

CITY OF FAIRVIEW

BOARD OF COMMISSIONERS MEETING MINUTES

June 4, 2015

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, Harris, O'Neal, Paisley

1. Call to order by Mayor Carroll at 7:00 p.m.

A. Prayer and Pledge led by Mayor Carroll

2. Approval of the Agenda – Mayor Carroll asks to defer electing committee members until July due to the length of the meeting. It was consensus that those present tonight will not have to be present again and Attorney Cantrell confirmed the expiring seats remain filled with current occupants until the Board appoints otherwise. Commissioner Crutcher requests moving items I, J, K and M to the beginning of new business. Item 8E under the consent agenda was deferred until the first meeting in July. Crutcher made a motion to approve with Bissell seconding. All were in favor.

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

A. Marsha Elliott stated it was a pleasure to listen to Ralph Cross of MTAS in the workshop. She restates his summary that we need to raise revenues, cut expenditures or both and it is state law that we don't spend more than is appropriated. Elliott states we must be responsible and asks the citizens to keep public safety in mind and support the process.

B. Linda Wheeler states she is a lifelong resident with 6 generations in the community but has been complacent too long. She knows the job of the Board is not easy but they are here to represent their constituents and their best interests. Wheeler continues if you don't have the money for things you want then you can't have them. Increasing the tax rate is not a fix unless coupled with cuts and even if the budget looks good on paper it doesn't mean it will work. Wheeler asks the Board to carefully consider a budget that will allow us to save for next year's debt payment and start living within our means.

C. Donna Brooks reiterates her letter to the editor of the Observer noting she appreciates the job all the employees do as we drain resources and it is painful to suggest layoffs but the reality is we do not have the money. Brooks asks the citizens to become informed and let their opinions be known. I believe our balance in unassigned funds will be a negative \$700,000 at the end of the year and there will be no more funds to pull from next year if we do the same thing. We are restructuring the debt and if we were responsible we would save the debt payment so we can the pay ahead of time to save on interest. If we want a well-run city we must have money to execute a plan rather than spend on an emergency basis which means cutting expenses by 20% of the revenue and placing that in a capital fund so departments could properly budget. If you want to maintain the current level of employees it will take doubling the tax rate and two years to pay back the money we have borrowed from other funds and have our reserves where they ought to be.

4. Awards and/or Recognitions – NONE

5. Public Announcements –

- A. Mayor Carroll announces fundraising events for the FHS band this Saturday, June 6 at the Fairview McDonalds consisting of a car wash from 8:00 am until noon and ice cream sales from 4:00 until 8:00 p.m. You may also make donations inside McDonalds for a free ice cream cone.
- B. Mayor Carroll notes that Graceworks West is looking for the following items for the food pantry: spaghetti sauce, boxed meals, individually packed snacks and crackers, saltine crackers
- C. Vice Mayor Sutton notes the fishing rodeo on Saturday at Evergreen lake from 7:00 to 10:00 a.m., registration begins at 6:30 a.m. and door prizes will be given at the end. This event is put on by the Parks Department in conjunction with TWRA.
- D. City Manager Hall issues a reminder of emissions testing every Monday and Tuesday from 7:30 a.m. until noon and notes new street lights are being installed between TSC and Walmart to assist with safety in that dark stretch of highway.

