

City of Fairview

**BOARD OF COMMISSIONERS**

**December 6, 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, Lovvorn, Sutton, Cooper, Pewitt, Holsinger

**1. Mayor Totty called the meeting to order at 7:02 p.m.**

A. The prayer and pledge were led by Donn Lovvorn.

**2. Swearing in of Elected Officials –** Judge Taylor was not present; Commissioner Johnson made a motion to move to recess. Commissioner Carroll seconded. All were in favor. The meeting went into recess at 7:04 p.m.

Mayor Totty called the meeting back to order at 7:16 p.m. and started with item 5 Citizen Comments.

**3. Election of Vice-Mayor –**

**4. Approval of the Agenda –**

**5. Citizen Comments – (Limited to the first five (5) citizens to sign in and a limit of three (3) minutes each). –**

A. Roger Gulley of Walker Road stated that he was here in concern of the proposed sub-division for Overbey Road. He stated that he is not opposed to construction but opposed to this type of sewer system. On Walker Road the only water source is springs and wells. He is concerned that the sewer system will allow the runoff to end up in their springs and wells. He asked the Board to vote no.

Mayor Totty stated that we will delay items 2 and 3 and County Mayor Rodgers Anderson is headed this way.

**4. Approval of the Agenda –** Commissioner Sutton asked to add item 10B to vote on recommendation from the Beer Board to assign the funds collected in the beer sting to be directed to the drug fund. Director Lovvorn asked that items 9 B & C be deferred until more paperwork can be gathered based on the new legislation. Vice-Mayor Bissell made a motion to approve. Commissioner Johnson seconded. All were in favor.

**6. Awards and/or Recognitions –**

A. City Manager Hyatt stated that on Friday December 14, 2012 at 9:00 a.m. there will be a special presentation to all of the elementary school students.

Angela Courtney, our grant writer, has a non-profit organization in memory of her son and she has gotten 1,028 books donated to give to the elementary school students. At 8:30 a.m. at Fairview Elementary School there will be an assembly and pledge before the presentation and 10:00 Westwood Elementary. He invited the Board to attend.

- B. Mayor Totty stated she had a special presentation that came from the Land Trust for Tennessee. They sent us the book "Home to Us-Six Stories of Saving the Land. They thanked everyone for their commitment and stated these are your stories and yours is on page 182. Mayor Totty presented the book to Ms. Grimenstein the Fairview librarian.
- C. Mayor Totty stated that we have gotten thank you notes for our contributions and our diligence in the schools from the schools regarding our money proposed to the schools.

#### **7. Public Announcements –**

- A. City Manager Hyatt reminded everyone about the emissions testing at the fire station on highway 96; it is every Tuesday from 7:30 a.m. to noon.
- B. Mayor Totty announced that there are several activities going on Saturday, December 8<sup>th</sup> please check your community calendars.
- C. Commissioner Carroll stated that Helping Hands will be at the middle school and meet Santa will be at both elementary schools starting at 8:30 a.m.

#### **8. Approval of the Minutes –**

- A. The minutes for the November 1, 2012 Board of Commissioners meeting were presented for approval. Vice-Mayor Bissell made a motion for approval. Commissioner Sutton seconded. All were in favor.

#### **9. Old Business –**

- A. Second and Final Reading of Bill #2012-15 Ordinance No. 794 – An ordinance to change the zoning of certain property in the City of Fairview, TN, Located at 2725 Fairview Blvd., owned by Fast Pace Medical Clinic, LLC and Richard Reams Powers, Jr., as shown on, the City of Fairview geological listing of assessment roll Map 69, Parcel 60, From RS – 40, To CG (Commercial General) – Vice-Mayor Bissell read the caption. Vice-Mayor Bissell made a motion to approve. Commissioner Sutton seconded. All were in favor.
- B. First Reading of Bill #2012-16 Ordinance No. 795 – This item was deferred.
- C. Discuss and/or Take Action on Rezoning Application and Master Development Plan for property located at 7355 Overbey Road, Map 46, Parcel 44.00, 108.41 acres, from RS-40 to RS-15 mixed use PUD, Kathy Beata owner – This item was deferred.
- D. Discuss and/or Take Action on the Windstream Communications Solution – Director Lovvorn stated that at the last meeting he was asked to get with Interactive Solutions to make sure what we were proposing to do with Windstream would not interfere with the local television that is going out over Comcast. He had a conference call with both parties and everyone agreed that it would not interfere with the channel 19 broadcast. He introduced Jonathan Kirby. Jonathan Kirby gave his presentation and stated that they had adjusted the proposal to reflect an increase in band width to be in line with what the specs required. Mr. Kirby stated that he increased the number of phones to accommodate the needs for the police department. Mr. Kirby went over the dedicated team and their roles and responsibilities, the design that is custom made to our needs, the installation time frames, the transition plan, and the implementation plan. The plan is adjusted to have fiber optics, this will help for future growth locations and transfer calls to other locations. Director Lovvorn

stated that he had provided everyone with a copy of the contract for their review. Mr. Kirby stated that if there was anything in the contract that was a concern to the city he can get his legal team involved. There was no action taken.

