

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



City Clerk



Mayor

REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
NOVEMBER 14, 2017

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 November 14, 2017. Mayor Jon Law was present and presiding. The following named Aldermen were present:

Danny Bryant, Anna Catherine Osteen, Violet Harry, Gwen Shelton, Dorothy Small and Michael Whisenant

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

The prayer was led by Alderman Danny Bryant, and the pledge was led by Jon Law.

Adoption of Agenda:

Motion was made by Dorothy Small, seconded by Gwen Shelton to move item "I" as the first order of new business and approve the agenda. All Ayes.

Approval of Minutes:

The Regular minutes of October 10, 2017, were approved as distributed.

Reports:

Fayetteville-Lincoln County Chamber of Commerce:

Carolyn Denton, Chamber Director, reported that the Chamber and Main Street were going to present a joint report for this month's meeting. Presentations were presented to the Host of Christmas Past committee in appreciation of their efforts in this year's Host of Christmas Past Event. It would not have been a success without all of the efforts from the numerous departments of the City.

Fayetteville Main Street

(See Chamber report)

Camp Blount Historic Site Association:

President Randy Delap reported that the association has been awarded 501(c)(3) tax exempt status. Special thanks to Attorney Johnny Hill for assisting the group this for Camp Blount. The purpose of this committee is to help raise funds for Camp Blount, memberships and to apply for grants. Dr. Farris Beasley reported on the history of Camp Blount and the significance of the term "Volunteer State."

Fire Report:

Fire Chief Danny Travis reported that there were 100 calls for service, with a loss of \$13,217.00. There were 69 medical calls and the volunteers logged 128 hours. During Fire Prevention month, the fire department came into contact with 524 children and 144 adults.

Police Report:

Police Chief Richard Howell was in training and no report was given.

Recreation Report:

Chris Mitchell, Recreation Director, reported that Halloween Happenings was October 24th and a good crowd was present. There is a new Christmas light display at Stone Bridge Park. Brad Bolles has been hired as the new recreation attendant. The Annual Christmas Parade will be December 2, with a theme of "Peace on Earth."

Public Works:

Eddie Plunket, Public Works Director, reported that 365 tons of brush was collected, 231 tons of sanitation, and 23 tons of leaves was collected. The Public Works Department will be closed November 23rd and 24th for the Thanksgiving holiday. The garbage trucks will run the Friday morning. The leaf machines are running daily to gather the leaves. City residents are asked not to bag their leaves.

Planning and Codes Report:

Jeff Siefert, Building Inspector, reported for the month of October there were 16 permits issued. Fees were three thousand six hundred and ninety-eight (\$3,698.00), with a total project value of seven hundred twenty-three thousand dollars (\$723,000.00).

Administrator's Report:

Scott Collins, City Administrator, reported that the paving bids have been submitted for Belleview. The North Main drainage project is making good progress. TAP Phase I is waiting for TDOT design approval and will go to bid next month. The Host of Christmas past was phenomenal and huge thanks to everyone that was involved.

Resolution R-17-20:

Resolution R-17-20, a resolution entitled, "A Resolution to Recognize the Fayetteville FFA on the Occasion of their 2017 Performance at the 90th National FFA Convention," was presented. Said resolution is as follows:

City of Fayetteville Resolution

R-17-20

A RESOLUTION to recognize the Fayetteville FFA on the occasion of their 2017 performance at the 90th National FFA Convention in Indianapolis, Indiana which resulted in their outstanding achievement and representation of their school, community and state.

