

**CITY OF FAIRVIEW
 BOARD OF COMMISSIONERS
 REGULAR MEETING MINUTES
 NOVEMBER 7, 2024, 7:00PM, CITY HALL**

Lisa Anderson, Mayor
 Brandon Butler, Vice Mayor
 Wayne Hall, Commissioner
 Stuart L. Johnson, Commissioner
 Chris McDonald, Commissioner
 Tom Daugherty, City Manager
 Patrick Carter, City Attorney
 Rachel Jones, City Recorder

Staff Present: Tom Daugherty, Rachel Jones, Richard Ross, Keith Paisley, Patrick Carter, Ethan Greer, Bre Bailey, Curtis Broadbent, Kevin Chastine, Will Owen, Ben Knox, Patti Carroll, Ray Martin

1. **Call to Order @ 7:03 P.M.** – Mayor Anderson
2. **Roll Call** – Rachel Jones, City Recorder

	PRESENT	ABSENT
Mayor Anderson	X	
Vice Mayor Butler	X	
Commissioner Hall	X	
Commissioner Johnson	X	
Commissioner McDonald	X	

3. **Prayer and Pledge** – Vice Mayor Butler
4. **Mayor Comments** – Mayor Anderson stated she is excited for the meeting and excited to recognize the accomplishments of young people in our community. Mayor Anderson reminded everyone to speak clearly into their microphones. Mayor Anderson stated she appreciates the officers attending the meeting to keep everyone safe and appreciates the hard work of staff in preparing for the meeting.
5. **Approval of the Agenda**
 Mayor Anderson asked to remove item 7C from the agenda.

**Vice Mayor Butler motioned to remove item 11C from the agenda.
 Commissioner McDonald seconded Vice Mayor Butlers motion.**

Vote on motion to remove item 11C

	YES	NO	ABSTAIN	RECUSE
Mayor Anderson		X		
Vice Mayor Butler	X			
Commissioner Hall		X		
Commissioner Johnson		X		
Commissioner McDonald	X			
MOTION FAILED 2-3				

Commissioner Johnson motioned to approve the agenda removing item 7C.
 Mayor Anderson seconded Commissioner Johnsons motion.

Vote on motion to approve agenda minus item 7C

	YES	NO	ABSTAIN	RECUSE
Mayor Anderson	X			
Vice Mayor Butler		X		
Commissioner Hall	X			
Commissioner Johnson	X			
Commissioner McDonald		X		
MOTION PASSED 3-2				

6. Citizen Comments

- A. Rod Dawson – 7517 Nathaniel Woods Blvd, Fairview
- B. Don Bufalini – 4010 Brazelton Way, Fairview
- C. Carolyn Roberts – 7123 Donald Wilson Dr, Fairview
- D. Shelia Cook – 7422 Swindon Blvd, Fairview

7. Public Announcements, Awards, Recognitions

- A. **City Events** – Richard Ross, Community Relations Coordinator
- B. **Recognition** – Fairview High School Band

8. Staff Comments and Monthly Reports

- A. **City Manager Comments** - Tom Daugherty, City Manager

9. Consent Agenda

- A. **Minutes from October 17, 2024, Board of Commissioners Work Session.**
- B. **Minutes from October 17, 2024, Board of Commissioners Regular Meeting.**

Motion to approve: Commissioner Johnson

Second: Commissioner McDonald

	YES	NO	ABSTAIN	RECUSE
Mayor Anderson	X			
Vice Mayor Butler	X			
Commissioner Hall	X			
Commissioner Johnson	X			
Commissioner McDonald	X			
MOTION PASSED 5-0				

10. Old Business

A. Rezoning 7208 Cox Pike

- 1. **Public Hearing**
- 2. **Second and Final Reading, Ordinance 2024-16, An Ordinance to amend the Zoning Ordinance of the City of Fairview, Tennessee, by rezoning 1.51 (+/-) acres of property located at 7208 Cox Pike, consisting of Williamson County Tax Map 042H Group E, Parcel 001.00, from RS-40 (Single Family Residential) to RS-15 (Single Family Residential), Property Owner: Tony Cavender. (City Planner)**

Discussion: City Planner, Ethan Greer, stated this item was not properly noticed due to the applicant not paying the required fees prior to the fifteen day requirement for proper

public notice. Mr. Greer asked for this item to be deferred to the December 5, 2024, Board of Commissioners meeting.

