

## City of Fairview

**BOARD OF COMMISSIONERS****October 20, 2005**

Ken Brison, Mayor  
 Eddie Arney, Vice-Mayor  
 Wayne Hall, Commissioner  
 Stuart L. Johnson, Commissioner  
 Darrell Mangrum, Commissioner  
 Alan W. Deck, City Manager  
 Larry Cantrell, City Attorney  
 Kathleen Daugherty, Recorder

Present: Brison, Arney, Hall, Johnson, Mangrum and Asst. City Mgr. Shirley Forehand  
 Absent: Deck

**1. Mayor Brison called the meeting to order at 7:03 p.m.**

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

**2. Approval of the Agenda –**

A. Added to the Agenda:

- (1) Under New Business as Item C: Purchase of a drug dog.
- (2) Under New Business as Item D: Personnel Issues

The agenda was approved with the additions.

**3. Citizen Comments – (Limited to the first five citizens to sign in and limit of five minutes each)**

A. Buddy Benedict was present to advise the Board of a new program being sponsored by the County called “Books from Birth”. He stated that the program was started in Sevier County by Dolly Pardon. A child would receive a book a month from birth until they are five years old. The Governor felt this was a good program for the entire state. Each County has to adopt a resolution authorizing the program. When a County adopts the resolution is when he becomes involved and Williamson County has not adopted the program. All but four counties have adopted the program. He further advised the Board that he will be at the Fairview Library along with the Governor on November 29<sup>th</sup> to kick off the program and sign up children. He needs help in getting the word out so that they can get all the children signed up.

**4. Awards and/or Recognitions –**

A. Vice-Mayor Arney presented an award to the Police Department from the Police Department in Picayune, Mississippi for sending an officer to help during the aftermaths of Hurricane Katrina.

- B. Chief Terry Harris read a letter from Sgt. James Barnwell, a member of the Williamson County Strike Team who went to Mississippi, in which he commended Corporal Phil Jarosz for the job he did while in Mississippi. Chief Harris also read a letter from Sgt David Bohler of the Franklin Police Dept. who commended the Strike Team for their efforts in Mississippi. (see copies of the letters attached)

**5. Public Announcements –**

- A. Vice-Mayor Arney announced that Sgt. Gary Rich has had open heart surgery but is doing very well.
- B. Chief Harris reported that Halloween will be observed on October 31<sup>st</sup> and all his force will be out on the streets.

**6. Approval of the Minutes –**

- A. Presented for approval were the minutes of the Public Hearing held on October 6, 2005. Mangrum made a motion to approve the minutes as corrected. Johnson seconded the motion. All were in favor.
- B. Presented for approval were the minutes of the Board of Commissioners Meeting held on October 6, 2005. Mangrum made a motion to approve the minutes as corrected. Johnson seconded the motion. All were in favor.

**7. Old Business –**

- A. Adoption of Resolution 12-05: TVA Transmission line right-of-way – Deferred until the next meeting.
- B. Presented for first reading was Bill # 2005-9: Rezoning the Hooper Inman Property on Hwy. 96 North, Map 18, Parcel 1.00, and containing 14.56 acres from RS-40 to C-G. Arney made a motion to pass Bill #2005-9 on first reading. Hall seconded the motion. Mangrum read the caption. All were in favor.
- C. Presented for first reading was Bill #2005-10: Amending the Zoning Ordinance by Establishing Provisions for Keeping of Horses as a Conditional Accessory Activity within Certain Residential Districts. Arney made a motion to pass Bill #2005-10 on first reading. Hall seconded the motion. Mangrum read the caption. Cantrell advised that he had made the changes recommended at the last meeting. All were in favor of the motion.
- D. Waive all city fees on the Home Program Projects – Cantrell stated that his opinion letter was in the packets (see copy attached). He advised that the TCA grants power to the Board to set fees so they can also waive any fees. He suggested that if they want to waive fees that they adopt a resolution stating for what organizations they will waive fees. After further discussion Arney made a motion to deny waiving any fees for the Home Program Projects. Mangrum seconded the motion. All were in favor.
- E. Update on Horn Tavern Buildings – Forehand reported that no bids were received on repairing the roof.
- F. Update – Smith Seckman Reid, Nitrification Project – Forehand stated that SSR will handle the bid process and manage the project through completion. The fee for this service was included in the previously paid \$120,000 for the wastewater treatment plant expansion. (see copy of letter attached)

## 8. New Business –

- A. ISO Report – Fire Chief Cooper reported that the City received a split rating 6/9, narrowly missing a Class 5. Buildings within five miles of a fire station and within 1,000 feet of a fire hydrant are rated in the Class 6 area. Buildings within five miles of a fire station and more than 1,000 feet from a fire hydrant are rated in the Class 9 area. Buildings more than five miles from a fire station are rates Class 10 (even if located within 1,000 feet of a fire hydrant. He advised that since the City has grown at some time in the future the present fire stations need to be moved and two more satellite stations built. He further advised that he felt the volunteer concept is working very well.
- B. Appointments to Boards and Commissions:
  - (1) Appoint Architect Member to the Board of Adjustments and Appeals to replace Randall Stiles.
  - (2) Appoint a Park Commission Member from the Tree Commission to replace Lynne Bachleda.
  - (3) Appoint a Tree Commission Member to replace Josh Pendergrass.