Whereas, it is appropriate that the members of this board of mayor and alderman should honor those citizens who have performed with uncommon commitment and have achieved exceptional success in their areas of focus; and

Whereas, the Fayetteville FFA, is one such estimable group who's Agricultural Issues Team is the first ever Fayetteville FFA team to be named a national winner by placing in the top four teams in a national competition; and

Whereas, the Fayetteville FFA, having been the only Agricultural Issues Team from Tennessee to have ever placed in the top four in the nation in the event; and

Whereas, the Fayetteville FFA Agricultural Issues Team presented to organizations including the Rotary, Lions Club, Lincoln County Livestock Association, and Kiwanis in an effort to seek their input in order to improve their presentation and inform the public of the issue of "Veterinary Feed Directives"; and

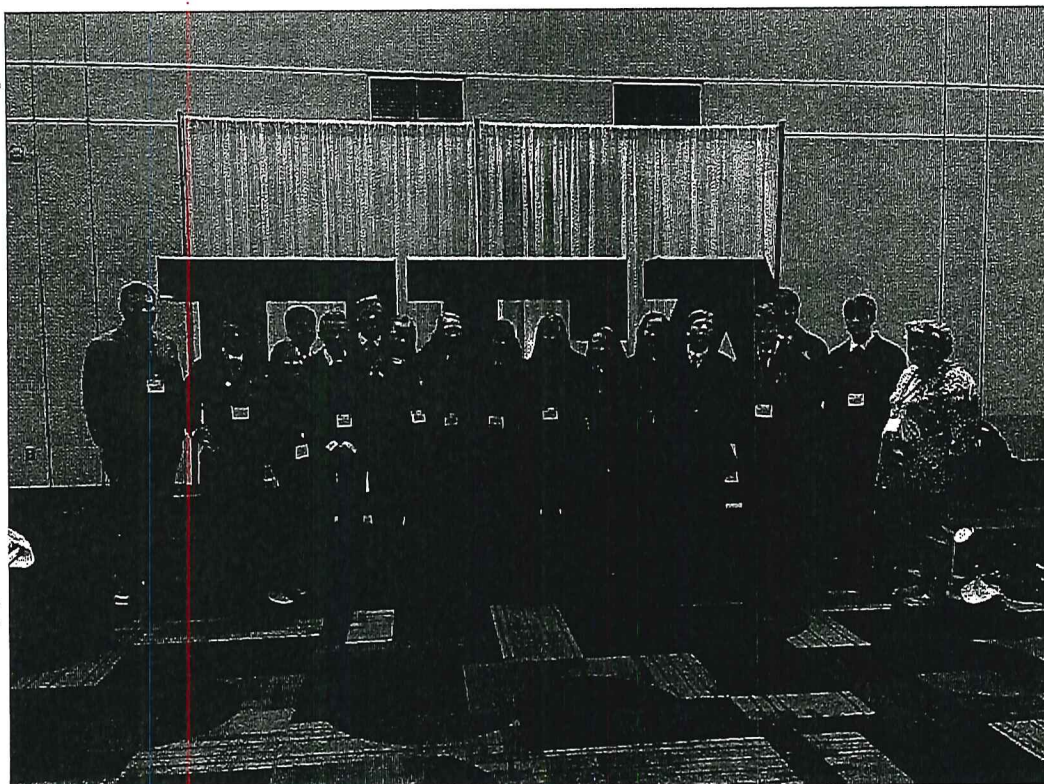
Whereas, six Agricultural Science Projects were chosen as national finalists with nine students presenting and competing; and

Whereas, two Agricultural Science Projects placed fifth in the nation and one was named a national winner now; therefore,

Be It Resolved, by the Board of Mayor and Aldermen that we extend to each of the members of the 2017 Fayetteville FFA national competitors our sincerest wishes for their continuing success in the their agricultural research, leadership activities, and efforts to make their community a better place.

READ and ADOPTED this the 14th day of November, 2017.


Jon Law, Mayor



Motion was made by Gwen Shelton, seconded by Dorothy Small, to accept Resolution R-17-20. Upon roll call, the following voted:

Aye:

Danny Bryant, Dorothy Small, Violet Harry, Anna Catherine Osteen, Gwen Shelton and Michael Whisenant

Nay:

None

Mayor Law declared the motion approved.