Motion to defer to December 5, 2024, meeting: Commissioner Johnson
Second: Commissioner McDonald

	YES	NO	ABSTAIN	RECUSE
Mayor Anderson	X			
Vice Mayor Butler	X			
Commissioner Hall	X			
Commissioner Johnson	X			
Commissioner McDonald	X			
MOTION PASSED 5-0				

B. Reconsideration, Resolution 78-23, A Resolution to Annex Certain Territory upon Written Consent of the Owners and to Incorporate the same within the boundaries of the City of Fairview, Tennessee with RS-40 Single Family Residential Zoning, Map 018, Parcels 026.10 & 026.04, 7857 & 7859 Crow Cut Road, 10.07 (+/-) Acres, Owners: Paul & Karla Ann Creed. (Commissioner Hall)

Representative: Brandon Creed

Discussion: Mr. Carter clarified under “Roberts Rules of Order” this item should be listed as a renewal not a reconsideration. Mr. Carter stated this does not change the intent of what is being considered but the proper term is renewal. Commissioner Hall stated originally he voted no on this item due to the city potentially having to take care of the roadway however the county has sent an email stating they will take care of the roadway. Commissioner Hall stated he was also waiting until the Urban Growth Boundary had been ratified throughout the county. Mr. Carter clarified that the motion and the second are to approve the item plus the condition that is listed due to the county requiring an interlocal agreement. Commissioner McDonald asked about the newly created R-120 zoning classification that was created for this property and stated he feels it should be applied to this property. Commissioner Hall stated that when annexing a property, it comes in as RS-40 then the applicant can re-apply for the specific zoning. Mr. Carter stated the rezoning request would be a separate agenda item. Vice Mayor Butler asked for clarification if this is a first or second reading. Mr. Greer stated this item has passed the BOC once previously and failed at the second reading making this a renewal of the second reading. Vice Mayor Butler stated a second reading would traditionally have a public hearing with public notice given to neighboring property owners. Mr. Carter stated because it is a renewal those things have been handled previously and carryover because it’s a renewal not a new application. Mr. Carter stated he believes the procedure is correct. Vice Mayor Butler stated he believes the non-contiguous annexation sets a bad precedent and opens up a growth corridor that the city is not prepared to serve. Mr. Creed stated since the Planning Commission meeting he has gotten an email from the county stating the county will service the road. Mr. Creed also stated he has no problem rezoning the property at a later date to the R-120 zoning.

Motion to approve with condition of approval: Mayor Anderson
Second: Commissioner Hall

	YES	NO	ABSTAIN	RECUSE
Mayor Anderson	X			
Vice Mayor Butler		X		
Commissioner Hall	X			
Commissioner Johnson	X			
Commissioner McDonald		X		
MOTION PASSED 3-2				

11. New Business

A. Resolution 44-24, A Resolution of the Board of Commissioners of the City of Fairview, Tennessee, authorizing the Mayor to execute the Site Development Agreement Contract for Aignep Expansion. (City Engineer)

Discussion: City Engineer, Curtis Broadbent, stated this item was previously deferred to this meeting however the applicant has still not submitted a signed copy of the agreement and asked for an additional deferral to the December 5, 2024, meeting.

Motion to defer: Commissioner Johnson
Second: Commissioner McDonald

	YES	NO	ABSTAIN	RECUSE
Mayor Anderson	X			
Vice Mayor Butler	X			
Commissioner Hall	X			
Commissioner Johnson	X			
Commissioner McDonald	X			
MOTION PASSED 5-0				

B. Resolution 45-24, A Resolution of the City of Fairview Board of Commissioners to adopt the proposed Planning Commission calendar for February 2025 – February 2026. (City Planner)

Discussion: City Planner, Ethan Greer, stated the Planning Commission has adopted this calendar and gave a quick recap of the discussion stating that this calendar will have an additional week for staff review and an additional week for the applicant to respond to open issues. Mr. Greer also stated a “determination of submittal completion” date has been added.

