

CITY OF FAIRVIEW

BOARD OF COMMISSIONERS MEETING MINUTES

December 18, 2014

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

Present: Carroll, Sutton, Bissell, Crutcher, Johnson

Others Present: Hall, Cantrell, Humber, Daugherty, Johnson, Paisley

1. **Call to order by Mayor Carroll** at 7:10 p.m.
 - A. Prayer led by Ron Rowe and Pledge led by Fairview High School JROTC
2. **Approval of the Agenda** – Commissioner Crutcher made a motion for approval with Commissioner Bissell seconding. All were in favor.
3. **Business Spotlight** – Anytime Fitness, 7048 City Center Way, owner: Ray Baer – owner not able to attend, defer to a future meeting
4. **Awards and/or Recognitions** –
 - A. Employee of the Month Recognition to City Recorder, Brandy Johnson
 - B. City Recorder Johnson and CFO Daugherty present the new city flag
5. **Citizen Comments** – NONE
6. **Public Announcements** – City Manager Hall notes emissions testing every Monday and Tuesday from 7:30 am until noon.
7. **Approval of the Minutes** –
 - A. Approval of the Minutes from the December 4, 2014 Board of Commissioners Meeting – Vice Mayor Sutton makes a motion for approval with Commissioner Bissell seconding. All were in favor.
8. **Old Business** –
 - A. Discuss and/or Take Action on Second Reading of Bill #2104-33, Ordinance No. 855, An Ordinance to Change the Zoning of Certain Property in the City of Fairview, Tennessee, Located at 7161 Cox Pike, Owned by Richard W. McCord and Denise R. McCord, as Shown on, Williamson County, Tax Map 42H, Group C, Parcel 2.01, From RS-40 to Town Center Overlay District (TCOD) Without Designation, Approximately 0.48 Acres – Vice Mayor Sutton read the caption and made a motion for approval with Commissioner Johnson seconding. All were in favor.
 - B. Discuss and/or Take Action on Second Reading of Bill #2014-34, Ordinance No. 856, An Ordinance to Change the Zoning of Certain Property in the City of Fairview, Tennessee, Located at 7159 Cox Pike, Owned by Roger E. Lampley and Deborah Hall Lampley, as Shown on, Williamson County, Tax Map 42H, Group C, Parcel 2.02, From RS-40 to Town Center Overlay District (TCOD) Without Designation - Vice Mayor Sutton read the

- caption and made a motion for approval with Commissioner Johnson seconding. All were in favor.
- C. Discuss and/or Take Action on Second Reading of Bill #2014-35, Ordinance No. 857, An Ordinance to Change the Zoning of Certain Property in the City of Fairview, Tennessee, Located at 7119 Cox Pike, Owned by Elton C. Hall and Deborah L. Hall, as Shown on, Williamson County, Tax Map 42H, Parcel 3.00, From RS-40 to Town Center Overlay District (TCOD) Without Designation, Approximately 0.58 Acres - Vice Mayor Sutton read the caption and made a motion for approval with Commissioner Bissell seconding. All were in favor.