6. Staff Comments –

- A. Wayne Hall, City Manager explains some of the deficit spending over the last five years noting capital projects, paying cash for the fire hall, building the road for Publix, covering water/sewer line relocation for TDOT to widen the highway.
- B. Frank Humber, Codes Director notes Fairview West, a commercial development coming soon to the Planning Commission with multiple retail spaces. Humber states he believes this is for some of the businesses that typically follow Walmart and shares a rendering. Humber also notes that Mr. Beata is getting ready to move forward with his 300-unit residential development. Good news on the building front.
- C. Brandy Johnson, City Recorder states plans moving along for July 3 noting gates open at 5:00 this year and live music will begin at 6:00. Musicians will not be paid for performing and due to slower donations we cannot afford bounce houses for the children. Commissioners Bissell and Crutcher and Vice Mayor Sutton offer to donate their July salary toward the bounce houses.
- D. Tom Daugherty, Finance Director thanked the Board for the workshop with Ralph Cross of MTAS noting it was very informative. Commissioner Crutcher asks for a firm number on the negative fund balance and Daugherty states -\$531,076.
- E. Keith Paisley, Parks Director states Bowie Camps start next week and a few spots are still available. City Manager Hall asks the Board about hiring teachers to help with camps due to the hiring freeze. Parks Program Director Jenny Herrera states the cost is \$2,400 to hire the teachers and we already have \$8,075 income which leaves \$5,765 to cover camp supplies and programming supplies for next year. Crutcher asked about having high school students as volunteers and Herrera agrees but explains the need for adult supervision. The Board agreed to hire camp teachers but Commissioner Crutcher voiced concern over the loose interpretation of hiring freeze.

7. Approval of the Minutes – (only needed if removed from consent agenda)

8. Consent Agenda Consisting of Items as Follows:

- A. Approval of the Minutes from the May 12, 2015 Board of Commissioners/Finance Review Committee Special Meeting
- B. Approval of the Minutes from the May 21, 2015 Board of Commissioners/Finance Review Committee Special Meeting
- C. Approval of the Minutes from the May 21, 2015 Board of Commissioners Meeting
- D. Discuss and/or Take Action on Bill #2015-19, Ordinance No. 884, An Ordinance Repealing Resolution No. 01-15 and Creating a Consent Agenda for the City Fairview, Tennessee, Pursuant to Charter Provision C-28-29, T.C.A. §6-20-215, Section 1. (a) as Amended by Tennessee Legislative Acts of 2015, (2015-04-20), Public Chapter 115
- E. Discuss and/or Take Action on Bill #2015-11, Ordinance No. 876, An Ordinance to Amend City of Fairview, Tennessee, Municipal Code, Title 13, "Property Maintenance Regs." Chapter 4, "Tree Planting and Protection," Section 13-404, "Duties of the Tree Commission, Section 13-409, "Community Tree Plan," Section 13-411, "Trees on Private Property," Section 13-419, "Appeal from any Recommendation(s) of the Tree Commission." – ITEM DEFERRED UNTIL JULY 2, 2015
- F. Discuss and/or Take Action on Bill #2015-20, Ordinance No. 885, An Ordinance to Amend the City of Fairview, Tennessee, Budget for Fiscal Year 2014-2015 Budget (appropriating \$24,000 from State Street Aid to Fund City's 20% Resurfacing Grant Obligation)

Vice Mayor Sutton read captions for items D and F. Commissioner Crutcher made a motion for approval with Commissioner Johnson seconding. All were in favor.

