

CITY OF FAIRVIEW

BOARD OF COMMISSIONERS

June 19, 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, Harris

1. Call to order by Mayor Totty at 7:03 p.m.

A. Prayer and Pledge led by Mayor Totty.

2. Approval of the Agenda – Commissioner Sutton makes a motion for approval with Commissioner Bissell seconding. Mayor Totty noted the request to add item 8D Discuss and/or Take Action on a Resolution to set a Public Hearing from the City Attorney. She also requested the addition of item 9H of Discuss and/or Take Action on a Stabilization Plan for the Reserve Fund account. City Manager Hall requested the addition of item 9I Discuss and/or Take Action on the City hosting a forum for the City Judge Candidates. 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. Jim Power- wanted to remind the Board about the gentleman who spoke about MTEMC overspray killing his honeybees and request maintenance of prairie grasses without chemicals as they consider the MTEMC easement
- B. Jon Cherry - notes the Chamber will have a meeting on July 15 at Gary's Place where the state commissioner of tourism will be a special guest, Nature Fest planning is underway and the next meeting is June 21 at 6pm at LaPlaza

4. Business Spotlight – Angela Stannard presents Healthy Home Company by sharing a brief video about the amount of chemicals in our homes noting that 11,000 of these are banned elsewhere in the world. She asks that we all make intentional decisions about what we buy and to do our own research. She invited everyone to an event on June 24.

5. Awards and/or Recognitions –

- A. Mr. Hall notes we would like to present a proclamation to Fairview Branch Librarian Kathy Grimenstein on her retirement. Mayor Totty shares information about her tenure as branch manager and reads the proclamation.
- B. Mr. Hall stats Walmart donated \$2,000 to the Police Department for the purchase of radios
- C. Keith Paisley shares a letter from a satisfied citizen on praise of employee work after a recent storm
- D. Jon Cherry makes a presentation to Meals on Wheels of \$2330 from the Taste of Fairview event

6. **Public Announcements** – City Manager Hall notes emissions testing is every Monday and Tuesday from 7:30 until noon, we are accepting applications for business spotlight, the Board of Commissioners meeting for July 3 has been cancelled, City Hall is closed on July 4th and will close early at 2pm on July 3rd, delinquent taxes collected now total \$4596 and another statement will go out in August, on July 3rd donations we have received \$5,000 from sponsors, \$900 from food vendors and \$500 from non-food vendors.
7. **Approval of the Minutes** –
 - A. Approval of the Minutes from the May 15, 2014 Board of Commissioners meeting – Commissioner Sutton made a motion for approval with Commissioner Bissell seconding. All were in favor.
 - B. Approval of the Minutes from the May 29, 2014 Special Board of Commissioners meeting – Commissioner Bissell made a motion for approval with Commissioner Sutton seconding. All were in favor.
 - C. Approval of the Minutes from the June 5, 2014 Board of Commissioners meeting – Commissioner Sutton made a motion for approval with Commissioner Carroll seconding. All were in favor.
8. **Old Business** –
 - A. Discuss and/or Take Action on Vacant Board Seats – Mayor Totty states there are two seats on the Board of Zoning Appeals up for renewal and both sitting members, Mitch Dowdy and Ricky Campbell, have expressed an interest to remain and are both present tonight. Commissioner Bissell makes a motion to reappoint both with Commissioner Sutton seconding. All were in favor. The next seat up is the Industrial Development Board seat of Ken Weaver. Commissioner Sutton made a motion for approval with Commissioner Bissell seconding. It was then noted that Mr. Weaver was not present at the meeting so the motion and second were withdrawn. Commissioner Bissell made a motion for deferment with Commissioner Sutton seconding as there were no other applications for this position at this time. Mayor Totty notes the next seat for appointment is on the Planning Commission we have 2 expiring seats and the interested parties present include Brandon Butler, Wayne Lowman and Jim Power. Commissioner Bissell makes a motion to reappoint Brandon Butler with Commissioner Sutton seconding. Vice Mayor Johnson makes a motion to appoint Wayne Lowman with Commissioner Bissell seconding then motion and second are withdrawn to vote on the first motion. All were in favor of reappointing Brandon Butler. Vice Mayor Johnson makes a motion to appoint Wayne Lowman with Commissioner Bissell seconding. Commissioner Carroll asks Mr. Lowman to come before the board and explain why he wants to be a part of the Planning Commission who states he has 34 years of experience in development, planning, construction and design across the country along with some personal background. All were in favor of appointing Wayne Lowman. No applications were on file for the open Beer Board seat and it was requested to keep advertising for that vacant seat as well as the Industrial Development Board open seat and have them back on the agenda as applications are received.
 - B. Discuss and/or Take Action on Revision to MTEMC Easement – Attorney Cantrell states he revised the easement to include the changes as requested by the Land Trust and the Board. Mayor Totty reminds the Board of the gentleman who spoke about the use of chemicals and the potential of the bees that we have a healthy population of in the park. She requests verbiage be included regarding the use of pesticides (to use least toxic and include EPA # of) and planting of prairie grass. MTEMC responds that their policy is if the area is maintained (as in a lawn) that chemicals would not be used. He further noted that chemicals would only be used if the area was not maintained or in a fence row type location. They also stated they would sow back grass of the City's choosing once all tree trimming is complete and right of way cleaned up. The MTEMC Right of Way specialist stated that if woody stem brush is not present they would not spray. Mayor Totty asks for an amendment to add to the easement that the area be sown with prairie grass, maintained by the City of Fairview and no chemicals used to control the growth. Commissioner Sutton makes a motion for approval with Mayor Totty seconding. The

