

REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
JANUARY 11, 2022

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 January 11, 2022. Mayor Michael Whisenant was present and presiding. The following named Aldermen were present:

Jeff Alder, Tonya Allen, Danny Bryant, Donna Hartman, Roger Martinez and Dorothy Small

Richard Howell, Interim City Administrator and Johnny D. Hill, Jr., City Attorney were also present.

The prayer was led by Dorothy Small, and the pledge was led by Mayor Whisenant.

Adoption of Agenda:

The agenda for January 11, 2022 will stand.

Approval of Minutes:

The Public Hearing Minutes – Amendment to Allow Self-Service Storage Units in I-1 District as a Special Exception of December 14, 2021 were approved as presented.

The Public Hearing Minutes – Rezone 516 Adams Street from C-3 to R-3 of December 14, 2021 were approved as presented.

The Regular Meeting Minutes of December 14, 2021 were approved as presented.

Reports:

Fayetteville Public Utilities:

Britt Dye, CEO/General Manager of Fayetteville Public Utilities (FPU), reported that during the recent stormy weather all of the utilities held up very well. FPU continues to focus on keeping their employees safe during the pandemic by adhering to the CDC guidelines, as well as policies that have been put in place internally. The utility is working with the State Revolving Fund program for water rehabilitation projects at an estimated cost of seventeen million dollars (\$17,000,000.00). They are also working with the American Rescue Plan for grants to expand broadband into the rural communities. If the funding is received, plans are to expand to the northern and eastern parts of the county. Mr. Dye provided examples of the projected deliveries of transformers, gas risers and other materials stating that most are delayed weeks and even months after the order is placed for the material with a cost as much as three times the normal price. Annual gas valve maintenance is being done and pole changes continue. FPU has been working closely with Frito Lay, Copperweld and Franke over the last eighteen months, as well as working with other industries in the service area. They have also been working with Riverside Christian Academy, Lincoln County High School and the Fayetteville/Lincoln County Museum to see if incentives are available to improve their lighting and HVAC systems.

Fire Report:

Chief Tony Kimbrough reported that the Fayetteville Fire Department had one hundred fourteen (114) calls for service in the month of December 2021 to include eighty-nine (89) assists to EMS, one (1) building fire, and ten (10) motor vehicle accidents. Brindley Mountain found a problem while performing work on Engine 2 which will slightly delay the return of the apparatus approximately one (1) month. This truck will be a backup unit for Station 2.

Police Report:

Interim City Administrator Richard Howell stated that the Fayetteville Police Department reported one hundred eighteen (118) incidents reportable to TBI, made sixty-six (66) arrests, issued twenty-three (23) citations, and had a total reportable police activity count of one thousand, three hundred one (1,301) during the month of December 2021.

Finance Report:

Stacy Rozell, Finance Director, reported that Local Option Sales Tax was received in the amount of two hundred sixty-two thousand, two hundred fifty-one dollars and fifty-nine cents (\$262,251.59) in the month of December 2021. We continue to accept property tax payments, and payment for the 2021 taxes can be paid without penalty through February 28, 2022. The U.S. Department of the Treasury finally released the Final Rule for the American Rescue Plan Act funds. As expected, the rule allows for more flexibility than the Interim Final Rule including the option to elect a “standard allowance” of up to ten million dollars (\$10,000,000.00) to fund government services. An inquiry has been made to the Treasury Department for verification that government services would include projects such as the electric work at Don Davidson Park. Once a response is received, the Board of Mayor and Aldermen will be advised of the reply.

Recreation Report:

Brian Carter, Parks and Recreation Director, reported that all of the parks have been winterized except Stone Bridge Park. A dugout at Don Davidson Park was destroyed in a recent storm. The insurance company was contacted, and we are working with the adjuster to get this replaced. All of the Christmas decorations have now been removed and placed in storage. The spring program planning will begin this week.

Public Works Report:

Eddie Plunkett, Public Works Director, reported that two (2) of the wayfinding signs that were recently installed in the City have fallen over. One has been reinstalled by the Public Works Department employees. The company that did the original installation is being contacted to address the lack of concrete used in that installation. The Public Works Department will be closed on Monday, January 17, 2022 for the Dr. Martin Luther King, Jr. holiday, therefore, the garbage will be picked up Monday night.