Resolution R-17-17:

Resolution R-17-17, a resolution entitled, "A Resolution Authorizing and Providing for the Financing of the Construction of a Wastewater Facilities Project in the Principal Amount of Three Million Dollars (\$3,000,000)," was considered. Said Resolution is as follows:

AUTHORIZING RESOLUTION R-17-17

RESOLUTION AUTHORIZING AND PROVIDING FOR THE FINANCING OF THE CONSTRUCTION OF A WASTEWATER FACILITIES PROJECT, INCLUDING AUTHORIZING THE EXECUTION OF APPLICATIONS, CONTRACTUAL AGREEMENTS, AND OTHER NECESSARY DOCUMENTS, AND MAKING CERTAIN REPRESENTATIONS, CERTIFICATIONS, AND PLEDGES OF CERTAIN REVENUE IN CONNECTION WITH SUCH FINANCING.

WHEREAS, the Fayetteville is a public and governmental body in the City of Fayetteville, Tennessee (the "Local Government"); and

WHEREAS, the Local Government has determined that it is necessary and desirable to undertake certain activities or tasks in connection with a wastewater facilities project, Department of Environment and Conservation Number **SRF 2018-408** (the "Project"), in and for the Local Government; and

WHEREAS, Tennessee Code Annotated, Section 68-221-1001 et. seq., provide for the lending of moneys in the wastewater facilities Revolving Loan Fund to Local Governments for the purpose of providing funds for Project Loans; and

WHEREAS, the local Government has determined that it is necessary and advisable to borrow funds for the Project pursuant to these sections.

NOW, THEREFORE, be it resolved as follows:

Section 1. Local Government hereby approves the creation of indebtedness on behalf of the Local Government in the principal amount of THREE MILLION Dollars (\$3,000,000) by the obtaining of a Project Loan.

Section 2. The execution and delivery of the Application for a Project Loan in the principal amount of THREE MILLION Dollars (\$3,000,000) for the purpose of funding all or a portion of the total estimated cost of the Project FOUR MILLION Dollars (\$4,000,000), by Jonathon D. Law, Mayor of the City Of Fayetteville, is hereby ratified and approved in all respects.

Section 3. The form, terms, and provisions of the agreement for the Project Loan among the Local Government, the Tennessee Department of Environment and Conservation and the Tennessee Local Development Authority (the "Loan Agreement"), as presented at this meeting, are hereby approved.

Section 4. The Local Government hereby agrees to honor and accept the method of financing as may be determined by the Authority pursuant to the Loan Agreement.

Section 5. The Local Government hereby agrees to make the monthly payments on the Project Loan in accordance with the Payment Schedule to be attached to the Loan Agreement.

Section 6. The Local Government hereby agrees to levy fees, rates or charges for services provided by the Project and/or to levy ad valorem taxes sufficient to pay the interest on and principal of the Project Loan in accordance with the Loan Agreement. The Local Government also agrees to levy fees, rates, or charges and/or ad valorem taxes sufficient to pay the cost of operation and maintenance of the wastewater system of which the Project is a part, which cost shall include depreciation and all other debt service expense of the system.

Section 7. The Local Government assigns and pledges its State-Shared Taxes to the State and consents to the withholding and application of State-Shared Taxes in the event of failure by the Local Government to remit monthly payments in accordance with the terms of the Loan Agreement, as the Loan Agreement may be supplemented or amended from time to time.

Section 8. The Local Government hereby agrees that there are no local pledges of State-Shared Taxes other than those disclosed.

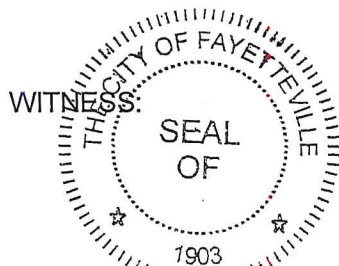
Section 9. The Local Government hereby agrees to obtain alternative methods of financing for all costs necessary for the completion of the Project which are in excess of the combined financing provided by any agency of the United States Government and by the Tennessee Local Development Authority.

Section 10. The Mayor of the Local Government is authorized and directed to execute the Loan Agreement, and any amendments or supplements to the Loan Agreement, in the name and behalf of the Local Government; to deliver such documents to the other parties to such documents, such execution and delivery to be conclusive proof of the approval of the Local Government of such documents; and to take such further action and to execute and deliver such further instruments or documents as such officer may consider necessary or advisable in connection with the Loan Agreement. Provided, however, this resolution shall not be deemed to grant authority to the named officer to approve any increase in the amount of the Project Loan.