Motion to approve: Commissioner Johnson
Second: Commissioner McDonald

	YES	NO	ABSTAIN	RECUSE
Mayor Anderson	X			
Vice Mayor Butler	X			
Commissioner Hall	X			
Commissioner Johnson	X			
Commissioner McDonald	X			
MOTION PASSED 5-0				

C. Resolution 46-24, A Resolution of the Board of Commissioners of the City of Fairview, Tennessee, approving an amendment to the employment agreement for the City Manager and authorizing the Mayor to sign on behalf of the city. (Mayor Anderson)

Discussion: Commissioner McDonald explained that his comments are not personal and looks forward to working with Mr. Daugherty in the coming years. Commissioner McDonald asked why this topic is being discussed and who brought up the idea of a contract extension for Mr. Daugherty. Mayor Anderson stated she brought up this topic. Commissioner McDonald ask why the urgency on this matter when the current contract has more than a year left. Mayor Anderson stated after her research she found this is not uncommon and she feels this is appropriate. Commissioner McDonald stated he reached out to MTAS and was given information that it is customary for contract negotiations to begin about six months out from expiration. Commissioner McDonald stated that an 18 month severance is wild to him and asked for an explanation on how that is in the best interest of the City of Fairview. Mr. Daugherty stated he hopes to never use the severance but if it happens he wants to ensure it is worth his time. Commissioner McDonald stated he feels there should have been a discussion item on an agenda to determine the terms of the contract. Mr. Daugherty stated when he was approached he took time to think if he was willing to speak with the city attorney to get the contract extension drawn up and stated he did find that it is common around election time to guarantee leadership stability. Mr. Daugherty stated he feels like staff morale and staff stability is huge and that fiscal stability is huge. Mr. Daugherty stated he would like to see some of the goals and projects that are currently in the works be completed. Mr. Daugherty stated he did a salary study of other municipalities in Williamson County and read aloud the salaries of other city managers. Mr. Daugherty stated he is open to discussing the 18 months' severance pay and open to discussing a three year contract instead of five years. Commissioner McDonald stated he feels the pay is competitive, however the timing is concerning when the city has two newly elected commissioners who don't have the opportunity to be heard. Commissioner McDonald stated he feels the citizens of Fairview will find this to be a very odd situation. Mayor Anderson stated city staff is happy, content, and working well together under the leadership of Mr. Daugherty. Mayor Anderson stated the city is financially stable even having a surplus under the leadership of Mr. Daugherty. Mayor Anderson stated she wants Mr. Daugherty to be compensated equally as others in the county. Mayor Anderson stated Mr. Daugherty deserves this and the community deserves to have a city manager that puts the citizens first and who is fiscally responsible with their money and who works day and night to make sure the community is taken care of. Commissioner McDonald agreed with what Mayor Anderson stated about Mr. Daugherty and stated the issue is the terms of the contract. Commissioner McDonald stated there is no reason to be talking about this tonight on the dawn of an election where the citizens of this community have spoken on who they want to be making decisions for this community. Commissioner McDonald stated there is no reason why this can not wait until a meeting after the new commissioners are sworn in. Vice Mayor Butler stated he does not believe the mayor negotiating the boards intent privately with the city manager is transparent and stated the board should have a workshop. Vice Mayor Butler stated he doesn't understand the rush or desire to vote on this item tonight. Mayor Anderson replied she did not have a discussion with the city manager, that the city manager discussed this item with the city attorney. Commissioner Johnson asked about the previous city manager drafting his own contract without the city attorneys assistance and bringing it before the board. Commissioner Johnson stated this is his last meeting and after serving for 18 years he recognizes that elections have consequences and that this contract amendment is a protection method for Mr. Daugherty and if the current board thinks he is doing a good job as city manager then they have the right to extend his contract. Commissioner

Johnson stated he agrees with protecting the morale of city employees. Commissioner Johnson stated he supports the contract amendment and believes Mr. Daughety is doing a tremendous job.

