

City of Fairview

BOARD OF COMMISSIONERS

November 21, 2013

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

Present: Totty, Johnson, Bissell, Carroll, Sutton

Others Present: Hall, Cantrell, Porter, Johnson, Pewitt, Daugherty, Fox, Cooper,
Paisley, Sutton, Taylor

Absent: Lovvorn

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

- A. The prayer and pledge was led by Mayor Totty.

2. Approval of the Agenda –

- A. Commissioner Bissell noted that before minutes are approved the Public Safety Board would like to add an item to the agenda to Discuss and/or Take Action on the bids for the Cameras and Computers for the Police Vehicles. Vice-Mayor Johnson seconded. City Attorney Cantrell asked where to add the new agenda item. Commissioner Bissell noted to add under Old Business B.
- B. Commissioner Sutton noted to add Discuss and/or Take Action on Committee to Review Codes under New Business F.
- C. Vice-Mayor Johnson stated Bill 2013-27 Ord. No. 823, Property Maintenance Regs, Tree Bank Ordinance needs to be added under New Business G
- D. 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. Jon Cherry made an announcement on behalf of the Chamber of Commerce that their offices are moving to the Public Works Building due to hiring of a new employee at City Hall. They will have a larger space there with availability of a shared conference space and additional office space should the Chamber employ a full time Executive Director, if the Board decides to fully fund the Chamber. Currently the Chamber has signage at City Hall but does not have at their new location. He mentioned that there is currently no signage for either the Fire Hall or Public Works Building at the entrance of Bowie Lake Road. He has asked the City Manager if it might be possible for all three to have some signage there so that newcomers might be able to locate the Chamber they would appreciate it. The Chamber's annual budget is around \$22,000 and they raised about that much this year. The majority of their time is spent fundraising. He feels that a city of our size should be funding its Chamber as they are a partner with the city and a face of the city. White House is a city similar in size to Fairview that fully funds its Chamber with about \$24-25,000 per year. The White House Chamber does similar activities to the Fairview Chamber, have a full time Director and are open during business hours, which Fairview is not able to do because they can

only afford a part-time employee. He asks to be made a partner with the City and that the Board show the commitment to become a yearly annual budget item. Commissioner Sutton mentions that he spoke with City Manager Hall about the signage need. Cherry indicates that the Chamber cannot afford signage that is needed. Williamson County received 3.2 million in hotel/motel taxes and Fairview received nothing of those taxes. The Chamber had an attorney look into it and there is nothing restricting Fairview from receiving any of these funds. Based on Property Taxes, Fairview is the fifth largest city in Williamson County and based on that should be receiving 1/5th of those funds and that would be a great way to fund the Chamber. Commissioner Sutton agrees that Fairview should be receiving our share of these taxes that go into the county fund and furnishes the county with approximately \$300,000 to fund the Chamber. Cherry suggests constituents from Fairview attending county meetings to encourage this.