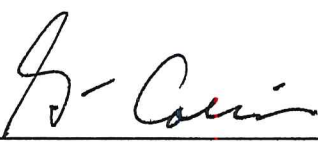
Section 11. All orders, resolutions, or ordinances in conflict with this resolution be and the same are repealed insofar as such conflict exists. This resolution shall become effective immediately upon its passage.

Duly passed and approved this 14th day of November, 2017.


Jonathon D. Law, Mayor



(Affix Seal As Appropriate)


Scott Collins, City Administrator

Motion was made by Michael Whisenant, seconded by Danny Bryant, to accept Resolution No. R-17-17. Upon roll call, the following voted:

Aye:

Dorothy Small, Violet Harry, Anna Catherine Osteen, Gwen Shelton, Michael Whisenant and Danny Bryant

Nay:

None

Mayor Law declared the motion approved.

Resolution R-17-18:

Resolution R-17-18, a resolution entitled, "A Resolution Authorizing and Providing for the Financing of the Construction of a Wastewater Facilities Project in the Principal Amount of One Million Dollars (\$1,000,000)," was considered. Said Resolution is as follows:

AUTHORIZING RESOLUTION R-17-18

RESOLUTION AUTHORIZING AND PROVIDING FOR THE FINANCING OF THE CONSTRUCTION OF A WASTEWATER FACILITIES PROJECT, INCLUDING AUTHORIZING THE EXECUTION OF APPLICATIONS, CONTRACTUAL AGREEMENTS, AND OTHER NECESSARY DOCUMENTS, AND MAKING CERTAIN REPRESENTATIONS, CERTIFICATIONS, AND PLEDGES OF CERTAIN REVENUE IN CONNECTION WITH SUCH FINANCING.

WHEREAS, the Fayetteville is a public and governmental body in the City of Fayetteville, Tennessee (the "Local Government"); and

WHEREAS, the Local Government has determined that it is necessary and desirable to undertake certain activities or tasks in connection with a wastewater facilities project, Department of Environment and Conservation Number **CW6 2018-407** (the "Project"), in and for the Local Government; and

WHEREAS, Tennessee Code Annotated, Section 68-221-1001 et. seq., provide for the lending of moneys in the wastewater facilities Revolving Loan Fund to Local Governments for the purpose of providing funds for Project Loans; and

WHEREAS, the local Government has determined that it is necessary and advisable to borrow funds for the Project pursuant to these sections.

NOW, THEREFORE, be it resolved as follows:

Section 1. Local Government hereby approves the creation of indebtedness on behalf of the Local Government in the principal amount of ONE MILLION Dollars (\$1,000,000) by the obtaining of a Project Loan.

Section 2. The execution and delivery of the Application for a Project Loan in the principal amount of ONE MILLION Dollars (\$1,000,000) for the purpose of funding all or a portion of the total estimated cost of the Project FOUR MILLION Dollars (\$4,000,000), by Jonathon D. Law, Mayor of the City Of Fayetteville, is hereby ratified and approved in all respects.

Section 3. The form, terms, and provisions of the agreement for the Project Loan among the Local Government, the Tennessee Department of Environment and Conservation and the Tennessee Local Development Authority (the "Loan Agreement"), as presented at this meeting, are hereby approved.

Section 4. The Local Government hereby agrees to honor and accept the method of financing as may be determined by the Authority pursuant to the Loan Agreement.

Section 5. The Local Government hereby agrees to make the monthly payments on the Project Loan in accordance with the Payment Schedule to be attached to the Loan Agreement.

Section 6. The Local Government hereby agrees to levy fees, rates or charges for services provided by the Project and/or to levy ad valorem taxes sufficient to pay the interest on and principal of the Project Loan in accordance with the Loan Agreement. The Local Government also agrees to levy fees, rates, or charges and/or ad valorem taxes sufficient to pay the cost of operation and maintenance of the wastewater system of which the Project is a part, which cost shall include depreciation and all other debt service expense of the system.