Mayor Brison reported that he did not have any recommendations at this time.

- C. Purchase Drug Dog – Forehand reported that the City would like to purchase a drug dog from Cedar Valley Kennels. The dog is ten months olds and will have a one year warranty. It is fully trained and will cost \$6,000. The money will come from the Drug Fund. Johnson made a motion to purchase the dog. Arney seconded the motion. All were in favor.
- D. Personnel Issues – Mayor Brison advised that this came about because of talks between the Police Chief and the City Manager. Mayor Brison also advised that Commissioner Mangrum had some comments to make. Commissioner Mangrum stated that he would read his comments since there are several of them:
 

“The City of Fairview has been in the news media over the past few years several times, both positive and negative. As a citizen and elected official I want our community to always be seen in the positive. However, I realize that cannot always be achieved but it is not an impossible goal to work toward. By working more closely as a board, as a community, and as citizens, can help reduce the negative publicity we so many times encounter. The most recent being the notice that our police chief had resigned, which has brought many questions, concerns, and rumors. I have, and I am sure others on this board have received emails, phone calls, and individual one-on-one conversations asking questions and voicing concerns about what’s going on in our local government. I have heard many different views, conflicting statements, and finger pointing. As an elected official placed in a decision making role I will not make any decisions based on hear say information. Since the resignation of our police chief, which has not been accepted, was made known to the board at our last meeting, many questions and concerns, not just within the police department but throughout each department within the city of Fairview have arisen. In order for us as a Board to move ahead I am making the following motion. But before I do I want everyone to know I am not choosing sides or on a witch hunt to find fault, point a finger, or see anyone terminated, but to identify any problem areas, state the need for improvement within those areas, mutually assess each area, work to establish corrective measures, agree on a plan of action with follow-up meetings and as a board offer our support. So with that being said I make the following motion:

- (1) The survey just released to employees to be returned to the committee via mail to one designated committee member to manage correspondence.
- (2) A review committee be established consisting of two Board of Commissioners members to be established tonight and one designated to manage correspondence both incoming and outgoing.
- (3) A confidentiality statement be drawn up by our city attorney to be used for conducting employee interviews relative to the identity of the person giving the statement containing a place for employee and board members to sign.
- (4) A city employee list be compiled of all departments and given to the correspondence manager to set up interview times and if necessary, pay overtime or comp time to any employees which may have their interview conducted after normal business hours. Every effort will be made to conduct the interviews during normal business hours.
- (5) The duties and responsibilities of the Committee will be to:
  - a. Conduct one-on-one interviews with each employee.
  - b. Compile information from each interview which is focused on finding any and hopefully all the current problems which exist.
  - c. Determine what the facts are.
  - d. Uncover the possible causes of the problem or problems.
  - e. Collect any additional information if needed (outside sources, attorney, etc.)
  - f. Summarize all the data collected from the employee interviews and compile into one evaluation document.
  - g. Once compiled meet with city attorney to resolve any legal questions which may arise from the interviews.
  - h. Meet with the city manager and discuss the findings.
  - i. Work with the city manager to put a plan of action together for correcting the problems. If necessary meet with department heads and city manager.
  - j. Present findings and possible solutions to the board at a public meeting, regular or special meeting.
  - k. Establish a follow up plan to review progress and make changes to the established plan if necessary.
  - l. The Committee is to complete this project within the next 60 days, if not, be allowed an additional 30 days. After 90 days if not completed a report be submitted to the Board as to why and what is the current status of the project.

Hall seconded the motion. All were in favor. Brison asked about the Committee. Mangrum stated that they should form the Committee tonight. Johnson made a motion to appoint Mangrum and Hall and designate Mangrum to receive all correspondence. Arney seconded the motion. All were in favor.

#### **9. City Manager Items for Discussion and/or Action –**

- A. Miscellaneous Updates – Forehand reported that the City did not receive the CDBG grant (\$500,000) for the sewer plant improvements.
- B. City Attorney Comments - None

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

- A. Arney thanked Mangrum for his comments and for writing them down.
- B. Brison also thanked Mangrum for his efforts and comments.

**11. The meeting Adjourned at 7:55 p.m.**

Kathleen Daugherty, CMC  
City Recorder