

REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
FEBRUARY 14, 2023

The Board of Mayor and Aldermen of the City of Fayetteville, Lincoln County, Tennessee, met in an open, public session at the regular meeting place of said Board in the Municipal Building of said City at 5:00 p.m. on February 14, 2023. Mayor Donna Hartman was present and presiding. The following named Aldermen were present:

Tonya Allen, Danny Bryant, Roger Martinez, Jacob Painter and Dorothy Small.

Alderman Jeff Alder was absent.

Kevin Owens, City Administrator and Johnny D. Hill, Jr., City Attorney were also present.

The prayer was led by Reverend Dezi Fletcher, and the pledge was led by Ralph Askins School students Zenteno and Brian Solis-Torres.

Adoption of Agenda:

Motion was made by Jacob Painter, seconded by Tonya Allen, to remove item “7.B. Fayetteville Main Street” (Aimee Byrd) from the agenda. Upon roll call, the following voted:

Aye: Tonya Allen, Danny Bryant, Roger Martinez, Jacob Painter, and Dorothy Small

Nay: None

Mayor Hartman declared the motion approved.

Approval of Minutes:

The Regular Meeting Minutes of January 10, 2023 were approved as presented.

The Special Called Meeting Minutes of January 31, 2023 were approved as presented.

Oath of Office:

Nick Baron was sworn in as a member of the Fayetteville Fire Department.

Reports:

Fayetteville/Lincoln County Library:

Meghan Murr, Fayetteville/Lincoln County Library Director, reported that the library was closed during the month of January 2023. During this time, the entire first floor was rearranged, and shelving units were added. The children’s section has been moved to the back of the library. The roof is currently being replaced. Also, hours have been extended to allow for more access for patrons.

Fayetteville/Lincoln County Chamber of Commerce:

Carolyn Denton, Fayetteville/Lincoln County Chamber of Commerce Director, stated that they are currently working with the Exchange on the upcoming Community Guide. Mock interviews were conducted for seventy-five (75) students at Fayetteville High School. More mock interviews will also be held at the Lincoln County High School with one hundred (100) interviews scheduled. Riverside Christian Academy will have their interviews in April 2023. A Breakfast Buzz, a speed networking event, is scheduled for February 23rd at 8:00 a.m. The 35th Annual Hamburger Day on the Hill is scheduled for March 29th. Seats can be reserved by contacting the Chamber for those interested in riding on a chartered bus to the event. The Lincoln County hamburgers will be provided by Kickin’ S Farms. The 12th Annual “Don’t Be Fooled” event is scheduled for April 3, 2023 at the fairgrounds. This is a drive-thru event. Music in the Park is being scheduled for the 3rd Thursdays from May through August, 2023 at Stone Bridge Park. Congratulations were extended to

Kevin Posey who received the Governor's Volunteer Stars Award for Lincoln County. The Fayetteville/Lincoln County Chamber of Commerce and Tourism Bureau serves as the county coordinator for the program.

FY2022 Audit/Financial status report – Putman and Hancock, CPAs:

Dan Hancock, Certified Public Accountant for Putman and Hancock, CPAs, provided additional information to clarify comments and answer questions as a result of the audit report during the previous Work Session. Mr. Hancock further explained that his definitions when speaking of excess of expenses over revenues versus a deficiency in fund balance needed further explanation as these are two separate things. The excess is reflected as an income statement item and a deficiency, if there was one, would be in the balance sheet or fund balance level. The City of Fayetteville is very strong with governmental fund balance being in excess of twelve million dollars (\$12,000,000.00) as of June 30, 2022. Unrestricted proprietary funds are just under thirty-seven million dollars (\$37,000,000.00). The debt service coverage for the City is 2.55 times which is extremely good. Another measure that bond companies would look at is how strong the unrestricted fund balance is compared to the total fund balance. At June 30, 2022, it is in excess of ninety percent (90%). This is very good. Mr. Hancock reassured the Board that the City is on very solid ground. He then stated there were no audit findings, no internal control deficiencies, and no material weaknesses discovered.

Fire Report:

Chief Tony Kimbrough reported that the Fayetteville Fire Department responded to one hundred fourteen (114) calls for service in the month of January 2023 to include one (1) building fire, one (1) vehicle fire, one (1) transport vehicle (semi-truck) fire and ninety-eight (98) EMS assists.

Police Report:

Chief Barry Pendergraft reported that the Fayetteville Police Department responded to one thousand, three hundred seventy-three (1,373) events in the month of January 2023 to include twenty-six (26) traffic accidents, made fifty-six (56) arrests, issued eighty-seven (87) citations, and wrote one hundred thirty-five (135) warning citations.

