

City of Fairview

**BOARD OF COMMISSIONERS**

**December 15, 2011**

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 Whittmore, Recorder

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

- 1. Mayor Totty called the meeting to order at 7:00 p.m.**
  - A. The prayer and pledge were led by Donn Lovvorn
- 2. Approval of the Agenda –** Mayor Totty added item 7F “Discuss and/or take action on Purchase/Lease New Copier for the Codes Department”. Vice-Mayor made a motion to approve as amended. Commissioner Johnson seconded. 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)** John Stark of Hwy 96 stated that the Chamber of Commerce Scholarship Fund started back when LaMar Alexander was walking across the state on his campaign for governorship. He stopped here in Fairview and the citizens wanted to make a nice welcome for him so we had a get together and called it Community Day in the Park. George Gross had a rare collection of coins and he donated part of those so we could have an auction. The stipulation was that the money had to go to a scholarship fund. The Chamber took over the Community Day in the Park and it became an annual event. Mr. Gross donated the rest of his coins and this money went into a separate account for the scholarship fund. As time went on the event became Nature Fest and the money went into the scholarship fund. Only the interest from those CDs was used for those scholarships. By-laws were changed so that the money would have to stay for scholarships. The interest is down and the Chamber is making up the difference to continue the two \$1,000 scholarships. He then thanked the City for the nice display and getting the City Hall looking good.
- 4. Awards and/or recognitions –**
  - A. Recognition of Fairview High School Girls’ Varsity Soccer – Mayor Totty read the proclamation and awarded it to the 2011 Fairview High School Girls Soccer team that won the District 12 Championship. They had a 9 -0 record for the season.

- B. Recognition of Fairview High School Varsity Football Team – Mayor Totty read the proclamation and awarded it to the 2011 Fairview High School Football team that won the District 12 Championship. They had a 9 -1 record for the season.

**5. Public Announcements –**

- A. City Manager Hyatt announced that beginning in January the emissions testing will move to Tuesdays at the same location.
- B. Vice-Mayor Bissell reminded everyone that the Town Hall meeting for December is cancelled.
- C. Commissioner Carroll announced that the Food Pantry will be at Tractor Supply on Friday from 9 a.m. to noon.

**6. Approval of the Minutes –**

- A. Approval of the Minutes of the Board of Commissioners Meeting held on December 1, 2011. Vice-Mayor Bissell moved for approval. Commissioner Sutton seconded. All were in favor.

**7. Old Business –**

- A. Discuss and/or take action on Streetlights –Planning Director Donn Lovvorn went over the street lighting plan. Phase I lighting of various dark streets the cost of 52 lights will be \$351 a month. Phase II Subdivisions the cost of 49 lights will be \$345.75 a month. Phase III Subdivisions with underground utilities, the Board needs to adopt a standard for the underground utilities before a cost can be calculated. Mayor Totty made a motion for the approval of Phase I and a workshop for Phase II to be scheduled for the 2<sup>nd</sup> meeting in January to allow the public to have public input about the individual subdivision lights that have been requested. Vice-Mayor Bissell seconded. Commissioner Johnson made an amendment to the motion that Phase I is not done until the map is brought in and all 52 homeowners are contacted. Commissioner Carroll seconded. Mayor Totty called for a roll call vote. **For:** Sutton, Johnson **Against:** Totty, Bissell, Carroll The amendment failed. Vice-Mayor Bissell made an amendment to defer the final decision until the Board reviews the map. Commissioner Johnson seconded. All were in favor. Mayor Totty stated that we have a 1<sup>st</sup> and a 2<sup>nd</sup> on the original motion and called for a roll call vote. **For:** Sutton, Johnson, Totty, Bissell, Carroll The motion carried.
- B. Discuss and/or take action on City Manager Performance Agreement – Mayor Totty stated that a workshop was held and the performance agreement was delivered and discussed. Item 7B was moved to the end of old business for copies to be made.
- C. Discuss and/or take action on City Manager Severance Package – Vice-Mayor Bissell stated that the Board decided not to give a contract to the City Manager but feels that we need to offer some security. If a dismissal is of no cause the City Manager would get a full salary not to exceed 90 days or until the City Manager secures and reports to another employer then the salary is terminated. If the dismissal is for cause then the provision does not apply. Vice-Mayor Bissell made a

motion for approval. Commissioner Sutton made an amendment to start this provision with the new budget year for 2012-2013. Commissioner Johnson seconded. Mayor Totty called for a roll call vote. **For:** Sutton, Johnson, Bissell **Against:** Carroll, Totty The amendment carries. Mayor Totty stated that there is a 1<sup>st</sup> and a 2<sup>nd</sup> on the City Manager Severance Package and called for a roll call vote. **For:** Sutton, Johnson, Bissell **Against:** Carroll, Totty Motion carried.