Section 7. The Local Government assigns and pledges its State-Shared Taxes to the State and consents to the withholding and application of State-Shared Taxes in the event of failure by the Local Government to remit monthly payments in accordance with the terms of the Loan Agreement, as the Loan Agreement may be supplemented or amended from time to time.

Section 8. The Local Government hereby agrees that there are no local pledges of State-Shared Taxes other than those disclosed.

Section 9. The Local Government hereby agrees to obtain alternative methods of financing for all costs necessary for the completion of the Project which are in excess of the combined financing provided by any agency of the United States Government and by the Tennessee Local Development Authority.

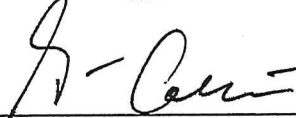
Section 10. The Mayor of the Local Government is authorized and directed to execute the Loan Agreement, and any amendments or supplements to the Loan Agreement, in the name and behalf of the Local Government; to deliver such documents to the other parties to such documents, such execution and delivery to be conclusive proof of the approval of the Local Government of such documents; and to take such further action and to execute and deliver such further instruments or documents as such officer may consider necessary or advisable in connection with the Loan Agreement. Provided, however, this resolution shall not be deemed to grant authority to the named officer to approve any increase in the amount of the Project Loan.

Section 11. All orders, resolutions, or ordinances in conflict with this resolution be and the same are repealed insofar as such conflict exists. This resolution shall become effective immediately upon its passage.

Duly passed and approved this 14th day of November, 2017.


Jonathon D. Law, Mayor




Scott Collins, City Administrator

Motion was made by Michael Whisenant, seconded by Dorothy Small to accept Resolution No. R-17-18. Upon roll call, the following voted:

Aye:
Violet Harry, Anna Catherine Osteen, Gwen Shelton, Michael Whisenant and Danny Bryant and Dorothy Small

Nay:
None

Mayor Law declared the motion approved.

Resolution R-17-19:

Resolution R-17-19, a resolution entitled, "A Resolution to Provide for the Disposition of Funds Budgeted for the Various Departments of the City of Fayetteville that are Unspent at the Close of Each Fiscal Year," was considered. Said Resolution is as follows:

RESOLUTION NO. 2017-19

A RESOLUTION TO PROVIDE FOR THE DISPOSITION OF FUNDS BUDGETED FOR THE VARIOUS DEPARTMENTS OF THE CITY OF FAYETTEVILLE THAT ARE UNSPENT AT THE CLOSE OF EACH FISCAL YEAR.

WHEREAS, the City of Fayetteville has had a policy known as the Year End Fund Balance Policy whereby each department of the City was permitted to retain fifty percent (50%) of the funds budgets for that department that were unspent at the close of the fiscal year, up to \$10,000, and;

WHEREAS, on October 10, 2017, the Board of Mayor and Alderman voted in favor of abolishing the Year End Fund Balance Policy; and


WHEREAS, in the absence of said policy, action needs to be taken to determine how the unspent funds will be administered;

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FAYETTEVILLE, TENNESSEE, THAT:

All funds budgeted for the various departments of the City of Fayetteville that are unspent at the close of the fiscal year shall be transferred to the City of Fayetteville Capital Fund.

Approved and adopted this the 14th day of November, 2017.


Jon Law, Mayor

ATTEST:

