

City of Fairview

**BOARD OF COMMISSIONERS**

**July 19, 2012**

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

Present: Totty, Bissell, Carroll, Johnson, Sutton

Others Present: Hyatt, Cantrell, Harris, Pewitt, Lovvorn, Cooper

**1. Mayor Totty called the meeting to order at 7:03.**

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

**2. Approval of the Agenda –**

A. Item 7F was added to the agenda “Discuss and/or take action on Williamson County Interlocal Agreement. Item 7B was removed. Item 7C (1) the resolution was added.

B. Commissioner Sutton made a motion to approve. 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) –** Marsha Elliott of Bethshears Road stated that she wanted to make a positive comment about our very own first optometrist Dr. Nash. She stated that she is almost blind and Dr. Nash treated her with quality care, professionalism, dignity and respect and took the time needed. She recommended him highly to the city. She praised the Board of Commissioners and the Planning Commission and thanked them for discussing her drainage easement. She gave a special thanks to Commissioner Carroll for her comments in the last meeting. She thanked Mr. Beata for treating that meeting with such respect and recusing himself and minimizing his input on such a delicate matter in the community. She thanked everyone for their services.

**4. Awards and/or Recognitions –**

A. Mayor Totty congratulated the Fairview Historical Commission Association for the grant received from Middle TN Electric and welcomed Mr. Mike Berkley as the city Arborist.

B. Mayor Totty stated that we have been honored to have people serve our community as our Williamson County School Board and Williamson County teachers and everyone who touches the child. She thanked them and asked everyone present to stand so we could honor them. Everyone present stepped up to the podium and introduced themselves and thanked the commissioners and the city for the gift and their support.

**5. Public Announcements –**

A. City Manager Hyatt reminded everyone of the emissions testing on Tuesdays from 7:30 to noon on Hwy 96.

- B. Mayor Totty announced that the 20 on the 20<sup>th</sup> event was on Friday in support of buy local and shop local. She encouraged everyone to spend \$20 on the 20<sup>th</sup> to support local businesses.
- C. Mayor Totty announced that the Back 2 School Bash was on August 11, 2012 from 9:00 to noon.
- D. Commissioner Carroll invited everyone to come out and business owners to come out and get a booth.
- E. Business owner Ron Jordon announced that we have a jewelry repair store open in town and announced that they do their own repairs.

#### **6. Approval of the Minutes –**

- A. The minutes for the June 21, 2012 Board of Commissioners meeting were presented for approval. Vice-Mayor Bissell made a motion to approve. Commissioner Johnson seconded. All were in favor.
- B. The minutes for the June 28, 2012 Public Hearing were presented for approval. Commissioner Sutton made a motion to approve. Vice-Mayor Bissell seconded. All were in favor.
- C. The minutes for the June 28, 2012 Special-Called Board of Commissioners meeting were presented for approval. Commissioner Sutton made a motion to approve. Vice-Mayor Bissell seconded. All were in favor.

#### **7. Old Business –**

- A. Second and Final Reading of Bill #2012-09, Ordinance No. 788, An Ordinance to Change the Zoning of Certain Property in the City of Fairview, Tennessee, Located on Highway 96 North, Owned by Jennifer Rose Bufford, Reda Olivia Kidder and James Ricky Jones – Vice-Mayor Bissell read the caption and made a motion to approve. Commissioner Johnson seconded. All were in favor.
- B. Discuss and/or Take Action on Contract for City Manager – This item was removed from the agenda.
- C. Discuss and/or Take Action on Debt Management Policy – City Attorney Cantrell stated that this document outlines the debt policy for the city on borrowing funds, be it from the revolving fund or selling bonds, etc. The majority of the information is the requirements dictated by the statute or by the comptroller. He suggested that at anytime the City started to borrow any money to review the policy. He stated that the state suggests reviewing the debt policy annually. Vice-Mayor Bissell made a motion to approve. Commissioner Johnson seconded. All were in favor.

(1) Resolution 12-12 A Resolution to Adopt a Debt Management Policy for the City of Fairview, Tennessee. Vice-Mayor Bissell read the caption. Commissioner Sutton made a motion to approve. Commissioner Johnson seconded. All were in favor.

- D. Discuss and/or Take Action on Audio/Visual Upgrade for the Commission Chambers – City Manager Hyatt presented two quotes from Interactive Solutions, Inc. and stated that there is \$125,000 in the budget for capital improvements. Mr. Hyatt stated that the \$55,692.35 proposal would probably be outdated in about a year or two. The high definition system that will probably be effective for about ten to twelve years at \$96,326.64. Commissioner Johnson made a motion for the high definition system to be approved for discussion. Vice-Mayor Bissell seconded. Discussion was made regarding the funds, analog vs. digital and the need for a new system. Vote was called and all were in favor.