question was raised by Commissioner Bissell if we have the staffing to maintain and Parks Director Keith Paisley confirms the staff can maintain. Further questions about the utility pole donation were asked and it was stated they will be delivered after the easement is signed. Vice Mayor Johnson asked who would be responsible for the prairie grass until it is established and what if it doesn't grow. MTEMC is checking with their VP of operations on this issue. Mayor Totty states the easement will be signed after agreed upon by all parties. Vice Mayor Johnson asks about the rumor of some homeowners being paid for an easement and MTEMC disputes this entirely. FOR: Bissell, Johnson, Totty, AGAINST: Carroll, Sutton, motion passes.

- C. Second and Final Reading of 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. FOR: Bissell, Carroll, Johnson, Sutton, AGAINST: Totty. Motion carried.
- D. Discuss and/or Take Action on Resolution 10-14, A Substitute Resolution to Set a Public Hearing for the Purpose of Obtaining Public Comment on the Zoning of Certain Property in the City of Fairview, Tennessee, Located at 7355 Overbey Road, as Shown on, the City of Fairview Geological Listing of Assessment Roll Map 46, Parcel 44.00 From RS-040 to RS-15 (Mixed Use PUD), Containing 108.41 Acres, Belonging to Kathy E. Beata. This Resolution is Substituted for Resolution 04-13 in its Entirety. Said Resolution 04-13 was adopted February 7, 2013. Vice Mayor Johnson read the caption and made a motion for approval with Commissioner Sutton seconding. All were in favor.

9. New Business –

- A. Discuss and/or Take Action on Recommendations from the Finance Review Committee – Commissioner Bissell shares a power point presentation as an introduction to the budget and as background information on where we are coming from and what the future looks like. (copy of presentation attached) Commissioner Carroll had questions about why the merit raises were back in and Bissell responded the employees were told they would get them originally and Donna Brooks added it's not their fault where we're at and it adds up to \$30,000 after the attrition factor. Mayor Totty asked about validation on sales tax numbers from the county and state wanting hard numbers if that is a key figure leading to surplus. Commissioner Bissell answered they used actual numbers from what we have received and Brooks added it's not a significant increase over this year (22%). Further discussion was had about when merit raises take effect and individual line item questions. CFO Daugherty noted that with the limited research he's done the last six months he sees a lot of money spent in the past was to make an investment in this town to prepare for the future and while some of the decisions may have been premature they were for the betterment of the community. He states this is the best budget they can present under the circumstances and he feels confident we will end up with more revenues than what the budget is showing. No action was taken.
- B. Discuss and/or Take Action on First Reading of Bill #2014-18, Ordinance No. 840, An Ordinance of the City of Fairview, Tennessee Adopting the Annual Budget and Tax Rate for the Fiscal Year Beginning July 1, 2014 And Ending June 30, 2015 – Mayor Totty read the caption. Commissioner Sutton makes a motion for approval with Commissioner Bissell seconding. Commissioner Carroll amends the motion to schedule another workshop for further discussion before voting with Mayor Totty seconding. Vote on amended motion FOR: Carroll, Totty, AGAINST: Bissell, Johnson, Sutton. Back to discussion on the original motion: Discussion was had about the street aid fund and how that money had been used in the past and how this budget shows the spending. Commissioner Carroll states MTAS recommends we have 25% of our annual budget in reserves. Commissioner Bissell notes he has not seen that recommendation but the general recommendation is 2 months of operating expenses in reserves which for us would be around \$800,000 and we have \$776,000 in restricted funds and that is in close proximity to the guidelines. Additional discussion was had about how much Walmart funds to include in projected revenues, the park truck that was approved and has been ordered, and Mayor Totty made a statement that if we continue down the same road we will not be able to pay for future projects and asking for confirmation that the revenue

