

**CITY OF FAIRVIEW**  
**BOARD OF COMMISSIONERS**

**FEBRUARY 19, 2015**

**7:00 P.M.**

**AGENDA**

1. **Call to order by Mayor Carroll**
  - A. Prayer and Pledge
2. **Approval of the Agenda –**
3. **Citizen Comments – (Limited to the first 5 citizens to sign in and a limit of 3 minutes each). –**
4. **Awards and/or Recognitions –**
  - A. Swearing in of new Fire Chief, Travis O'Neal
  - B. Employee of the Month: Public Works Department; Todd Bratcher, Supervisor; Blake Ayers, Worker; Greg Dewire, Worker; Michael "Tag" Erland, Worker; Nick Green, Worker; Zane Greer
5. **Public Announcements –**
  - A. Presentation on Controlled Burn from Saturday, February 7, 2015
6. **Staff Comments –**
7. **Approval of the Minutes – (only needed if removed from consent agenda)**
8. **Consent Agenda Consisting of Items as Follows:**
  - A. Approval of the Minutes from the February 5, 2015 Public Hearing
  - B. Approval of the Minutes from the February 5, 2015 Board of Commissioners Meeting
  - C. Resolution 07-15, A Resolution of the Board of Commissioners of the City of Fairview, Tennessee, Repealing Resolution No. 04-15 and Replacing it With Resolution No. 07-15 Establishing a Uniform Policy on the Acceptance of Gifts and Other Donations to the City
9. **Old Business**
10. **New Business**
  - A. Discuss and/or Take Action on Forest Management Plan for Bowie Park - Bissell
  - B. Discuss and/or Take Action on Bill No. 2015-05, Ordinance No. 870, An Ordinance for an Amendment to the City of Fairview, Tennessee, Budget for the Fiscal Year 2014-2015 (Park Utility Vehicle) – Crutcher
  - C. Discuss and/or Take Action on Bill No. 2015-06, Ordinance No. 871, An Ordinance for an Amendment to the City of Fairview, Tennessee, Budget for the Fiscal Year 2014-2015 (Drug Fund Vehicle) -
  - D. Discuss and/or Take Action on Planning Commission Recommendation for Rezoning Request Application on Property Located on Old Nashville Road, from RS-10 to RM-12, Timothy R. Mangrum & wife, Jessica Mangrum, owners - Sutton
11. **City Manager Items for Discussion –**
  - A. Miscellaneous Updates –
  - B. City Attorney Comments -
12. **Communications from the Mayor and Commissioners –**
13. **Adjournment.**

8C

CITY OF FAIRVIEW, TENNESSEE

RESOLUTION NO. 07-15

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF FAIRVIEW, TENNESSEE, REPEALING RESOLUTION NO. 04-15 AND REPLACING IT WITH RESOLUTION NO. 07-15 ESTABLISHING A UNIFORM POLICY ON THE ACCEPTANCE OF GIFTS AND OTHER DONATIONS TO THE CITY.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF FAIRVIEW, TENNESSEE

**WHEREAS**, the City of Fairview, Tennessee desires to evaluate the suitability of donations and other gifts prior to acceptance by the City and,

**WHEREAS**, Resolution 04-15 was passed January 15, 2015 and needs to be replaced to revise and clarify gift policies, now therefore, Resolution 04 – 15 is hereby repealed in its entirety and replaced by Resolution No. 07-15.

**NOW, THEREFORE, BE IT RESOLVED** BY THE CITY OF FAIRVIEW, TENNESSEE BOARD OF COMMISSIONERS AS FOLLOWS:

1. **Gifts and donations to be approved by the Board of Commissioners.** It shall be the policy of the City of Fairview, Tennessee that no City official or employee shall solicit or accept any donation or gift on behalf of the City in excess of ten thousand (\$10,000) dollars unless and until such solicitation or proposed donation is first approved and authorized by the Board of Commissioners of the City of Fairview, Tennessee. For the purpose of this Resolution, the phrase "donation or gift" shall include, but is not limited to, such items of value as cash, bonds, real estate, automobiles, and other items of personalty.

