

REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
SEPTEMBER 12, 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 September 12, 2023. Mayor Donna Hartman was present and presiding. The following named Aldermen were present:

Jeff Alder, Tonya Allen, Danny Bryant, Jacob Painter and Dorothy Small.

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

Alderman Roger Martinez was absent.

The prayer was led by Reverend Tommy Vann of First United Methodist Church, and the pledge was led by Ralph Askins 5th grade students Asher Allen and Jack Pitcock.

Adoption of Agenda:

The agenda for September 12, 2023 will stand.

Approval of Minutes:

The Regular Meeting Minutes of August 8, 2023 were approved as presented.

Public Comments:

There were no public comments.

Life Saving Awards:

On July 28, 2023, the Fayetteville Fire Department was dispatched to a home on Clark Avenue for a structure fire with possible entrapment. Upon arrival, fire personnel heard a man inside the residence. After forcing entry through the rear door, they discovered a male slumped over a kitchen chair in the floor. The patient was picked up by fire crews and then taken to safety while awaiting for EMS services to transport him to the local hospital for treatment. Chief Tony Kimbrough commended the fast response of the fire crew crediting them for saving the resident's life. Chief Kimbrough recognized the following members of the Fayetteville Fire Department and presented each with a Life Saving Award:

Captain Brandon Gentry
Lieutenant Daniel Underwood
Engineer Adam Ratley
Engineer Kevin Mickey (absent)
Firefighter Aaron Heard

Reports:

Fayetteville/Lincoln County Library:

Mayor Donna Hartman announced that Director Meghan Murr has a conflict with her schedule and was unable to attend. She will be reporting another time.

Fayetteville City Schools:

Rujena Dotson, Fayetteville City Schools (FCS) Assistant Director, stated that enrollment at Fayetteville City Schools is currently one thousand, two hundred five (1,205) students. Ralph Askins has an increased enrollment this year with six hundred (600) students attending that school. There have been some administrative changes at Fayetteville Middle School with Adam McCormick being named the new Principal. FCS has received a Stronger Connections Grant (SCG) which has allowed for a social worker to be placed at each of the city schools in addition to the counseling team that was already established. The Fayetteville High

School has received an Innovative Schools model Ariens grant. There will be a dual enrollment Tennessee Colleges of Applied Technology (TCAT) welding training program in the Ariens facility. Two hundred thousand dollars (\$200,000.00) in welding booths and one hundred forty thousand dollars (\$140,000.00) in equipment is being installed at the training facility by the industrial maintenance students enrolled in the local TCAT school as one of their projects. FCS has received the Gaining Early Awareness and Readiness for Undergraduate Programs (Gear Up) grant which will allow twenty-five (25) seniors to tour the local TCAT training center, as well as Middle Tennessee State University, the University of Tennessee in Knoxville and Tennessee Technological University. FCS Director Eric Jones remains in close contact with FEMA regarding the dome project.

Fire Report:

Chief Tony Kimbrough reported that the Fayetteville Fire Department responded to one hundred eight (108) calls for service in the month of August 2023 to include four (4) building fire calls and eighty-three (83) EMS assists.

Police Report:

Chief Barry Pendergraft reported that the Fayetteville Police Department responded to one thousand, ninety-three (1,093) events in the month of August 2023 to include forty (40) traffic accidents with six (6) injuries, made forty (40) arrests and issued one hundred (100) traffic citations.

Finance Report:

Kevin Owens, City Administrator, reported that Local Option Sales Tax received for July 2023 was three hundred forty-one thousand, three hundred twenty-seven dollars and twenty-two cents (\$341,327.22). Local Option Sales Tax received for July 2022 was three hundred twelve thousand, three hundred twenty-six dollars and eighty-one cents (\$312,326.81). The Occupancy Tax received for July 2023 was seventeen thousand, eight hundred thirty-three dollars and sixty-seven cents (\$17,833.67). The amount received for July 2022 was nineteen thousand, eight hundred sixty-six dollars and eighty-five cents (\$19,866.85). Mr. Owens welcomed incoming Finance Director Loretta Garner and Office Coordinator Rachel Owen. The fiscal year 2023 close out has been completed. We will begin our software conversion from eGov to Local Government beginning October 1, 2023.