 - D. Discuss and/or Take Action on Second Reading of Bill #2014-36, Ordinance No. 858, An Ordinance to Change the Zoning of Certain Property in the City of Fairview, Tennessee, Located at 7151 Cox Pike, Owned by Elton C. Hall and Deborah L. Hall, as Shown on, Williamson County, Tax Map 42H, Parcel 3.00, From RS-40 to Town Center Overlay District (TCOD) Without Designation, Approximately 1.30 Acres - Vice Mayor Sutton read the caption and made a motion for approval with Commissioner Johnson seconding. Commissioner Crutcher asked about a difference in the number of tracts on the ordinance versus tax map and Attorney Cantrell stated some of the tracts were previously sold. All were in favor.
 - E. Discuss and/or Take Action on Second Reading of Bill #2014-37, Ordinance No. 859, An Ordinance to Change the Zoning of Certain Property in the City of Fairview, Tennessee, Located at 7114 Wiley Circle, Owned by Roger E. Lampley and Deborah Hall Lampley, as Shown on, Williamson County, Tax Map 42H, Group C, Parcel 1.00, From RS-40 to Town Center Overlay District (TCOD) Without Designation - Vice Mayor Sutton read the caption and made a motion for approval with Commissioner Johnson seconding. All were in favor.
 - F. Discuss and/or Take Action on Second Reading of Bill #2014-38, Ordinance No. 860, An Ordinance to Change the Zoning of Certain Property in the City of Fairview, Tennessee, Located at 7112 Wiley Circle, Owned by Roger E. Lampley and Deborah Hall Lampley, as Shown on, Williamson County, Tax Map 42H, Group C, Parcel 2.00, From RS-40 to Town Center Overlay District (TCOD) Without Designation - Vice Mayor Sutton read the caption and made a motion for approval with Commissioner Johnson seconding. Commissioner Crutcher notes the sub plat shows this is currently R-20 while the ordinance reads that it is RS-40 and asks for confirmation that it is currently RS-40. Attorney Cantrell states it can pass subject to verification. Commissioner Johnson amends the motion to approve contingent upon verification of the zoning with Vice Mayor Sutton seconding. All were in favor.
 - G. Discuss and/or Take Action on Bill #2014-39, Ordinance No. 861, An Ordinance to Change the Zoning of Certain Property in the City of Fairview, Tennessee, Located at 7169 Cox Pike, Owned by Margie McCord, as Shown on, Williamson County, Tax Map 42, Parcel 179, From RS-40 to Town Center Overlay District (TCOD) Without Designation, Approximately 1.30 Acres - Vice Mayor Sutton read the caption and made a motion for approval with Commissioner Johnson seconding. All were in favor.
 - H. Discuss and/or Take Action on Second Reading of Bill #2014-32, Ordinance No. 847, An Ordinance for an Amendment to the City of Fairview, Tennessee, Budget for the Fiscal Year 2014-2015 (Juniper Trees at City Hall) – Commissioner Bissell notes this is for the trees planted at City Hall and the money is from the Tree Bank fund. Commissioner Johnson made a motion for approval with Vice Mayor Sutton seconding. All were in favor.