Finance Report:

Jamey Owen, Finance Director, reported that for Local Option Sales Tax, we have received one hundred fifty thousand, three hundred eight dollars and eighty-five cents (\$150,308.85) more than this time last fiscal year. We have received over fifty-five percent (55%) of the projected three million, two hundred thousand dollar (\$3,200,000.00) budget. For the Occupancy Tax, we have received twenty two thousand, five hundred seventy-six dollars and thirty cents (\$22,576.30) more than this time last fiscal year. We have received over sixty-nine percent (69%) of the projected one hundred sixty thousand dollar (\$160,000.00) budget. For the fiscal year property tax collections through December 2022, we have received three hundred sixty-five thousand, seven hundred thirty four dollars and ninety-two cents (\$365,734.92) less than last fiscal year through December 2021. However, for the fiscal year property tax collections through January 2023, we are eighteen thousand, nine hundred sixty-three dollars (\$18,963) less than January 2023.

Recreation Report:

Brian Carter, Parks and Recreation Director, reported that the platforms have been placed at Don Davidson Park for the electrical work and are waiting on the transformers to be received and installed. Quotes have been received for placing bollards around the bathrooms at S. J. King Park. Baseball signups continue through February for the spring baseball season. The preparations for painting the pool house floors have begun. The Parks and Recreation events calendar will be posted on Facebook and the City's website. We will be working towards a strategic plan to have in place for grant applications.

Public Works Report:

Eddie Plunkett, Public Works Director, reported that two hundred fifty-six (256) tons of trash, one hundred twenty-five (125) tons of brush and eleven (11) tons of leaves were collected for the month of January. There are three (3) open positions at this time. The Public Works department will be purchasing additional garbage carts. The funding will come from the current year's budget.

Planning and Codes Report:

Kristi Gentry, Planning and Codes Director, reported that eleven (11) permits were issued and three thousand, seven hundred thirty-four dollars (\$3,734.00) in permit fees were collected for the month of January 2023. The total project valuation was eight hundred ninety-two thousand, seven hundred fifteen dollars (\$892,715.00). Jack Williams, Building Inspector, completed his Commercial Mechanical examination. He is

now completely certified. Seventy-four property maintenance violations were logged for January. Two (2) condemnation hearings were held on Wednesday, February 8. We are going through the process to get those demolished. January Planning Commission approvals included a minor plat from Holt to Gentle which created an independent lot on Green Street, a complete remodel approval for 107 College Street West to be used for office space, and the 2022 Annual Report. The blueprint archival project is underway with the first box of plans from the 1970's completed. Tia Lockridge, the administrator of the Home Grant, is waiting on the lead base paint reports, but are still on track to release the first five (5) bids in February.

City Administrator's Report:

Kevin Owens, City Administrator, provided his monthly report to the Board of Mayor and Aldermen. Under the leadership of Finance Director Jamey Owens, the budget process has begun for the FY2024 budget year. We continue to look at options for the Greenway Phase II project. A presentation on the sidewalk project was given in the committee meeting last week, and a detailed presentation will be presented to the full board during the March Work Session. The William D. Jones project is still on track to begin mid-March 2023. We continue to work with the Humane Society and Animal Control, as this is an ongoing situation.

Approve the FY2022 audit:

Motion was made by Danny Bryant, seconded by Jacob Painter, to approve the FY2022 audit. Upon roll call, the following voted:

- Aye:
Danny Bryant, Roger Martinez, Jacob Painter, Dorothy Small, and Tonya Allen
- Nay:
- None

Mayor Hartman declared the motion approved.

Replacement vehicle (difference in new cost & insurance reimbursement \$10,726.33)-Capital Fund:

Motion was made by Danny Bryant, seconded by Dorothy Small, to approve replacement vehicle cost in the amount of ten thousand, seven hundred twenty-six dollars and thirty-three cents (\$10,726.33) for the Police Department. Upon roll call, the following voted:

- Aye:
Roger Martinez, Jacob Painter, Dorothy Small, Tonya Allen and Danny Bryant
- Nay:
- None

Mayor Hartman declared the motion approved.

Resolution R-2023-06 FM Global Fire Prevention grant permission to apply:

Resolution R-2023-06, a resolution entitled "A Resolution Authorizing the City of Fayetteville Fire Department to Apply for FM Global Fire Prevention Grant" was considered. Said resolution is as follows:

Motion was made by Jacob Painter, seconded by Tonya Allen, to approve Resolution R-2023-06 as presented. Upon roll call, the following voted:

- Aye:
Jacob Painter, Dorothy Small, Tonya Allen, Danny Bryant and Roger Martinez
- Nay:
- None

Mayor Hartman declared the motion approved.