Recreation Report:

Coby Templeton, Interim Parks and Recreation Director, reported that the softball fields are closed for the season. The drainage project at Don Davidson Park will begin soon with the assistance of the Public Works Department. Once the drainage project is completed, paving will follow in the park. The pool is currently closed and under maintenance. Painting is underway at Stone Bridge Park. Maintenance continues at soccer fields as they are currently being utilized by Cheer Magic and Lincoln County High School. Updates in the gun range are being implemented to improve the facility. The BlueCross BlueShield Safe Place grant application has been completed and submitted to provide funding to upgrade Kids Park. We will be removing the fence next to the road at Kids Park and also at S. J. King Park.

Public Works Report:

Eddie Plunkett, Public Works Director, reported that two hundred thirty-four (234) tons of trash and one hundred eighty (180) tons of brush were collected for the month of August. The Public Works Department currently has two (2) open positions.

Planning and Codes Report:

Kristi Gentry, Planning and Codes Director, reported that eleven (11) permits were issued and one thousand, one hundred ninety-nine dollars (\$1,199.00) in permit fees were collected for the month of August 2023. The total project valuation was three hundred thirteen thousand, eight hundred eighty-six dollars (\$313,886.00). Seventy-five (75) property maintenance violations were written in the month of August. There was a court hearing on August 31, 2023 for property located at 210 Lynn Drive. Minimal progress has been made, therefore the judge granted thirty (30) days to improve the conditions of the property. Attorney Hill and the planning and enforcement team are moving forward with the condemnation process on the five (5) properties in which hearings were recently held. The six (6) CGI videos are now displayed on the City of Fayetteville website under the "Community" tab for easy viewing. We are hosting a Keep Fayetteville City Beautiful informational meeting tonight at the Recreation Center at 6:00 p.m. Several City of Fayetteville employees will be presenting helpful information about winter fire safety and the Neighborhood Watch

program. Jill Smith is working with Keep Tennessee Beautiful to receive accreditation with the state with the hope that we can pursue grants beginning in 2024.

City Administrator’s Report:

Kevin Owens, City Administrator, provided his monthly report to the Board of Mayor and Aldermen. The city is the recipient of the Public Entity Partner’s four thousand dollar (\$4,000.00) safety grant that was recently applied for. Meetings are occurring frequently with all parties involved in order to facilitate as smooth a transition as possible for animal control services. Information will be provided as available. Mr. Owens thanked the board members and employees for their participation in helping to fulfill the requirements for the Title VI program. The submission of the required documentation will allow the city to request funding from federal funds and grants if entitled. We are in the process of completing two major capital projects: William D. Jones road restructuring/paving project and Don Davidson Park project.

Ordinance 2023-12 – Establish Updated Occupational Safety & Health Program Plan:

Ordinance 2023-12, an ordinance entitled “Ordinance to Establish an Updated Occupational Safety and Health Program Plan, Devise Riles and Regulations, and to Provide for a Safety Director and the Implementation of Such Program Plan” was considered. Said ordinance is as follows:

Motion was made by Jacob Painter, seconded by Tonya Allen, to approve Ordinance 2023-12 as presented. Upon roll call, the following voted:

- Aye:
Jeff Alder, Tonya Allen, Danny Bryant, Jacob Painter, and Dorothy Small
- Nay:
None

Mayor Hartman declared the motion approved.

Resolution R-2023-17 – Request to apply for Downtown Improvement Grant:

Resolution R-2023-17, a resolution entitled “A Resolution Authorizing the City of Fayetteville to Apply for Downtown Improvement Grant” was considered. Said resolution is as follows:

Motion was made by Jeff Alder, seconded by Jacob Painter, to approve Resolution R-2023-17 as presented. Upon roll call, the following voted:

- Aye:
Tonya Allen, Danny Bryant, Jacob Painter, Dorothy Small and Jeff Alder
- Nay:
None

Mayor Hartman declared the motion approved.