4. Awards and/or Recognitions –

- A. Interim City Manager Wayne Hall thanks Theresa Porter and Crystal Pewitt for all the assistance they have provided to him. He introduces new CFO, Tom Daugherty, new City Recorder, Brandy Johnson, and new Finance Clerk, Susan Fox.
- B. Chief Cooper recognized all the firemen who responded to the Hazardous Materials accident that occurred in Dickson County on I-840 at I-40 involving multiple 18 wheelers with multiple injuries, a fire and a fatality. Barrels were exploding, skyrocketing hundreds of feet into the air and catching fields on fire when they landed. It was a multi-agency response. Chief asked Gunney to introduce his people - Primary responders were Dakota Day, Scott Hughes, Chad Harrah, Adam Wynne, and Jeremy Menear who couldn't be here this evening. We were able to do this because we have all these volunteers who were able to come in and cover the city while we responded to this accident. Chief Cooper also noted to the audience that they have career fire fighters as well as volunteers, yet looking at the line of men, one cannot tell which is which.
- C. Chief Cooper noted that when interstates are closed, the additional traffic on Hwy 100 creates a mess when they have another call. This was the first incident where both I-840 and I-40 were closed. Police responded very quickly, calling in additional staff. Sargent Conner acted quickly to
- D. City Manager Wayne Hall notes that Haunted Forest was recently held and introduces Park Keith Paisley to recognize his staff and volunteers. Paisley introduces everyone who assisted with this event: Park Staff, Jenny Herrera, Nancy Carter, Brian Bissell, Justin Tomlin, Mr. Allen Bissell, Chase Greer, Street Department – Zane Greer, Nick Green, Todd Bratcher and Randy Beck, the Police Department for all their help in our events out there, Miss Crystal Pewitt, Theresa Porter, JROTC had 23 volunteers there, Jerry Carey, Talia Barr, Landon Tuttle, my mother-in-law Jancey Odle, Jason Lane, Jeremy Jackson and my wife, Paandrea Paisley. Mr. Nick Hoffman of the JROTC accepted the check of appreciation from the City of Fairview Park Dept and Street Dept for all the hard work and commitment that JROTC provides to the City of Fairview. Mayor Totty summarizes by thanking all the volunteers that make our City such a wonderful place to live, work and play.
- E. Commissioner Sutton introduces Attorney Lee Dryer who is running for the General Sessions Seat. Dryer was a DA for about 7 years and is now in private practice as a defense attorney who has tried approximately 1000 cases in Fairview thus is quite familiar with the courts and a lot of the people down here. Election is next August so I'm sure he'll be out knocking on

everyone's doors and meeting and greeting. Glad to have an interest to fill Tom Taylor's seat. Thank you Lee for coming out and look forward to hearing from you.

5. Public Announcements –

- A. Interim City Manager Hall reminded everyone that emissions testing is every Monday and Tuesday from 7:30 a.m. to noon and FHS football team is playing tomorrow night at CPA (1800 Foster Avenue in Nashville) and would appreciate all the support they can get.

6. Approval of the Minutes –

- A. The minutes for the October 8, 2013 Board of Commissioners Special-Called meeting (1) were presented for approval. Commissioner Sutton made a motion to approve. Commissioner Carroll seconded. All were in favor.
- B. The minutes for the October 8, 2013 Board of Commissioners Special-Called meeting (2) were presented for approval. Commissioner Bissell made a motion to approve. Commissioner Sutton seconded. Mayor Totty addressed 2nd to last page, midway down, regarding requirements for City Manager, 14th line – Bachelor Degree in Public Administration and a minimum of ... or any combination – question was clarified. All were in favor.

7. Old Business –

- A. Discuss and/or Take Action on City projects - Mayor Totty indicates that there was a Workshop Meeting prior to the Special Called Meeting to discuss the current projects list. No additional comments from Board or staff. Nothing to present for Action at this time.
- B. Discuss and/or Take Action on Bids for In-Car Cameras and Laptop – On behalf of the Safety Committee, Commissioner Bissell recognizes Captain Mark Sutton to discuss opening of bids, review of the bid packages and endorse the recommendation of the bid. Sutton turns the floor over to Cissy Taylor, IT Director, who can provide more information on the technical side. Commissioner Sutton clarifies that these bids are for both the In-Car Cameras and Laptop Computers for the Police Vehicles. Taylor states that four companies bid and two did not meet the specs so they were not looked at. The other two companies, Visual Pro 360 and ARC met the specs for both the cameras and the computers. Bids were combined because the cameras and computers work together so they did not want two separate companies for the installation process. ARC came in with the lowest bid for the overall package, including in-car cameras, in-car computers, training of our personnel for installation for the future and their bid total was \$106,270.69. Commissioner Bissell makes a motion to approve. Commissioner Sutton seconded. Commissioner Carroll questions if this was the previously recommended system. Taylor confirms that this is the system that they currently have the infrastructure for and states that the other two bids were rejected because they were not compatible. Commissioner Bissell requests clarification that this system will remain current for at least seven years. Taylor confirms and that after the initial purchase that she will be able to keep this server/system current, staff will be trained on installation and she will be able to hook everything up on the servers and complete the software side of the installations. Mayor Totty asks where this money is budgeted from and Captain Sutton notes that it is part of the Vehicle Package loan. Vice-Mayor Johnson, Commissioner Sutton, Commissioner Carroll and Commissioner Bissell were in favor. Mayor Totty was opposed.

