

REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
JULY 8, 2014

REFERENCE VIDEO DATED JULY 8, 2014

The Board of Mayor and Aldermen of the City of Fayetteville, Lincoln County, Tennessee, met in open, public session at the regular meeting place of said Board in the Municipal Building of said City at 5:00 p.m. on July 8, 2014. Mayor John Ed Underwood, Jr. was present and presiding. The following named Aldermen were present:

Danny Bryant, Marty Pepper, Gwen Shelton, Dorothy Small, Michael Whisenant and Tom Young

Also, present were Scott Collins, City Administrator and Johnny D. Hill, Jr., City Attorney

The prayer was lead by Alderman Whisenant and the pledge was lead by Alderman Small

Approval of Minutes:

1. Motion was made by Michael Whisenant, seconded by Dorothy Small, to approve the minutes of the June 10, 2014, Public Hearing. Upon roll call, the following voted:

Aye

Danny Bryant, Tom Young, Dorothy Small, Michael Whisenant, Gwen Shelton and Marty Pepper

Nay

None

Mayor Underwood declared the Public Hearing Minutes approved.

2. Motion was made by Dorothy Small, seconded by Gwen Shelton, to approve the minutes of the June 2014 Meeting. Upon roll call, the following voted:

Aye

Tom Young, Dorothy Small, Michael Whisenant, Gwen Shelton, Marty Pepper and Danny Bryant

Nay

None

Mayor Underwood declared the June Minutes approved.

Reports:

Fayetteville Public Utilities:

Britt Dye, the CEO/General Manager, stated that the replacement of the water tank on Daves Hollow Road in Howell has been completed, increasing the capacity of that water tank by approximately two hundred thousand gallons (200,000.00). Mr. Dye explained that the installation of a new pump station on Lewisburg Highway has been completed. Mr. Dye reported that FPU will be closing on the purchase of one hundred seventy-two (172) customers, from Athens Utility, which are located on the Tennessee side of the Ardmore area, on July 10, 2014.

Fayetteville-Lincoln County Industrial Board:

Neither Executive Director Elaine Middleton nor any other representative of the Industrial Development Board appeared as scheduled so no report was presented.

Fayetteville City Schools:

Danny Bryant, City School Board ex-officio, explained that the following information on growth funds was just released to the City School system. Mr. Bryant stated that the growth funds are based on average daily maintenance, which indicates a schools growth, was Six Hundred Fifty-Six Thousand Dollars (\$656,000.00). Mr. Bryant stated that there are 753 students are currently registered at Ralph Askins for the 2014-2015 School Year.

Fire Report:

Fire Chief Danny Travis reported that the Fire Department had 61 calls for service, 42 medical calls, 1 accident with injuries and 1 structure fires with a property loss of \$19,000.00.

Police Report:

Police Chief Richard Howell reported that there were 198 incidents with 69 arrests, 47 crashes and 99 citations for a total of 1,700 events.

Recreation Report:

Ricky Honey, Recreation Director, explained that the spring youth baseball and softball season has ended, with the adult league continuing. Mr. Honey reported that the swimming pool hours have been extended. Mr. Honey stated that June's "Music in the Park" is rescheduled for Tuesday, July 15, 2014 and July's "Music in the Park" is slated for Thursday, July 24, 2014.

Public Works:

Eddie Plunkett, Public Works Director, reported that for the month of June 228 tons of sanitation was picked up, along with 336 tons of brush. Mr. Plunkett stated that 997 tons of sanitation and 2256 tons brush were picked-up for the 2014 Fiscal Year.

Planning and Codes Report:

Jeff Siefert, Building Inspector, reported for the month of June there were eight (8) building permits issued for approximately Thirty-Eight Thousand, Fifty Dollars and 46/100 (\$38,050.10) in work to be done, with the fees being Six Hundred Sixty-Three Dollars (\$663.00).

Administrator's Report:

Mr. Collins reported that the pre-bid meeting for the Washington Street paving project is slated for July 15, 2014, with the bid-opening scheduled for July 30, 2014. Mr. Collins explained that State Officials will be meeting with the Mayor and other City Officials on July 24, 2014 to discuss the Camp Blount State Park. Mr. Collins stated that a tour for the Board of Mayor Alderman to take of the new spec building has been schedule for Monday, July 21, 2014, at 4:00 p.m.

Sales Tax Notification Letter:

Motion was made by Gwen Shelton, seconded by Michael Whisenant, to send a Local Option Sales Tax distribution notification letter to the Lincoln County Trustee Mary Jane Porter, Lincoln County Mayor Peggy Bevels, Lincoln County Finance Director Cole Bradford and Lincoln County Mayor Pro Tem Doug Cunningham and to allow the City Mayor to sign the letter. Upon roll call, the following voted:

Aye

Dorothy Small, Michael Whisenant, Gwen Shelton, Marty Pepper, Danny Bryant and Tom Young

Nay
None

Mayor Underwood declared the motion approved.

City School Budget Fiscal Year 2014 Amendment #2:

Motion was made by Dorothy Small, seconded by Danny Bryant, to approve the City School Budget Amendment #2 for Fiscal Year 2013. Upon roll call, the following voted:

Aye
Michael Whisenant, Gwen Shelton, Marty Pepper, Danny Bryant, Tom Young and Dorothy Small

Nay
None

Mayor Underwood declared the motion approved.