Purchase two sets of airbags (\$28,270) - Capital Fund:

Motion was made by Tonya Allen, seconded by Roger Martinez, to approve the purchase of two (2) sets of airbags for a cost of twenty-eight thousand, two hundred seventy dollars (\$28,270.00). Upon roll call, the following voted:

Aye:
Dorothy Small, Tonya Allen, Danny Bryant, Roger Martinez and Jacob Painter

Nay:
None

Mayor Hartman declared the motion approved.

Resolution R-2023-05 ADA Coordinator and Procedures:

Resolution R-2023-05, a resolution entitled “A Resolution Adopting the Americans with Disabilities Act Coordinator and Procedures” was considered. Said resolution is as follows:

Motion was made by Danny Bryant, seconded by Dorothy Small, to approve Resolution R-2023-05 as presented. Upon roll call, the following voted:

Aye:
Tonya Allen, Danny Bryant, Roger Martinez, Jacob Painter, and Dorothy Small

Nay:
None

Mayor Hartman declared the motion approved.

2022 Planning Commission Annual Report:

Motion was made by Danny Bryant, seconded by Roger Martinez, to approve the 2022 Planning Commission Annual Report. Upon roll call, the following voted:

Aye:
Danny Bryant, Roger Martinez, Jacob Painter, Dorothy Small and Tonya Allen

Nay:
None

Mayor Hartman declared the motion approved.

FCS Pay Request Broaddus #15-Gym/Safe Room Project #PDMC-PJ-04-TN-2019-03:

Motion was made by Jacob Painter, seconded by Roger Martinez, to approve Fayetteville City Schools, City of Fayetteville Safe Room/Gymnasium Project #PDMC-PJ-04-TN-2019-003, Broaddus #15 invoice. Upon roll call, the following voted:

Aye:
Roger Martinez, Jacob Painter, Dorothy Small, Tonya Allen and Danny Bryant

Nay:
None

Mayor Hartman declared the motion approved.

FCS Pay Request Broaddus #16-Gym/Safe Room Project #PDMC-PJ-04-TN-2019-03:

Motion was made by Dorothy Small, seconded by Jacob Painter, to approve Fayetteville City Schools, City of Fayetteville Safe Room/Gymnasium Project #PDMC-PJ-04-TN-2019-003, Broaddus #16 invoice. Upon roll call, the following voted:

Aye:
Jacob Painter, Dorothy Small, Tonya Allen, Danny Bryant and Roger Martinez

Nay:
None

Mayor Hartman declared the motion approved.

Ordinance 2023-02 – COF FY2023 Budget Amendment #5:

Ordinance 2023-02, an ordinance entitled “An Ordinance of the City of Fayetteville, Amending the Annual budget and Capital Program for Fiscal Year 2023” was considered. Said ordinance is as follows:

Motion was made by Danny Bryant, seconded by Dorothy Small, to approve Ordinance 2023-02 as presented. Upon roll call, the following voted:

Aye:
Dorothy Small, Tonya Allen, Danny Bryant, Roger Martinez and Jacob Painter

Nay:
None

Mayor Hartman declared the motion approved.

Request to remove budgeted capital transfer of \$500,000 (General Fund to Capital Fund):

Motion was made by Danny Bryant, seconded by Dorothy Small, to remove the capital transfer of five hundred thousand dollars (\$500,000.00) from the budget. Upon roll call, the following voted:

Aye:
Tonya Allen, Danny Bryant, Roger Martinez, Jacob Painter, and Dorothy Small

Nay:
None

Mayor Hartman declared the motion approved.

FCS FY23 Budget Amendment #1 General Purpose Fund:

Motion was made by Jacob Painter, seconded by Roger Martinez, to approve the Fayetteville City Schools FY23 Budget Amendment #1 General Purpose Fund. Upon roll call, the following voted:

Aye:
Danny Bryant, Roger Martinez, Jacob Painter, Dorothy Small and Tonya Allen

Nay:
None

Mayor Hartman declared the motion approved.

Municipal Building HVAC drain repair (\$1,680) – General Fund:

Motion was made by Tonya Allen, seconded by Jacob Painter, to approve the HVAC drain repair in the amount of one thousand, six hundred eighty dollars (\$1,680.00). Upon roll call, the following voted:

Aye:
Roger Martinez, Jacob Painter, Dorothy Small, Tonya Allen and Danny Bryant

Nay:
None

Mayor Hartman declared the motion approved.