2. **Fiscal Evaluation.** Prior to voting to accept a donation or gift, when the value of a donation or gift is in question, the Board of Commissioners should first conduct or have conducted by a professional in the particular field of appraising of the donation or gift offered to the city a cost/benefit analysis to determine how acceptance of the proposed gift or donation will affect the City treasury and cash flow.

3. **Legal evaluation.** Prior to voting to accept a donation or gift, when the legality of a donation or gift is in question, the Board of Commissioners should seek and obtain appropriate legal advice to determine the legal implications of such acceptance. In no event, shall the City accept offers of donations or gifts which are predicated on the donor receiving any type of favorable treatment by the City, nor shall the City accept donations or gifts which are predicated on the City pursuing policies which violate Federal or State law or municipal ordinance(s).

4. **Inappropriate donations or gifts.** In considering the acceptance of gifts or donations, the Board of Commissioners or receiving official if less than ten thousand (\$10,000) dollars should consider whether such acceptance, or conditions of such acceptance, may be unreasonably offensive to the citizens of the City of Fairview, Tennessee.

5. **Exceptions for grants and low-interest loans.** Nothing in this policy shall be construed to apply to any Private Foundation, federal, or state grants or low-interest loans offered to the City of Fairview, Tennessee.

6. **Severance Clause:** Should any provision of this Resolution be found to be unconstitutional, in violation of any Statute or against public policy by a Court of competent jurisdiction, that provision shall be severed from the Resolution with the remaining provisions held in tact and not affected by the severance action.

7. **Effective Date:** This Resolution shall become effective upon the date of its passage the welfare of the public requiring it.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
MAYOR

Attest: \_\_\_\_\_  
City Recorder

APPROVED AS TO FORM

\_\_\_\_\_  
City Attorney  
Fairview, Tennessee



10 B

Bill # 2015-05

ORDINANCE NO. 870

**AN ORDINANCE FOR AN AMENDMENT TO THE CITY OF FAIRVIEW, TENNESSEE, BUDGET FOR FISCAL YEAR 2014 – 2015 BUDGET**

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

**WHEREAS**, the Board of Commissioners of the City of Fairview, Tennessee, have determined that the Budget for Fiscal Year 2014 - 2015 (beginning July 1, 2014 and running through June 30, 2015) should be amended to reflect the final expenditures for the Fiscal Year, and:

**WHEREAS**, the Board of Commissioners of the City of Fairview, Tennessee adopted the fiscal year 2014 – 2015 budget by passage of Ordinance Number 840 on June 30, 2014, and

**WHEREAS**, pursuant to the Tennessee state Constitution, Article II, Section 24, no public money shall be expended except pursuant to appropriations made by law, and

**WHEREAS**, pursuant to Tennessee Code Annotated § 6-56-209, the Board of Commissioners has the authority to authorize the Finance Director to transfer money from one appropriation to another within the same fund, and

**NOW THEREFORE BE IT ORDAINED BY THE CITY OF FAIRVIEW, TENNESSEE THAT CHANGES BE MADE TO THE FISCAL YEAR 2014-2015 BUDGET AS FOLLOWS:**

Section 1. Ordinance 840 is hereby amended to move funds from the Park Fund to Machinery & Equipment for purchase of a Utility Vehicle up to the amount of \$10,000. (Actual amount of transfer will be amount of purchase if less than \$10,000)

**General Fund**

Transfer From			
Account #	Current Balance	Transfer Amount	New Balance
110-11227	\$203,561.53	\$10,000.00	\$193,561.53
 Expenditures			
Account #	Current Budget	Amendment Amt	New Budget Amt
110-44700-940	\$ 10,000.00	\$10,000.00	\$ 20,000.00

Section 2. The Financial Officer is hereby authorized to make said changes in the accounting system.

**BE IT FURTHER ORDAINED**, If any sentence, clause, phrase or paragraph of this Ordinance is declared to be unconstitutional by any Court of competent jurisdiction; such holding will not affect any other portion of this Ordinance.

**BE IT FINALLY ORDAINED**, that this Ordinance shall take effect fifteen days (15) days after its first passage or upon second reading, whichever is later, the public welfare requiring it.

