

City of Fairview

BOARD OF COMMISSIONERS

June 20, 2013

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

Present: Totty, Johnson, Bissell, Carroll

Others Present: Hyatt, Cantrell, Porter, Lovvorn, Pewitt, Harris, Holsinger, Paisley,
Sutton

Absent: Commissioner Sutton

1. Mayor Totty called the meeting to order at 7:02 p.m.

A. The prayer and pledge were led by Director Lovvorn.

2. Approval of the Agenda –

A. Commissioner Bissell made a motion to approve the agenda. Commissioner Carroll 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). –

A. Jim Power asked that the City enforce the code and grandfather in having chickens. He stated that he feels he has been treated unfairly, he turned in a letter stating that chickens were on the property before he moved on the property and asked to be grandfathered in but was told no.

B. Jon Cherry stated that he was here to report on the activities of the Chamber, they are asking the public for help for the Nature Fest on September 14th. They need help with committees, sponsors, and door prizes. They are now accepting vendor booth applications for food and crafts.

4. Awards and/or Recognitions –

A. Mayor Totty stated that she would like to recognize our special guests, Wolfgang Roeder with the State of TN Department of Economics and Community Development and Jeremiah Pyron with the Williamson County Economic Development. Mr. Pyron approached the podium and stated that their focus is to grow jobs and to help the community. He stated that the growth that is going to come to Williamson County is staggering, we are at 193,000 folks right now and by 2040 there will be 536,000 which is the size of Nashville. The incorporated areas saw 49% of job growth in the past 10 years while the nation saw a negative 2% but the unincorporated areas saw a negative growth. He stated that it is important to get the daytime population up which translates into jobs and you don't have to see growth over the whole city but it is important to plan now and get it the way you want it to be for the future. He stated that he would love to help Fairview get there with their planning and zoning.

- B. Mr. Roeder approached the podium and stated that he would like to talk about how site selection works, up until about 10 years ago if a company decided they wanted to move to a different place it was usually a top management team or the owner that did the research and it took a lot of time and money looking at sites. Today if a company decides to move they hire a site consultant and within a week or two they collect data of 100 to 150 sites in Tennessee, Alabama and in the southeast without knowing any site and they file a request with the state and if they don't respond within 5 days you are off the roster already. Within the next three weeks they put together a proposal that includes up to 6 sites with logistics like, how close are you to an airport, how close are you to a functioning interstate system, how good is your workforce, how is school system, how are your tax rates, and how are you with environmental protection. In order to get on the map you need to get a good plan and a good presentation to get these people here, once you get them here you will have a half a day to present your city.

5. Public Announcements – None

6. Approval of the Minutes –

- A. The minutes for the May 16, 2013 Board of Commissioners meeting were presented for approval. Commissioner Bissell made a motion to approve. Commissioner Carroll seconded. All were in favor.

7. Old Business –

- A. Discuss and/or Take Action on Board of Adjustment and Appeals, One Opening for a Contractor, Term Expires June 19, 2013 - City Manager Hyatt stated that we went back and reviewed and James Beata Jr. is on there now and the opening that we have is for an architect and we are soliciting for an architect to fill that final spot. No action at this time.
- B. Discuss and/or Take Action on Appointments to Boards and Commissions – Mayor Totty
- (1) Industrial Development Board, One Opening, Term Expires June 30, 2013
 - (2) Tree Commission, One Opening, Term Expires June 30, 2013
 - (3) No one was present. Commissioner Bissell made a motion to defer. Vice-Mayor Johnson seconded. All were in favor.
- C. Discuss and/or Take Action on City of Fairview Projects – City Manager Hyatt stated that Project Manager Holsinger has his spreadsheet and will address those. Mr. Holsinger stated that there were a few new projects and new updates.

Parks and Greenways – The City Center Greenway, we are still in the NEPA phase.

Bowie Lake Road – we are 90 % done with the electrical work, 100% done with the communications work, should be pulling the poles tomorrow or Monday. The sidewalk from the Nature Center to the fire station is 100% complete.

Lake Van Trail – he took a ride with Keith Paisley through Loblolly Loop and came up with a distance of about 2800 feet, using the unit cost from the original project, we are looking at \$222,000 to do an ADA assessable trail. The original estimate was \$120,000 for materials only with staff labor. We would still have to hire a contractor to come in and do the asphalt work from the parking lot, over the dam and some additional asphalt to shelter two and there would be additional cost there as well.

Bowie Park Forrestry – This is in the bid phase, opening next Friday or Monday.

Triangle School – Director Lovvorn stated that he has gotten an email back from Allen Lowe, an architect that we were engaged with, stating that they will not be

able to do the project at a flat fixed fee. His option was to notify us when we were approaching milestones of \$5,000, \$10,000 etc. Director Lovvorn asked for direction from the Board on what to do, the Board directed Mr. Lovvorn to get with other architect firms.