8. New Business –

- A. Discuss and/or Take Action on Bill #2013-25, Ordinance No. 820, An Ordinance to Change the Zoning of Certain Property in the City of Fairview, Tennessee, Located on Old Nashville Road, Owned by Timothy R. Mangrum and Wife, Jessica Mangrum, as shown on, the Fairview Geological Listing of Assessment Roll Map 042, Parcel 065.12, 1.03 Acres, from RM-12 to RS-10. Ordinance read by Vice-Mayor Johnson and he moved for approval. Commissioner Sutton seconded. All were in favor.
- B. Discuss and/or Take Action on Resolution No.21-13, 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 Old Nashville Road, Owned by Timothy R. Mangrum and Wife, Jessica Mangrum, as shown on, the Fairview Geological Listing of Assessment Roll Map 042, Parcel 065.12, 1.03 Acres, From RM-12 to RS-10. Vice-Mayor Johnson made a motion for approval. Commissioner Sutton seconded. All were in favor.
- C. Mayor Totty has a personal interest in this property and recused herself and turned the meeting over to Vice-Mayor Johnson. Discuss and/or Take Action on Bill #2013-26, Ordinance No. 821, An Ordinance to Change the Zoning of Certain Property in the City of Fairview, Tennessee, Located on Horn Tavern Road, owned by Walter C. Totty and Wife, Beverly D. Totty, as shown on the Fairview Geological Listing for the Assessment Roll Map 042, Parcel 133, 8.37 Acres, From R-40 to R-20. Vice-Mayor Johnson made a motion for approval. Commissioner Sutton seconded. All were in favor.
- D. Discuss and/or Take Action on Resolution No. 22-13, 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, owned by Walter C. Totty and Wife, Beverly D. Totty, as shown on, the Fairview Geological Listing of Assessment Roll Map 22, Parcel 133, 8.37 Acres from R-40 to R-20. Vice-Mayor made a motion for approval. Commissioner Sutton seconded. All were in favor. Mayor Totty retakes her seat.
- E. Discuss and/or Take Action on Justice for Bomber benefit. Mayor Totty welcomes ParkJenny who states that the Justice for Bomber benefit is now a walk, not a ride for logistical reasons. She introduces Debby Humphrey to speak in more detail and answer any questions. Ms. Humphrey speaks on behalf of Terry and Barbara McIlvain who are the owners of the horse who was killed on their property over on Crow Cut Road. Their goal is to raise money to increase the reward funds to perhaps encourage someone to come forward who might be hesitant to do that. A couple of points to consider - it's not a horse ride, just a simple walk of a group of people. They would like to have a donation table where the participants might come up and donate and sign their waiver to walk with the group. Before the walk begins they would like to have a horse owner or two express their love for their horse and how it is has impacted their life and is a part of their family. After the group walks (on a predetermined route – thinking on Loblolly to start and stop at the same location). The funds that are raised, if there is no reward ever given out, would be given to a 401c(3) charitable equine program such as The Volunteer Equine Advocates who are in Gallatin or some other ones that the McIlvains may want to consider. The group asks that the Board would consider the fees that are involved with the walk as well as consider waiving the requirement for insurance. And if this is approved, could the walk possibly be noted on the park entry sign. Commissioner Bissell asks when they plan to hold the walk and Humphrey responds that on the application they used the date of December 7, hoping that might be an available date. Commissioner Sutton comments that this is the