\_\_\_\_\_  
**MAYOR**

\_\_\_\_\_  
**CITY RECORDER**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**CITY ATTORNEY**

**Passed First Reading**

\_\_\_\_\_

**Passed Second Reading**

\_\_\_\_\_

10c

Bill # 2015-06

ORDINANCE NO. 871

**AN ORDINANCE FOR AN AMENDMENT TO THE CITY OF FAIRVIEW, TENNESSEE, BUDGET FOR FISCAL YEAR 2014 – 2015 BUDGET**

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

**WHEREAS**, the Board of Commissioners of the City of Fairview, Tennessee, have determined that the Budget for Fiscal Year 2014 - 2015 (beginning July 1, 2014 and running through June 30, 2015) should be amended to reflect the final expenditures for the Fiscal Year, and:

**WHEREAS**, the Board of Commissioners of the City of Fairview, Tennessee adopted the fiscal year 2014 – 2015 budget by passage of Ordinance Number 840 on June 30, 2014, and

**WHEREAS**, pursuant to the Tennessee state Constitution, Article II, Section 24, no public money shall be expended except pursuant to appropriations made by law, and

**WHEREAS**, pursuant to Tennessee Code Annotated § 6-56-209, the Board of Commissioners has the authority to authorize the Finance Director to transfer money from one appropriation to another within the same fund, and

**NOW THEREFORE BE IT ORDAINED BY THE CITY OF FAIRVIEW, TENNESSEE THAT CHANGES BE MADE TO THE FISCAL YEAR 2014-2015 BUDGET AS FOLLOWS:**

Section 1. Ordinance 840 is hereby amended to approve Drug Fund monies from the Drug Fund to purchase a police car.

**General Fund**

Transfer From			
Account #	Current Balance	Transfer Amount	New Balance
619-11227	\$ 94,499.18	\$30,000.00	\$ 64,499.18

Expenditures			
Account #	Current Budget	Amendment Amt	New Budget Amt
619-42129-944	\$ 50,000.00	\$30,000.00	\$ 80,000.00

Section 2. The Financial Officer is hereby authorized to make said changes in the accounting system.

**BE IT FURTHER ORDAINED**, If any sentence, clause, phrase or paragraph of this Ordinance is declared to be unconstitutional by any Court of



competent jurisdiction; such holding will not affect any other portion of this Ordinance.

**BE IT FINALLY ORDAINED**, that this Ordinance shall take effect fifteen days (15) days after its first passage or upon second reading, whichever is later, the public welfare requiring it.

\_\_\_\_\_  
**MAYOR**

\_\_\_\_\_  
**CITY RECORDER**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**CITY ATTORNEY**

**Passed First Reading**

\_\_\_\_\_

**Passed Second Reading**

\_\_\_\_\_

# City of Fairview

10 D

7100 CITY CENTER WAY  
FAIRVIEW, TN. 37062



Phone: 615-799-1585  
Email: codes@fairview-tn.org

## RECOMMENDATIONS

2015 - 1

**DATE: FEBRUARY 11, 2015**

**TO: FAIRVIEW BOARD OF COMMISSIONERS**

**FROM: FAIRVIEW MUNICIPAL PLANNING COMMISSION**

\*\*\*\*\*

**On February 10, 2015 the following items were voted on by the Fairview Municipal Planning Commission with a recommendation to be forwarded to the Board of Commissioners for consideration.**

- 8.1 REZONING APPLICATION FOR PROPERTY LOCATED ON OLD NASHVILLE ROAD. MAP 42, PARCEL 65.12 1 ACRE. FROM RS-10 TO RM-12. OWNER TIMOTHY MANGRUM  
Mangrum recused himself. Sutton made a motion to send a recommendation to the Board of Commissioners. Butler Seconded. All were in favor



# City of Fairview

7100 City Center Way  
Fairview, TN 37062-0069



Phone: 615-799-1585  
Fax: 615-799-5599  
Email: codes@fairview-tn.org

## REZONING REQUEST APPLICATION

For a Rezoning Request, the City of Fairview **requires** the following:

1. Completion of this application. Please type or print the information in blue or black ink.
2. A map of the property.
3. A list of Names **and** addresses of **all** adjacent property owners.
4. A legal description of the property, if available.
5. If the applicant is not the property owner, a letter from the property owner must be attached giving the authority to request the zoning.
6. A letter summarizing the project proposal, including the proposed usage of the land, reason for the rezoning request and justification for the rezoning request.
7. Payment of a Non-Refundable \$200.00 application fee (Checks should be made payable to "City of Fairview")

