

CITY OF FAIRVIEW
BOARD OF COMMISSIONERS

MARCH 15, 2018

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**
 - A. FHS Student Presentation for Vanderbilt's BITZ (Be In The Zone) Campaign
- 8. Staff Comments**
- 9. Approval of the Minutes**
- 10. Consent Agenda Consisting of Items as Follows**
 - A. Minutes from the March 1, 2018 Board of Commissioners Meeting
 - B. Minutes from the March 1, 2018 Work Session
- 11. Old Business**
 - A. Resolution 05-18, A Resolution to Annex Certain Territory Upon Written Consent of the Owners and to Incorporate the Same Within the Boundaries of the City of Fairview, Tennessee (7116 New Hope Rd, Owner: Shannon L. Crutcher)
- 12. New Business**
 - A. Certificate of Compliance Renewal for Wine in Grocery Stores at Wal-Mart Store #3137
 - B. Ordinance 2018-04, An Ordinance Establishing a Twenty-Eight (28) Day Work Period for the City of Fairview in Accordance with, and in Compliance with, the Fair Labor Standards Act
 - C. Ordinance 2018-05, An Ordinance to Amend Title 12, Chapter 4 and Chapter 5 of the City of Fairview's Municipal Code as it Pertains to the Residential Code and the Energy Code, Respectively
 - D. Amended Budget for 2017-2018 Fiscal Year
- 13. City Manager Items for Discussion**
 - A. Miscellaneous Updates
 - B. City Attorney Comments
- 14. Communications from the Mayor and Commissioners**
- 15. Adjournment**

RESOLUTION 05-18

11A

A Resolution to Annex Certain Territory Upon Written Consent of the Owner to Incorporate the Same within the Boundaries of the City of Fairview, Tennessee

Tax Map 018, Parcel 073.00

7116 New Hope Road

6.49 Acres

Owner: Shannon L. Crutcher

WHEREAS, the City of Fairview, having been petitioned by interested persons, proposes the extension of its corporate limits by the annexation of certain territory adjoining its existing boundaries and within its urban growth boundaries; and

WHEREAS, the owners of all property within the territory proposed for annexation have given their written consent by notarized petition so that a referendum is not required; and

WHEREAS, a copy of this Resolution, describing the territory proposed for annexation, was promptly sent by the City of Fairview to the last known address listed in the office of the property assessor for each property owner of record within the territory proposed for annexation, with such being sent by first class mail and mailed no later than fourteen (14) calendar days prior to the scheduled date of the hearing on the proposed annexation by owner consent; and

WHEREAS, this Resolution was also published by posting copies of it in at least three (3) public places in the territory proposed for annexation and in a like number of public places in the City of Fairview, and by publishing notice of the Resolution at or about the same time in the Observer, a newspaper of general circulation in such territory and the City of Fairview; and

WHEREAS, a Plan of Services for the area proposed for annexation is attached as *Exhibit A* hereto, which Plan of Services addresses the same services and timing of services as required in Tennessee Code Annotated § 6-51-102; and

WHEREAS, the proposed annexation and Plan of Services were submitted to the Fairview Planning Commission for study, and it has recommended the same; and

WHEREAS, notice of the time, place and purpose of a public hearing on the proposed annexation and the Plan of Services was published in a newspaper of general circulation in the City of Fairview not less than fifteen (15) days before the hearing, which notice included the locations of a minimum of three (3) copies of the Plan of Services for public inspection during all business hours from the date of notice until the public hearing; and

WHEREAS, a public hearing on the proposed annexation and Plan of Services was held by the governing body on March 15, 2018.

NOW, THEREFORE, BE IT RESOLVED by the City of Fairview, Tennessee as follows:

A. That the following territory is hereby annexed and incorporated into boundaries of the City of Fairview, to be effective as of March 15, 2018, to wit:

Tax Map 018, Parcel 073.00

7116 New Hope Road

6.49 Acres

Owner: Shannon L. Crutcher

B. That the Plan of Services for this territory which is attached as *Exhibit A* hereto is approved and the same is hereby adopted.

C. That the City Recorder will cause a copy of this Resolution to be forwarded to the

Mayor of Williamson County including the Plan of Services.

D. That a copy of this Resolution shall be recorded with the Williamson County Register of Deeds, and a copy shall also be sent to the Tennessee Comptroller of the Treasury and the Williamson County Assessor of Property.

E. That a copy of this Resolution, as well as the portion of the Plan of Services related to emergency services and a detailed map of the annexed area, shall be sent to any affected emergency communication district following certification by the election commission that the annexation was approved.