date of the Christmas Parade. Mayor Totty notes that it will be over after noon and Humphrey responds that they might be able to change the event time. Commissioner Sutton notes that he has no problem with the waiving of fees but questions Attorney Cantrell regarding waiving the insurance. Cantrell states that this is not a city function and his recommendation if the Board wants to do this and not require that "Justice for Bomber" carry insurance, he recommends that the CM check with TML and get some assurance from them that our insurance will cover the city. The city would not be an active participant and is not putting on this event, however any claim filed would likely be against them and the city jointly since it is on city property but he would want to verify with TML before we waive any requirement for insurance. Commissioner Sutton makes a motion to waive the fee for use of the park and upon the condition from TML to waive the insurance requirement. Commissioner Bissell seconds. Vice-Mayor Johnson questions whether the fee has ever been waived for the insurance, even for the Chamber of Commerce to host Nature Fest. Mayor Totty asks Jenny/Keith if they recall any other event in their history with the city where insurance requirement has been waived. Commissioner Carroll states that she feels we will set ourselves up for a lot of trouble, she understands waiving the fee, but not for the insurance that's probably not a wise idea. Commissioner Sutton withdraws his motion for waiving insurance requirement and states that it's very nominal. Cantrell clarifies to the board that he is not recommending that they not even consider waiving the insurance unless they have confirmation from TML that they will cover the city. As far as waiving the insurance, he does not think it's a good idea to be setting the precedence and is certainly not an advocate for it. Commissioner Sutton clarifies that portion has been withdrawn. Commissioner Bissell questions that if the city becomes a co-sponsor of the event then does the insurance question still stand. Cantrell states that even if the city does take part in this if someone gets hurt then everyone out there will be sued and would probably would be doing them a disservice by not requiring it because the Tort & Claims Liability applies to the city but would not apply to the entity. Commissioner Bissell asks Humphrey to get with him after the meeting and he will work with her on the insurance. Commissioner Bissell seconds the withdrawal of the motion and makes a motion to waive the fee for use of the park. Commissioner Sutton seconds. All were in favor. Mayor Totty states that we are very regretful that this happened and hope the person who did this will be found and that justice will be found for Bomber. It's a very heartfelt event and the discussion was the Board of Commissioners trying to make sure that it is fair down the line for all. The insurance is a very nominal fee and if Humphrey has any question she may see Mayor Totty personally or the City Manager or Miss Jenny may be able to give her other companies who have assisted with previous rides, walks, 5K's for direction of assistance.

- F. Discuss and/or Take Action on the Committee Review of Codes. Commissioner Sutton would like to see the Board take recommendations on a committee to review codes. He feels very strongly that this is something that needs to be done. He would like to take some recommendations, CM, Planning Commission, couple public members (maybe contractors) and at least one or two from the BOC. Once reviewed, the committee would give a monthly or quarterly report back to the board on updating some codes, as some are antiquated. He has received quite a few letters from business people through the Chamber with comments. Sutton made a motion for approval on moving forward setting up this committee and asked if anyone on the BOC would like to be on this committee. Commissioner Carroll seconded. Commissioner Bissell asks for clarification on the fact that in a previous meeting the CM asked Codes Director for a list of the codes that are most frequently contested and he was

given 60 days to do so. Commissioner Sutton clarified that the listing he received was everything that required a fee or permit and thinks that we need to go further with it. Mayor Totty asked Commissioner Sutton if he was volunteering for committee chair and he accepted. Mayor also asked for other volunteers from the board and Commissioner Carroll accepted. Others to be a part of the committee include the City Manager, two members of the Planning Commission and at least two citizens as well as someone from the Chamber, Jon Cherry accepted and Tim Mangrum and Henrietta Hall accepted as citizen members. Members from the Planning Commission will be solicited and Commissioner Sutton will report back to the board as meetings are held. All were in favor. Sutton also requested that Codes Director Donn Lovvorn be a part as well for explanation of codes. All were in favor.