Request No. \_\_\_\_\_ Date Submitted \_\_\_\_\_

### SECTION 1 – Applicant Information

(Any correspondence from the City will be addressed to the applicant)

- Property Owner       Purchaser of Property       Engineer Trustee  
 Architect       Other \_\_\_\_\_

Name: Timothy Mangrum Phone: \_\_\_\_\_

Business: \_\_\_\_\_ E-mail: \_\_\_\_\_

Address: \_\_\_\_\_ Best Way to Contact: \_\_\_\_\_

City: Fairview State: TN Zip: 37062  
(Mail, E-mail, Phone)

### SECTION 2 – Property Information for the Rezoning Request

Project Name: \_\_\_\_\_

Project Address: Old Nashville Road

Existing Land Use: RS 10

Proposed Land Use: RM 12

Total Acreage of Project/Rezoning: 1.03

*" see Attachment "*

TAX MAP	PARCEL(S)	CURRENT ZONING DISTRICT	REQUESTED ZONING DISTRICT	# OF ACRES	PROPERTY OWNER

\*\*\*Reason for Rezoning must be included on an attached sheet.

The rezoning process takes approximately three to four months depending on when the application is received by the City. The request must go to the Planning Commission where it receives a recommendation to go to the Board of Commissioners. The Board of Commissioners must approve a Rezoning Ordinance on two readings and hold a Public Hearing before the rezoning request is considered approved.

I certify that all of the above statements are true to the best of my knowledge.

