

CITY OF FAIRVIEW

BOARD OF COMMISSIONERS MEETING MINUTES

DECEMBER 5, 2019

John Blade, Mayor
Debby Rainey, Vice Mayor
Derek K. Burks, Commissioner
Rod Dawson, Commissioner
Scott Lucas, Commissioner
Scott Collins, City Manager
Tim Potter, City Attorney
Brandy Johnson, City Recorder

Present: Blade, Burks, Dawson, Lucas, Rainey

Others Present: Johnson, Potter, Daugherty, Hughes, Humphreys, Paisley, Sullivan

1. Roll Call – by Johnson

	Present	Absent
Commissioner Burks	x	___
Commissioner Dawson	x	___
Commissioner Lucas	x	___
Vice Mayor Rainey	x	___
Mayor Blade	x	___

2. Call to Order by Mayor Blade at 7:00 p.m.

3. Prayer led by Mayor Blade and Pledge led by Sean Grayson

4. Approval of the Agenda and Executive Session Announcements - Commissioner Burks requested to defer items 11A and 11B to the next meeting when City Manager Collins will be present.

Motion: Rainey

Second: Burks

	YES	NO	ABSTAIN	RECUSE
Commissioner Burks	x	___	___	___
Commissioner Dawson	x	___	___	___
Commissioner Lucas	x	___	___	___
Vice Mayor Rainey	x	___	___	___
Mayor Blade	x	___	___	___

5. Public Hearing - none

6. Citizen Comments

- A. Eileen Brogan, 7106 Brush Creek Rd South, regarding the playground installation ordinance in the packet. Brogan requests the board vote against as it outlaws community-built playground. The organizer for the Heart of the City playground built in Cookeville in 2015 was able to save \$500,000 with a community build. When the community builds a playground, the playground builds the community. Brogan compared a community-built playground to Habitat for Humanity builds noting that there are multiple community-built playgrounds around us, most in communities who wouldn't be able to afford it otherwise. Every vendor we have researched so far has several community-built

options or options to work with professionals. A Kaboom pocket park would be banned if the ordinance passes as written.

- B. Krista Zavala, 12101 Park Village Court, comes before the board as an emotional mom of the community, upset at how the playground is being handled. Her fear is if the ordinance passes is when a playground would actually be built. She feels the BOC is not handling it properly and things it was ill-handled previously. It makes her very fearful not being able to go through the people of the community and Eileen has been working very hard to raise funds. She feels the community has been divided since the playground was removed with much bickering and believes building the playground together could bring people back together.

7. Announcements, Awards, Recognitions

- A. Mayor Blade presented a proclamation to Alex Bush for earning a perfect score of 36 on the ACT.

8. Staff Comments and Reports

- A. **Police Report** by Chief Humphreys, Staffing for the month of November was at 20 (still have a couple on leave so numbers should be 22). Training hours totaled 192 hours and we had 843 calls for the month. Arrests totaled 91 with an increase in domestic, DUI, citations and accidents. As for public relations, we remind everyone of the car seat installation service and our safe exchange location for internet purchases. We welcome new hire Roy Stinson who is a lifelong resident of the Fairview area and has retired from a military career. The department participated in a DUI Saturation the weekend of November 27-30 resulting in 1 DUI arrest, 2 simple possession charges and 1 underage drinking charge. Vice Mayor Rainey thanked Chief for the departments assistance to make pictures with Santa safer over Thanksgiving weekend.
- B. **Fire Report** by Chief Hughes, Calls for the month totaled 90 which was a slight increase from last year. 65% of those calls were medical, 7% fire and 7 MVA. There were 13 overlapping incidents during the month with three auto mutual aid responses and five fires. The department helped host an aerial app skills training with other agencies. The department had two pub ed events serving 14 kids and 5 adults through a station tour and fire safety presentation. Total training hours for the month were 587. If residents are in need of smoke detectors, please contact the fire department for installation via our grant.
- C. **Public Works Report** by Micah Sullivan, noted street department has begun their leaf pickup through early spring. Maximum of 10 bags per residence per pick-up. Biodegradable bags are available at city hall, the police and fire departments and public works. No regular plastic bags will be picked up. We finished up paving on Henry Road and have been working on filling pot holes. If you see the guys out working in the community please tell them thanks. They have a tough job and it's often thankless. Upcoming park events include hike with a naturalist and nature explorers. Check Facebook for details and a complete schedule of events. With the foliage mostly gone you can really view the topography of the park land and see the work of Dr. Bowie's plans. The park really is a beautiful place to visit year-round.