- G. Discuss and/or Take Action on Bill #2013-27, Ordinance No. 822, An Ordinance to Amend City of Fairview, Tennessee, Municipal Code, Title 13, "Property Maintenance Regs.," Chapter 4, "Tree Planting and Protection" Section 13-409 "Community Tree Plan." Vice-Mayor Johnson made a motion for approval. Commissioner Sutton seconded. As discussion, Mayor Totty asked when the original set up a Tree Bank for the Funding of Tree Placement on Public Owned Property when was that concept originated? Can anyone share with me? Attorney Cantrell stated that it is on the Ordinance that shows the history of it. Mayor states she was not able to look up the ordinances today. Cantrell replies that the original Ordinance - the tree bank was originally a part of an appendix and was to be known as D2. In speaking with Donn, D2 was to contain several items and apparently that appendix was never generated. One of the items that was to be in D2 was a Tree Bank which would allow a place for the funds when you have a development, you go out in a field and there is a whole bunch of trees, and I will use Wal-Mart as an example, the footprint of the building of necessity will not allow for replacement of trees in the same number that were removed. They have a formula that was set up and has been a part of the procedures of this ordinance to calculate the value of a tree based on its caliper and some other things but it comes up with a dollar value. This was put together locally by the Tree Board. Commissioner Bissell adds that it is part of the package that is submitted by the company that is building on it. We give them the forms and they have to tell us how many trees, they have to have a survey to tell what kind of trees and how big the trees are and then it is plugged into the formula and they present it along with a plan of how much they will need to pay to the Tree Bank or how many they try to replant and which trees. It's part of the landscaping plan that comes in. Mayor Totty asks if Appendix D2 has been in action since '97. Cantrell clarifies that appendix was never generated but was supposed to be generated by the Tree Board and part of it was this Tree Bank a place to house the money that comes in from the calculations based on the ones you removed and the ones you can't replace. In other words, if you can replace it, you get credit for it. If you can't replace it on the site then you have to pay for it based on the formula that Commissioner Bissell was referring to. Appendix D2 is something that the Tree Board should come up with a recommendation and the items that are supposed to be in D2 and present it to the board for approval, however, the Wal-Mart thing brought this to attention. They have a deposit they are going to have to make to the Tree Bank and as the original Ordinance now reads and it says that those funds can only be used to replace trees at another site on property that is owned by the City of Fairview and for that purpose only which makes sense. What Donn was saying is that we don't have any place to lodge these funds, so rather than coming up with a D2 real quick, let's amend the Ordinance to take the Tree Bank funds out and amend the Ordinance so that we can go in and Miss

Crystal or her replacement can go in and create a separate line item that is called something to the effect of Tree Bank. It will be a line item that is shown on the budget and it will show how much money is in there and it can only be used to replace trees on property that belongs to the City of Fairview the second part of the Ordinance reads as amended reads exactly the same as the original Ordinance except it moves out the Tree Bank funds from that appendix and makes it a part of the Ordinance. It says it will have a separate line item in the budget and those funds will only be used to replace trees on property that belongs to the City of Fairview. That's what the Ordinance does. Mayor Totty asks if it is in this document or others that says if it pertains to Commercial, Industrial, Residential or what because this document doesn't say what it pertains to. Cantrell replies that it is in the package that is given to the developer when they make the calculation. Any money that comes through the city as a result of trees that are removed and can't be replaced on site will be in that Tree Bank and that's what that Ordinance totally creates is a Tree Bank. Totty asks where the Ordinance reads it is for certain property cause this is as if it is for any property. Cantrell confirms that it is for any property that they remove trees. When they ask for a building permit, that building permit contains, those that are exempt won't get that particular part of the package. Totty asks who is exempt and does that read in the other Ordinance. Cantrell replies that he does not know because that wasn't what was presented to him. It was presented as a place to put the Tree Bank money. Totty asks if you are going to collect money from someone I guess I'm trying to see the track of where does it say it's for commercial or it's for industrial properties that this Ordinance is being written for. Cantrell responds that is in what Codes presents to them in the development agreement. Totty asks that in the Ordinance that we are amending, Title 13, it says the type of property that it addresses. If the one that its amending says it then that's okay but if the one it's amending doesn't say it and we're speaking again, wouldn't it be where we put what type of property it affects by the Tree Bank? Cantrell responds that particular section doesn't say that. Commissioner Bissell states that this is a part of a series of Ordinances. The original Ordinance that establishes the need to replace the trees or put money in the Tree Bank is for commercial development. It's not in this particular segment of it but it says if you are going to do a commercial development you must submit this tree density plan, you must do this replacement plan, that sort of thing. What has happened, ironically, is (and I haven't been on the Tree Board in quite a while) but we never had anybody that couldn't replace the trees, but now with Wal-Mart and other potential large developers, and I think it was 2,000 trees that Wal-Mart cut down or something to that effect they aren't going to be able to replace. And now, people are going to start writing us checks and we don't have any place to put the money and/or any mechanism for taking the money, buying trees and planting them in the City and that's what this does. The Tree Board never got around to dealing with what are you going to do with the money because when Tractor Supply came in and cleared a little land, they just put enough trees up there to compensate for what they cut down. We are now getting big developments that can't do that and that's what this does. But there is a separate Ordinance that says if you meet these qualifications this is what you have to do. It does not apply to residential property, it does not apply to farmland. Totty mentions that as a part of the Tree Board, she is very abreast of what we've done this and why we have done this. Her only other question is was this started in 1997 and this is the first time that this has crossed. Cantrell states that he was not here in 1997 but according to the history Ordinance, it was first, in some form, presented in 1997. Now, whether it had provisions for D2, etcetera, etcetera, I do not know.

