

# CITY OF FAIRVIEW

## BOARD OF COMMISSIONERS MEETING MINUTES

September 3, 2015

Patti L Carroll, Mayor  
Toney R Sutton, Vice-Mayor  
Allen Bissell, Commissioner  
Shannon L Crutcher, Commissioner  
Stuart L Johnson, Commissioner  
Wayne Hall, City Manager  
Larry Cantrell, City Attorney  
Brandy Johnson, City Recorder

Present: Carroll, Sutton, Bissell, Crutcher, Johnson  
Others Present: Hall, Cantrell, Daugherty, Johnson, Paisley

1. **Call to order by Mayor Carroll at 7:00 p.m.**
  - A. Prayer and Pledge led by Mayor Carroll
2. **Approval of the Agenda** – Vice Mayor Sutton made a motion for approval with Commissioner Johnson seconding. All were in favor.
3. **Citizen Comments – (Limited to the first 5 citizens to sign in and a limit of 3 minutes each).**
  - A. Jon Cherry of the Fairview Area Chamber of Commerce announces Nature Fest on Saturday, September 12 from 10:00 am until 4:00 pm at Bowie Nature Park. Check out the website at [www.naturefesttn.com](http://www.naturefesttn.com) and there will be a 16 page program in next week's Observer. Cherry notes this is not only a fundraiser for the Chamber and their scholarships but also for several other groups as well.
  - B. John Stark commented in response to the Observer article regarding the fire department training exercise. Stark states the only way to prepare is to repeatedly practice in all kinds of conditions. All types of training are necessary to serve in the various capacities. The sign did no good and was past its due date for removal. Training is limited on the practice structure behind the fire hall and you never know when training will be so important in saving someone.
4. **Awards and/or Recognitions** – NONE
5. **Public Announcements** –
  - A. City Manager Hall issues a reminder of emissions testing Monday and Tuesday from 7:30 am until noon though they will be closed next Monday for Labor Day.
  - B. Pat Stockdale announces a Drug Take Back program in the parking lot of Fairview Police Department on Saturday, September 26 sponsored by the DEA and United Way
6. **Staff Comments** –
  - A. City Manager Hall (acting as Codes Director) states he met with the school board director who noted they are looking at possibly purchasing land for future schools in our area. Hall notes Brownlyn Farms is currently on hold for further sewer research but he has had discussions another developer who is looking at a subdivision of 900 homes on 600 acres. We had 8 building permits in the month of August.
  - B. Vice Mayor Sutton notes Fairview High School has a home football game tomorrow night at 7:00
  - C. CFO Tom Daugherty notes he has a few numbers to revise and will get a financial report to the Board very soon. Daugherty states the revenues were good and above what was expected in the areas of beer tax, school facilities tax, Hall income tax and court fines. Plus, the police received \$13,500 from auction sales in July. Daugherty notes he has been spending a lot of time on the

accounting system getting the Accounts Payable to where they are entered on an accrual basis so they will match with the audit as well as lots of time on the new ACA and other HR activities.

**7. Approval of the Minutes** – (only needed if removed from consent agenda)

**8. Consent Agenda Consisting of Items as Follows:**

- A. Approval of the Minutes from the August 20, 2015 Board of Commissioners meeting
- B. Second Reading of Bill #2015-27, Ordinance No. 892, An Ordinance for an Amendment to the City of Fairview, Tennessee, Budget for Fiscal Year 2015-2016 Budget (Resurfacing Project)

Vice Mayor Sutton made a motion for approval with Commissioner Johnson seconding. All were in favor.