Planning and Codes Report:

Kristi Gentry, Planning and Codes Director, reported that nineteen (19) permits were issued and two thousand, seven hundred twelve dollars (\$2,712.00) in permit fees were collected for the month of December 2021. The total project valuation was five hundred sixty-four thousand, four hundred eighty-two dollars (\$564,482.00). Per the request of the U.S. Census Bureau, we now report new construction residential permits monthly, whereas this was previously reported annually. Twenty-five (25) to thirty (30) postcards have been sent out so far in the month of January. The next Planning Commission meeting is scheduled for January 25, 2022 at 5:00 p.m. There will be a two (2) hour work session with Sharon Armstrong to work on updating the sign ordinance prior to that meeting.

Administrator's Report:

Richard Howell, Interim City Administrator stated that the Municipal Building will be closed on Monday, January 17, 2022 in observance of the Dr. Martin Luther King, Jr. holiday.

Senior Center repairs requested funding (\$25,000):

Motion was made by Danny Bryant, seconded by Dorothy Small, to approve funding in the amount of twenty-five thousand dollars (\$25,000.00) for repairs to the Senior Center contingent upon the County and the Senior Center each contributing that same amount. Upon roll call, the following voted:

Aye:

Danny Bryant, Tonya Allen, Dorothy Small, Jeff Alder, Donna Hartman and Roger Martinez

Nay:

None

Mayor Whisenant declared the motion approved.

Fence around COF parking lot on Lynn Drive (\$9,798):

Motion was made by Jeff Alder, seconded by Roger Martinez, to approve the purchase and installation of a fence around the new City of Fayetteville parking lot on Lynn Drive in an amount not to exceed nine thousand, seven hundred ninety-eight dollars (\$9,798.00) to protect the pavement from large trucks. Upon roll call, the following voted:

Aye:

Tonya Allen, Dorothy Small, Jeff Alder, Donna Hartman, Roger Martinez, and Danny Bryant

Nay:

None

Mayor Whisenant declared the motion approved.

William D. Jones STBG Project:

Motion was made by Dorothy Small, seconded by Danny Bryant, to move forward with the William D. Jones STBG Project. Upon passage of this item, the City will receive the Notice to Proceed from the State to move forward on this project. Based on current estimates, the State will be funding nine hundred fifteen thousand, five hundred dollars (\$915,500.00), and the City of Fayetteville is committing to fund three hundred thirty-seven thousand, seven hundred seventy-one dollars (\$337,771.00). Upon roll call, the following voted:

Aye:

Dorothy Small, Jeff Alder, Donna Hartman, Roger Martinez, Danny Bryant, and Tonya Allen

Nay:

None

Mayor Whisenant declared the motion approved.

Purchase new trash carts (not to exceed \$5,000):

Motion was made by Dorothy Small, seconded by Roger Martinez, to approve the purchase of trash carts in an amount not to exceed five thousand dollars (\$5,000.00). Upon roll call, the following voted:

Aye:

Jeff Alder, Donna Hartman, Roger Martinez, Danny Bryant, Tonya Allen, and Dorothy Small

Nay:

None

Mayor Whisenant declared the motion approved.

Don Davidson Park electrical quote from Hyde Engineering:

Motion was made by Tonya Allen, seconded by Roger Martinez, to approve for Hyde Engineering, Inc. to prepare construction documents for the amount of thirty-five thousand, five hundred dollars (\$35,500.00). The scope of work is to provide drawings and specifications to renovate the power infrastructure at Don Davidson Park to get the electrical power above the flood plain. This work will be done in coordination with Fayetteville Public Utilities and the City of Fayetteville. Upon roll call, the following voted:

Aye:

Donna Hartman, Roger Martinez, Danny Bryant, Tonya Allen, Dorothy Small, and Jeff Alder

Nay:

None

Mayor Whisenant declared the motion approved.