The Farmer's Market – City Manager Hyatt stated that he spoke with Ms. Jones and one other lady selling vegetables and they both were excited about moving across the street and they plan on continuing. Commissioner Carroll asked if anyone had contacted the county about using the Health Department for a temporary location. City Manager Hyatt stated that he had not personally but he knows Dr. Oyer wants to come in and speak to the Board sometime in August about a partnership with the gardening classes.

Evergreen Park – we are at 95% complete as of today. The guys have been out there seeding and strawing the hill.

The Bowie Park Five Year Strategic Plan – City Manager Hyatt stated that he, Keith and Jenny are reviewing that now and are going to set up a series of meetings and get in communication with the Park Board to discuss some options as we move forward.

The Hwy 96 Roadscapes – it is still in the NEPA phase.

Safe Routes To School – we got the release on the NEPA and we are now in the phase for qualifications on design.

MPO Active Transportation and MPO Surface – we are still at the NEPA phase.

The Welcome Signs – Mr. Holsinger stated that he has not heard anything back from Ms. Beata and we are still waiting on the agreement for the location.

City Paving – Mr. Holsinger stated that he has been working with the city attorney on getting a bid put together and hopefully early next week we should have that released for bid and that usually runs 20 plus days.

The City Transportation Plan – Director Lovvorn stated that we are still working with our City Engineer and hopefully we will have something by next month. We do have the City Center plan done but are still working on the connector roads.

The City Center Overlay – Mr. Holsinger stated that he will combine this with the City Transportation Plan.

The City Survey – City Manager Hyatt stated that he sent out an email last week about a student that has recruited herself, she is a junior at Austin Peay and is coming to us at no cost as an intern and this is one of the projects she will be working on.

The Windstream City Networking – this is at 55% there were some issues with the metro E getting it turned on and serviced and some site specific issues at the fire station and the nature center that we are reworking, they are supposed to be back out here on the 27th to finish up the preinstall and hoping to go live by the end of the month

The Veterans Memorial Park – City Manager Hyatt stated that he went online and got some quotes on three flag poles with the American flag, state flag and the POW MIA flag and that ranged from \$1,000 to \$2,500 depending on what we decided to go with. The other thing is that they have to be lit 24 hours a day and he has spoken with Middle TN Electric about getting a spot light on them and it would be like \$7.50 a month. We have also talked about getting some stones similar to the ones on the welcome signs and creating a wall that would have a plaque on it commemorating veterans of all of our wars, fencing was about \$550 to continue the same style down past the WADC and down to the stop sign. Mayor Totty stated that the Evergreen budget was \$5500 and we have come close to spending that and asked where the money would come from to finish. City Manager stated that they hoped some of the money would come from donations and just the standard budget with maintenance and parks and community services budget.