Commissioner Hall stated he would like to make an amendment to the motion to include a change in severance pay from 18 months to 12 months and to include a line stating employer will evaluate employees performance annually to consider a pay increase over the cost of living adjustment. Vice Mayor Butler seconded Mr. Halls motion to amend.

Vote on motion to amendment

	YES	NO	ABSTAIN	RECUSE
Mayor Anderson	X			
Vice Mayor Butler	X			
Commissioner Hall	X			
Commissioner Johnson	X			
Commissioner McDonald	X			
MOTION PASSED 5-0				

Motion to approve as amended: Mayor Anderson
Second: Commissioner Hall

Vote on motion to approve as amended

	YES	NO	ABSTAIN	RECUSE
Mayor Anderson	X			
Vice Mayor Butler		X		
Commissioner Hall	X			
Commissioner Johnson	X			
Commissioner McDonald		X		
MOTION PASSED 3-2				

D. Resolution 47-24, A Resolution of the Board of Commissioners of the City of Fairview, Tennessee, confirming the appointment of one (1) citizen to the Parks and Landscape Board.

Applicants: Doug Campbell, Dale Liedl

Discussion: Both applicants addressed the board giving their background information. The board discussed appointing one applicant now and the other applicant at a future meeting in December when there is another vacancy.

Motion to nominate Doug Campbell: Commissioner McDonald
Second: Commissioner Hall

	YES	NO	ABSTAIN	RECUSE
Mayor Anderson	X			
Vice Mayor Butler	X			
Commissioner Hall	X			
Commissioner Johnson	X			
Commissioner McDonald	X			
MOTION PASSED 5-0				

Doug Campbell appointed to the Parks and Landscape Board

E. Resolution 48-24, A Resolution of the Board of Commissioners of the City of Fairview, Tennessee, authorizing the Mayor to execute the Northwest Highway Development Agreement. (City Attorney)

Motion to defer: Mayor Anderson

Second: Commissioner Johnson

Discussion: Mr. Carter stated he has given his legal recommendation during the executive session. Mayor Anderson stated there is a lot of documents to go through and that this is the largest development that has ever come before the city. Mayor Anderson stated she has voted no on this development since the beginning. Mayor Anderson stated she does not think this is a good development for the area. Mayor Anderson stated with the amount of information given it will take time to sort through it and consider it. Mayor Anderson stated she was told the board has 30 days to make a decision. Vice Mayor Butler asked for clarification if the 30 days starts tonight or when the city received notice. Mr. Carter replied when the city received the notice. Commissioner Hall and Commissioner Johnson asked about the possibility of having a special called meeting in order to meet the 30 day deadline. Mr. Carter stated it will be 30 days from the date of the letter which was October 28, 2024. The board discussed possible options for dates to hold a special meeting. Vice Mayor Butler stated he feels this might lead into a “gray area” with the election just being held and new commissioners being elected. Mayor Anderson stated the election certification will be on November 18, 2024. Mayor Anderson asked Mr. Carter if he feels like the deadline could be extended a few weeks. Mr. Carter replied their timeline is very clear. Representative for the project, Danny Clausen, addressed the board stating their attorney has recommended he make no comment. Commissioner McDonald stated he understands no one likes it but it has to be dealt with, and he feels there is no time better than the present. Commissioner McDonald stated they have received very thorough legal advice prior to the meeting, and he would like to take action on the item tonight.