**9. Old Business**

- A. Discuss and/or Take Action on Special Census – City Manager Hall introduces Megan Crisp and Alexa Smith from Crisp Communications to answer questions from the Board. Vice Mayor Sutton asked what the start date needed to be and Smith answered as soon as possible to get the first mailer out mid-September. Commissioner Bissell noted if we begin now we wouldn't see the first tax increase until September 20 of next year according to the Department of Revenue. The state would approve the census in July and the money would hit in September. Carroll clarified we wouldn't have the numbers for budget approval and Bissell confirmed. Bissell states the state figures our percentage based on the overall population of Fairview to the overall state population. Crutcher questioned the per capita increase and Daugherty notes it is \$100 per person for general fund and \$25 for state street aid according to the state. Mayor Carroll asked what kind of increases they have seen and if they have ever done and not seen an increase and Smith replied Nolensville's population went from 5,800 to 7,900 and they have always seen an increase. Bissell shared the U.S. Census Bureau's actual count for Fairview in 2010 as 7,720 and their estimation was 7,730. Their current estimation for Fairview is 8,224. With that 6.4% projected increase and the \$100 per capita figure we actually wouldn't see an increase in revenue until 2017 due to the amount we would expend and I feel we might benefit from waiting another year until we have some of these larger subdivisions. Carroll states her concerns over budget and this is not technically budgeted for and asked what payment plans might be available. Commissioner Johnson asked Attorney Cantrell if we have the ability to require developers to complete a special census and Cantrell replied no. Bissell asks what the best estimate is for these future projects and Hall replies Brownlyn would probably not begin until spring. Sutton notes growth since 2010 needs to be considered and asks Daugherty how much more we received than expected last month. Daugherty replies \$60,000. Bissell reminds the Board we said we were broke, built a budget, let people go, gave no pay raises and created \$900,000 surplus and if we move forward with this we should reduce the surplus. Bissell states the Census Bureau estimate for Nolensville was 6,423 and their actual was 7,900 so they missed it by quite a bit. Hall asks about additional funds for Title 1 and Smith replies that is on a federal level and they had no luck getting any details about the additional amount. Carroll says her gut is saying this is a good move but she did think it was in the budget. Crutcher states if we are going to do it we should do it and not worry about payment plan which Johnson made a motion with Carroll seconding. Bissell amended the motion to also give the employees a 1% pay raise effective January 1. Amendment had no second and died. Johnson stated we already agreed to review funds in January and making a raise retroactive if possible. Bissell made another amendment to reduce the general fund surplus by \$45,000 by this project and not take from any other line item seconded by Sutton. All were in favor of both the original and amended motion.
- B. Discuss and/or Take Action on Status of Open Gov – Commissioner Crutcher questioned where we are on the OpenGov contract and when the next payment is due. Attorney Cantrell states he hasn't reviewed it since the original proposal. CFO Daugherty states this is high on his list of priorities and the issue has been reconciling the adjusted numbers from the audit to the numbers in our NextGen software because previous finance directors didn't reconcile the year to the audit before closing it out. Daugherty explains the auditor has sent some excel files to OpenGov to try and bridge the gap. Crutcher asks how many years we are talking about and Daugherty replies from 2005 forward. Crutcher asked if they all don't match and Daugherty states he isn't sure but knows they have been working on last years numbers specifically. Commissioner Crutcher makes a motion to defer to the next meeting until Attorney Cantrell has a chance to review the contract with Commissioner Johnson seconding. Mayor Carroll requested the salesman be available to answer questions and while she

understands Daugherty's need for integrity was may need to just include a disclaimer and move forward. Crutcher asked if the NextGen numbers matched the audit would we be up and running and Daugherty replied yes. All were in favor.