Mayor Totty states that she will look into the Ordinance she just didn't have time. Cantrell states that Chapter 13 has several sections, that is just one of them. That particular section does not mention what type property, section 13 does mention the property, previous sections do mention what type property. Totty states that she just needed clarification and there's five other Ordinances and she just received this yesterday and will be studying on it. Cantrell clarifies that the five other Ordinances were previous revisions of that Ordinance and if you want to get what property it applies to you need to look in the Municipal Code Chapter 13 cause it does say it in there. Commissioner Sutton states that this is the first time we are collecting money and it's going to be somewhere around \$96-98,000 cause they just can't replace so many trees that they took out there in the back. The question that I have on this Ordinance and we need to make sure we can do this I'd like to take the money and incorporate it into 50/50 into Greenway Grants because it will be on City property. Cantrell clarifies that according to this Ordinance you can use this money to replace any trees on any property that belongs to the City of Fairview but for tracking purposes it has to have its own line item in the budget so you can track the money and any trees that you want to buy that doesn't violate some other ordinance or some state statute that says you can't do this because its one of those vegetation eating trees that takes over everything. Sutton questions that if we have a beautification project and have to clear some trees out, we could use that to replace those trees. Cantrell confirms that it may be used to replace the trees, but not for grading, excavation. Sutton states that if trees were 25% of a \$100,000 budget then we could use it for the \$25,000. Cantrell clarifies that it cannot be used to replace trees on property that belongs to the state. CFO Pewitt states that she spoke with Donn Lovvorn about this a couple days ago and when he stated that it needed to be earmarked for a specific purpose, she suggested that it be in an Ordinance for our auditors and me to make a special reserve account. So you will see it in the budget only the years that we take in money or spend out money, otherwise it will be in a reserve account like the park reserve, those unassigned reserve, or the drug fund. Cantrell questions if Pewitt could find the money if someone asked how much is in the Tree Bank fund reserve account. Pewitt confirms yes and that if it's in an Ordinance, it is guaranteed that is what will happen to it. All were in favor.

9. City Manager Items for Discussion –

A. Miscellaneous Updates –

- (a) City Manager Hall apologized for missing the workshop meeting but his wife had a procedure today and left her at home pretty heavily sedated to get here for this meeting. Would be very remiss not to wish Theresa and Crystal good luck in their future endeavors.
- (b) CFO Pewitt is glad Mayor Totty brought up the Finance Committee earlier because she was going to discuss in her presentation. Pewitt presented the October financial summary, which, going forward, the Finance Committee will put together and present to the board. Mayor Totty confirms that will be discussed for the next presentation. Pewitt states that October revenues should be at a target number of 33.33%, however sales tax for both county and local are slightly below plan, roughly \$80,000 behind for both categories combined. Needs to be closely monitored. Majority of property taxes will be in end of December. Majority of business taxes. Expenses should be 33.33% but things that require payment up front cause this to appear ahead. Park fund is higher right now due to the \$21,000 discussed in the Workshop that needs to be decided where to go. Overall at 35.74% just slightly ahead of plan but hard to say how far ahead due to items that require up front payment. Commissioner Sutton questioned if there is some

way we can track increases on sales tax and put in a reserve to pay down on debt. Pewitt states that any revenues that exceed expenditures automatically go into the unrestricted account at the end of the year. Mayor Totty stated that next meeting as the Finance Committee is formed, this can be a first focus as we move forward. Totty said she visited with the manager of Wal-Mart and he said they are projecting \$42 Million. Pewitt commented that we receive 1.625% of their sales tax portion. Commissioner Sutton stated that they are being very conservative with that figure. Totty stated that Wal-Mart is discussing a Grand Opening for January 15. Commissioner Sutton thanked Pewitt for the job she has done and wishes her success.

