

CITY OF FAIRVIEW
BOARD OF COMMISSIONERS

JANUARY 4, 2017

7:00 P.M.

AGENDA

1. Roll Call
2. Call to order by Mayor Carroll
 - A. Prayer and Pledge
3. Approval of the Agenda
4. Public Hearing
 - A. Item 11A
5. Citizen Comments (Limited to the first 5 citizens to sign in and a limit of 3 minutes each).
6. Awards and/or Recognitions
7. Public Announcements
8. Staff Comments
9. Approval of the Minutes
10. Consent Agenda Consisting of Items as Follows
 - A. Minutes from the December 21, 2017 Board of Commissioners Meeting
 - B. Minutes from the December 21, 2017 Work Session
11. Old Business
 - A. Second and Final Reading of Ordinance 2017-25, An Ordinance to Amend the City of Fairview Zoning Ordinance by Changing the Official Zoning Map for Tax Map 42, Parcels 78.01 and 79.00 for a total of 20.95 Acres, Located at 7818 Old Nashville Road, From a RS-40 Zoning District (Low-Density Residential) Zoning District to a R-20 (Medium-Density Residential) Zoning District
 - B. City Manager Contract
13. New Business
 - A. Appointments to Open Seats
 1. Tree Board (one seat)
 2. Planning Commission (one seat) – Sheree Qualls
 - B. Ordinance 2018-01, An Ordinance to Amend Bill #2016-18, Ordinance No. 932 by Revising the Named Safety Director
14. City Manager Items for Discussion
 - A. Miscellaneous Updates
 - B. City Attorney Comments
14. Communications from the Mayor and Commissioners
15. Adjournment

11A

ORDINANCE #2017-25

AN ORDINANCE TO AMEND THE CITY OF FAIRVIEW ZONING ORDINANCE TO AMEND THE OFFICIAL ZONING MAP FOR TAX MAP 42, PARCELS 78.01 and 79.00 FOR A TOTAL OF 20.95 ACRES, LOCATED AT 7818 OLD NASHVILLE ROAD, FROM A RS-40 (LOW-DENSITY RESIDENTIAL) ZONING DISTRICT TO A R-20 (MEDIUM-DENSITY RESIDENTIAL) ZONING DISTRICT

WHEREAS, a request has been made by owner Otter Creek Holdings LLC of to rezone property located within the City of Fairview; and

WHEREAS, the City of Fairview Planning Commission, on October 10, 2017, made a favorable recommendation to the Board of Commissioners that this request be approved.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF FAIRVIEW BOARD OF COMMISSIONERS THAT:

SECTION 1. That the Zoning Ordinance be and is hereby amended by making certain changes to the Official Zoning Map for the City of Fairview, by changing the property identified as Tax Map 42, Parcels 78.01 and 79.00, from a RS-40 Zoning District to a R-20 Zoning District. This property consists of approximately 20.95 acres and is owned by Otter Creek Holdings LLC who has authorized the submittal of application for the rezoning of this parcel, which is attached to and made a part of this ordinance as though copied herein.

SECTION 2. BE IT FURTHER ORDAINED, that the Codes and Planning Department is hereby authorized and directed, upon approval of this Ordinance, to cause the change to be made on the Official Zoning Map, as set out in Section 1 of this Ordinance, and to make notation thereon of reference to the date of passage and approval of

SECTION 3. BE IT FURTHER ORDAINED, that this Ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of the City of Fairview requiring it.

LEGAL STATUS PROVISIONS

Approved and certified by the Planning Commission:

Chairman

Date

Published in the Fairview Observer on _____

Public Hearing Held: _____

1st Reading: December 7, 2017

2nd Reading: _____

Approved by the Board of Commissioners:

Patti L. Carroll, Mayor

ATTEST:

Brandy Johnson, City Recorder

APPROVED AS TO FORM:

City Attorney

City of Fairview Planning Department

7100 City Center Way



Phone: 615-799-1572

Fairview, Tennessee 37062

Email: cityplanner@fairview-tn.org

RECOMMENDATIONS

2017-10

DATE: OCTOBER 10, 2017
TO: FAIRVIEW BOARD OF COMMISSIONERS
FROM: KRISTIN M. COSTANZO, CITY PLANNER
RE: FAIRVIEW MUNICIPAL PLANNING COMMISSION ACTION

- 7.1** Recommendation on a Proposed Plan of Services to Accompany Resolution 19-17, a Resolution Calling for a Public Hearing on the Proposed Annexation of Territory into the City of Fairview by Owner Consent (Kimberly MacDonald) and Approving a Plan of Services (Snow Mangrum Road parcel known as Tax Map 047, Parcel 64.00)

Mike Anderson made a motion to send a favorable recommendation to the Board of Commissioners, which was seconded by Daniel Jenkins. All were in favor.

- 7.4** Rezoning of Property Requested by Land Development.com. Property Located Along Cumberland Drive (Tax Map 047, Parcel 66.00), 33.81 Acres. Current Zoning District: RS-40; Requested Zoning District: E-20. Property Owned by Land Development.com.

Mike Anderson made a motion to send a favorable recommendation to the Board of Commissioners, which was seconded by Salvatore Cali. All except Jenkins were in favor.

7.6 Rezoning of Property Requested by Otter Creek Holdings, LLC. Property Located Along Old Nashville Road (Tax Map 042, Parcels 78.01 and 79.00), 28 Acres. Current Zoning District: RS-40; Requested Zoning District: R-20. Property Owned by Otter Creek Holdings, LLC.

Patti Carroll made a motion for a favorable recommendation contingent upon an access road seconded by Mike Anderson. In Favor: Anderson, Butler, Cali, Carroll, Slaughter. Against: Burks, Jenkins, Powers.



AN ORDINANCE TO AMEND BILL #2016-18, ORDINANCE NO. 932 BY NAMED SAFETY DIRECTOR

Be it Ordained by the City of Fairview, Tennessee as follows:

WHEREAS, the City of Fairview hereby updates the Occupational Safety and Health Program Plan for our employees by revising the named Safety Director.

Therefore, be it Ordained by the Board of Commissioners of the City of Fairview, Tennessee that there be and is hereby amended as follows:

Chapter 4, Section 4-306. Administration. For the purposes of this Ordinance, **Jake Warren** is designated as the Safety Director of Occupational Safety and Health to perform duties and to exercise powers assigned to plan, develop, and administer the Program Plan. The Safety Director shall develop a plan of operation for the Program Plan in accordance with Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, SAFETY AND HEALTH PROVISIONS FOR THE PUBLIC SECTOR, CHATPER 0800-01-05, as authorized by T.C.A., Title 50.

BE IT FURTHER ORDAINED, If any section, sub-section, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

BE IT FINALLY ORDAINED, that this Ordinance shall take effect having been passed, properly signed, certified, and has met all other legal requirements, and as otherwise provided by law, fifteen days (15) days after its first passage or upon second reading, whichever is later, the general welfare of the City of Fairview requiring it.

MAYOR

CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

Passed First Reading _____

Passed Second Reading _____