Applicant's Signature: *[Signature]* Date: 1-16-15



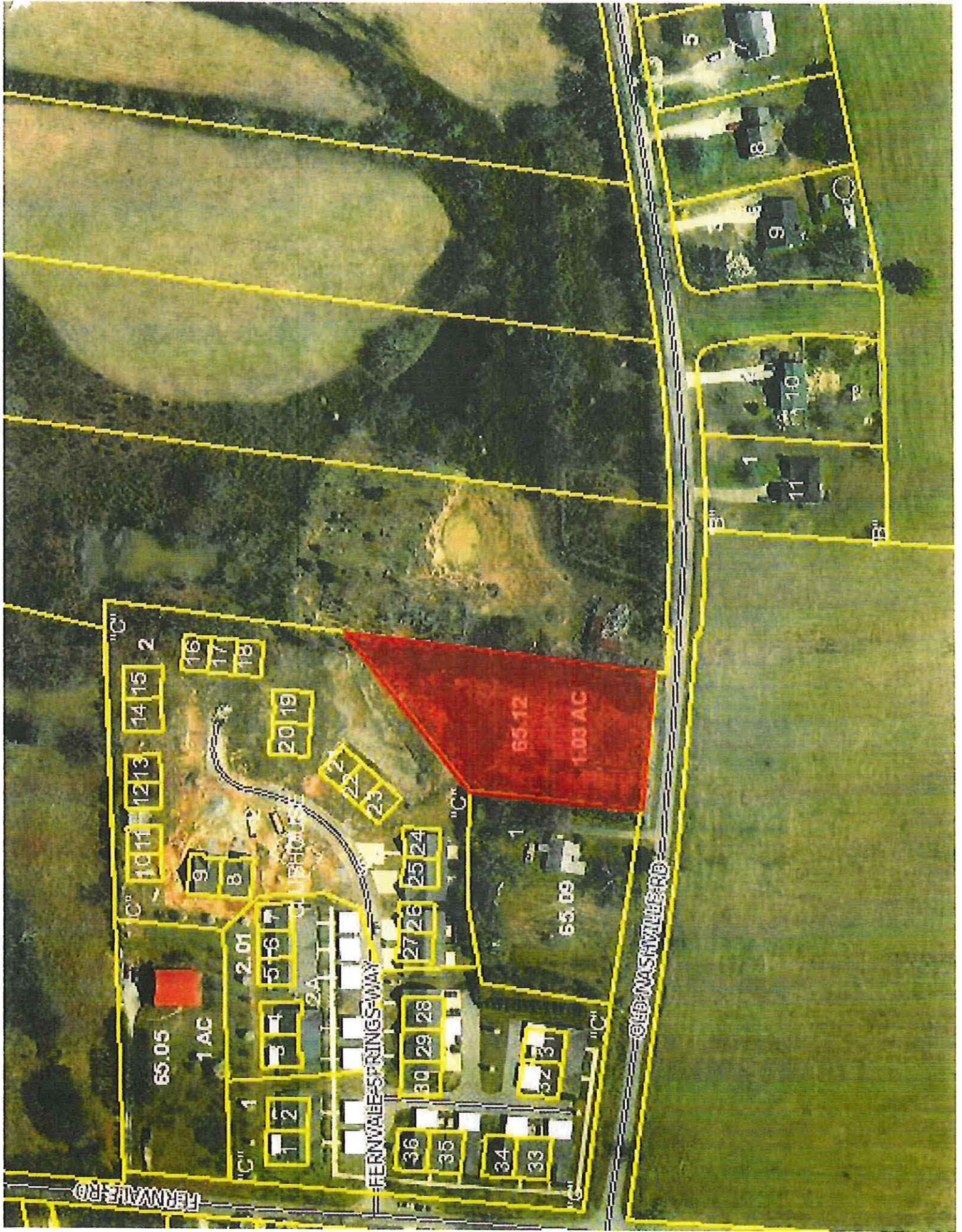
**FOR OFFICE USE ONLY**

APPLICATION RECEIVED AND FILING FEE PAID 1.16.2015

DATE OF APPROVAL BY PLANNING COMMISSION \_\_\_\_\_

DATE OF FINAL APPROVAL BY BOARD OF COMMISSIONERS \_\_\_\_\_





FERNVALE RD

FERNVALE SPRINGS WAY

OLD WASHINGTON RD

65.05  
1 AC

65.09

65.12  
1.03 AC

"C"

10 11

14 15

2

16

17

18

20 19

22

23

25 24

27 26

30 29 28

36

35

34

33

32 31

"C" 1

2

3

4

5

6

7

8

9

2.01

CLUBHOUSE

"C"

1

11

10

9

8

7

6

5

"B"

"B"



*First Bank*

This instrument prepared by:  
 Thomas N. Jones, Attorney  
 339 Main Street  
 Franklin, TN 37064

ADDRESS OF NEW OWNER:	SEND TAX BILLS TO:	MAP AND PARCEL NO.:
Timothy R. Mangrum & Jessica Mangrum P.O. Box 1226 Fairview, TN 37062	same	Map 042 Parcel 065.12

### QUITCLAIM DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid by Grantees, the receipt of which is hereby acknowledged, we, **Timothy R. Mangrum and Donnie R. Mangrum**, Grantors, by these presents, do hereby quitclaim and convey unto **Timothy R. Mangrum and wife, Jessica Mangrum**, Grantees, their successors and assigns all of their right, title and interest in and to the following described property in Williamson County, Tennessee, described as follows, to-wit:

Lying in the 1<sup>st</sup> Civil District of Williamson County, Tennessee, and being a portion of a tract of land as described in Book 2381, page 306 and also a lot recorded in Plat Book 34, page 13 at the Register's Office of Williamson County, Tennessee, and being more particularly described as follows:

Beginning at an old iron rod in the north margin of Old Nashville Road at the southwest corner of this tract; thence leaving said road and with Pinkerton North 06 degrees 36 minutes 22 seconds East 195.06 feet to an old iron rod; thence with Lot 2 of Fernvale Springs subdivision North 53 degrees 51 minutes 40 seconds East 214.51 feet to an old iron rod in the west line of Goodwin; thence with Goodwin South 02 degrees 38 minutes 36 seconds West 327.20 feet to an old iron rod in the north margin of Nashville Road; thence with said margin along a curve to the right with radius = 4398.40 feet, length = 180.72 feet and delta = 02 degrees 21 minutes 15 seconds to the point of beginning and containing 1.03 acres.

Being part of the property conveyed to Timothy R. Mangrum, unmarried, and Donnie R. Mangrum, married, by deed from Bobby J. Goodwin, being the Executor of the Estate of Harris L. Goodwin, Sr., Deceased (the Decedent), as evidenced in Will Book 62, page 492, Chancery Court Williamson County in Book 2381, page 306, Register's Office for Williamson County, Tennessee.

