

City of Fairview

BOARD OF COMMISSIONERS

July 2, 2009

Ken Brison, Mayor
Stuart L. Johnson, Vice-Mayor
Eddie Arney, Commissioner
Allen Bissell, Commissioner
Toney Sutton, Commissioner
Shirley Forehand, City Manager
Larry Cantrell, City Attorney
Kathleen Daugherty, Recorder

Present: Brison, Arney, Bissell, Johnson, Sutton

Absent:

Others Present: Forehand, Cantrell, Lovvorn

1. Mayor Brison called the meeting to order at 7:05 p.m.

- A. The Prayer and Pledge to the Flag were led by Donn Lovvorn.

2. Approval of the Agenda –

- A. Added to the Agenda under New Business as Item E was to allow the Chamber of Commerce to use City Hall and the grounds for a 50th Anniversary of the City Celebration.
- B. Bissell made a motion to approve the Agenda. Sutton seconded the motion. 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. Greg Robble of 7231 Knottingham Drive thanked the Board for their dedication to the City. He wanted to speak on an item on the Agenda: the possibility of banning fireworks in the City limits. He advised that every year he and his family have to deal with neighbors shooting fireworks onto their property. On July 4th of 2005 they had to endure 13 hours of fireworks from his neighbor. The damage to his property amounted to \$5,300. He also advised that he understands that people with several acres would not have this problem, but fireworks should not be allowed in subdivisions.

4. Awards and/or Recognitions –

- A. Proclamation for Girls Softball Team – Commissioner Arney asked one of the coaches, Brian Bell, to report on the accomplishments of some of the Fairview teams. Commissioner Arney read a proclamation recognizing ten girls for winning the County Softball Championship for girls 10 and under. (see attached).

5. Public Announcements –

- A. City Manager Forehand reminded everyone about the emission testing on the second and third Wednesdays of each month at the fire station on Hwy. 96 North.

6. Approval of the Minutes –

- A. Presented for approval were the minutes of the Board of Commissioners Meeting held on June 18, 2009. Johnson made a motion to approve the minutes as presented. Sutton seconded the motion. All were in favor.

7. Old Business –

- A. Accept low bid on Paving Project – City Mgr. Forehand reported that two bids were received. The first one was from Tennessee Valley Paving Co. in the amount of \$198,824.00 and the second bid was from Holland Contractors in the amount of \$262,252.50. Forehand recommended they accept the low bid. Johnson made a motion to accept the bid from Tennessee Valley Paving Co. Arney seconded the motion. All were in favor.
- B. Review and/or take action on amending Ordinance No. 496 and Resolution No. 8-2001 (Reimbursement of expenses to elected officials) – Vice-Mayor Johnson advised that he asked for this to be put on the Agenda based on discussion from the last meeting. He asked the City Attorney for his opinion. Cantrell advised that he has reviewed the Resolution and the Ordinance, some IRS Statutes, and some State Statutes and agrees with Mr. Jackson. The Ordinance is fine as it is written. The Resolution does need some work and felt it should be referred to the Legal Ad Hoc Committee. Bissell advised that he felt whatever is put in the resolution to be reimbursed should also include an annals of the expense. Cantrell stated that he would like to recommend several solutions and let the Board decide what they want to include in the Resolution. Johnson then made a motion to send this to the Legal Ad Hoc Committee. Sutton seconded the motion. All were in favor. It was decided to have the Committee Meeting on July 16th at 5:00 p.m.