9. New Business

- A. Discuss and/or Take Action on Bill #2014-42, Ordinance No. 864, An Ordinance to Annex Certain Property, Located at 7300 Stark Lane, Herein Described Below and to Incorporate Same Within the Corporate Boundaries of the City of Fairview, Tennessee; Belonging to Jason Lankford and Shannon Lankford. All the Property Proposed for Annexation Lies Within the City of Fairview, Tennessee's Growth Boundary – Vice Mayor Sutton read the caption noted this is a voluntary annexation and makes a motion

for approval with Commissioner Johnson seconding. It was noted that the landowner was present. All were in favor.

- B. Discuss and/or Take Action on Resolution No. 26-14, A Resolution Adopting a Plan of Services for the Annexation of Property Belonging to Jason Lankford and Shannon Lankford and to Incorporate the Same Within the Corporate Boundaries of the City of Fairview, Tennessee. The Property is Located at 7301 Stark Lane, Fairview, Tennessee and is Shown on City of Fairview, Tennessee, Geological Listing of Assessment Roll Map 18, Parcel 14 – Vice Mayor Sutton read the caption and made a motion to refer to the Planning Commission for approval with Commissioner Johnson seconding. Cantrell states that statute requires the Board to refer this to the Planning Commission for approval and they will report back to the Board for final approval. All were in favor.
- C. Discuss and/or Take Action on Resolution No. 27-14, A Resolution to Set a Public Hearing for the Purpose of Obtaining Public Comment on the Annexation of Certain Property, Located at 7300 Stark Lane, Herein Described Below and to Incorporate Same Within the Corporate Boundaries of the City of Fairview, Tennessee's Growth Boundary. The Property to be Annexed is Located in Williamson County, Tennessee, City of Fairview, Tennessee, Geological Listing of Assessment Roll Map 18, Parcel 14, Containing 5.68 Acres, Belonging to Jason Lankford and Shannon Lankford – Vice Mayor Sutton read the caption and made a motion for approval with Commissioner Johnson seconding. All were in favor.
- D. Discuss and/or Take Action on Resolution No. 28-14, A Resolution of the Board of Commissioners of the City of Fairview, Tennessee, to Allow the Purchase of a Van for the Police Department Without the Request for and Submission of Competitive Bids – Mayor Carroll read the caption. Commissioner Crutcher notes that on August 7 of this year the BOC authorized the Police Department to solicit bids for a van to transport prisoners to and from court. The PD has found a used 15 passenger 2012 Ford E-350 for \$16,800, one owner with a complete maintenance history, valued at \$19,000 to \$23,000. This item would be purchased out of the drug fund which has a current balance of \$111,312 and the current van would be sold with proceeds returned to the Drug Fund. Crutcher continues that the BOC can pass a unanimous resolution to authorize non-competitive contracts based upon the recommendation of City Manager Hall, noting the attached recommendation, when clearly to the advantage of the city. Commissioner Crutcher makes a motion for approval with Vice Mayor Sutton seconding. All were in favor.
- E. Discuss and/or Take Action on Resubmission of Resurfacing Bids – Vice Mayor Sutton turns the floor over to City Manager Hall who explains that we held the bid opening for the resurfacing grant project on November 18. TDOT has to approve the bids and they rejected the lowest and second lowest bids on technicalities. The high bid was \$70,000 higher and our engineer recommends and we ask for approval to re-bid the project. Commissioner Johnson makes a motion for approval with Vice Mayor Sutton seconding. Vice Mayor Sutton asks when this would take place based on plants being shut down and Hall confirms we would not have gotten any resurfacing done anyway until spring. All were in favor.
- F. Discuss and/or Take Action on Contract with OpenGov – Commissioner Johnson presents the contract for OpenGov, a financial transparency platform, at \$3,500 per year with the price guaranteed for 3 years and a \$1,050 implementation fee waived if we sign the contract by the end of this year. Johnson continues that we reviewed the features of this at the last meeting and states he feels it will be very beneficial to the city and would be open for anyone to look at. He states it would also benefit our auditors and that we have had a citizen offer to reimburse the city if it doesn't pay for itself this year. Commissioner Johnson made a motion for approval with Vice Mayor Sutton seconding. Crutcher asks CFO Daugherty if it will require extra work to enter the data. Daugherty replies he expects a few hiccups with a new procedure but OpenGov has told us it should only take 5 to 10 minutes to upload the file every month. Crutcher asks if we have the money to pay for it. Daugherty states that as of the staff meeting this morning we have a solution. The Department Heads feel strongly about the benefits everyone would receive and agreed to share portions of their budgets from the supplies line item #320

which will still leave them with enough in that line item. Carroll sees the benefit but states concerns of timing of the expenditure and suggests waiting until next fiscal year to build into the budget. Johnson states that the OpenGov rep made it clear that the pricing will be double next year and he is giving us a really good rate to be the first in Tennessee. Crutcher states he is going to vote for it because Tom says we room in the budget and that it will save us money in the long haul. Carroll states she can't vote without knowing how things will end this year. Sutton states if Tom thinks we have the money and it will benefit the city he thinks we should move forward with a big step for transparency. Bissell states he plans to vote for it because it is a step in the right direction. Daugherty states he believes it will make a better operation and will allow better decisions to be made and will actually save money and allow us to be more efficient in the long run. Johnson states that our webmaster is willing to forfeit billing us to cover the costs and has been talking of buying a machine and donating it to the city so we may live stream meetings to YouTube. **FOR:** Bissell, Crutcher, Johnson, Sutton, **AGAINST:** Carroll, motion passes.

- G. Discuss and/or Take Action on Bill #2014-43, Ordinance No. 865, 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." – Mayor Carroll read the caption. Vice Mayor Sutton states based on the opinion of our arborist he is removing the bill and will not change the ordinance at this time. Attorney Cantrell states if you don't change the ordinance you don't add the definition you requested. Sutton states the definition is from the arborist in the minutes. Cantrell expresses concern of defending the definition should that come to pass. Bill removed. No action.