City School Budget Fiscal Year 2014 Amendment #3:

Motion was made by Dorothy Small, seconded by Tom Young, to approve the City School Budget Amendment #3 for Fiscal Year 2013. Upon roll call, the following voted:

Aye
Gwen Shelton, Marty Pepper, Danny Bryant, Tom Young, Dorothy Small and Michael Whisenant

Nay
None

Mayor Underwood declared the motion approved.

City School Budget Fiscal Year 2015 Amendment:

Motion was made by Dorothy Small, seconded by Marty Pepper, to approve the City School Budget Amendment for Fiscal Year 2015. Upon roll call, the following voted:

Aye
Marty Pepper, Danny Bryant, Tom Young, Dorothy Small, Michael Whisenant and Gwen Shelton

Nay
None

Mayor Underwood declared the motion approved.

Ordinance No. 2014-09:

Ordinance No. 2014-09, an ordinance entitled, "An Ordinance To Establish A Sexual Offender Community Notification System", was considered. Said Ordinance is as follows:

ORDINANCE NO. 2014-09

**AN ORDINANCE TO ESTABLISH A SEXUAL OFFENDER
COMMUNITY NOTIFICATION SYSTEM.**

WHEREAS, persons convicted of certain sexual-related offenses in the State of Tennessee are required to register with the local law enforcement agency where they establish a residence pursuant to the Tennessee Sexual Offender and Violent Sexual Offender Registration, Verification and Tracking Act of 2004 as codified in Section 40-39-201 *et seq.*, Tennessee Code Annotated, and;

WHEREAS, the State of Tennessee maintains a Sex Offender Registry to facilitate the public's having information concerning persons convicted of sexual offenses and to allow members of the public to adequately protect themselves and their children from these persons, and;

WHEREAS, the Tennessee General Assembly has enacted Public Chapter No. 751 which has been signed into law by the Governor of the State of Tennessee, codified in Section 40-39-217, Tennessee Code Annotated, that provides for the establishment of a sexual offender community notification system upon passage by a two-thirds (2/3) vote of the legislative body of a municipality;

WHEREAS, the City of Fayetteville recognizes that establishing a sexual offender community notification system will benefit the citizens of the City of Fayetteville by providing information regarding individuals listed on the sexual offender registry who reside within the City of Fayetteville,

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND
ALDERMEN OF THE CITY OF FAYETTEVILLE, TENNESSEE, THAT:**

Pursuant to Section 40-39-217, Tennessee Code Annotated, the City of Fayetteville hereby establishes a sexual offender community notification system to provide notification when a person required to register pursuant to the Tennessee Sexual Offender and Violent Sexual Offender Registration, Verification and Tracking Act of 2004 intends to reside, or, upon registration, declares to reside with the City of Fayetteville. Such notification shall be made as follows:


1. The Fayetteville Police Department shall establish and maintain a location in a prominent place at the Fayetteville Police Department for the posting of notices pertaining to those persons on the sexual offender registry who reside in the City of Fayetteville.
2. The Fayetteville Police Department shall publicize such notices by posting them on any internet website or social media outlet routinely used by the Fayetteville Police Department for disseminating information to members of the public.
3. The Fayetteville Police Department may, at its discretion, use any other method reasonably expected to provide notification to members of the public.

Approved and adopted this the 8th day of July, 2014.



John Ed Underwood, Jr., Mayor

ATTEST:



Scott Collins, City Clerk

Motion was made by Gwen Shelton, seconded by Marty Pepper, to approve Ordinance No. 2014-09. Upon roll call, the following voted:

Aye

Danny Bryant, Tom Young, Dorothy Small, Michael Whisenant, Gwen Shelton and Marty Pepper

Nay

None

Mayor Underwood declared the Ordinance adopted.

Parade Permit – Tennessee Department of Labor & Workforce – Mobile Career Coach:

Motion was made by Gwen Shelton, seconded by Dorothy Small, to allow the Fayetteville-Lincoln County Chamber of Commerce to block off two (2) parking spaces in front of their building located at 208 Elk Avenue South. Upon roll call, the following voted:

Aye

Tom Young, Dorothy Small, Michael Whisenant, Gwen Shelton, Marty Pepper and Danny Bryant

Nay

None

Mayor Underwood declared the motion approved.

Board Appointments:

1. Motion was made by Gwen Shelton, seconded by Dorothy Small, to appoint Susan Compton to the Library Board. Upon roll call, the following voted:

Aye

Dorothy Small, Michael Whisenant, Gwen Shelton, Marty Pepper, Danny Bryant and Tom Young

Nay

None

Mayor Underwood declared the motion approved.

2. Motion was made by Dorothy Small, seconded by Michael Whisenant, to reappoint Adele Pitts to the Library Board. Upon roll call, the following voted:

Aye

Michael Whisenant, Gwen Shelton, Marty Pepper, Danny Bryant, Tom Young and Dorothy Small

Nay

None

Mayor Underwood declared the motion approved.

3. Motion was made by Dorothy Small, seconded by Gwen Shelton, to reappoint Tom Bailey to the Board of Appeals. Upon roll call, the following voted:

Aye

Gwen Shelton, Marty Pepper, Danny Bryant, Tom Young, Dorothy Small and Michael Whisenant

Nay

None

Mayor Underwood declared the motion approved.

Motion was made, seconded, and unanimously adopted to adjourn.

Mayor

City Clerk