- D. Discuss and/or take action on "Welcome to Fairview" signs bid process – Director Donn Lovvorn presented two designs and quotes to have the signs contracted out. Mayor Totty made a motion for the city staff to get together and present a cost for the city to do the work. Commissioner Johnson seconded. All were in favor.
- E. Approval of new agreement with Greatamerica Leasing on a new plotter and laminator - Planning Director Donn Lovvorn presented the contract for a new plotter and laminator; this is in the budget and will come out of line item 947, office machinery and equipment. Commissioner Johnson moved to approve. Mayor Totty seconded. All were in favor.
- F. Discuss and/or take action on purchase/lease new copier – Director Donn Lovvorn stated the new copier would include an envelope finisher and a fax line. The cost increase is \$22 a month and the budget was adjusted for this increase. Commissioner Johnson moved for approval. Commissioner Sutton seconded. All were in favor.
- G. Item 7B Continued, City Manager Performance Agreement – Vice Mayor Bissell moved to approve for the period of 1/1/12 to 12/31/12. Commissioner Johnson seconded. All were in favor.

## **8. New Business –**

- A. Discuss and/or take action on request from Fairview High School Senior Class - Ethan Greer and Sarah Maccaro – Sarah Maccaro stated that she is the Senior Class President and Ethan Greer is the Student Body President. She requested permission to paint yellow jackets on King Road as their class project. Commissioner Johnson moved for approval. Commissioner Carroll seconded. All were in favor.
- B. Approval of Ordinance No. 779 dividing the job responsibilities of the City Recorder and Finance Director – Vice-Mayor Bissell read the caption and made a motion to approve. Commissioner Sutton seconded. All were in favor.
- C. Report from Park Commission – Vice-Mayor Bissell presented several plans for a new park entrance.
- D. Discuss and /or take action on Park Commission request to use City Engineer – Vice-Mayor Bissell requested the use of the City Engineer on new entrance project and to pay him accordingly. Commissioner Johnson moved to approve. Commissioner Carroll seconded. Commissioner Sutton made an amendment to pay the engineer out of the park fund. Vice-Mayor Bissell seconded. Roll call vote on the amendment. **For:** Sutton **Against:** Carroll, Bissell, Totty, Johnson

The amendment did not pass. Mayor Totty made an amendment that there be a monetary limit on the engineering fees of \$2,000 to come out of the general fund. Commissioner Carroll seconded. All were in favor except Commissioner Sutton. Amendment passes 4 to 1. All were in favor of the original motion.

- E. Discuss and/or take action on compensation for City Arborist – City Manager Hyatt asked for the item to be deferred. Vice-Mayor Bissell motioned for approval. Mayor Totty seconded. All were in favor.
- F. Discuss and/or take action on application for compliance letter – Bowie Commons Liquor Store – Planning Director Lovvorn stated that the applicant had not turned in a completed application. Mayor Totty stated that the item will be deferred until a completed application is presented.

#### **9. City Manager Items for Discussion –**

- A. Miscellaneous Updates – Mr. Hyatt presented the expenditures for November and announced that Crystal Pewitt will be starting on December 29<sup>th</sup> as the new Finance Director. He announced that City Hall will be closed on Friday, December 23<sup>rd</sup> and Monday, December 26<sup>th</sup> for the Christmas holiday and on January 2<sup>nd</sup> for the New Year holiday.
- B. Staff Comments – None
- C. City Attorney Comments – Mr. Cantrell stated that he congratulated Mr. Greer and Ms. Maccaro on coming to the board to ask permission to paint on King Road instead of just doing it and he stated that he appreciated them coming out. He stated that he is looking forward to working with the Board next year and wished everyone a Merry Christmas and a Happy New Year.

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

- A. Commissioner Carroll commented that she is proud of our young men and women, that came out tonight for the awards presentation and stated that they were well behaved. She then wished everyone a very Merry Christmas and a Happy New Year.
- B. Vice-Mayor Bissell wished everyone a Happy Holiday season and safe travels. He stated that it is good in government to disagree and have discussion and to work things out. He thanked the Boards members for participating in this form of government and that it made him proud to serve.
- C. Commissioner Sutton wished everyone in Fairview a Merry Christmas and a Happy New Year. He thanked all of our service men and women for what they do and asked everyone to buy local.
- D. Commissioner Johnson wished everyone a Merry Christmas and a Happy New Year. He stated that he is looking forward to working with the Board, the City staff and for the citizens of Fairview in the year 2012.
- E. Mayor Totty wished everyone a Merry Christmas and asked everyone to slow down through the construction area. She asked everyone to remember the reason for the season, Jesus. She thanked everyone

for their work in 2011 and stated that she is looking forward to a prosperous and productive 2012.

**11. Mayor Totty asked for a motion to adjourn. Commissioner Johnson motioned to adjourn. The meeting adjourned to executive session at 8:55 p.m.**

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**Theresa Whittmore  
City Recorder**