

BOARD OF COMMISSIONERS**August 20, 2009**

Ken Brison, Mayor
 Stuart L. Johnson, Vice-Mayor
 Eddie Arney, Commissioner
 Allen Bissell, Commissioner
 Toney Sutton, Commissioner
 Shirley Forehand, City Manager
 Larry Cantrell, City Attorney
 Kathleen Daugherty, Recorder

Present: Brison, Arney, Johnson, Sutton, Bissell

Absent:

Others Present: Forehand, Cantrell, Lovvorn

- 1. Mayor Brison called the meeting to order at 7:00 p.m.**
 - A. The Prayer and Pledge to the Flag were led by Wayne Hall.
- 2. Approval of the Agenda –**
 - A. Added to the Agenda as Item B. under New Business was a report and/or take action from the Workshop Meeting held on August 20th at 6:00 p.m.
 - B. Johnson made a motion to approve the Agenda with the addition. Arney seconded the motion. 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)**
 - A. Linda Patterson wanted to know why the Board felt it should pass an ordinance against parking in cul-de-sacs. She lives in one and has to park on the street because she can't back out of her drive at night. She also wanted to know where her company is going to park.
- 4. Awards and/or Recognitions – None**
- 5. Public Announcements –**
 - A. City Mgr. Forehand reminded everyone about the emission testing on the second and third Wednesdays at the fire station on Hwy. 96 North from 7:30 a.m. until noon.
- 6. Approval of the Minutes –**
 - A. Presented for approval were the minutes of the Board of Commissioners Meeting held on August 6, 2009. Johnson made a motion to approve the minutes as presented. Arney seconded the motion. All were in favor.
- 7. Old Business –**
 - A. First Reading Bill #2009-25: An Ordinance Prohibiting Handguns and/or Guns of Any Kind Upon Property Owned or Leased by the City of Fairview, Tennessee (Exclusive of City Owned Public Streets) – Johnson read the caption. Bissell made a motion to approve Bill #2009-25 on first reading. Sutton seconded the motion. Cantrell explained what the bill does and does not do and answered

questions from the Board about the ordinance. Vote on motion: All were against the motion. Motion failed.

- B. Presented for adoption was Resolution No. 15-09: Prohibiting Handguns within the City of Fairview Parks. Johnson read the caption. Bissell made a motion to adopt the Resolution. Motion died for lack of a second. Resolution was not adopted.
- C. Presented for First Reading was Bill #2009-26: Prohibiting Parking in Cul-de-sacs in the City of Fairview. Johnson read the caption. Sutton made a motion to pass Bill #2009-26 on first reading. Johnson seconded the motion. Johnson advised Ms. Patterson that the Fire Chief and the Police Chief have advised the Board that no parking in cul-de-sacs needs to be adopted for public safety reasons. Johnson stated that he would look at her situation before the second and final reading. Arney stated that he was still concerned what people would when they had family gatherings. After further discussion, Johnson asked Donn Lovvorn to check on the regulations for cul-de-sacs before the second reading. Discussion was also held on the definition of a cul-de-sac. Vote on motion: For: Sutton, Arney, Johnson, and Brison. Against: Bissell. Motion passed.
- D. Presented for adoption was Resolution No. 16-09: Reimbursements to Elected Officials. Johnson read the caption and made a motion to adopt Resolution No. 16-09. Arney seconded the motion. Bissell made a motion to amend the motion to state that the Resolution be adopted but that it would not be implemented until the next fiscal year or July of 2010. The motion died for lack of a second. Bissell advised that he would be voting no on the resolution although he is not against it. He felt that during these economic times the Board should not receive reimbursements for this period of time, since the Department Heads were asked to cut back. Vote on motion: For: Sutton, Arney, Johnson, and Brison. Against: Bissell. Motion passed.

8. New Business –

- A. Appointment of Theresa Whittmore as Tax Collector (lateral move only) – City Mgr. Forehand advised that the city manager now serves as the tax collector and the taxes for 2009 will be going to print next week and we need to get a name on them. She also advised that the Board has to appoint the Tax Collector. Johnson made a motion to appoint Theresa Whittmore as tax collector. Sutton seconded the motion. All were in favor.
- B. Report and/or take action on the recommendations from the Workshop on the Procedures and Qualifications for hiring of a city manager. Mayor Brison advised that the city recorder would report on the meeting. She advised that the following were recommended:
 - (1) Qualifications: See attached list of qualifications from the City's "Job Descriptions". Also added:
 - a. Move into the city limits within six months of hire date.
 - b. Have a civil and criminal back ground check made.
 - c. Be a U.S. Citizen.
 - d. Verification that have filed all IRS tax records.
 - e. Not be affiliated with any Board Member or Employee in regard to business or joint real estate interest; not related by blood or marriage.

- (2) City Mgr. Forehand is to prepare an ad for approval at the September 3, 2009 Board Meeting.
- (3) Accept Applications until September 30, 2009 at 12:00 noon and the City Mgr. to present a list of all applicants at the October 1, 2009 Board Meeting.
- (4) Projected hire date of January 4, 2010.
- (5) Interview process will be determined by the Board and will be ranked by education, experience, etc.

Bissell made a motion to adopt the recommendations from the Workshop. Arney seconded the motion. A discussion was held. Bissell amended his motion to include that the city manager not be affiliated with any Board Member "at the time of appointment". Arney seconded the amendment. Vote on motion as amended: All were in favor. Vote on original motion: All were in favor.

9. City Manager Items for Discussion -

- A. Miscellaneous Updates – None.
- B. City Attorney Comments – None.

10. Communications from the Mayor and Commissioners –

- A. Vice-Mayor Johnson apologized for not being at the Workshop. He attended an Open House at the Elementary School.

11. The meeting adjourned at 7:40 p.m.

Mayor

City Recorder