B. Staff Comments – none

C. City Attorney Comments – request of Commissioner Sutton see Theresa as Chairman of Beer Board to clear out the last case with court action pending. Glad to see good friend Commissioner Johnson up walking again. In speaking with CM Hall, learned of Crystal and Theresa's leaving and asked if there was any way he could refuse their resignation. The answer is no, that would be involuntary servitude but if there is any way to keep them would love to have them stay. It has been a pleasure to work with Ms. Theresa and Ms. Crystal. They were always well informed with what they needed, very dedicated and was an honor to work with them and wish them well. Wish Board, citizens and staff a Happy Thanksgiving.

10. Communications from the Mayor and Commissioners –

A. Commissioner Carroll clarified her vote tonight for the cameras, I am not for a loan and I didn't really want the twelve cars, all at once, I know they need them. But sometimes, it just comes down to we've already passed the cars, majority ruled, they are gonna need safety equipment. So, I'd just like to clarify that for any citizens that were watching cause I haven't changed my mind on any of it. Sometimes you gotta use a little common sense and say you need to do what you need to do. Give thanks to both Crystal and Theresa for everything you've done. Not so sure she's not going in your suitcase to Florida. Thanks to Mr. Hall, you've had a lot on your plate in the first four weeks. Welcome to all the new employees, ya'll better get them trained cause we don't have a lot of time. Happy Thanksgiving to all. Come out to the ballgame, I know it's going to be raining and cold but I spoke to some in the community and they were disappointed in the turnout last week. Put up some signs and show some support.

B. Commissioner Bissell at the risk of sounding redundant, to Crystal and Theresa, it's been my pleasure. Tom, Brandy, and Susan, welcome and if I can be of assistance please let me know. Welcome to the family and wish you the best. Happy Thanksgiving.

C. Commissioner Sutton has already thanked Crystal and Theresa for all the hard work to get things done, know that we are not easy to work with, even confusing at times but thank you for what you have done. To City Manager Hall, you took two of the top people as far as administration goes and replaced them and added one more that we asked for at the same time through some diligent interviews that you went through with it so I appreciate that. Ms. Humphrey you have all my support, this is an atrocious event that happened out there that should never happen to any animal. I'm going to work diligently with all of you to resolve this and help raise some money for some reward cause that individual needs to be punished, period. Wish everyone a Happy Thanksgiving and remember why you're thankful for all the blessings that you have. I'd be remiss not to mention a young man that died this week who was 40 years old with a lot of connections here in Fairview and I coached him in tee ball. We could lose anyone at anytime.

- D. Vice-Mayor Johnson won't repeat everything again but Happy Thanksgiving.
- E. Mayor Totty thank you for your diligence, for your attention and thank you for your servanthood to the city, Ms. Theresa and Ms. Crystal, you have gone above and beyond and we thank you not only for your commitment but for your passion and we do wish you the best. Welcome to our new people, welcome aboard, and we look forward to the future of the leading the city in the best way we know how and we'll say Happy Thanksgiving to you and yours and your family. Before I end, I'd like to comment on a recommendation that the planning commission voted unanimously to advertise the seat open by the resignation of Wayne Hall. Question to staff is this being done or do we need to make suggestion to get it done? With it not being on the agenda, with it being a recommendation from the Planning Commission how should we move forward? Cantrell stated it was recommended from the Planning Commission but if the board wants to get an early start, you can suggest they do it and put on the next agenda. Commissioner Sutton made a recommendation for City Manager to move forward with publications of job applications. Mayor Totty noted to place on the next agenda please so we can address it formally and possibly have applications and move forward with the appointment as well. Vice-Mayor Johnson noted that there should be several applications on file already. Cantrell clarified that because it doesn't expend any funds, a recommendation can be made to move forward and formalize it at the next meeting.
- F. Vice-Mayor Johnson made a motion to adjourn. Commissioner Sutton seconded. All were in favor. The meeting adjourned at 8:18 p.m.

Brandy Johnson
City Recorder