remains intact.

Commissioner Sutton notes this moves the completion date out to December of 2015. No motion or second but vote was all in favor.

8. New Business –

- A. Discuss and/or Take Action on Resolution No. 07-14, A Resolution Requesting the Fairview, Tennessee Municipal Election be Held in Conjunction with the November 4, 2014, State of Tennessee General Election – City Attorney Cantrell states this is a resolution that allows the city election to be held on November 4 in conjunction with the Tennessee general election and is for our benefit. He notes it was requested by Williamson County Election Commission and publicly acknowledges Ann Beard and how easy she is to work with. He notes contains information as requested by the Election Commission and recommends approval. Vice Mayor Johnson made a motion for approval with Commissioner Sutton seconding. All were in favor. Mayor Totty publicly states she will not be seeking re-election and notes that petitions are now available for pick up and must be turned in before August 21, 2014.
- B. Discuss and/or Take Action on Employee Merit Plan Removal for 2014-15 – Commissioner Carroll states she put this on because there was question at the special meeting on removing the step plan but was informed before the meeting there is potentially no ordinance stating exactly that. Attorney Cantrell states he did not recall ever having drawn an ordinance specifically relating to the pay plan and was confirmed by discussion with City Manager tonight. I have not seen myself yet but have been advised that the 2% would apply if the funds were available so if funds are not available and the Board does not appropriate such there will be no 2% increase. The Board could still look at this at a later date from that date forward or retroactive to beginning of fiscal year. Before giving an official statement want to see the document firsthand. No action.

9. City Manager Items for Discussion –

- A. Miscellaneous Updates – City Manager Hall thanks Police, Fire and Public Works on their work during the storm last night. They came in early and did a great job. Delinquent tax notices went out last week and we have already collected \$1851. Commissioner Sutton asks about the balance of outstanding delinquent taxes and Hall defers to Recorder Johnson who doesn't have the exact figure but is approximately \$30,000. Commissioner Carroll asks what was done to collect and Recorder Johnson states a second notice was sent. Carroll asks if that was a typical response and Johnson states it doesn't appear to have been done before but we are being proactive on collecting delinquent taxes.
- B. Staff Comments –
 - (1) Chief Cooper states the Fire Department ran 54 calls in May, which was low, and notes there will be a pinning ceremony on the 30th at 6:45 pm and to come dressed for media photos. He notes his last payroll will be the 26th. Mayor Totty asks about the new chief and City Manager Hall states interviews will be in November and Chief Cooper will be staying on pro bono until the new chief begins in January.
 - (2) Chief Harris gives the Police Department report for May noting they ran 818 calls, had 33 non-injury accidents and 5 injury accidents. Commissioner Sutton shares that he has heard many positive comments about the way the accident was handled in front of Country Café last week.
 - (3) Parks & Streets Director Paisley notes as stated earlier, free fishing at the Fishing Rodeo on June 7th, registration begins at 6:30 am, fishing from 7 to 10 and prizes will be given away at the conclusion at Veterans Memorial Park at Evergreen Lake. Summer Camps begin June 9 and there are only a couple of spots left. June 14 is a Bowie Jubilee with Bending Chestnut Bluegrass Band from 2 to 3 and picking party from 3 to 5. Land Trust of Tennessee has National Trail Day with a hike in Bowie meeting at the restrooms at 10:30 am and pack a picnic lunch for after the hike. Friends of the Library have a garden tour on Saturday starting at 11:30, tickets available at the library, and the Nature Center is on the tour thanks to the Friends of the Park who have taken over the garden. Mayor Totty asks about when the hot dogs will be ready at the Fishing Rodeo and Paisley states about the same time as prizes.

Commissioner Sutton asks if Publix donated the hot dogs again to which Paisley responds yes and Sutton notes he wanted to give them credit.

- (4) Codes Director Humber gives the Codes Department summary for May noting that they issued 55 electrical permits, 9 building permits with a value of \$130,000, made 42 inspections and sent 14 violation letters. He states that on Safe Routes to School – requested information from Williamson County per Kimley Horn and have requested they proceed with the next phase of identifying land acquisition. On the handicap trail to Joann's classroom – have a price for the surveyor and will be authorizing his work soon and when that is complete it will go to the consulting engineer for design work. The Codes Review Committee will meet on June 23 to review codes that need to be addressed. Mayor Totty asked who is the assigned engineer after the survey is completed and Humber replied Will Owen. Commissioner Carroll asked about an update on Taco Bell and Humber replied he did not know but believes they are moving along on schedule.
- C. City Attorney Comments – Attorney Cantrell requests that the Mayor sign the resolution that was passed tonight to send to the Election Commission tomorrow.

10. Communications from the Mayor and Commissioners –

- A. Commissioner Carroll states she truly wanted to consider all five candidates for the Planning Commission and didn't realize we didn't hear from Mr. Mitchell and apologizes for missing that noting that she comes in not knowing how she will vote until she hears everyone's input. Request to CFO Daugherty to separate out budget amendments if at all possible because at some time they may want to vote for one and not the other. Carroll notes she is excited about the July 3rd event.
- B. Commissioner Sutton thanks the new appointees for volunteering with the city. He clarifies that the July 4th celebration will be on July 3rd.
- C. Vice Mayor Johnson welcomes Mr. Baker and Mr. Power to their new seats.
- D. Mayor Totty thanks everyone for their attention, volunteer spirits and shares appreciation to the staff, Police and Fire Departments for going the extra mile.

- 11. Adjournment** – Commissioner Sutton makes a motion for adjournment with Vice Mayor Johnson seconding. All were in favor. The meeting was adjourned at 8:30 pm.

Brandy Johnson
City Recorder