8. New Business –

- A. Discuss and/or Take Action on the Purchase or Lease of New Police Cars – Chief Harris stated that the Board should have a copy of the amounts for the 10 vehicles and the 8 vehicles. On the 10 vehicles the yearly payment would be \$143,012 for the 3 years it would be \$429,036. For 8 vehicles the yearly payment would be \$114,618 and for the 3 years would be \$343,854. To lease would be for the 10 vehicles \$6,393.90 per month with the interest rate at 5.95% and to purchase the interest rate would be 2.2%. To lease we would have to do it this year, to purchase we would have 360 days to make the first payment. Commissioner Bissell asked at the end of the 3 year lease, what is the status of the vehicles. Chief Harris stated that we can purchase them for \$1.00. Mayor Totty asked if included in the annual payment of \$143,012 to purchase 10 units is the equipment. Chief Harris said yes ma'am. Chief Harris stated that we spend about 45% of vehicle maintenance on the police department and the mechanic spends about 75 to 80 percent of his time on police vehicles. Commissioner Bissell stated that he would like to get an idea of how many years it takes us to totally replace the vehicles. Chief Harris stated that he would like to have them replaced every 5 years except for administrative vehicles, they can go longer. Commissioner Carroll stated that she has a problem with the statement 'we don't have to pay now', we were just in budget meetings and making cuts and no one could seem to cut anything and she has a hard time with a budget that we are going to get 12 cars, 10 cars or 8 cars, she would like to see a plan that is more gradual like this year we get 5 and next year we get 5 more and stagger it so we are not getting hit all at once. Mayor Totty made a motion to continue discussion and defer it to us finishing up budget and to see what we can do for a more gradual plan. Commissioner Carroll seconded. Chief Harris asked the Board if they could purchase the 8 vehicles. Commissioner Carroll stated that she wanted it to go on record that they come in budget, they work hard and she knows the Chief wouldn't come if he didn't need these and the potential Wal-Mart money is a good time to start this but she doesn't think the timing is right. Chief Harris stated that it is not for this year's budget it is for next year's budget. Commissioner Bissell made an amendment to the motion to authorize Chief Harris to order 6 vehicles now and to submit before the delivery of those vehicles a long range plan back to the Board for any future vehicles. Vice-Mayor Johnson seconded with a question to Chief Harris is the interest rate going to change if we take it down to 6 vehicles. Chief Harris stated that the interest rate will be the same but we only have 14 days. Mayor Totty asked how much the vehicles would be if we bought one with cash fully equipped. Captain Sutton stated it would be \$41,261. Mayor Totty amended the motion to purchase 2 fully equipped cars out of the drug fund or as many as the drug fund will allow. Vice-Mayor Johnson stated that would be within the next 14 days and seconded. Project Manager Holsinger stated that the current vehicle maintenance budget was adjusted for the new cars. Captain Sutton stated that the state guidelines for emergency vehicles for cut off is 85,000 miles and we have 14 cars that exceed that right now. City Attorney Cantrell stated that this could be a potential liability if the vehicle is involved in an accident. CFO Pewitt stated that the drug fund at the end of 2013 will have roughly \$61,000 and for the year of 2013 we have only brought in roughly \$30,000. Mayor Totty called for the vote on purchasing cars with the drug fund. All were in favor. Mayor Totty stated that if the Chief had a \$100,000 that would be a better story but the CFO said \$60,000, if any can be bought out of that, there is permission to move forward on that. Mayor Totty stated that we have a second amendment and a second on the floor to purchase 6 vehicles. Commissioner Bissell stated that would be under this proposal at \$43,000 which would be \$258,000 and that would be expended in 2014-2015. Vice-Mayor Johnson stated that would be roughly \$86,000 a year. *For:* Johnson, Bissell *Against:* Totty, Carroll

- B. Discuss and/or Take Action on Recommendation from the Planning Commission – Director Lovvorn stated that he had a recommendation from the Planning Commission a rezoning application to amend the master development plan for the Fairview Historic Village. The Planning Commission voted unanimously to approve with a note to be included on the master development plan that would state that before any permit can be issued a Site Plan shall be submitted to the Planning Commission for a recommendation to be forwarded to the Board of Commissioners for approval. Vice-Mayor Johnson made a motion for approval. Director Lovvorn stated that this would just be for the approval for the city attorney to draw up the ordinance. Commissioner Carroll stated she would second it for discussion. Director Lovvorn stated that the amendment was to remove all the names off of the buildings and one building was added to accommodate a place for the farmers market or an amphitheater. Commissioner Bissell stated that he doesn't want to change the plan and he is not sure that that location and that place is where we want to put anymore of the taxpayer's money especially seeing us just vote down police cars that we need so he doesn't want to take the time to have Larry change the plan and he is voting no. For: Johnson, Totty, Carroll Against: Bissell

9. City Manager Items for Discussion –

- A. Miscellaneous Updates – City Manager Hyatt reminded everyone that the July 4th meeting is cancelled. July 3rd is the fireworks, music, fun, food starting somewhere around 4:00 p.m. and the fireworks should be somewhere around 9:45 and 10:00 p.m.
- B. Staff Comments –
CFO Pewitt - presented her power point presentation with the financials for May. She stated that revenues should be at 91% and overall they are at 79% and the expenses are at 95% and should be at 91%. She stated that the month of May is the first time we have went over budget and presented the items that are over budget. She stated that the new budget was increased on these items and engineering fees is the only item that was not raised.
- C. City Attorney Comments – Mr. Cantrell stated that he wanted to bring the Board up to date on the annexation lawsuit, he filed an answer on Monday and along with that he filed under the rule of civil procedure some discovery documents, requests for admissions, requests for production, interrogatory and those are due back to him 30 days from the date they receive them plus 6 days for mailings.

10. Communications from the Mayor and Commissioners –

- A. Commissioner Bissell had none.
- B. Commissioner Carroll had none.
- C. Vice-Mayor Johnson asked Director Lovvorn if he knew of the letter Mr. Power spoke of and when it would have been sent. Director Lovvorn stated that he would have to check in to it. Vice-Mayor Johnson stated that he would like to know if he had notarized documents from the previous owners that had them and how we told him he couldn't have them.
- D. Mayor Totty had none.

11. Mayor Totty asked for adjournment.

- A. Commissioner Bissell made a motion to adjourn. Vice-Mayor Johnson seconded. All were in favor. The meeting adjourned at 8:29 p.m.

**Theresa Porter
City Recorder**