9. Old Business

10. New Business

- A. Discuss and/or Take Action on Bill #2015-23, Ordinance No. 888, An Ordinance to Annex Certain Property, Located on Horn Tavern Road, Map 022, Parcels 064.00 and 065.00, Herein Described Below and to Incorporate Same Within the Corporate Boundaries of the City of Fairview, Tennessee; Belonging to Priscilla Lampley. All the Property Proposed for Annexation Lies Within the City of Fairview, Tennessee's Growth Boundary – Vice Mayor Sutton read the caption. Commissioner Crutcher made a motion for approval with Vice Mayor Sutton seconding. Becket Moore with Habitat for Humanity of Williamson-Maury Counties was present representing the owner of the property. Sutton asked about the number of homes and Mr. Moore replied 33 homes with RS-15 zoning. Mayor Carroll noted this will be the second phase of the habitat development. Johnson stated he will abstain from voting. FOR: Carroll, Bissell, Crutcher, Sutton, AGAINST: Sutton, ABSTAIN: Johnson. Motion carried.
- B. Discuss and/or Take Action on Filling Expiring Seats – DEFERRED UNTIL JULY 2, 2015
- C. Discuss and/or Take Action on Recommendation from the Planning Commission for Rezoning Application with Preliminary Master Development Plan for Property Located on Cox Pike, Map 43, Parcels 30.01 and 31.00, 32.19 Acres from RS-40 (Residential) to RPUD (Residential Planned Unit Development) with a Base Density of RS-15, Denny, Proctor & Welch, owners – Mayor Carroll read the caption. Mr. Smythe was present to represent the property and he asked for a volunteer to go look at his previous work in Nolensville to get to know him better. Smythe presents his plan of R-15 density, 2.9 units per acre with a lot size of no less than 50x100 for 93 lots on 32 acres. Questions from the Board revealed Smythe intends to build houses of 2,000 to 2,500 square feet out of stone and Hardie Board. Commissioner Crutcher expressed concern over the location of the property related to the density versus our land use plan as well as the fact that the Planning Commission unanimously voted him down and made a motion to deny the request with Vice Mayor Sutton seconding. Further discussion ensued about the development noting sidewalks, streetlights, green space, 3 bedroom/2 bath homes and that the asking price would be higher than the average in Fairview. FOR: Carroll, Crutcher, Johnson, Sutton; AGAINST: Bissell. Motion carried.
- D. Discuss and/or Take Action on Resolution No. 16-15, A Resolution to Set a Public Hearing for the Purpose of Obtaining Public Comment on the Annexation of Certain Property, Located on Horn Tavern Road, Herein Described Below and to Incorporate Same Within the Corporate Boundaries of the City of Fairview, Tennessee. All the Property Proposed for Annexation Lies Within the City of Fairview, Tennessee's Growth Boundary. The Property to be Annexed is Located in Williamson County, Tennessee, City of Fairview, Tennessee, Growth Boundary, Geological Listing of Assessment Roll Map 022, Parcels 064.00 and 065.00, Belonging to Priscilla Lampley – Vice Mayor Sutton read the caption and made a motion for approval with Commissioner Crutcher seconding. All were in favor.
- E. Discuss and/or Take Action on Bill #2015-24, Ordinance No. 889, An Ordinance to Amend City of Fairview, Tennessee, Municipal Zoning Code, Article V, "Residential District Regulations," Section 5-104, "Supplemental Design Provisions," 5-104.1, "Development Standards for Multi-Family Dwellings," Paragraph 4iii – Vice Mayor Sutton read the caption. Codes Director Frank Humber notes this changes the requirement on a clubhouse in a multi-unit development so it is now required with 50 or more units. Vice Mayor Sutton made a motion for approval with Commissioner Johnson seconding. All were in favor.
- F. Discuss and/or Take Action on Resolution No. 18-15, A Resolution to Set a Public Hearing for the Purpose of Obtaining Public Comment on an Ordinance (Bill #2015-24, Ordinance No. 889) to Amend City of Fairview, Tennessee Municipal Zoning Code, Article V, "Residential District Regulations," Section 5-104, "Supplemental Design Provisions," 5-104.1, "Development Standards for Multi-Family Dwellings," Paragraph 4iii – Vice Mayor Sutton read the caption and made a motion for approval with Commissioner Johnson seconding. All were in favor.
- G. Discuss and/or Take Action on Bill #2015-25, Ordinance No. 890, An Ordinance to Amend City of Fairview, Tennessee, Municipal Zoning Code, Article VIII, "Overlay Districts," Section 8-203, "Administrative Procedure Governing Planned Unit Developments," 8-203.3, "Preliminary Approval of the Proposed Planned Unit Development," 8-203.3(4), "Preliminary Approval of the Proposed Planned Unit Development," 8-203.3(6), "Preliminary Approval of the Proposed Planned Unit Development," 8-

203.3(8), "Preliminary Approval of the Proposed Planned Unit Development." – Vice Mayor Sutton read the caption and made a motion for approval with Commissioner Johnson seconding. Codes Director Humber states this is for PUD applications and the 45 day requirement is eliminated. Attorney Cantrell explains the state statute dictates 30 day window and supersedes ours anyway so this clarifies the issue. All were in favor.