Subject property is not the principal residence of Grantors.

Said property is conveyed subject to such limitations, restrictions and encumbrances as may affect the premises.

This is property known as: Old Nashville Road, 1.03 acres, Fairview, TN 37062.

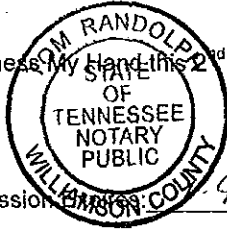
WITNESS OUR HANDS this 2<sup>nd</sup> day of February, 2007, in Fairview, Tennessee.

[Signature]  
TIMOTHY R. MANGRUM  
[Signature]  
DONNIE R. MANGRUM

STATE OF TENNESSEE  
COUNTY OF WILLIAMSON

Personally appeared before me, the undersigned, a Notary Public for said State & County, Timothy R. Mangrum, the within named bargainer with whom I am personally acquainted (or who proved to me on the basis of satisfactory evidence) and who acknowledged that he executed the foregoing instrument for the purposes therein contained.

Witness My Hand this 2<sup>nd</sup> day of February, 2007, in Fairview, Tennessee.



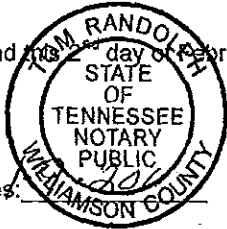
[Signature]  
NOTARY PUBLIC

My Commission Expires: 9-2011

STATE OF TENNESSEE  
COUNTY OF WILLIAMSON

Personally appeared before me, the undersigned, a Notary Public for said State & County, Donnie R. Mangrum, the within named bargainer with whom I am personally acquainted (or who proved to me on the basis of satisfactory evidence) and who acknowledged that he executed the foregoing instrument for the purposes therein contained.

Witness My Hand this 2<sup>nd</sup> day of February, 2007, in Fairview, Tennessee.



[Signature]  
NOTARY PUBLIC

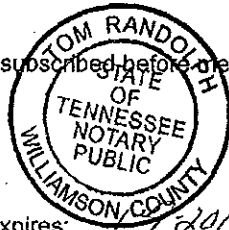
My Commission Expires: 9-2011

STATE OF TENNESSEE  
COUNTY OF WILLIAMSON

The actual consideration or value, whichever is greater for the transfer is \$-0-.

[Signature]  
AFFIANT

Sworn and subscribed before me this 2<sup>nd</sup> day of February, 2007.



