

City of Fairview

BOARD OF COMMISSIONERS**December 2, 2010**

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
David Mayberry, Recorder

Present: Totty, Bissell, Carroll, Johnson, Sutton
Others Present: Cantrell

- 1. Mayor Totty called the meeting to order at 7:02 p.m.**
- 2. Approval of the Agenda –**
 - A. Commissioner Johnson made a motion to amend the agenda to adjourn to executive session. Commissioner Sutton seconded. All were in favor of the agenda as amended.
- 3. Citizen Comments – (Limited to the first five (5) citizens to sign in and a limit of three (3) minutes each). - NONE**
- 4. Awards and/or Recognitions – NONE**
- 5. Public Announcements –**
 - A. City Manager Hyatt reminded everyone of the emissions testing at the Hwy 96 fire station.
 - B. Mayor Totty mentioned the Christmas Parade at 10am and the Tree Lighting at 4:30 on Saturday, December 4th. She thanked Fairview Florist for their help decorating the tree.
- 6. Approval of the Minutes –**
 - A. Presented for approval were the minutes of the Board of Commissioners Meeting held on October 21, 2010. Vice-Mayor Bissell made a motion to approve, with Commissioner Johnson seconding. All were in favor.
- 7. Old Business –**
 - A. Discuss and/or take action on recommendation from building codes workshop.– Vice-Mayor Bissell asked what would happen if they did not adopt changes to the codes. Building Inspector John Bledsoe replied that the state would eventually force the codes on the City. Mayor Totty read the recommendations of the Codes department, which were to adopt the 2009 standards except for the Energy Conservation Code, and to adopt the 2006 version of that. This would bring the City in line with the State standards. They also recommended to lower the commercial sprinkler requirements from 12,000 to 5,000 square feet. Vice-Mayor Bissell made a motion to adopt the recommendations of the Codes department, with the exception of opting out of the residential sprinkler clause. Commissioner Johnson seconded. All were in favor.

- B. Discuss and/or take action on contract with City Manager – City Manager Hyatt addressed the Board, referencing the contract he had sent to the Board earlier. Attorney Cantrell stated that he had reviewed the contract for legality, and he pointed out one item that would have to be changed, adding that each Board would have to affirm the contract. He also wanted to make the Board aware that there was case law supporting both sides as to whether this contract was enforceable. Vice-Mayor Bissell asked about the results of the evaluations, and Mayberry replied that he had only received 2 so far and had not yet prepared a summary. Bissell then asked if there was a requirement to have a contract, and Cantrell stated that there was not, but it was just an incentive to keep good people. Bissell and the Commissioners had other questions for Hyatt, including the proposed salary and travel. Commissioner Carroll made a motion to postpone a decision and hold a workshop. Commissioner Sutton seconded. All were in favor. Bissell then made a motion to hold the workshop on December 16th at 6pm. Commissioner Carroll seconded. All were in favor.

8. New Business –

- A. Discuss and/or take action on delegating routine contract authority to City Manager – City Manager Hyatt mentioned to the Board that all contracts had to come before them, and some smaller contracts such as uniforms and trash service, might not need to be brought before the Board. Commissioner Johnson made a motion to give the City Manager the authority to enter into contracts up to \$10,000 a year with the City Attorney's approval. Vice-Mayor Bissell then proposed an amendment to place other financial limits on it. He then withdrew his amendment and Johnson withdrew his motion. Commissioner Sutton made a motion to add to the December 16th workshop. Commissioner Carroll seconded. All were in favor.

9. City Manager Items for Discussion -

- A. Miscellaneous Updates – Hyatt brought up the subject of the Health Department, and the high maintenance costs on this county-owned building. He added that he would have more information at the next meeting.
- B. City Attorney Comments – Cantrell added that any changes to the contract approval process would not change the purchasing requirements for bidding or board approval. He reported that Meadow Wood Drive had been repaired. He also stated that he had heard nothing regarding the disputed amount on the Fire Hall.

10. Communications from the Mayor and Commissioners –

- A. Commissioner Sutton stated that he was at Westwood Elementary last week and they were very appreciative of our donation.
- B. Commissioner Carroll asked to have the previous City Manager's salary amount for the workshop meeting. She also reminded everyone to keep Helping Hands in mind.
- C. Vice-Mayor Bissell thanked the City Manager for his answers and honesty. He requested the department heads give a monthly report to the Board.
- D. Mayor Totty mentioned that the middle and high schools were also asking for money. She also encouraged Board Members to bring items to the agenda

11. The meeting adjourned at 7:57 p.m.

David Mayberry
City Recorder