- H. Discuss and/or Take Action on Resolution No. 19-15, A Resolution to Set a Public Hearing for the Purpose of Obtaining Public Comment on an Ordinance (Bill #2015-25, Ordinance No. 890) to Amend City of Fairview, Tennessee, Municipal Zoning Code, Article VIII, "Overlay Districts," Section 8-203, "Administrative Procedure Governing Planned Unit Developments," 8-203.3, "Preliminary Approval of the Proposed Planned Unit Development," 8-203.3(4), "Preliminary Approval of the Proposed Planned Unit Development," 8-203.3(6), "Preliminary Approval of the Proposed Planned Unit Development," 8-203.3(8), "Preliminary Approval of the Proposed Planned Unit Development." – Vice Mayor Sutton read the caption and made a motion for approval with Commissioner Johnson seconding. All were in favor.
- I. Discuss and/or Take Action on Bill #2015-26, Ordinance No. 891, An Ordinance of the City of Fairview, Tennessee Adopting the Annual Budget and Tax Rate for the Fiscal Year Beginning July 1, 2015 and Ending June 30, 2016 – Vice Mayor Sutton reads the caption. Commissioner Bissell makes a motion for approval with Vice Mayor Sutton seconding. Commissioner Crutcher reiterates his point of view that our issues are poor planning has led to the consequence of having negative balances in the unassigned fund at the end of the fiscal year. He states we need to raise revenues, cut expenditures or both to make a positive transition. Commissioner Johnson asks CFO Daugherty to review changes since the last proposal. Daugherty highlights the following: \$10,000 increase in revenue from actual receipts this year including wholesale beer/liquor taxes, driving school receipts, deducted \$5,000 from State Street Aid expenditures, deducted \$32,300 from medical/dental/vision insurance and added \$90,000 from State Street Aid into the paving budget and for road loan payments. Johnson asks where this gets us for the overall goal and Daugherty notes it pushes us farther away. Johnson asks for proposals for amendments and Crutcher states his original proposal for \$1.00 tax rate still stands with 15 cents per dollar earmarked. Crutcher amends the motion to expend \$3.5 million for employee related expenditures. Bissell questions line item #510 under employee expenditures of liability insurance and Daugherty notes it has been there but could split out and some moved to operating expenses. Crutcher argues that's not really changing the numbers as it's simply moving money around. Bissell also asks about salaries increasing by \$36,000 and Daugherty notes it's the difference in having a full time fire chief back. Bissell stresses these figures don't take into consideration the attrition factor and assuming we lose 1 to 2 employees per year it offsets the increase. Crutcher states the stabilization plan was developed as a three year plan but with our negative balances the first year goes to cover the school facilities fund so it's now a longer plan. Bissell reminds the Board that we will have increased revenue that will also go toward the stabilization plan and the \$360,000 is the minimum amount. Mayor Carroll states she thinks we will grow but a lot of our issues have been from projecting changes that haven't occurred. Carroll asks Daugherty how many months this past year were we in the negative and Daugherty replied all but one. Carroll mentions the TAN but states we can't borrow our way out of debt and if we don't make the appropriate cuts we will owe another note next year on top of the debt restructure. Carroll offers her solution of going back to 2014 salaries stating she knows it would be painful but no one would lose their job. Commissioner Crutcher offers to forego his salary for the next year minus the July 3 contribution already promised. Mayor Carroll offers to give her \$400 as well. City Manager Hall offered \$5,000 of his. Crutcher restates his amendment to the original motion of \$4.2 overall budget and 3.5 million on employee related expenditures with the tax rate of \$1.00. FOR: Carroll, Crutcher, Johnson, Sutton; AGAINST: Bissell. Motion carried.
- J. Discuss and/or Take Action on Resolution No. 20-15, A Resolution to Set a Public Hearing for the Purpose of Obtaining Public Comment on the Proposed Budget for the City of Fairview, Tennessee for Fiscal Year 2016 – Commissioner Crutcher read the caption and Vice Mayor Sutton made a motion for approval with Crutcher seconding. All were in favor.
- K. Discuss and/or Take Action on Section 9 of Bill #2015-26, Ordinance No. 891, An Ordinance of the City of Fairview, Tennessee Adopting the Annual Budget and Tax Rate for the Fiscal Year 2014-2015 – Vice Mayor Sutton read the caption and made a motion for approval (of 90 cent tax rate as listed in budget proposal) with Commissioner Crutcher seconding. Crutcher made a motion to amend the motion to change the rate to \$1.00 with 5 cents each going to parks department, street department and debt payments. Questions were asked about how to set up the accounting of the funding and the

