REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
OCTOBER 10, 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 October 10, 2023. Mayor Donna Hartman was present and presiding. The following named Aldermen were present:

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

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

The prayer was led by Pastor Kenny McNatt of Hope Assembly Church, and the pledge was led by Ralph Askins School students Lilly Beth Jennings and Charlie Ivey.

Adoption of Agenda:

Mayor Hartman advised the Board of Mayor and Aldermen that the applicant of the "Sell-a-bration" event permit has withdrawn their application, therefore, item "10. N. Sell-a-bration event permit – November 4, 2023" will be removed from the agenda. There were no other changes to the agenda.

Approval of Minutes:

The Regular Meeting Minutes of September 12, 2023 were approved as presented.

Public Comments:

Hunterland Garnier spoke in opposition to item "10. F. Ordinance 2023-13 Amend Title 10, Chapter 1 of the Municipal Code" on the agenda.

Steve Halburg spoke of the cost of the downtown sidewalk project bid in item "10. C.", and then requested a traffic light be installed at Liberty Road.

Oath of Office:

Sarah Davis 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 during the month of September, 2023, one thousand, six hundred eleven (1,611) patrons visited the Library. These patrons checked out a total of one thousand, six hundred seventy-seven (1,677) materials. There were twenty-nine (29) new library cards issued. The library hosted twenty-six (26) programs during the month with two hundred eleven (211) patrons participating. All of the recent HVAC issues have now been repaired.

Fayetteville Public Utilities:

Britt Dye, Fayetteville Public Utilities (FPU) CEO/General Manager, stated that two electric charging stations are to be installed by the middle of 2024. They will be located in the City's parking lot on College Street West. This project is in collaboration with the Tennessee Department of Transportation (TDOT) and the Tennessee Valley Authority (TVA). A public meeting was held on October 5th concerning the upcoming water projects estimated at eighteen million dollars ($18,000,000.00). One half (1/2) of this amount will be debt that will be forgiven. The FPU audit was completed by Putman and Hancock with no findings. The report was accepted by their board in September. The TVA report was also accepted by the FPU board in September. The pandemic relief credit ended September 30th with savings in excess of two million, one hundred thousand dollars ($2,100,000) being passed on to FPU customers over the last three (3) years. TVA has approved a wholesale rate increase of four and one-half percent (4.5%). FPU is not adding to this rate increase at this time. Crews are wearing pink hard hats during the month of October for breast cancer

awareness. FPU is the first in the state to complete an apprenticeship program with the Tennessee Association Utility District (TAUD) to include students from Fayetteville High and Lincoln County High School. More than six hundred (600) miles of fiber have been installed in the service area. There are approximately three hundred (300) miles remaining. More than seven thousand dollars ($7,000) profit was made from the recent ribeye sandwich sales to be used in the community as charity funds. This money is used to benefit local charities. FPU will be hosting local community meetings in Mimosa, Flintville, Park City, Blanche and the city within the next few months. FPU and TVA partnered with Hands of Mercy last week to distribute more than one hundred fifty (150) boxes of food.

Fire Report:

Chief Tony Kimbrough reported that in the month of September 2023 the Fayetteville Fire Department responded to six (6) fire calls, seventy-five (75) EMS assists, and five (5) accidents. One of the fires was in response to a mutual aid call for the Palatec fire in Park City. There is one employment opening at the Fire Department.

Police Report:

Chief Barry Pendergraft reported that the Fayetteville Police Department responded to eight hundred eighty-six (886) events in the month of September 2023 to include thirty-eight (38) traffic accidents with one (1) injury, made fifty-eight (58) arrests and issued ninety-four (94) traffic citations. Condolences were offered to Office Amanda Rutherford on the loss of her son. Two (2) resignations have been received during this reporting period.