- E. Discuss and/or Take Action on Welcome Signs – City Manager Hyatt stated that we have moved along and trying to save money we have started the process of building the first sign on Hwy 100 and we have finished our part and are waiting on the sign manufacturer to finish his part. He then introduced Street Supervisor Kevin Holsinger. Director Holsinger stated that they were about 90% complete and the manufacturer should be finished with his part around the 14<sup>th</sup> and hopefully the sign will be completed by the end of next week and the only thing lacking will be the limestone caps. He stated that he has spoken with Middle TN Electric about the lighting and we can run a 3 inch conduit for permanent power. Commissioner Carroll asked about the cost of the project. Street Supervisor Holsinger stated that the stone cost is around \$5,500 and the first sign is \$2,000.
- F. Update on City of Fairview Projects – City Manager Hyatt stated that we are progressing nicely with the signs. The street lights are almost completed. The Bowie Lake Road project, we are shooting for the bids to go out around January 15, 2013 and the Triangle School project the structural engineer who put the package together is coming out at 9:30 a.m. tomorrow to inspect what has been done. Mayor Totty asked for an updated sheet on all the projects.

#### **10. New Business –**

- A. Discuss and/or Take Action on Proposed Vacation Leave Policy – City Manager Hyatt stated that he and staff had been looking over the policy and procedures manual one item that could use some updating is the vacation leave policy. He presented his proposed vacation leave plan to the Board. Vice-Mayor Bissell asked how many paid holidays we get. City Manager Hyatt stated that we get 11 with our birthday which brings it to 12. Commissioner Carroll stated that she felt like we should hold off until the next budget year. Vice-Mayor Bissell asked for a breakdown on how many people would fall into each category and a list of holidays. Mayor Totty asked where this plan came from and City Manager Hyatt stated that he looked at other city plans and got some input from MTAS. There was no action taken.
- B. Discuss and/or Take Action on Recommendation from the Beer Board to Assign the Funds Collected from the Beer Sting – Commissioner Sutton stated that the Beer Board recommended that the funds collected from the beer sting be directed to the drug fund. Commissioner Sutton made a motion to approve. Vice-Mayor Bissell seconded. All were in favor.

#### **11. City Manager Items for Discussion -**

- A. Miscellaneous Updates - City Manager Hyatt reminded everyone that there are vacancies on the Planning Commission and the next meeting is December 11<sup>th</sup> and we will get in touch with everyone that has applied and ask them to attend that meeting and then we'll get this back on the agenda for the next meeting.
- B. Staff Comments –
  - (1) Director Lovvorn gave the November reports for the planning, codes and zoning departments.
  - (2) Captain Sutton gave the November police department report.
  - (3) Street Supervisor Holsinger gave the November street department report.
  - (4) Chief Cooper gave the November fire department report. He stated that the county contract will end at midnight December 31, 2012. We will be returning their trucks to them sometime between Christmas and New Year's. The

replacement tanker is due to be finished this following Friday and we hope to have it in place the next week.

- (5) CFO Pewitt stated that at the last meeting the Board approved the loan for the new tanker and tonight she has the loan papers that need to be signed.

C. City Attorney Comments – None

**Item 2 – Swearing in of Elected Officials** – Judge Taylor swore in Commissioner Sutton, Commissioner Johnson and Commissioner Bissell and congratulated them. The oath of office form was signed by each commissioner.

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

- A. Commissioner Carroll stated she had nothing.
- B. Vice-Mayor Bissell stated he had nothing.
- C. Commissioner Johnson stated he had nothing.
- D. Mayor Totty asked Director Lovvorn to place on the next agenda the Roadscape scope change. Director Lovvorn stated he would get with Mrs. Hazelwood. Mayor Totty asked for a Safe Routes to School update. Director Lovvorn stated that we received the notice to proceed for the Safe Routes to School and the Active Transportation Grant. Mayor Totty requested a 6 month snapshot budget workshop on January 17<sup>th</sup> at 6:00 p.m.

**Item 3 – Election of the Vice-Mayor** - Commissioner Carroll nominated Commissioner Johnson. Commissioner Bissell nominated Commissioner Sutton. Mayor Totty stated she would like to do a ballad vote and asked the city recorder for paper. The city attorney collected the ballads. The city attorney announced that there were 3 votes for Stuart Johnson and 2 votes for Toney Sutton. Mayor Totty congratulated Commissioner Johnson.

- E. Commissioner Sutton stated that the city staff always does a good job but wanted to acknowledge to Chief Harris that his department is doing a great job especially with the meth lab arrest, they are helping keep the citizens safe.

**13. Mayor Totty asked for adjournment.**

- A. Commissioner Sutton made a motion to adjourn. Commissioner Johnson seconded. All were in favor. The meeting adjourned at 8:38 p.m.

---

Theresa Porter  
City Recorder