#### 10. New Business

- A. Discuss and/or Take Action on Bill #2015-30, Ordinance No. 895, An Ordinance to Change the Zoning of Certain Property in the City of Fairview, Tennessee, Located on Horn Tavern Road, as Shown on Map 022, Parcels 064.00 and 065.00, Owned by Priscilla Lampley, From RS-40 to R-20 – Attorney Cantrell notes that the original ordinance given to the Board only included the two parcels being annexed when Mrs. Lampley requested all four parcels be rezoned. Vice Mayor Sutton read the caption of the corrected ordinance and made a motion for approval with Commissioner Johnson seconding. All were in favor.
- B. Discuss and/or Take Action on Resolution 27-15, A Resolution to Set a Public Hearing for the Purpose of Obtaining Public Comment on Changing the Zoning of Certain Property in the City of Fairview, Tennessee, Located on Horn Tavern Road, Williamson County, Tennessee, Owned by Priscilla Lampley, as Shown on, Geological Listing of Assessment Roll Map 022, Parcels 064.00 and 065.00 – Vice Mayor Sutton read the caption and made a motion for approval with Commissioner Bissell seconding. Property owner, Priscilla Lampley, was present. All were in favor.
- C. Discuss and/or Take Action on Bill #2015-31, Ordinance No. 896, An Ordinance to Amend City of Fairview, Tennessee, Municipal Zoning Code, Article XVI, "Administration And Enforcement," Section 16 - 107, "Amendments," "16 – 107.9, Zoning Districts as Applied to Territory Added to Planning Jurisdiction of The City" – Vice Mayor Sutton read the caption and made a motion for approval with Commissioner Johnson seconding. Attorney Cantrell states this was recommended by the Planning Commission to make the sections consistent. All were in favor.
- D. Discuss and/or Take Action on Bill #2015-32, Ordinance No. 897, An Ordinance to Amend City of Fairview, Tennessee, Municipal Zoning Code, Article IV, "Establishment of Districts Provisions for Official Zoning Map," Section 4-105, "Zoning of Annexed Territory," – Vice Mayor Sutton read the caption and made a motion for approval with Commissioner Johnson seconding. All were in favor.
- E. Discuss and/or Take Action on Bill #2015-33, Ordinance No. 898, An Ordinance to Amend City of Fairview, Tennessee, Municipal Code, Title 5, "Municipal Finance and Taxation," Chapter 6, "Adequate Facilities Tax," Section 5-604 "Use of Tax" – Vice Mayor Sutton read the caption. Commissioner Bissell made a motion for approval with Commissioner Johnson seconding. Cantrell states CFO Daugherty requested this after the debt reorganization and it also includes the ability to use these funds for the maintenance of all city buildings. All were in favor.
- F. Discuss and/or Take Action on Bill #2015-34, Ordinance No. 899, An Ordinance to Amend City of Fairview, Tennessee, Municipal Zoning Ordinance Table 6-102a, Item J, (Religious Facilities), Article VI-6, "Permitted and Conditional Uses and Structures Allowable Within Mixed Use and Commercial Districts." – Vice Mayor Sutton read the caption and made a motion for approval with Commissioner Johnsons seconding. Attorney Cantrell states this is to allow as a matter of right and in accordance with codes the construction of religious facilities in commercial districts. All were in favor.
- G. Discuss Fire Department Training Exercise from August 23, 2015 – Mayor Carroll states she thought this would be a good way to answer questions about the training noting it is a different world with social media. Fire Chief Travis O'Neal invites citizens to the station to learn about what the firemen do. O'Neal only received one phone call with direct questions about the training. He states Captain Hughes is over training and this was treated as a technical rescue exercise and fire gear was not needed. Carroll states knowing about the various types of rescues helps to clarify noting they were wearing a harness but questioned the need for a helmet. Hughes states that is a shift commander decision but is technically to protect from objects falling from above and in this case wasn't applicable. O'Neal notes for future reference the citizens will see trucks out as we literally train almost every single day and have to use opportunities in between call times to do so or we don't get it in. Carroll states she believes the citizens want you to have training but their concern was over personal gain or personal property and they have every right to ask. O'Neal asks for citizens to ask questions directly noting his guys are a little fearful of even going to lunch because they believe pictures will end up on Facebook. O'Neal believes we will lose employment over this issue. Carroll asks why the trucks were left running. It was noted that this is standard procedure due to the large amount of electrical equipment on board. Depending on weather conditions the equipment may or may not start back if the engine is shut down. O'Neal stated three men were present at the training because they were on shift at the time and 3 is the minimum

shift right now. Engine 31, Squad 31 and Ladder 31 were all there because the shift commander determined that the Engine and Squad would be the most likely other apparatus to be needed for possible calls during training. Pat Stockdale also noted the police leave their vehicles running on shift with the same consideration for electronics as well as the K-9 unit.