Finance Report:

Loretta Garner, Finance Director, reported that we are in the midst of our software conversion from eGov to Local Government with training going very well. We are currently unable to accept credit card payments but are working to get this issue resolved and apologize for any inconvenience this may cause. Local option sales tax collected for the month of August was two hundred ninety-six thousand, eight hundred sixty one dollars and eighty eight cents ($296,861.88). This is a decrease from this month in 2022. The occupancy tax collected for nine thousand, eleven dollars and sixty cents ($9,011.66), which is also a decrease from 2022.

Recreation Report:

Coby Templeton, Interim Parks and Recreation Director, reported that Nathan Browning has been hired as the new Parks and Recreation Director. An events permit has been submitted for a Trunk or Treat event at Stone Bridge Park on October 31, 2023. We invite and encourage all to attend. A dead tree has been removed at Stone Bridge Park near the pavilions as a safety precaution. We have received sealed bids for the annual fireworks show which came in under budget.

Public Works Report:

Eddie Plunkett, Public Works Director, reported that two hundred sixteen (216) tons of brush and one hundred ninety-one (191) tons of trash were collected for the month of September. The Public Works Department currently has two (2) open positions. The paving is now completed except the portion in front of the Catholic Church. The bridge on William D. Jones is projected to be completed within the next two (2) weeks.

Planning and Codes Report:

Kristi Gentry, Planning and Codes Director, reported that twelve (12) permits were issued and one thousand, seven hundred fifty dollars ($1,750.00) in permit fees were collected for the month of September 2023. The total project valuation was two hundred eighty-three thousand, one hundred twenty-one dollars ($283,121.00). Forty-seven (47) property maintenance violations were written in the month of September. Two (2) property demolitions were successfully completed this month. We went to court earlier this week for property located at 210 Lynn Drive. The property owner was found guilty and is being fined fifty dollars ($50.00) per day until they come in compliance with property maintenance codes. At the September Planning Commission meeting, a construction plan was approved for a new convenience store at the corner of Highway 50 and Winchester Highway. The last two (2) Home Grant projects are underway. A Board of Zoning Appeals meeting was requested and scheduled for October 31st. The property owner at 1010 Highland Drive is seeking a variance on the side yard setback to build a detached garage.

City Administrator's Report:

Kevin Owens, City Administrator, provided his monthly report to the Board of Mayor and Aldermen. Work is beginning on the sound system for the downtown square that the board approved. We have been working daily on the animal control transition plan to ensure it is as smooth transition as possible. During this period of transition, citizens can contact the non-emergency number at the Communications Center for assistance. We currently have three (3) workers for animal control services at this time.

Naming of road off Morton Drive (to name "Olive Street):

Motion was made by Danny Bryant, seconded by Roger Martinez, to approve to name the road off Morton Drive as Olive Street. Upon roll call, the following voted:

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

Nay:
None

Mayor Hartman declared the motion approved.

CDL license fee reimbursement ($3,000 requested):

Motion was made by Danny Bryant, seconded by Tonya Allen, to approve three thousand dollars ($3,000.00) to be used to reimburse employees the fee for obtaining their CDL driver's license. Upon roll call, the following voted:

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

Nay:
None

Mayor Hartman declared the motion approved.

Downtown Sidewalks project bid, contingency and funding:

Motion was made by Danny Bryant, seconded by Roger Martinez, to approve the downtown sidewalks project as follows:

Sidewalk project bid	$1,461,586.00
10% contingency	146,158.60
Total project cost	$1,607,744.60
Funding –	
Bond funds	$1,354,158.60
General funds	253,586.00
	$1,607,744.60

Upon roll call, the following voted:

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

Nay:
Tonya Allen

Mayor Hartman declared the motion approved.

K-9 pay scale restructure:

Motion was made by Jacob Painter, seconded by Tonya Allen, to approve the K-9 pay scale restructure. Upon roll call, the following voted:

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

Nay:
Roger Martinez

Mayor Hartman declared the motion approved.

