

City of Fairview

BOARD OF COMMISSIONERS

October 18, 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, Johnson, Carroll, Sutton

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

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

A. The prayer and pledge were led by Boy Scout Troop 297.

2. Approval of the Agenda –

A. Commissioner Johnson made a motion to approve the agenda.
Commissioner Sutton 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. Kyle Stewart stated that he lives on Cumberland Drive and is disturbed to see the LED sign at the Hickory Home restaurant. He stated that the light is too bright for ground level and poses a problem at night. All you can see is the sign and it blinds you to people walking or if you are pulling out at the street beside the restaurant all you see is the sign when looking west. He stated that he has experience in audio/visual and with LED lights and the size of the LED is for brightness and these LED lights are oversized, they are the size for a stadium. This can be corrected by lifting the sign up or by moving it back off of the road.

4. Awards and/or Recognitions –

A. City Manager Hyatt made a presentation to Keith Paisley with a \$500 donation from the Chamber of Commerce for recreational programming at the park and he thanked the Chamber. Keith Paisley announced that coming up in the park is the Fall Fun Day on October 20th from 10-4 and the Haunted Trail is October 26th and 27th from 7-11.

5. Public Announcements –

A. City Manager Hyatt announced that early voting has begun and we have brochures in the lobby that explains the early voting system.
B. Mayor Totty announced that the Fairview Area Chamber of Commerce is working with Keep Williamson Beautiful and there will be a Clean Sweep from 8-12 on Saturday November 3rd in the parking lot of Bank of America for the purpose of showing our pride by picking up litter and helping clean the community.

- C. Mayor Totty announced that the grand opening of state route 840 is on November 2nd with the festivals beginning at 11:00 and the official opening at 1:00.
- D. Commissioner Carroll announced that she had spoken with Larry Richards who is on the Helping Hands Board, our local food pantry and they are dangerously low going into the holidays and could really use food donations and monetary donations.

6. Approval of the Minutes – Deferred

7. Old Business –

- A. Second and Final Reading of Bill #2012-12 Ordinance No. 791 - An ordinance to amend City of Fairview, Tennessee, Municipal Code, Title 8, "Alcoholic Beverages," Chapter 1, "Intoxicating Liquors," Section 8-107(4) "Retailer's Licenses, Limitation on Number of Licenses to be Issued." Vice-Mayor Bissell read the caption. Commissioner Johnson made a motion to approve. Commissioner Sutton seconded. Mayor Totty asked for a roll call vote. *For:* Sutton, Johnson, Totty, Carroll *Against:* Bissell Motion carries 4 to 1.
- B. Second and Final Reading of Bill #2012-13 Ordinance No. 792 – An ordinance for an Amendment to the City of Fairview, Tennessee Budget for Fiscal Year 2012-2013 Budget. Vice-Mayor Bissell read the caption. Vice-Mayor Bissell made a motion to approve. Commissioner Johnson seconded. All were in favor.
- C. Discuss and/or take action on City of Fairview Projects – Mayor Totty thanked City Manager Hyatt for updating the list. City Manager Hyatt stated the he had spoken with the recreational services with the state of TN about the LPRF grant on the Greenway project and they are waiting for it to be signed off on and sent back to us and there wasn't any other updated information. The Lake Vann project is temporarily on hold. The Triangle School project is underway and they are working diligently to get this accomplished. The deadline is November 26th and everything is on schedule. The Street Lights, Donn has spoken with MTE and we are waiting on them to come back to us and let us know the schedule for installing the lights. The Welcome Signs have been put out for bid and the bid opening is November 8th here at City Hall. Safe Routes to school is almost to the point to put out the surveys. The surveys are to see exactly where the right of ways and the easements are located so we can move forward and on Nov 3rd, not sure on the date, there will be a Safe Routes to school informational program at Bowie Park. City Manager Hyatt stated that he would have to get back with the Board on the date. The Active Transportation and TDOT paving both are probably going to get those next year, next summer but we have until 2015. The Park Survey is currently on the website and have averaged about 30-40 a week since the beginning and we take this off the website on November 30th. We should start seeing some action on the new traffic light in about 4-6 weeks.

8. New Business –

- A. Discuss and/or take action on recommendations from the Board of Zoning Appeals – Director Lovvorn stated that there is one member on the Board that has been to one meeting over the last 3 years and this makes it hard to get a quorum. The Board of Zoning Appeals would like the Board of Commissioners to consider removing William H. Seaborn from membership on the Board of Zoning Appeals, citing that continue absence from meetings would be grounds for removal. Commissioner Sutton made a motion to

except the recommendation. Commissioner Carroll seconded. All were in favor.