Scott Collins, City Clerk

Projected Cash Balance for Sanitation

	July	August	September	October	November	December	January	February	March	April	May	June	Total Projection
Cash balance @ 6/30/2017	301,462.86	277,389.57	280,206.28	289,467.99	263,904.70	277,726.41	282,781.80	251,757.42	259,934.13	273,746.84	249,833.54	259,155.25	
Revenues													
Refuse Charges - FPU	38,000.00	38,000.00	38,000.00	38,000.00	38,000.00	38,000.00	38,000.00	38,000.00	38,000.00	38,000.00	38,000.00	38,000.00	
Refuse Charges - other	7,500.00	7,500.00	7,500.00	7,500.00	7,500.00	7,500.00	7,500.00	7,500.00	7,500.00	7,500.00	7,500.00	7,500.00	
Total Revenue for Month	45,500.00	45,500.00	45,500.00	45,500.00	45,500.00	45,500.00	45,500.00	45,500.00	45,500.00	45,500.00	45,500.00	45,500.00	546,000.00
Expenses													
Salaries	6,004.00	6,004.00	6,004.00	6,004.00	6,004.00	9,006.00	6,004.00	6,004.00	6,004.00	6,004.00	6,004.00	8,000.00	77,046.00
Overtime	-	-	-	-	-	-	-	-	-	-	-	-	-
Longevity	-	-	-	-	-	-	2,150.00	-	-	-	-	-	2,150.00
Perfect Attendance	-	-	-	-	-	100.00	-	-	-	-	-	-	100.00
Christmas	-	-	-	-	-	660.00	-	-	-	-	-	-	660.00
Payroll Taxes	459.31	459.31	459.31	459.31	459.31	747.10	623.78	459.31	459.31	459.31	459.31	612.00	6,116.63
Other Insurances	43.00	43.00	43.00	43.00	43.00	43.00	43.00	43.00	43.00	43.00	43.00	43.00	516.00
Retirement	576.98	576.98	576.98	576.98	576.98	938.51	783.60	576.98	576.98	576.98	576.98	768.80	7,683.77
Health Insurance	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	30,000.00
Workers Comp Insurance	-	6,000.00	-	-	-	-	-	-	-	-	-	-	6,000.00
State Unemployment	-	-	-	-	-	-	-	-	64.00	-	-	-	64.00
Repairs & Maintenance	400.00	200.00	350.00	450.00	300.00	450.00	250.00	450.00	250.00	200.00	200.00	400.00	3,900.00
Other Contractual Services	-	250.00	500.00	-	-	-	-	700.00	-	-	-	-	1,450.00
Landfill Services	14,000.00	13,500.00	16,500.00	15,500.00	12,500.00	13,000.00	15,500.00	17,500.00	12,500.00	15,000.00	13,500.00	13,500.00	172,500.00
Operating Supplies	210.00	210.00	210.00	210.00	100.00	210.00	150.00	100.00	200.00	100.00	100.00	100.00	1,900.00
Repairs & Maintenance	1,075.00	1,075.00	1,075.00	1,075.00	1,075.00	1,075.00	1,075.00	1,075.00	1,075.00	1,075.00	1,075.00	1,075.00	12,900.00
Fuel Expense	800.00	800.00	900.00	700.00	900.00	800.00	900.00	800.00	900.00	800.00	800.00	900.00	10,000.00
Building Insurance	-	150.00	-	-	-	-	-	-	-	-	-	-	150.00
Vehicle Insurance	-	-	-	-	-	-	1,500.00	-	-	-	-	-	1,500.00
Liability Insurance	-	-	-	-	-	-	2,300.00	-	-	-	-	-	2,300.00
Keep Fayetteville - LC Beautiful	8,125.00	-	-	8,125.00	-	-	8,125.00	-	-	8,125.00	-	-	32,500.00
Garbage Truck - Principal	5,450.00	5,500.00	5,515.00	5,525.00	5,535.00	5,545.00	5,560.00	5,570.00	5,580.00	5,595.00	5,605.00	5,620.00	66,600.00
Garbage Truck Loan - Interest	430.00	415.00	405.00	395.00	385.00	370.00	360.00	345.00	335.00	325.00	315.00	300.00	4,290.00
Transfer to Landfill	2,000.00	5,000.00	1,200.00	2,000.00	1,300.00	5,000.00	1,200.00	1,200.00	1,200.00	1,200.00	5,000.00	1,200.00	27,500.00
Transfer to GF for Brush Pickup	27,500.00	-	-	27,500.00	-	-	27,500.00	-	-	27,500.00	-	-	110,000.00
Total Expenses for Month	69,573.29	42,683.29	36,238.29	71,063.29	31,678.29	40,444.61	76,524.38	37,323.29	31,687.29	69,413.29	36,178.29	35,018.80	577,826.41
Cash balance at end of Month	277,389.57	280,206.28	289,467.99	263,904.70	277,726.41	282,781.80	251,757.42	259,934.13	273,746.84	249,833.54	259,155.25	269,636.45	