fact that spending has been capped so what are we to do with the revenue? Crutcher states he had in mind to put back for projects. Bissell amended the motion that the funds go to capital improvements. Crutcher amends the motion that 10 cents goes into a capital project fund and 5 cents toward the debt. CFO Daugherty recommends a sinking fund so that debt can be paid off within 10 years. Bissell withdraws his previous motion and amends the motion that 5 cents of the \$1.00 tax rate go into a sinking fund to retire debt early and 10 cents to a capital improvement fund with Commissioner Crutcher seconding. Commissioner Johnson states he believes this is much needed and is glad it is coming together, however, he chooses to abstain from voting but will not vote against. FOR: Bissell, Carroll, Crutcher, Sutton, ABSTAIN: Johnson. Motion carried.

- L. Discuss and/or Take Action on Resolution 21-15, A Resolution to Set a Public Hearing for the Purpose of Obtaining Public Comment on the Proposed Budget and Tax Rate for the City of Fairview, Tennessee for the Fiscal Year 2015-2016 - Vice Mayor Sutton read the caption and made a motion for approval with Commissioner Crutcher seconding. All were in favor.
- M. Discuss and/or Take Action on Employee Health Plan for 2015-2016 Budget Year – Bissell deferred to CFO Daugherty who recommended taking the item off the table as it has already been taken care of. No action necessary.
- N. Discuss and/or Take Action on Pitney Bowes Service Agreement – Bissell defers to CFO Daugherty who states due to changes in regulations the lowest price monthly for a postage meter is \$62 and our current contract is at \$27 per month. Daugherty recommended forgoing the postage meter noting we will still have postage to pay but we can use the Post Office or Goin' Postal. Commissioner Bissell made a motion for approval of the CFO's recommendation with Vice Mayor Sutton seconding. All were in favor.
- O.
- P. Discuss and/or Take Action on Open Meetings Act and Open Records Act – Crutcher deferred to Attorney Cantrell who recommended deferring the item until July 2 noting it is an important item and he wants to give it the necessary focus. Commissioner Johnson made a motion for deferment with Commissioner Crutcher seconding. All were in favor.

10. City Manager Items for Discussion –

- A. Miscellaneous Updates – Mr. Hall reiterated comments from earlier in the evening about water and sewer rates being tripled noting we wouldn't have the development we have now if that had happened
- B. City Attorney Comments – no comments

11. Communications from the Mayor and Commissioners –

- A. Commissioner Johnson - NONE
- B. Vice Mayor Sutton noted most of his monthly salary is already dedicated to a local charity and he didn't want to deduct from their income which is why he didn't offer his salary back to the city
- C. Commissioner Bissell - NONE
- D. Commissioner Crutcher - NONE
- E. Mayor Carroll - NONE

12. Adjournment –Vice Mayor Sutton made a motion for adjournment with Commissioner Johnson seconding. All were in favor and meeting was adjourned at 10:16 p.m.

Brandy Johnson
City Recorder