Resolution R-2023-18 – Request to apply for Tourism Enhancement Grant:

Resolution R-2023-18, a resolution entitled “A Resolution Authorizing the City of Fayetteville to Apply for Tourism Enhancement Grant” was considered. Said resolution is as follows:

Motion was made by Jacob Painter, seconded by Danny Bryant, to approve Resolution R-2023-18 as presented. Upon roll call, the following voted:

Aye:
Danny Bryant, Jacob Painter, Dorothy Small, and Jeff Alder

Nay:
Tonya Allen

Mayor Hartman declared the motion approved.

Resolution R-2023-19 – Request to apply for TN Law Enforcement Training Academy Grant:

Resolution R-2023-19, a resolution entitled “A Resolution Authorizing the City of Fayetteville Police Department to Seek Grants Through State of Tennessee – Tennessee Law Enforcement Training Academy” was considered. Said resolution is as follows:

Motion was made by Tonya Allen, seconded by Jeff Alder, to approve Resolution R-2023-19 as presented. Upon roll call, the following voted:

Aye:
Jacob Painter, Dorothy Small, Jeff Alder, Tonya Allen, and Danny Bryant

Nay:
None

Mayor Hartman declared the motion approved.

Resolution R-2023-20 – Request to apply for Wal-Mart Local Community Grant:

Resolution R-2023-20, a resolution entitled “A Resolution Authorizing the City of Fayetteville Fire Department to Apply for Wal-Mart Local Community Grant” was considered. Said resolution is as follows:

Motion was made by Jacob Painter, seconded by Tonya Allen, to approve Resolution R-2023-20 as presented. Upon roll call, the following voted:

Aye:
Dorothy Small, Jeff Alder, Tonya Allen, Danny Bryant and Jacob Painter

Nay:
None

Mayor Hartman declared the motion approved.

Resolution R-2023-21 – Accept Direct Appropriation Grant (\$500,000 for Camp Blount):

Resolution R-2023-21, a resolution entitled “A Resolution to Accept Direct Appropriation Grant for Camp Blount Improvements” was considered. Said resolution is as follows:

Motion was made by Dorothy Small, seconded by Jeff Alder, to approve Resolution R-2023-21 as presented. Upon roll call, the following voted:

Aye:
Jeff Alder, Tonya Allen, Danny Bryant, Jacob Painter, and Dorothy Small

Nay:
None

Mayor Hartman declared the motion approved.

Resolution R-2023-22 – Interim authorization for ACH transfers for payroll:

Resolution R-2023-22, a resolution entitled “A Resolution Authorizing Michelle Mitchell to Authorize ACH Payroll Transactions” was considered. Said resolution is as follows:

Motion was made by Dorothy Small, seconded by Jeff Alder, to approve Resolution R-2023-22 as presented. Upon roll call, the following voted:

Aye:
Tonya Allen, Danny Bryant, Jacob Painter, Dorothy Small, and Jeff Alder

Nay:
None

Mayor Hartman declared the motion approved.

FCS FY24 GP Budget Amendment #1:

Motion was made by Jeff Alder, seconded by Dorothy Small, to approve the Fayetteville City Schools General Purpose Budget Amendment #1. Upon roll call, the following voted:

Aye:
Danny Bryant, Jacob Painter, Dorothy Small, Jeff Alder, and Tony Allen

Nay:
None

Mayor Hartman declared the motion approved.

Downtown sidewalks bid acceptance (\$1,461,586.00):

A negotiated bid was received by a sole bidder for revised scope of work for the downtown sidewalk project to include the sections of S. Main Ave. (in front of Norman’s Furniture), S. Main Ave. (west side of downtown square), and Market St. (south side of square). The cost of the negotiated bid is one million, four hundred sixty-one thousand, five hundred eighty-six dollars (\$1,461,586.00). Motion was made by Danny Bryant, seconded by Dorothy Small, to suspend the rules to allow for an informal discussion. Upon roll call, the following voted:

Aye:
Jacob Painter, Dorothy Small, Jeff Alder, Tonya Allen, and Danny Bryant

Nay:
None

Mayor Hartman declared the motion approved.