Emergency repair fire apparatus (funded from FY24 approved budget):

Motion was made by Roger Martinez, seconded by Tonya Allen, to approve the emergency repair to fire apparatus that performed by Brindlee Mountain in the amount of three thousand, four hundred eighteen dollars and forty-five cents ($3,418.45). Upon roll call, the following voted:

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

Nay:
None

Mayor Hartman declared the motion approved.

Ordinance 2023-13 Amend Title 10, Chapter 1 of the Municipal Code:

Ordinance 2023-13, an ordinance entitled "An Ordinance to Amend Title 10, Chapter 1 of the Municipal code of the City of Fayetteville" was considered. Said resolution is as follows:

Motion was made by Tonya Allen, seconded by Jacob Painter, to postpone action on Ordinance 2023-13 until the November 2023 Board of Mayor and Aldermen meeting cycle for further discussion. Upon roll call, the following voted:

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

Nay:
Jeff Alder

Mayor Hartman declared the motion approved.

New city banners:

Motion was made by Danny Bryant, seconded by Jeff Alder, to approve new banners of the Camp Blount statue without trees in the background.

Motion was then made by Dorothy Small to amend the motion to approve the new banners of the Camp Blount statue with trees in the background. This motion moved forward for a vote. Upon roll call, the following voted:

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

Nay:
Jeff Alder and Danny Bryant

Mayor Hartman declared the motion approved.

FCS FY24 GP Budget Amendment #2:

Motion was made by Jeff Alder, seconded by Roger Martinez, to approve the Fayetteville City Schools General Purpose Budget Amendment #2. Upon roll call, the following voted:

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

Nay:
None

Mayor Hartman declared the motion approved.

Spirits with the Spirits event permit – October 21, 2023

Motion was made by Danny Bryant, seconded by Jacob Painter, to approve the Spirits with the Spirits event permit for October 21, 2023. Upon roll call, the following voted:

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

Nay:
None

Mayor Hartman declared the motion approved.

Free Food/Candy for Everyone event permit – October 21, 2023:

Motion was made by Tonya Allen, seconded by Jacob Painter, to approve the Free Food/Candy for Everyone event permit for October 21, 2023. Upon roll call, the following voted:

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

Nay:
None

Mayor Hartman declared the motion approved.

LC Fire Trunk or Treat event permit – October 28, 2023:

Motion was made by Jacob Painter, seconded by Danny Bryant, to approve the LC Fire Trunk or Treat event permit for October 28, 2023. Upon roll call, the following voted:

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

Nay:
None

Mayor Hartman declared the motion approved.

Parks and Recreation Trunk or Treat event permit – October 31, 2023:

Motion was made by Tonya Allen, seconded by Jacob Painter, to approve the Parks and Recreation Trunk or Treat event permit for October 31, 2023. Upon roll call, the following voted:

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

Nay:
None

Mayor Hartman declared the motion approved.

Mingle and Jingle event permit – November 4, 2023:

Motion was made by Jacob Painter, seconded by Jeff Alder, to approve the Mingle and Jingle event permit for November 4, 2023. Upon roll call, the following voted:

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

Nay:
None

Mayor Hartman declared the motion approved.

Host of Christmas Past event permit – November 10-11, 2023:

Motion was made by Jacob Painter, seconded by Dorothy Small, to approve the Host of Christmas Past event permit for November 10-11, 2023. Upon roll call, the following voted:

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

Nay:
None

Mayor Hartman declared the motion approved.

Bella's Snowball 5K and 1 Mile Fun Run event permit – November 11, 2023:

Motion was made by Tonya Allen, seconded by Roger Martinez, to approve the Bella's Snowball 5K and 1 Mile Fun Run event permit for November 11, 2023. Upon roll call, the following voted:

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

Nay:
None

Mayor Hartman declared the motion approved.

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

Donna Hartman
Mayor Donna Hartman

Kevin L Owens
City Clerk