10. City Manager Items for Discussion –

A. Miscellaneous Updates –

- (1) City Manager Hall thanked the FMS and FHS Chorus for performing at the tree lighting and Kristyn Houck does a great job directing
- (2) December 23 is the bid opening for the library addition at 2:00 pm. Hall plans to be in attendance and hopes the numbers come in way under.
- (3) Frank Humber met with Stanley Ladd regarding street lighting on Hwy 100 between TSC and Walmart and also looking at History Village and Hwy 100/Deer Ridge Rd intersection. Humber notes he will be back in a couple of weeks to finalize the plans and make into a work order.
- (4) Hall thanks City Recorder Johnson, public works and parks employees who decorated the trees and installed the wreaths at City Hall. He notes that research will begin in January to search for brackets and hopefully they will be hung on the light poles next year.
- (5) Hall wishes everyone a Merry Christmas and Happy New Year.
- (6) Vice Mayor Sutton asks about lighting of the welcome signs and Hall states that Mitch Dowdy states he still wants to do it and will ask next time he sees him. Bissell states the problem with one of the locations is an easement across a driveway is required and another one is the distance from the pole. The project will be more money and take more time than originally thought and Bissell states he's told Dowdy it is not high priority. Sutton states he has verbal permission from the landowner for the easement and Bissell states he thinks the landowner will give permission but since it is much more involved than originally thought Mr. Dowdy might need us to take on some of the costs.
- (7) Hall thanks the Police Department and Public Works Department for all of their work on the Christmas Parade noting the safety lane worked well and there were no issues.

B. Staff Comments

- (1) CFO Daugherty presents the finance report for the month of November stating that revenues for November were \$400,112 and expenses were \$416,565. Revenues for November were (\$2,828) below projections and revenues year to date were (\$68,837) below. Expenditures for November were \$21,072 over while they are under by \$77,194

year to date. Overall year to date we have spent \$377,635 more than we have taken in but that is expected and this is the season where our revenues jump. Daugherty notes that he will deposit \$400,000 tomorrow for today's revenue. Carroll asks if March is the turning point for a good idea of where we stand on the rest of the year's budget and Daugherty confirms it is and sales tax revenue is a good indicator but it is hard to speculate until the money is in the bank. Daugherty notes we still need to hold spending and move forward in our stabilization plan.

- (2) Keith Paisley, Parks Department Head reminds every one of the Memory Tree at Joann's Classroom this Saturday from noon till 3:00 p.m. and reminds them to bring ornaments in memory of a loved one.

- C. City Attorney Comments – Cantrell states Vice Mayor Sutton asked him about the BOC seat on the BOZA which is currently a non-voting seat. There have been times the BOZA needed to meet but had no quorum due to this fact. Cantrell states the ordinance would have to be revised to make the BOC member a voting member in case there is no quorum. Cantrell continues that he would like to present an ordinance at the next meeting to revise the membership and it would need to be referred to the PC in an effort to make the BOZA more flexible and more efficient. Cantrell discusses the consent agenda resolution passed at the last meeting and the requirement to read all captions. Based on our City Manager/Commissioner charter, captions are required to be read. He states the county charter as Mayor/Aldermen charter is totally different which is why they do not have to read the captions. Our charter has no ambiguity and if the captions are not read the bill would be null and void. Cantrell states he has been here 9 or 10 years and has been a pleasure to work with you again this year. He wished everyone a Merry Christmas and Happy New Year. He states that Brandy works hard for the city and helps keep me straight and is very deserving of the Employee of the Month.

11. Communications from the Mayor and Commissioners –

- A. Commissioner Bissell asks about streetlight progress in the subdivisions. Hall states Hwy 100 is the first priority and then work into the subdivisions as Tom allows with budget. Bissell asks about the voting system that was approved last year. Hall states it has been deferred for budget purposes. Hall also notes that he is going to the county meeting in January and the BOC is welcome to come along to see how their voting system works. Bissell wishes everyone a Merry Christmas, Happy New Year and safe travels.
- B. Commissioner Crutcher thanked everyone for their participation in Community Parks Day. He wished everyone a Merry Christmas and Happy New Year.
- C. Commissioner Johnson requests to add to the next agenda a resolution for Representative Jeremy Durham to take to the General Assembly requesting a consent agenda be allowed without reading of captions and wishes all a Merry Christmas.
- D. Vice Mayor Sutton wished everyone a Merry Christmas and thanks all the employees for their hard work stating that a lot of progress has been made in the last 7 to 8 years and we are truly blessed with growth. Sutton asks that everyone be mindful this season and look for someone to help.
- E. Mayor Carroll states she loves the City Manager report and notes she has been attending lots of meetings to make sure Fairview has a face. She continues it is a great, exciting time to be in Fairview, the staff is working hard, we received the Farmer's Market grant approval and other grants are moving forward. Carroll wishes everyone a Merry Christmas and states she is thrilled about working with everyone next year.

- 12. Adjournment –** Commissioner Bissell made a motion for adjournment with Commissioner Johnson seconding. All were in favor and meeting was adjourned at 8:30 p.m.

Brandy Johnson
City Recorder