9. Consent Agenda (Any Item May Be Removed for Individual Consideration)

- A. Minutes from the November 21, 2019, Board of Commissioners Meeting
B. Minutes from the November 21, 2019, Board of Commissioners Work Session

Motion: Lucas

Second: Burks

	YES	NO	ABSTAIN	RECUSE
Commissioner Burks	x	—	—	—
Commissioner Dawson	x	—	—	—
Commissioner Lucas	x	—	—	—
Vice Mayor Rainey	x	—	—	—
Mayor Blade	x	—	—	—

10. Old Business - none

11. New Business

- A. Ordinance 2019-32, An Ordinance Establishing the Compensation of City of Fairview Elected Officials
REMOVED FROM AGENDA
- B. Ordinance 2019-33, An Ordinance Establishing Employment Benefits Eligibility for City of Fairview Elected Officials
REMOVED FROM AGENDA
- C. Ordinance 2019-34, An Ordinance Governing the Installation of Playground Equipment and/or Other Recreational Equipment to be Installed on City of Fairview Owned Property – Commissioner Burks requests to discuss and not vote on this item tonight and maybe consider for a public hearing at the next meeting. It was noted that community-built playground might affect the warranty with some vendors and it can become a liability issue. We know the Treehouse Playground was community-built but there are a lot of other issues to consider on this build. Rainey agreed and notes that the implication the board is trying to stop the build is not a fair judgment. She notes Burks and herself began fundraising a couple months ago and it is hard work. We hope to avoid any lawsuits and there is still plenty for volunteers to do. Commissioner Dawson adds there is so much still to consider like deciding who to build and hates to get locked in on such a decision. We definitely want the playground to be as safe as possible but we also have to consider funds as well. Attorney Potter added there would definitely be bigger exposure for liability if the playground is community-built.

Motion: Rainey made a motion for approval which died due to lack of second. Rainey made a motion to defer to the next meeting.

Second: Burks

	YES	NO	ABSTAIN	RECUSE
Commissioner Burks	x	___	___	___
Commissioner Dawson	x	___	___	___
Commissioner Lucas	x	___	___	___
Vice Mayor Rainey	x	___	___	___
Mayor Blade	x	___	___	___

- D. Ordinance 2019-35, An Ordinance to Amend Title 7, Chapter 2, of the City of Fairview Municipal Code, and to Adopt a Fire Department Connection Ordinance

Motion: Rainey

Second: Dawson

	YES	NO	ABSTAIN	RECUSE
Commissioner Burks	x	___	___	___
Commissioner Dawson	x	___	___	___
Commissioner Lucas	x	___	___	___
Vice Mayor Rainey	x	___	___	___
Mayor Blade	x	___	___	___

- E. Resolution 38-19, A Resolution of the City of Fairview, Tennessee, Approving an Employment Agreement with the Interim City Manager

Motion: Rainey

Second: Burks

	YES	NO	ABSTAIN	RECUSE
Commissioner Burks	x	___	___	___
Commissioner Dawson	x	___	___	___
Commissioner Lucas	x	___	___	___
Vice Mayor Rainey	x	___	___	___
Mayor Blade	x	___	___	___

12. Communications from the Mayor and Commissioners

- A. Commissioner Burks made a motion to add a public hearing on the deferred item at the next meeting seconded by Commissioner Lucas and all were in favor. Burks thanked all who responded to the fire

involving the Shelby family and was thankful that all got out safely. There has been a go fund me account set up for them as well as an account at First Bank. Burks asked the holiday spirit guide in donating to this family.

- B. Commissioner Lucas reiterated Commissioner Burks' comments regarding the Shelby family and congratulated Alex Bush for her perfect ACT score. Lucas commented in response to Ms. Zavala's concerns over the playground noting this board is very committed to building and they want it done right so the next board don't have to deal with what this board inherited. Lucas states we should have been making plans but somehow it was off the radar but now we are trying to right the ship. It's a little unfair to say we don't care because we do want the playground and comments on social media recently have been hurtful and divisive rather than bringing the community together. Lucas thanked those who came to speak and for being passionate.
- C. Commissioner Dawson – no comments
- D. Vice Mayor Rainey noted she would love to have those commenting tonight work on a committee noting there are lots of places to serve as we work toward a solution on the playground.
- E. Mayor Blade announced that he will not be in attendance at the next meeting and wished all the board members and employees a very merry Christmas and a bright, prosperous and healthy new year.

13. Adjournment –Vice Mayor Rainey made a motion for adjournment and meeting was adjourned at 7:39 p.m.

Brandy Johnson
City Recorder