Donnie Shelton Memorial replacement bid (\$3,350):

Motion was made by Jeff Alder, seconded by Dorothy Small, to approve the Donnie Shelton Memorial replacement in an amount not to exceed three thousand, three hundred fifty dollars (\$3,350.00). Upon roll call, the following voted:

Aye:

Roger Martinez, Danny Bryant, Tonya Allen, Dorothy Small, Jeff Alder and Donna Hartman

Nay:

None

Mayor Whisenant declared the motion approved.

Kid's Park Pee-Wee field press box electrical repairs (\$4,482):

Motion was made by Roger Martinez, seconded by Tonya Allen, to approve Kid's Park Pee-Wee field press box electrical repairs in the amount of four thousand, four hundred eighty-two dollars (\$4,482.00). Upon roll call, the following voted:

Aye:

Danny Bryant, Tonya Allen, Dorothy Small, Jeff Alder, Donna Hartman and Roger Martinez

Nay:

None

Mayor Whisenant declared the motion approved.

Kid's Park Pee-Wee field press box ceiling repairs (\$3,200):

Motion was made by Dorothy Small, seconded by Tonya Allen, to approve Kid's Park Pee-Wee field press box ceiling repairs in the amount of three thousand, two hundred dollars (\$3,200.00). Upon roll call, the following voted:

Aye:

Tonya Allen, Dorothy Small, Jeff Alder, Donna Hartman, Roger Martinez and Danny Bryant

Nay:

None

Mayor Whisenant declared the motion approved.

Kid's Park walking trail lighting (replace fixtures \$6,150; bulbs \$2,150):

Motion was made by Roger Martinez, seconded by Tonya Allen, to approve Kid's Park walking trail lighting fixtures in the amount of six thousand, one hundred fifty dollars (\$6,150.00) and bulbs in the amount of two thousand, one hundred fifty dollars (\$2,150.00). Upon roll call, the following voted:

Aye:

Dorothy Small, Jeff Alder, Donna Hartman, Roger Martinez, Danny Bryant and Tonya Allen

Nay:

None

Mayor Whisenant declared the motion approved.

Little League field press box roof repairs (\$12,000):

Motion was made by Tonya Allen, seconded by Roger Martinez, to approve Little League field press box roof repairs in the amount of twelve thousand dollars (\$12,000.00). Upon roll call, the following voted:

Aye:

Jeff Alder, Donna Hartman, Roger Martinez, Danny Bryant, Tonya Allen and Dorothy Small

Nay:
None

Mayor Whisenant declared the motion approved.

Pool – Replace water heater and plumbing (\$2,200):

Motion was made by Jeff Alder, seconded by Roger Martinez, to approve the replacement of the pool water heater and plumbing in the amount of two thousand, two hundred dollars (\$2,200.00). Upon roll call, the following voted:

Aye:
Donna Hartman, Roger Martinez, Danny Bryant, Tonya Allen, Dorothy Small and Jeff Alder

Nay:
None

Mayor Whisenant declared the motion approved.

Change part-time position to full-time position:

Motion was made by Tonya Allen, seconded by Roger Martinez, to approve to change the part-time utility worker position to a full-time utility worker position at an increased cost of just over nineteen thousand dollars (\$19,000.00). Upon roll call, the following voted:

Aye:
Roger Martinez, Danny Bryant, Tonya Allen, Dorothy Small, Jeff Alder and Donna Hartman

Nay:
None

Mayor Whisenant declared the motion approved.

FCS Pay Request Broaddus Inv. #2 - Gym/Safe Room Project #PDMC-PJ-04-TN-2019-003:

Motion was made by Danny Bryant, seconded by Jeff Alder, to approve the Fayetteville City Schools, City of Fayetteville Safe Room/Gymnasium Project #PDMC-PJ-04-TN-2019-003, Broaddus invoice #2 in the amount of nineteen thousand, three hundred thirty-six dollars (\$19,336.00). Upon roll call, the following voted:

Aye:
Danny Bryant, Tonya Allen, Dorothy Small, Jeff Alder, Donna Hartman and Roger Martinez

Nay:
None

Mayor Whisenant declared the motion approved.