8. New Business –

- A. Recommendations from the Planning Commission Meeting held on June 9, 2009: None
- B. Approve Auction of City Equipment – City Mgr. Forehand provided a list of city equipment from the Public Works Department that needs to be auctioned. (see attached list) She also advised that they would like to use the online auction. Public Works Director Wade Hooper explained why some of the equipment is no longer needed. Arney made a motion to approve auctioning the equipment. Sutton seconded the motion. Arney asked about the generators. He felt they should keep them. Hooper stated that they do not work, but he would check on the cost of repairing them. Arney made a motion to amend the motion to exclude the generators until Hooper can have them checked out. Johnson seconded the motion. Vote on motion as amended: All were in favor. Vote on original motion: All were in favor.
- C. Discuss and/or take action on discontinuing the sale and discharge of fireworks in the City limits – City Mgr. Forehand advised that Mr. Robble summed up the issue in his comments. There are a lot of subdivisions in the city with houses very close together. She read memos from the Fire Chief and the Police Chief agreeing that they should not be sold or discharged in the City limits. (see attached memos). Arney advised that checking out fireworks complaints gets the officers out in the subdivisions

where they need to be anyway. Mayor Brison advised that he has not had any comments about the item being on the Agenda and would like to see it sent to an Ad Hoc Committee for further discussion. Arney made a motion to send this to the Public Safety Ad Hoc Committee. Sutton seconded the motion. Vote on Motion: All were in favor. It was agreed to have the Public Safety Ad Hoc Committee on August 20th at 6:00 p.m.

- D. Accept Retirement Date for the City Manager – City Mgr. Forehand asked the Board to accept February 2, 2010 as her retirement date. Her letter to the Board was read into the record. (see attached) Johnson made a motion to accept February 2nd as Forehand retirement date and January 8th as her last day at work. Arney seconded the motion. All were in favor. Arney asked that it be put on the next Agenda to set the guidelines for hiring the next city manager.
- E. Approve Chamber of Commerce using the City Hall and grounds to host a 50th Anniversary Celebration for the City of Fairview. Bissell asked if the City plans to decorate. Forehand advised that she has no plans to decorate for the celebration. Johnson made a motion to allow the Chamber of Commerce to use the City Hall and grounds on July 26th for the celebration. (July 28, 2009 is the anniversary date). Arney seconded the motion. All were in favor.

9. City Manager Items for Discussion -

- A. Miscellaneous Updates – None
- B. City Attorney Comments - None

10. Communications from the Mayor and Commissioners –

- A. Bissell wished everyone a Happy and Safe July 4th.
- B. Johnson stated that he wished to go over the figures that were presented at the last meeting on the elected official reimbursements. He wanted to make it clear that the \$40,000 was not just for the past fiscal year but over a period of eight years. He also advised that the reason the reimbursements were started was that the Board Members lowered their salaries from \$950 a month to \$450 a month the year he was elected. Since that time it has meant a savings of \$255,000 in salaries to the City. He also advised that the paper recently did an article for benefits for the elected officials and Fairview is the lowest in the County.
- C. Sutton stated that since the last meeting he has had many phone calls. Many of them were thanking Bissell for bringing up the reimbursements. Many of them did not know that everyone on the Board does not turn in expenses for reimbursement such as himself. He also explained to the callers that those that turned in expenses did not do anything illegal. He felt the comments at the last meeting on the reimbursements were uncalled for and cast doubt in the public's eye on this Commission. He agrees that the reimbursement procedures need to be changed but felt Bissell's comments left doubt in the public's minds.
- D. Arney stated that he had a couple of calls about people approaching them wanting to place signs in their yards. He asked the Police Department to check into this.
- E. Bissell asked to speak again. Cantrell was asked if he should be allowed to speak again. Cantrell stated it was up to the Mayor. Mayor allowed him to speak. Bissell stated that nothing that came out of his mouth at the last meeting was a lie. He also advised that the reason the Board lowered their salaries was because they were in direct conflict with the

State Statues which limits their salary to \$450 a month. He also advised that it is the purpose of government for them to question one another. He never said anyone on the Board did anything illegal.

- F. Sutton asked to speak again. He advised Bissell that his comments were left open ended and did not reference who he was referring to and led people to think it was everyone on the Board and he took offense to that.
- G. Brison advised that he has had some complaints about the meetings not being clear when they are broadcasted. He asked Forehand if she has had any complaints. She advised that she has not had any since the system was worked on.

11. The meeting adjourned at 8:20 p.m.

Kathleen Daugherty, CMC
City Recorder