Motion was made by Violet Harry, seconded by Anna Catherine Osteen to accept Resolution No. R-17-19. Upon roll call, the following voted:

Aye:

Anna Catherine Osteen, Gwen Shelton, Michael Whisenant and Danny Bryant, Dorothy Small and Violet Harry

Nay:

None

Mayor Law declared the motion approved.

Local Parks and Recreation Fund (LPRF) Grant:

Motion was made by Danny Bryant, seconded by Dorothy Small to allow Community Development Partners to be the administrator of the grant. Upon roll call, the following voted:

Aye:

Gwen Shelton, Michael Whisenant, Danny Bryant, Dorothy Small and Violet Harry

Nay:

Anna Catherine Osteen

Mayor Law declared the motion approved.

Ordinance 2017-12:

Ordinance No. 2017-12, an ordinance entitled, "An Ordinance of the City of Fayetteville, Tennessee Repealing Title 2, Chapter 2 of the Fayetteville Municipal Code," was considered. Said Ordinance is as follows:

ORDINANCE NO. 2017-12

**AN ORDINANCE OF THE CITY OF FAYETTEVILLE, TENNESSEE
REPEALING TITLE 2, CHAPTER 2 OF THE FAYETTEVILLE
MUNICIPAL CODE.**

WHEREAS, Title 2, Chapter 2 of the Fayetteville Municipal Code provides for the establishment of the Fayetteville Recreation Board; and

WHEREAS, by previous action of the Board of Mayor and Aldermen, a standing committee has been established for the benefit of the Recreation Department in Section 1-104 of the Municipal Code; and

WHEREAS, with the creation of the standing committee, the Fayetteville Recreation Board is no longer needed to assist the Director of the Recreation Department; and

WHEREAS, abolishing the Fayetteville Recreation Board is in the best interest of the citizens of the City of Fayetteville.

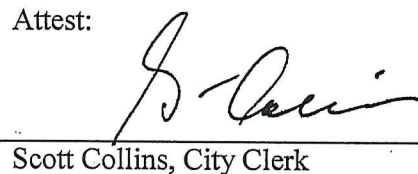
NOW, THEREFORE, BE IT ORDAINED by the City of Fayetteville Board of Mayor and Alderman that the Municipal Code shall be amended to repeal in its entirety Chapter 2 of Title Two entitled "Recreation Board."

BE IT FURTHER ORDAINED that this amendment shall take effect from and after its passage, the public welfare requiring it.

Adopted this 14th day of November, 2017.


Jonathan D. Law, Mayor

Attest:


Scott Collins, City Clerk

Motion was made by Gwen Shelton, seconded by Violet Harry, to approve ordinance 2017-12. Upon roll call, the following voted:

Aye:

Michael Whisenant, Danny Bryant, Dorothy Small, Violet Harry, Anna Catherine Osteen and Gwen Shelton

Nay:

None

Drainage Easement for Speedway:

Motion was made by Danny Bryant, seconded by Gwen Shelton, to approve and take the proposed easement with the stipulation of the use of concrete tile. Upon roll call, the following voted:

Aye:

Danny Bryant, Dorothy Small, Violet Harry, Anna Catherine Osteen, Gwen Shelton and Michael Whisenant

Nay:

None

Mayor Law declared the motion approved.

Call for Public Hearing: Map 0671 Group H Control Map 0671 Parcel 053.00, Rezone from R-1 to R-3:

Mayor Law announced notice for Public Hearing.

Call for Public Hearing: Map 067 Control Map 067 Parcel 070.02, Rezone from R-1 to R-3:

Mayor Law announced notice for Public Hearing.

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



City Clerk



Mayor