- E. Discuss and/or Take Action on City Projects – Mayor Totty turned this over to Will Owen to discuss. The first item was the Bowie Lake Road improvements. This was presented in two phases. Phase 1 is the widening of the road from Hwy 100 to the fire hall, the sidewalk from the highway to the Nature Center and resurfacing the width of the existing road. Phase 2 is to repave the width of the existing road and pave the entrance drive to the Nature Center and the parking lot. Discussion of curb and gutter issues and sidewalk placement in regards to the park sign and the trees at the park entrance. The Board instructed Mr. Owen of the changes and asked him to redraw the plans.
- (1) The second item for discussion was the welcome to Fairview signs. Mr. Owen asked did we want the signs in all lower as shown on design or all caps like we currently have on the sign. The Board decided on capitalization of the F in Fairview and the rest of the letters in lower case. Mr. Owen stated that the cost of the solar power lighting would out cost the main line lighting and there is only one location that would have enough sunlight to support solar lighting. Commissioner Carroll stated her concerns that the current design doesn't look like the original sign the Board approved. Discussion of the visibility of the acrylic section and possibly replacing the acrylic section with wood and leaving the stone columns. Vice-Mayor Bissell made a motion to have the engineer to redesign the sign with the stone columns and wood insert that is arched at the top and without the video and with the plants below it. Commissioner Sutton seconded. Commissioner Sutton withdrew his second and Vice-Mayor Bissell withdrew his motion. The Board instructed Mr. Owen of the changes and asked him to redraw the plans.
  - (2) Mr. Owen stated that the bid opening for the Triangle School Structural Rehabilitation is July 31, 2012 at 2:00 p.m. and there are three current plan holders and they are contractors.
  - (3) Mr. Owen stated that the Greenway and the Lake Van Trail Projects are two separate plans. The City is awaiting the revised contract from the state. The scope change to only do the Greenway in the grant scope has been approved. He suggested holding off on the Lake Van Trail project.
  - (4) Mayor Totty presented the Bowie Park Forestry Management Plan which is a requirement of the land trust of Tennessee through the conservation easement. The land trust has approved this pending the City of Fairview's approval. Commissioner Johnson made a motion to approve. Commissioner Sutton seconded. All were in favor.
- F. Williamson County Interlocal Agreement – Fire Chief Cooper stated that this is the lease agreement with the number 12 142 at the top. This is to lease the fire hall on Hwy 96. This agreement is to lease part of the facility to the County for an annual rental fee of \$14,400.00 to permit the joint use of the facility. Vice-Mayor Bissell made a motion to approve. Commissioner Sutton seconded. All were in favor.

## **8. New Business –**

- A. Discuss and/or Take Action on Bill #2012-08, Ordinance No. 787, An Ordinance of the City of Fairview, Tennessee Adopting a Budget for Fiscal Year Beginning July 1, 2012 and Ending June 30, 2013 and Setting a Tax Rate (Section 6) – Commissioner Sutton made a motion to approve. Vice-Mayor Bissell read the caption. Commissioner Johnson seconded. All were in favor. City Attorney Cantrell stated that this was for the tax rate only, the budget and the tax rate are on the same ordinance.
- B. Discuss and/or Take Action on Resolution No. 10-12, 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 2013 – Vice-Mayor Bissell read the caption and stated the public hearing will be on August 16, 2012 at 7:00 p.m.

Commissioner Johnson made a motion to approve. Commissioner Sutton seconded. All were in favor.

- C. Discuss and/or Take Action on Indemnification and Hold Harmless Agreement for the Hay Cutting Operation Executed by Tommy Scales – City Manager Hyatt stated that this agreement is for the property next to Brownlyn Farms and he and the City Attorney Cantrell felt like if we continue to allow him to cut the hay it was necessary to draw up a this agreement. Vice-Mayor Bissell made a motion to approve. Commissioner Carroll seconded. All were in favor.
- D. Discuss and/or Take Action on Recommendation from Planning Commission for Rezoning Application for Property Located at 7115 Cumberland Drive – Director Lovvorn stated this was voted on by the Planning Commission not to rezone. Mayor Totty made a motion to go with the recommendation from the Planning Commission not to rezone. Commissioner Carroll seconded. Vice-Mayor Bissell asked for clarification that all four members on this Board that are on the Planning Commission voted no. Mayor Totty confirmed. *For:* Totty, Carroll *Against:* Johnson, Sutton *Abstained:* Bissell Motion fails.
- E. Discuss and/or Take Action on Recommendation from Planning Commission for Rezoning Application for Property Located on Fairview Blvd – Director Lovvorn stated this was voted on by the Planning Commission not to rezone. Mayor Totty made a motion to go with the recommendation from the Planning Commission not to rezone. Commissioner Carroll seconded. Vice-Mayor Bissell asked for clarification that all four members on this Board that are on the Planning Commission voted no. Mayor Totty confirmed. *For:* Totty, Carroll *Against:* Johnson, Sutton *Abstained:* Bissell Motion fails.
- F. Discuss and/or Take Action on Recommendation from Planning Commission for Rezoning Application for Property Located at 7357 Fernvale Road – Director Lovvorn stated that the Planning Commission voted to rezone the property. Commissioner Carroll made a motion to go with the recommendation from the Planning Commission to rezone. Commissioner Sutton seconded. Commissioner Johnson asked if there was a member or anyone here representing them. There was not. This item was deferred.
- G. Discuss and/or Take Action on TML Grant for Fire Department – Chief Cooper stated that this grant was for \$3,000 with a 50/50 match and the intent is buy bunker gear. He stated the resolution was in the packet. Commissioner Sutton made a motion to approve. Commissioner Carroll seconded. All were in favor.
- H. Discuss and/or Take Action on Engagement Letter for 2011-2012 Audit – CFO Pewitt stated that this is for the standard audit that is performed every year and this would be for the year 2011-2012 the fees will be \$9,050 which is budgeted. Commissioner Johnson made a motion to approve. Commissioner Carroll seconded. All were in favor.
- I. Discuss and/or Take Action on TDOT Professional Services Selection Policy – City Manager Hyatt stated that this is mandatory as we move forward with projects and Will Owen is available to answer any questions we may have. Mr. Owen stated that this is only applicable to projects that incorporate TDOT or highway funds. Commissioner Sutton made a motion to approve. Commissioner Johnson seconded. All were in favor.