[Signature]  
NOTARY PUBLIC

My Commission Expires: 9-2011

BK/PG: 4175/771-772

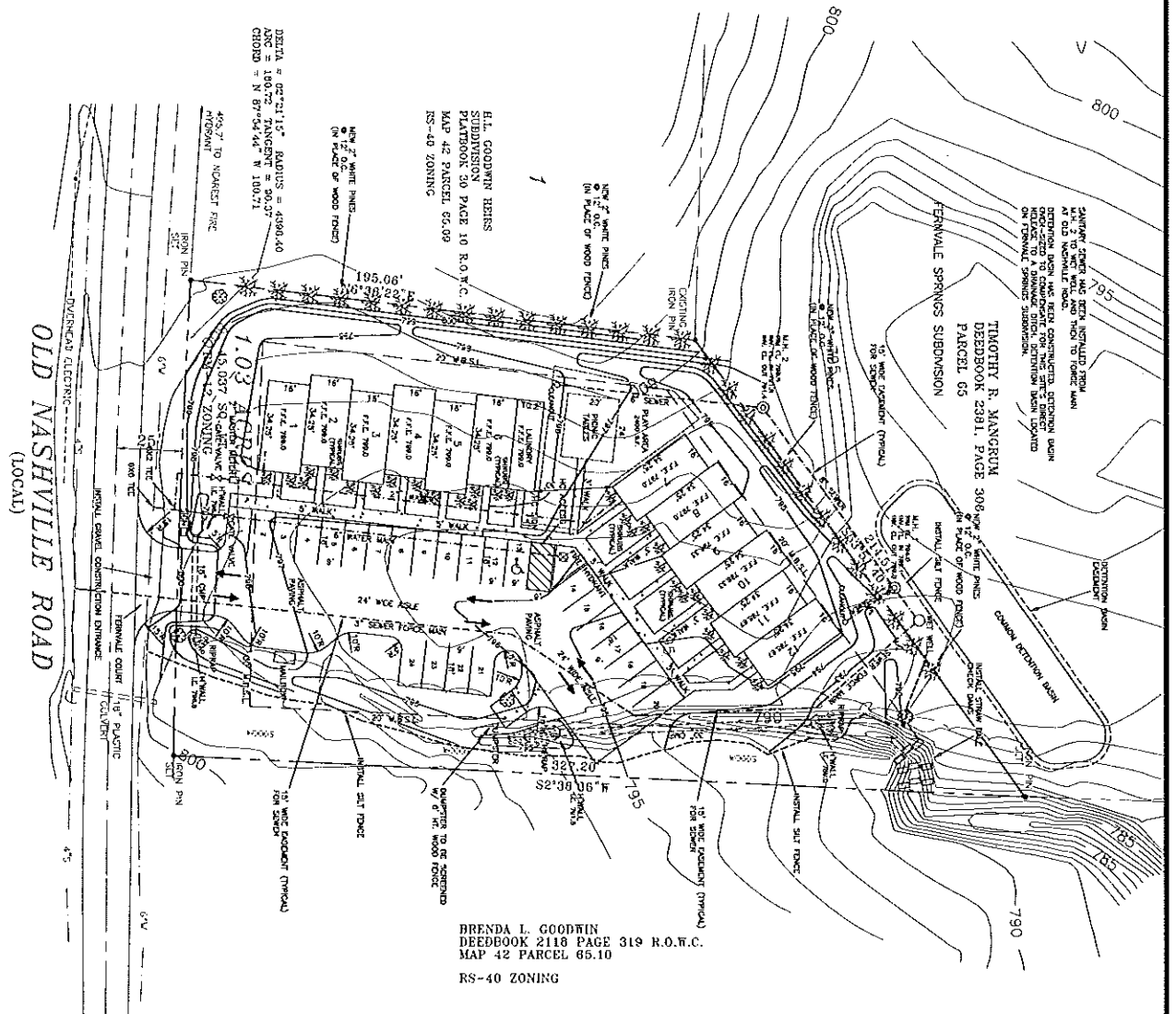
07005721

QUITCLAIM DEED	
02/06/2007 09:27 AM	
BATCH	92053
MTG TAX	0.00
TRN TAX	0.00
REG FEE	10.00
DP FEE	2.00
REG FEE	0.00
TOTAL	12.00

STATE OF TENNESSEE, WILLIAMSON COUNTY

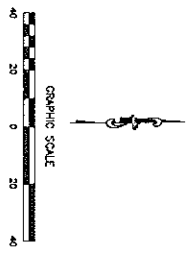
SADIE WADE  
REGISTER OF DEEDS

# Proposed Use



OLD NASHVILLE ROAD  
(LOCAL)

BRENDA L. GOODWIN  
DEEDBOOK 2118 PAGE 319 R.O.W.C.  
MAP 42 PARCEL 65.10  
RS-40 ZONING



<h2 style="margin: 0;">C1.1</h2>	<b>FINAL MASTER SITE DEVELOPMENT PLAN</b> FERNALDE APARTMENTS OWNER - TIMOTHY R. MANGRUM BEING A PORTION OF: DEED BOOK 2381, PAGE 308 TAX MAP 42, PARCEL 65 CITY OF FARMER 1ST CIVIL DISTRICT OF WILLIAMSON COUNTY, TN		NO. DATE REVISION
	DRAWN BY: [ ] APPROVED BY: [ ] DATE: [ ] SCALE: 1" = 20'		



**Tim Mangrum**  
**Old Nashville Road**  
**Map 42, Parcel 65.12**

Adjacent Property Owners

Property Address

Michael and Karen Pinkerton

Fairview, TN 37062

First Federal Bank

Fairview, TN 37062

Brenda Goodwin Hardin

Fairview, TN 37062

Paul and Juanita Tomlinson

Fairview, TN 37062

Owners Mailing Address

Michael and Karen Pinkerton

Fairview, TN 37062

First Federal Bank

Dickson, TN 37055

Brenda Goodwin Hardin

Old Hickory, TN 37138

Paul and Juanita Tomlinson

Fairview, TN 37062