

**BOARD OF COMMISSIONERS****August 6, 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, Johnson, Sutton

Absent: Bissell, Lovvorn

Others Present: Forehand, Cantrell

**1. Mayor Brison called the meeting to order at 7:00 p.m.**

- A. The Prayer and Pledge to the Flag were led by Commissioner Arney.

**2. Approval of the Agenda –**

- A. Johnson made a motion to defer items (B) and (C) under New Business until the entire Board is present and approve the remainder of the Agenda. Arney 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. Carol Thomas was present to ask if there could possibly be a community prayer service with local pastors held in the parking lot at City Hall. The purpose of this prayer time is to show support in this time of economic instability. Mayor Brison advised Ms. Thomas that a local pastor is already working on such a community prayer service.
- B. John Stark was present to advise the Board that he agrees with keeping guns out of the Nature Park and feels they should opt out of the state law.

**4. Awards and/or Recognitions –None****5. Public Announcements –**

- A. Vice-Mayor Johnson reported that Commissioner Bissell is out of town on business. He also asked County Commissioner Reba Greer to speak on the Hand Gun issue. Ms. Greer stated that the County has voted to opt out of the “Guns in Parks” State Law. No Guns on County Property is another issue and they did not vote on it because they received hundreds of emails against it.
- B. City Mgr. Forehand reminded everyone about the emission testing every second and third Wednesdays from 7:30 a.m. to 12:00 noon 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 July 16, 2009. Johnson made a motion to approve the minutes as presented. Sutton seconded the motion. All were in favor.

## 7. Old Business – None

## 8. New Business –

- A. Approve Tree Board using Bowie Nature Park Property for a 2010 National Arbor Day Event – City Mgr. Forehand reported that the event is in honor and memory of Dr. Bowie and the Tree Board would like to have the event on April 24, 2010. Johnson made a motion to allow the Tree Board to use the Nature Park for their event. Arney seconded the motion. All were in favor.
- B. First Reading Bill #2009-25: An Ordinance Prohibiting Handguns and/or Guns of Any Kind Upon Property Owned or Leased by the City of Fairview, Tennessee (Exclusive of City Owned Public Streets) – **Deferred.**
- C. Adoption of Resolution No. 15-09: Prohibiting Handguns within the City of Fairview Parks. – **Deferred.**
- D. Discuss and/or take action on parking on city streets – Police Chief Harris advised that the ambulance and fire trucks are having a problem in the subdivisions when people are parked on the streets and especially in the cul-de-sacs. He recommended that they allow parking only on one side of the street in subdivisions and no parking in the cul-de-sacs. City Mgr. Forehand read a memo from the Fire Chief on the issue. (see attached) Johnson asked the attorney if they would have to adopt an ordinance. He advised that they would need to adopt an ordinance. A discussion was held on the signage that would be needed. Since the Fire Chief was not present, the Board asked the city manager to call him and ask him to come to the meeting and they would continue discussion on the matter when he arrives.
- E. Discuss and/or take action on Caspian Hills Subdivision – Vice-Mayor Johnson advised that the nearby property owners are having a problem with silk run off from the development. However, Don Lovvorn had a meeting with the property owners and the Developer and agreements have been signed to clean up the properties.
- F. Discuss confirmation hearings on key personnel – Commissioner Sutton advised that he would like for the Board to have a part in the hiring of administrative personnel and wanted to know if they needed to change the charter. Vice-Mayor Johnson asked the city attorney if he has had a chance to research the Board doing this. Cantrell advised that the present Charter states that the city manager appoints all personnel and it would have to be changed if they want to have an input in the hiring process. Johnson stated that all they want to do is have the city manager bring her choice to the Board and have them ratify it and then she will make the appointment. Cantrell stated that he would research the matter and report back.
- G. Discuss lateral title changes – Commissioner Sutton asks the city manager and police chief why two officers, who are now a corporal and a captain, are still working under the same rate of pay as when they were patrol officers. Forehand advised that when the appointments were made the officers knew there were no monies available for an increase in pay but they wanted the titles anyway. Sutton asked if there are any increases planned in the near future. Forehand explained that revenues are down and as she explained during the budget process there are no funds for pay increases for this fiscal year. Sutton suggested that no future promotions be made unless the pay can be increased also.

H. Discuss and/or take action on vacant positions in police department and other matters – Commissioner Sutton asked if the sergeant's position (who retired) has been filled. Forehand explained that the salary was used to hire a part-time assistant for the court clerk and to balance the police department budget for the 09-10 fiscal year. Johnson asked Cantrell if the City is required to have a sergeant on every shift. Cantrell advised that is up to the Board and Police Chief. Johnson asked Chief Harris if he is happy with the personnel he now has. He advised that he was. Sutton asked the Chief what the national average is for police officers in ratio to population. Chief Harris advised that it is 2.5 officers per 1,000 population which means the City should have 17.5 officers. The City has 18 officers but only 13 are considered patrol officers.

1. (D) continued..... Fire Chief Cooper arrived at the meeting. Johnson asked Cooper about the cul-de-sacs and if our new subdivision regulations require adequate size cul-de-sacs. He advised that he did not know about the subdivision regulations. Johnson asked Forehand to have Donn Lovvorn to research the subdivision regulations. Johnson asked Cooper about his opinion on parking on the streets. He advised that can cause a problem because no one wants to be the side that allows the parking and the signage can be expensive. Cooper also advised that he felt there should be no parking on streets in subdivisions unless they are service vehicles. After further discussion, Sutton made a motion to have Cantrell prepare an ordinance "no parking in cul-de-sacs" only. Johnson seconded the motion. All were in favor.

#### **9. City Manager Items for Discussion -**

- A. Miscellaneous Updates – Forehand reported that the City did not get the Cops Grant for the four additional officers at this time but if money is still available Fairview will be reconsidered in 2010.
- B. City Attorney Comments – Cantrell thanked Donn Lovvorn for his hard work on the agreement with the adjoining property owners and the developer of Caspian Hills.

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

- A. Sutton advised that he was aware that Donn Lovvorn worked very hard to get the agreements signed concerning Caspian Hills. He also advised that the ordinance on hand guns does not mean no guns will be allowed in the City of Fairview. He also advised that there will be a fund raiser for the Boys and Girls Club at the Berean Baptist Church on Saturday beginning at 7:00 a.m.
- B. Johnson welcomed everyone to the meeting. He thanked the Fire Chief and Police Chief for their input. He thanked County Commissioner Reba Greer for coming to the meeting.

#### **11. The meeting adjourned at 8:00 p.m.**

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Mayor

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City Recorder