FCS Pay Request JBHM Inv. #4 - Gym/Safe Room Project #PDMC-PJ-04-TN-2019-003:

Motion was made by Danny Bryant, seconded by Dorothy Small, to approve the Fayetteville City Schools, City of Fayetteville Safe Room/Gymnasium Project #PDMC-PJ-04-TN-2019-003, JBHM invoice #4 in the amount of fifty-five thousand, one hundred sixteen dollars (\$55,116.00). Upon roll call, the following voted:

Aye:
Tonya Allen, Dorothy Small, Jeff Alder, Donna Hartman, Roger Martinez and Danny Bryant

Nay:
None

Mayor Whisenant declared the motion approved.

Ordinance No. 2022-01 – COF FY22 Budget Amendment #2:

Ordinance No. 2022-01, an ordinance entitled “An Ordinance of the City of Fayetteville, Amending the Annual Budget and Capital Program for Fiscal Year 2022” was considered. Said ordinance is as follows:

Motion was made by Jeff Alder, seconded by Danny Bryant, to approve Ordinance No. 2022-01 as presented. Upon roll call, the following voted:

Aye:
Dorothy Small, Jeff Alder, Donna Hartman, Roger Martinez, Danny Bryant and Tonya Allen

Nay:
None

Mayor Whisenant declared the motion approved.

Emergency purchase – Roto-Rooter services at Municipal Bldg. (\$2,478):

Motion was made by Dorothy Small, seconded by Roger Martinez, to approve the emergency expenditure for Roto-Rooter services at the Municipal Building in the amount of two thousand, four hundred seventy-eight dollars (\$2,478.00). Upon roll call, the following voted:

Aye:
Jeff Alder, Donna Hartman, Roger Martinez, Danny Bryant, Tonya Allen and Dorothy Small

Nay:
None

Mayor Whisenant declared the motion approved.

FCS School Board appointment – Shawnta Fulton:

Motion was made by Roger Martinez, seconded by Tonya Allen, to approve the Fayetteville City School Board appointment of Shawnta Fulton to replace Jeff Whitmore who resigned his seat due to no longer being a resident of the City of Fayetteville. Upon roll call, the following voted:

Aye:
Donna Hartman, Roger Martinez, Danny Bryant, Tonya Allen, Dorothy Small and Jeff Alder

Nay:
None

Mayor Whisenant declared the motion approved.

Call for Public Hearing – De-annexation of Molino Rd/Kidd Ln properties:

Motion was made by Jeff Alder, seconded by Roger Martinez, to call for a public hearing on the de-annexation of Molino Road and Kidd Lane properties. Upon roll call, the following voted:

Aye:
Roger Martinez, Danny Bryant, Tonya Allen, Dorothy Small, Jeff Alder and Donna Hartman

Nay:
None

Mayor Whisenant declared the motion approved.

Resolution R-2022-01 Censure Alderman Donna Hartman:

Resolution R-2022-01, a resolution entitled “A Resolution to Censure Alderman Donna Hartman for Retaliatory Actions Toward City Employees Engaged in a Protected Activity” was considered. Said resolution is as follows:

At the recommendation of Attorney Steve Elliott, Resolution R-2022-01, as well as Resolution R-2021-17, were read aloud, after which motion was made by Tonya Allen, seconded by Roger Martinez to approve Resolution R-2022-01 as presented. Upon roll call, the following voted:

Aye:

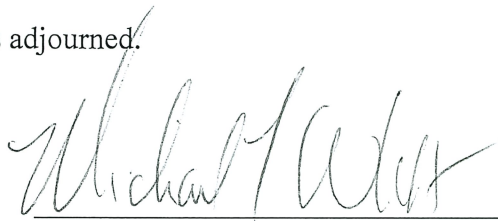
Danny Bryant, Tonya Allen, Dorothy Small, Jeff Alder, and Roger Martinez

Nay:

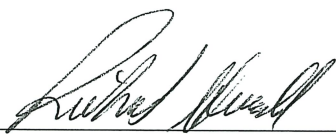
Donna Hartman

Mayor Whisenant declared the motion approved.

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



Mayor



City Clerk