- projections reflect state projections. Vote on the original motion, FOR: Bissell, Johnson, Sutton, AGAINST: Carroll, Totty, motion carried.
- C. Discuss and/or Take Action on Section 9 of Bill #2014-18, Ordinance No. 840, An Ordinance of the City of Fairview, Tennessee Adopting the Annual Budget and Tax Rate for the Fiscal Year 2014-2015 – Commissioner Bissell made a motion for the tax rate to remain at .635 per \$100 for the next fiscal year with Commissioner Sutton seconding. All were in favor.
 - D. Discuss and/or Take Action on Resolution #08-14 a Resolution to Set a Public Hearing for the Purpose of Obtaining Public Comment on the Proposed Budget for the City of Fairview, Tennessee for Fiscal Year 2015 – Commissioner Sutton made a motion for approval with Vice Mayor Johnson seconding. FOR: Bissell, Johnson, Sutton, Totty, AGAINST: Carroll. Motion carried.
 - E. Discuss and/or Take Action on Resolution #09-14 a Resolution to Set a Public Hearing for the Purpose of Obtaining Public Comment on the Property Tax Rate for the City of Fairview, Tennessee for Fiscal Year 2015 – Vice Mayor Johnson made a motion for approval with Commissioner Sutton seconding. FOR: Bissell, Johnson, Sutton, Totty, AGAINST: Carroll. Motion carried.
 - F. Discuss and/or Take Action on Addendum A to Interlocal Agreement between Williamson County and the City of Fairview regarding extending the agreement for the Fairview Health Clinic through June 30, 2015 – City Attorney Cantrell notes this is just to extend the dates of the interlocal agreement but there is no change in the provisions of the agreement. Commissioner Bissell makes a motion for approval with Commissioner Sutton seconding. All were in favor.
 - G. Discuss and/or Take Action on Interlocal Agreement between Williamson County and City of Fairview Regarding Periodic Road Work and Maintenance to Municipal Roads – Commissioner Sutton makes a motion for approval with Commissioner Carroll seconding. Commissioner Sutton states he is glad to see we could finally come to an agreement with the county. Vice Mayor Johnson notes he has been working with both County Commissioner Jones' to bring this agreement to the table. He states it will save time especially on roads on the outskirts of town where the city limit lines vary. If the county is paving or making repairs they would continue inside the city limits at our request and with the City's approval and bill us at cost. All were in favor.
 - H. Discuss and/or Take Action on Stabilization Plan for Rebuilding Reserve Funds – Mayor Totty asks for a plan of action using some pieces of the Finance Review Committee's power point presentation as a starting point for how to set aside the money as it comes in for emergency use and a plan to rebuild reserves. Mayor Totty asked for this to be on the next agenda and Commissioner Bissell stated the Finance Review Committee will work on it and if it is not ready they will give a status report at that time. He continues and asks if any Board member has any suggestions to please forward via email to him or Donna Brooks. Mayor Totty makes a motion for deferment, no second, all were in favor.
 - I. Discuss and/or Take Action on the City Hosting a Forum for Judge Candidates – City Manager Hall states the three candidates for municipal judge have requested the City host a forum prior to the election they will select their own moderator but this requires Board approval. Commissioner Sutton makes a motion for approval with Commissioner Bissell seconding. There was some discussion about dates and past experience with the city hosting and then not hosting. Attorney Cantrell states the Board can give Mr. Hall the authority to set the meeting but agree that it could be better to have someone not connected with the City hosting it. Further discussion was that it didn't need Board action and motion and second were withdrawn and no action was taken. It was asked that the Board be notified of the time and date when selected for the forum.

10. City Manager Items for Discussion –

- A. Miscellaneous Updates –
- B. Staff Comments – City Manager Hall defers to Mr. Humber
 - (1) Codes Director Humber – notes he has been in discussion with WADC about a \$6 million 5 year plan for upgrades to decrease seepage, increase volume and provide to underserved areas of the city. In the near future we will hold a meeting with TVA on

future infrastructure growth that will be open to the citizens. He states that one of the best moves the City made was to sell the water/sewer to WADC.

- (2) City Manager Hall notes that some questions were asked at recent TVA meetings on infrastructure and some items we have been upgrading will be helpful in the planning for new businesses such as the ladder truck that will allow for multi-story buildings. He thanked Tom and the Finance Committee for their many long hours of work through this process and states he has had as many as five meetings with department heads on the budget.
- (3) CFO Daugherty presents the budget update for the month of May (see attached for more detail) noting that he received a letter from TCRS that the City's contribution is decreasing from 11.72% to 7.4% and this should provide around \$84,000 in savings but needs approval from the Board to send the letter (approval was granted). Mayor Totty had questions about how often the telephone bid is looked at (bills are reviewed monthly), she asked for a list of vehicles in each department that are estimated to need tires in the next budget as well as a departmental listing of the breakdown of the budget line item of \$5,000 for tools, and whether the fire equipment line item was just for quint equipment and it was discussed it is also for breakout gear which has a specific shelf life and then must be replaced.
- C. City Attorney Comments – had no comments

11. Communications from the Mayor and Commissioners –

- A. Commissioner Sutton thanked the budget committee stating it's been the most intense budget season he's seen and glad the vote was to move forward with the budget, he clarifies his vote of no on the easement has to do with MTEMC not doing what they say
- B. Commissioner Carroll had no comments
- C. Commissioner Bissell had no comments
- D. Vice Mayor Johnson had no comments
- E. Mayor Totty asks City Manager Hall to make sure she is registered for the day with TVA noting it's a very well spent day on how we fit into the regional of Middle Tennessee. She requests that a draft of the budget be posted on the website prior to the public hearing

- 12. Adjournment** – Commissioner Sutton makes a motion for adjournment with Vice Mayor Johnson seconding. All were in favor. The meeting was adjourned at 10:15 pm.

Brandy Johnson
City Recorder