- B. Discuss and/or take action on Term Limits for Mayor Seat and City Commissioners Seats – Commissioner Carroll stated that one thing that came up a lot when she was running for Commissioner was the discussion of term limits. Commissioner Carroll made a motion to put term limits on the Mayor's seat and the City Commissioners. City Attorney Cantrell stated that this Board cannot put time limits on the terms that the Election of Commissioner under the charter that we have is under chapters 18-22, title 6. The first thing you would need to do is to meet with a State Representative and/or State Senator. There is no provision in our charter for term limits. Mayor Totty seconded. Commissioner Johnson stated that he has never had anyone mention to him wanting term limits. Mayor Totty said she has had multiple conversations with citizens on the subject. Commissioner Johnson stated that you would effectively take away the vote from a person that might want to vote for someone that you are saying they can't do it anymore. If you are doing a good job you'll be voted back in and if not, you'll be voted out. To get on a referendum there are two ways to go about it. If you are going to go to the state legislation you can pass a resolution to shepherd the registration through that would allow city manager commissioner type legislation bodies to implement term limits. Or if you wanted to get the public's opinion on this, the people could get up a petition and it would be on a special election or general election. The other would be for the Board to pass a resolution asking for a referendum should this Board pursue term limits and layout what those terms would be. The election committee would call a special election and the city would pay for it. Vice-Mayor Bissell suggested we review the charter and see if there are any other changes. Mayor Totty made an amendment to the motion to defer this to a commission and a staff workshop on January 17, 2013 at 5:30. Vice-Mayor Bissell seconded the amendment. All were in favor. Commissioner Carroll removed the original motion. Mayor Totty removed her second.
- C. Discuss and/or take action on Employee Deferred Compensation Programs – CFO Pewitt stated that she was here to ask permission to offer the employees a new deferred compensation plan. The current plan is with ING and is a 457 plan only and is strictly voluntary. The new plan is through the State of Tennessee which is also who our retirement plan is serviced. The new plan offers a 401K and a 457 plan and everyone can get on the plan even part-time employees and elected officials. We have Kaci Lantz with the Tennessee Treasury Department and Natalie Daniels with Great-West Retirement Services here to answer any questions. Commissioner Johnson made a motion for discussion. Mayor Totty asked about the fees. CFO Pewitt stated that there were no fees to the city and the current plan has a \$15 annual fee to the employee and there are fees on the investment fund the employee chooses to invest their money in. The new plan does not have the \$15 annual fee but would still have the fees on the investment funds. The Board instructed CFO Pewitt to discuss the program with other employees.

9. City Manager Items for Discussion -

- A. Miscellaneous Updates - City Manager Hyatt stated that he wanted to recognize the staff that worked on where the Board was sitting and the new sound and the new visuals. It's the first night and we know we have some bugs to work out and would like some feedback but he feels like it has been a very positive result.
- B. Staff Comments –
 - (1) CFO Pewitt presented her power point of the September financials.

(2) Fire Chief Cooper announced that Captain Hughes and his wife are pregnant with triplets.

C. City Attorney Comments – None

10. Communications from the Mayor and Commissioners –

- A. Commissioner Carroll thanked everyone for coming out and stated that she is here to serve us and did appreciate those who call and voice their opinions.
- B. Vice-Mayor Bissell had no comments.
- C. Commissioner Sutton thanked everyone for coming out tonight and their input and stated the commissioners are open to suggestions. He asked that the Boy Scout Troops come up and get a photo shoot with them and invited them to sit in the chairs and ask questions.
- D. Commissioner Johnson commented on the term limits discussion, touched on his background over the years as a Board member stating that he has served as a commissioner, the Mayor and the Vice-Mayor and spoke briefly on his voting history.
- E. Mayor Totty wanted to remind everyone that there is a survey on our website www.fairview-tn.org the survey is about our park system she asked everyone to take the survey and stated that any comments can be made on the website. She thanked the Boy Scouts and their leaders for coming out and all the citizens.
- F. Commissioner Carroll stated that she would like to apologize to Commissioner Johnson if he thinks this is a debate with her but she wanted to bring up the term limits in time to give the electoral candidates the chance to vote on the issue.

11. Mayor Totty asked for adjournment.

- A. Commissioner Johnson made a motion to adjourn. Vice-Mayor Bissell seconded. All were in favor. The meeting adjourned at 8:15 p.m.

Theresa Porter
City Recorder