- H. Discuss and/or Take Action on Employee Training Protocol – Mayor Carroll asked for an explanation of training protocol from the fire department and if they typically go to Mr. Hall for training approval. Captain Scot Hughes stated no, they do not typically obtain training approval from the city manager. The fire department develops an annual training plan that evolves throughout the year based on several factors and they don't attempt to publish it. In this case, Mr. Hall and Chief O'Neal were notified to keep everything above board to prevent scandal. If it has potential impact we make sure the boss knows what's going on. Commissioner Crutcher asked who purchased the sign and at what point was it donated? O'Neal responded Sean Sullivan and it was donated prior to the training. Crutcher states he is glad they had this opportunity for training and feels it was blown out of proportion but we may need to re-visit the gift policy put into place earlier this year as a whole.

#### **10. City Manager Items for Discussion –**

- A. Miscellaneous Updates – City Manager Hall gives an update on current projects. Resurfacing work at Cox Pike and Cumberland Drive has been completed and we are processing the invoice which was \$987 less than the bid. Roadscapes grant will be moving toward the bid process soon and utility easements have been cleared. Safe Routes to School right of way acquisition is almost complete. The guardrail at Fairview Elementary School has been approved by the school board and will have to be installed while school is out of session. Vice Mayor Sutton asked for a report on the trail to Joann's Classroom as well as the paving at Bowie Park. Hall replies he is still waiting on the engineer report from Will.
- B. City Attorney Comments - NONE

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

- A. Commissioner Johnson states he believes the training issue was blown out of proportion and in relation to Mr. Stark's comments believes we should take every opportunity to train. Johnson shared a social media post about a fire company who completed mowing a man's lawn after he was taken to the hospital with a heart attack.
- B. Vice Mayor Sutton thanks both the fire and police departments for all they do recognizing that training is the basis for everything and the extent of our liability depends on training.
- C. Commissioner Bissell states he has been amazed at all the publicity on the fire training this week and the amount of energy, time and money spent on this situation. He states he has never been exposed to a group of people who believe they know everything about everything and has personally quit monitoring Facebook. Bissell states he is a firm believer in free speech and has read the first amendment several times but it does not include the right to question everything that somebody else does. Bissell expresses embarrassment over the questions reaching the point of absurdity that anytime someone asks an off the wall question or something doesn't look right to them we expend the kind of resources we have spent this week in order to perpetuate their 15 minutes of fame. The question about the fire department should have been directed to the Fire Chief and if they didn't like that answer then go to the City Manager and then to the Commissioners. We are elected to represent you but to draw assumptions and spend 800 comments, most before any statement was released from the city, is absurd. Bissell asked his fellow Board members in the future to look at what the question is and determine if the question really deserves an answer. The issue was blown out of proportion and this question wasn't intended to gather information but to embarrass the city and I don't see how that helps the city at all.
- D. Commissioner Crutcher agrees with Commissioner Bissell's comments and states although he does monitor Facebook he does not respond. He asks that those with questions go to the source to get the information. Crutcher acknowledges the citizens right to question noting we won't always agree but asks that we all respect one another and comment on the facts not speculation.
- E. Mayor Carroll stated she participated in a round table discussion put on by the Williamson Chamber with Mr. Hall, Jenny Herrera and Dr. Oyer last week that has received positive response. Carroll notes she attended a health summit that presented a Vanderbilt study on the needs of small towns and she knows we have a medical need in our community. Carroll continues that she doesn't believe the community knows what all we are doing to be proactive and get the resources we need to help move us

forward. In response to the social media posts about the fire training Mayor Carroll believes the city's response was within an efficient time frame. She stated intentions don't matter in the heart if it can be perceived differently. Carroll suggested city employees shouldn't be so offended when the citizens ask questions. Carroll stated she is moving the city forward and hopes everyone comes with her.

12. **Adjournment** – Vice Mayor Sutton made a motion for adjournment with Commissioner Johnson seconding. All were in favor and meeting was adjourned at 9:52 p.m.

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**Brandy Johnson**  
**City Recorder**