Vote on motion to defer

	YES	NO	ABSTAIN	RECUSE
Mayor Anderson	X			
Vice Mayor Butler		X		
Commissioner Hall		X		
Commissioner Johnson	X			
Commissioner McDonald		X		
MOTION FAILED 2-3				

Motion to approve: Commissioner McDonald

Second: Vice Mayor Butler

Vote on motion to approve

	YES	NO	ABSTAIN	RECUSE
Mayor Anderson		X		
Vice Mayor Butler	X			
Commissioner Hall	X			
Commissioner Johnson		X		
Commissioner McDonald	X			
MOTION PASSED 3-2				

F. Resolution 49-24, A Resolution of the Board of Commissioners of the City of Fairview, Tennessee, authorizing the Mayor to execute the Site Development Agreement Contract for Aden Woods Phase 4. (City Engineer)

Discussion: City Engineer, Curtis Broadbent, stated this development is located 7431 Crow Cut Rd. Mr. Broadbent stated this development consist of 20 residential lots and has a site reclamation bond of \$321,163.00 and a performance bond of \$1, 018, 823.00.

Motion to approve: Commissioner Johnson

Second: Commissioner McDonald

	YES	NO	ABSTAIN	RECUSE
Mayor Anderson	X			
Vice Mayor Butler	X			
Commissioner Hall	X			
Commissioner Johnson	X			
Commissioner McDonald	X			
MOTION PASSED 5-0				

G. Resolution 50-24, A Resolution of the Board of Commissioners authorizing the Fairview Police Department to continue participation in the Law Enforcement Support Office 1033 Program. (Police Chief)

Discussion: City Manager, Tom Daugherty, explained this Resolution will allow the Police Department to continue participation in the LESO program.

Motion to approve: Commissioner Johnson

Second: Mayor Anderson

	YES	NO	ABSTAIN	RECUSE
Mayor Anderson	X			
Vice Mayor Butler	X			
Commissioner Hall	X			
Commissioner Johnson	X			
Commissioner McDonald	X			
MOTION PASSED 5-0				

12. Roundtable: Mayor and Commissioners

Commissioner Hall – Commissioner Hall thanked all city employees for their hard work and dedication. Commissioner Hall thanked Vice Mayor Butler and Commissioner Johnson for their service on the Board of Commissioners and stated he will miss them. Commissioner Hall congratulated Ms. Roberts and Mr. Bufalini on their election to the Board of Commissioners. Commissioner Hall also read and email he received from the state regarding the planting of trees/shrubs at the Hwy 100/Hwy 96 interchange.

Commissioner McDonald – Commissioner McDonald congratulated Mr. Campbell on being appointed to the Parks and Landscape Board. Commissioner McDonald congratulated the two new commissioners and stated he looks forward to working with them. Commissioner McDonald thanked Vice Mayor Butler and Commissioner Johnson for their service and stated he has enjoyed working with them.

Commissioner Johnson – Commissioner Johnson welcomed Ms. Roberts and Mr. Bufalini to the Board of Commissioners. Commissioner Johnson thanked the citizens for electing him to four terms and thanked the staff.

Vice Mayor Butler – Vice Mayor Butler thanked Commissioner Johnson for his service. Vice Mayor Butler congratulated Ms. Roberts and Mr. Bufalini. Vice Mayor Butler thanked Mr. Greer for all his hard work with WCAR and for speaking to everyone that attended. Vice Mayor Butler thanked the citizens for allowing him to serve the city since 2013.

Mayor Anderson – Mayor Anderson thanked Vice Mayor Butler and Commissioner Johnson for their service. Mayor Anderson welcome Mr. Campbell to the Parks and Landscape Board. Mayor Anderson welcomed the Creed family to the City of Fairview after their property was annexed into the city during the meeting. Mayor Anderson welcomed Ms. Roberts and Mr. Bufalini to the city commission. Mayor Anderson praised Mr. Daugherty for the hard work he does for the city. Mayor Anderson explained the morale of city employees is great due to the leadership of Mr. Daugherty. Mayor Anderson reminded everyone to help keep Fairview beautiful by picking up trash and not throwing it out.

13. Adjournment @ 9:14 P.M. – Commissioner Johnson



Rachel Jones, City Recorder

<https://www.youtube.com/watch?v=7CHqiNX5YDg>