Municipal Building HVAC control panel repairs (\$4,440) – General Fund:

Motion was made by Dorothy Small, seconded by Jacob Painter, to approve the HVAC control panel repairs in the amount of four thousand, four hundred forty dollars (\$4,440.00). Upon roll call, the following voted:

Aye:
Jacob Painter, Dorothy Small, Tonya Allen, Danny Bryant and Roger Martinez

Nay:
None

Mayor Hartman declared the motion approved.

Resolution R-2023-07 FPU purchase of 13.34 acres - Brookstone Commons:

Resolution R-2023-07, a resolution entitled “A Resolution Authorizing the Acquisition of Real Property for the Benefit of Fayetteville Public Utilities” was considered. Said resolution is as follows:

Motion was made by Dorothy Small, seconded by Roger Martinez, to approve Resolution R-2023-07 as presented. Upon roll call, the following voted:

Aye:
Dorothy Small, Tonya Allen, Danny Bryant, Roger Martinez and Jacob Painter

Nay:
None

Mayor Hartman declared the motion approved.

Fayetteville/Lincoln County Library HVAC replacement (\$8,116.67) – Capital Fund:

The total replacement cost of the HVAC at the Fayetteville/Lincoln County Library is twenty-four thousand, three hundred fifty dollars (\$24,350.00). Lincoln County, the City of Fayetteville, and the Friends of the Library are each to pay one-third (1/3) of the replacement cost of eight thousand, one hundred sixteen dollars and sixty-seven cents (\$8,116.67). Motion was made by Danny Bryant, seconded by Roger Martinez, to approve for the City to pay eight thousand, one hundred sixteen dollars and sixty-seven cents (\$8,116.67) for their portion of the HVAC replacement for the Fayetteville/Lincoln County Library. This is a capital contribution and not maintenance of effort. Upon roll call, the following voted:

Aye:
Tonya Allen, Danny Bryant, Roger Martinez, Jacob Painter, and Dorothy Small

Nay:
None

Mayor Hartman declared the motion approved.

Soccer complex parking and cost (Lee building parking lot):

Motion was made by Tonya Allen, seconded by Dorothy Small, to approve the rental agreement between the City of Fayetteville and Wilson Parkway Partnership, LLC for rental of its parking lot adjacent to the City’s soccer complex in the amount of one dollar (\$1.00) per month. Upon roll call, the following voted:

- Aye:
Danny Bryant, Roger Martinez, Jacob Painter, Dorothy Small and Tonya Allen
- Nay:
- None

Mayor Hartman declared the motion approved.

Board of Appeals appointment – Brenda Neely (Term to expire 07/01/2024):

Motion was made by Dorothy Small, seconded by Jacob Painter to appoint Brenda Neely to the Board of Appeals. Upon roll call, the following voted:

- Aye:
Roger Martinez, Jacob Painter, Dorothy Small, Tonya Allen and Danny Bryant
- Nay:
- None

Mayor Hartman declared the motion approved.

Board of Appeals appointment – Joey Wolaver (Term to expire 07/01/2025):

Motion was made by Jacob Painter, seconded by Danny Bryant to appoint Joey Wolaver to the Board of Appeals. Upon roll call, the following voted:

- Aye:
Jacob Painter, Dorothy Small, Tonya Allen, Danny Bryant and Roger Martinez
- Nay:
- None

Mayor Hartman declared the motion approved.

Board of Appeals reappointment – Vince Kerns (Term to expire 07/01/2027):

Motion was made by Tonya Allen, seconded by Dorothy Small, to reappoint Vince Kerns to the Board of Appeals. Upon roll call, the following voted:

- Aye:
Dorothy Small, Tonya Allen, Danny Bryant, Roger Martinez and Jacob Painter
- Nay:
- None

Mayor Hartman declared the motion approved.

Slawburger Chase 5/10K run event permit – April 15, 2023:

Motion was made by Jacob Painter, seconded by Tonya Allen, to approve the Slawburger Chase 5/10K run event permit for April 15, 2023. Upon roll call, the following voted:

- Aye:
Tonya Allen, Danny Bryant, Roger Martinez, Jacob Painter, and Dorothy Small

Nay:
None

Mayor Hartman declared the motion approved.

Firecracker Chase 5K run event permit – June 24, 2023:

Motion was made for Dorothy Small, seconded by Roger Martinez, to approve the Firecracker Chase 5K run event permit for June 24, 2023. Upon roll call, the following voted:

Aye:
Danny Bryant, Roger Martinez, Jacob Painter, Dorothy Small and Tonya Allen

Nay:
None

Mayor Hartman declared the motion approved.

There being no more business before the Board, the meeting was adjourned.



Mayor Donna Hartman



City Clerk