- J. Discuss and/or Take Action on Tennessee Department of General Services, Surplus Property Program – City Manager Hyatt stated that this is to purchase used vehicles from their surplus lot in Nashville. This is to allow certain individuals from the City to have signatory rights to be an authorized representative. Mayor Totty made a motion to approve. Commissioner Johnson seconded. All were in favor.
- K. Discuss and/or Take Action on the Purchase of a Police Vehicle – City Manager Hyatt deferred this to the Police Chief. Chief Harris stated that he would like to purchase a brand new Dodge Charger on state contract for \$22,868. Mayor Totty asked if this was budgeted. CFO Pewitt stated that it was budgeted to come out of the traffic fund. Commissioner Johnson made a motion for approval. Commissioner Sutton seconded. All were in favor.
- L. Discuss and/or Take Action on Report by Park Board – Mayor Totty stated that the Subcommittee for the Community Garden had its first meeting on Tuesday. She stated that the Subcommittee would like to invite the public, interested parties or educated parties on the subject of community gardens to join them. The meeting is focusing on objective of location, cost, how to pay for it, regulations and rulings. She also stated that they are looking for someone associated with either the Farmer's Market or a farmer and to look at other community gardens. The next meeting is August 28, 2012 at 5:30 in the Bowie Nature Center.

**9. City Manager Items for Discussion –**

- A. Miscellaneous Updates - City Manager Hyatt stated that the 4<sup>th</sup> of July celebration was very successful. He stated that he was looking at restructuring some departments, Keith has been handling parks and streets. We put in the budget for three additional employees in the park. Placing ads for a part-time park programmer to help Jenny and a supervisor to run the street department and combine two of those positions.
- B. Staff Comments -
  - (1) Chief Cooper gave the fire department report.
  - (2) Director Lovvorn gave the planning department and the codes department report.
  - (3) Chief Harris gave the police department report.
  - (4) CFO Pewitt stated that she did not have her report because it is the year end report and she had a few more numbers to finalize. She stated she should have the report in August.
  - (5) City Manager Hyatt gave the street department report.
- C. City Attorney Comments – Thanked the Board for adding item 7C (1) and approving the resolution.

**10. Communications from the Mayor and Commissioners –**

- A. Commissioner Carroll said it is rewarding to see a project from beginning to end and was very proud that the Board wanted to help the schools and was very moved by the principals and vice-principals that came out tonight. She stated that she is proud that the 4<sup>th</sup> of July celebration has become an annual event that the City can be proud of.
- B. Vice-Mayor Bissell informed the Board that he will not be at the first meeting in August. Commissioner Carroll stated that she would not be there either.
- C. Commissioner Sutton thanked everyone for their hard work on the 4<sup>th</sup> of July celebration. He stated that he also was moved by the principals and vice-principals that came out tonight.
- D. Commissioner Johnson had no comments.

- E. Mayor Totty thanked everyone for their work on the widening of Fairview Blvd and thanked all the citizens for their patience. Stated that the firework display was amazing and thanked everyone involved. Thanked the fire department for their efforts on the apartment fire on the 4<sup>th</sup> of July and stated they did a fantastic job. She thanked Chief Cooper and Chief Harris and all their staff. She stated that there is a planning tour on August 18, 2012. Reminded everyone to spend \$20 on the 20<sup>th</sup>.

**11. Adjournment –**

- A. Mayor Totty asked for a motion for adjournment. Vice-Mayor Bissell made a motion to adjourn. Mayor Totty seconded. All were in favor. The meeting adjourned at 10:10 p.m.

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Theresa Porter  
City Recorder