After an informal discussion, motion was made by Danny Bryant, seconded by Jeff Alder, to resume under the rules and into regular session. Upon roll call, the following voted:

Aye:
Dorothy Small, Jeff Alder, Tonya Allen, Danny Bryant, and Jacob Painter

Nay:
None

Mayor Hartman declared the motion approved.

Motion was made by Danny Bryant, seconded by Jeff Alder, to approve the downtown sidewalks bid in the amount of one million, four hundred sixty-one thousand, five hundred eighty-six dollars (\$1,461,586.00), with a ten percent (10%) contingency in the amount of one hundred forty-six thousand, one hundred fifty-eight dollars (\$146,158.00), and that the excess of the amount previously allocated in bond funds come from general funds. Upon roll call, the following voted:

Aye:
Jeff Alder and Danny Bryant

Nay:
Tonya Allen, Jacob Painter, and Dorothy Small

Mayor Hartman declared the motion failed.

Increase sanitation rates for Fayetteville Housing Authority:

Motion was made by Dorothy Small, seconded by Tonya Allen, to increase the sanitation rates for the Fayetteville Housing Authority to the regular standard rates. Upon roll call, the following voted:

Aye:
Tonya Allen, Danny Bryant, Jacob Painter, Dorothy Small, and Jeff Alder

Nay:
None

Mayor Hartman declared the motion approved.

Fayetteville Christmas Parade event permit – December 2, 2023:

Motion was made by Jacob Painter, seconded by Dorothy Small, to approve the Fayetteville Christmas Parade event permit for December 2, 2023. Upon roll call, the following voted:

Aye:
Danny Bryant, Jacob Painter, Dorothy Small, Jeff Alder, and Tonya Allen

Nay:
None

Mayor Hartman declared the motion approved.

Fear Not Fest event permit – October 31, 2023:

Motion was made by Dorothy Small, seconded by Jeff Alder, to approve the Fear Not Fest event permit for October 31, 2023. Upon roll call, the following voted:

Aye:
Jacob Painter, Dorothy Small, Jeff Alder, Tonya Allen, and Danny Bryant

Nay:
None

Mayor Hartman declared the motion approved.

LCHS Homecoming Parade event permit – September 29, 2023:

Motion was made by Dorothy Small, seconded by Tonya Allen, to approve the LCHS Homecoming Parade event permit for September 29, 2023. Upon roll call, the following voted:

Aye:
Dorothy Small, Jeff Alder, Tonya Allen, Danny Bryant, and Jacob Painter

Nay:
None

Mayor Hartman declared the motion approved.

Truck-N-Treat event permit – October 29, 2023:

Motion was made by Tonya Allen, seconded by Jeff Alder, to approve the Trunk-N-Treat event permit for October 29, 2023. Upon roll call, the following voted:

Aye:
Jeff Alder, Tonya Allen, Danny Bryant, Jacob Painter, and Dorothy Small

Nay:
None

Mayor Hartman declared the motion approved.

Ovarian Cancer Awareness Month event permit – September 1-30, 2023:

Motion was made by Dorothy Small, seconded by Jacob Painter, to approve the Ovarian Cancer Awareness Month event permit for the month of September, 2023. Upon roll call, the following voted:

Aye:
Tonya Allen, Danny Bryant, Jacob Painter, Dorothy Small, and Jeff Alder

Nay:
None

Mayor Hartman declared the motion approved.

Senior Fishing Rodeo event permit – October 7, 2023:

Motion was made by Jacob Painter, seconded by Tonya Allen, to approve the Senior Fishing Rodeo event permit for October 7, 2023. Upon roll call, the following voted:

Aye:
Danny Bryant, Jacob Painter, Dorothy Small, Jeff Alder, and Tonya Allen

Nay:
None

Mayor Hartman declared the motion approved.

FPU Board Appointment (City appointee) – Mike Keenan (Term to expire 7/1/26):

This item failed due to the lack of a motion.

FPU Board Appointment (County appointee) – Nolan Tallman (Term to expire 7/1/26):

This item failed due to the lack of a motion.

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

Kevin L. Ows
City Clerk

Donna Hartman
Mayor Donna Hartman