WHEREUPON, the Mayor declared the Resolution adopted, affixed a signature and the date thereto, and directed that the same be recorded.

Mayor

Date:

Attest, City Recorder

Approved as to Form and Legality this ____ day of _____, 2018

City Attorney

**PROPOSED PLAN OF SERVICES TO ACCOMPANY
RESOLUTION 05-18**

WHEREAS, TCA 6 –51 – 102, as amended requires that a Plan of Services be adopted by the governing body of a City prior to the passage of an annexation resolution of any territory or territories.

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

Section 1. Pursuant to the provisions of **TCA 6 –51 – 102**, there is hereby adopted, for the area bounded as described above, the following plan of Services:

A. Police

1. Patrolling, radio response to calls, and other routine police services, using present personnel and equipment, will be provided on the effective date of annexation.
2. Traffic signals, traffic signs, street markings, and other traffic control devices will be installed as the need is established by appropriate study and traffic standards.

B. Fire

1. Fire protection by the present personnel and equipment of the Fairview City Fire Department, within the limitations of available water and distances from fire stations, will be provided on the effective date of annexation.

C. Water

1. At present Water Service is not available. If and when such service becomes available, the necessary water mains to serve the annexed area will be installed by the Water Authority of Dickson County, Tennessee, in accordance with their established policy and procedures. **The City of Fairview, Tennessee does not provide this service.**

D. Sanitary Sewers

1. At present Sanitary Sewer Service is not available. If and when such service becomes available, the necessary intercepting and trunk sewers to serve the annexed area will be installed by the Water Authority of Dickson County, Tennessee, in accordance with their established policy and procedures. **The City of Fairview, Tennessee does not provide this service.**

E. Refuse Collection

1. Private haulers or the county convenience center will handle refuse collection in the annexed area.

F. Streets

1. The State Highway Commission under the standards currently prevailing by the State of Tennessee will serve the State Controlled Streets in the annexed area. The County of Williamson under the standards currently prevailing in Williamson County, Tennessee will serve the County Controlled Streets in the annexed area. The City of Fairview, Tennessee under the standards currently prevailing in the City will serve the City Controlled Streets in the annexed area.

G. Schools

1. The annexed area will be served by the Williamson County School system that serves the entire City of Fairview, Tennessee.

H. Inspection Services

1. Any inspection services now provided by the City will begin in the annexed area on the effective date of annexation.

I. Planning and Zoning

1. The planning and zoning jurisdiction of the City will extend to the annexed area on the effective date of annexation. City Planning will thereafter encompass the annexed area.

J. Street Lighting

1. The State, County or City under the standards currently prevailing for the appropriate authority will serve the annexed area.

K. Recreation

1. Residents of the annexed area may use all City and County parks on and after the effective date of annexation.

L. Miscellaneous

1. Where they are needed, street name signs will be installed as soon as, the need for emergency services to the annexed area are deemed necessary by the current policies of the City of Fairview, Tennessee.

2. Any other service(s) not classified under the foregoing headings will be in accordance with the standards prevailing in the City of Fairview, Tennessee.

This Resolution Referred to City of Fairview, Tennessee Municipal Planning Commission for recommendation by the Fairview, Tennessee Board of Commissioners the 1st day of February, 2018.

This Resolution Considered by the City of Fairview, Tennessee Municipal Planning Commission this 13th day of February, 2018.

The Fairview, Tennessee Municipal Planning Commission voted upon this Resolution as Follows:

Aye 9, Nay 0, Not voting 0.

This Resolution was returned to the City of Fairview, Tennessee Board of Commissioners with a Recommendation from the City of Fairview, Tennessee Municipal Planning Commission for Approval ✓, Disapproval _____, No Recommendation _____.

City of Fairview, Tennessee, Municipal Planning Commission this the 13th day of February, 2018.

Chairman

12A

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March 2, 2018

Ms. Brandy Johnson
City of Fairview
7100 City Center Way
Fairview, TN 37062

RE: WAL-MART STORES EAST, LP (STORE # 3137)

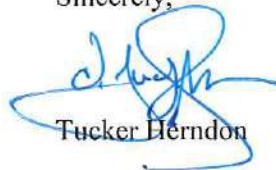
Dear Ms. Johnson:

Enclosed please find the Certificate of Compliance application filed on behalf of Wal-Mart Stores East, LP submitted in connection with the renewal of the retail wine in grocery store license for the Fairview, Tennessee location. In support of the Certificate of Compliance application, enclosed please find the following:

- Check in the amount of \$250.00;
- TBI and National Background Check on the new principal officer (Matthew William Allen, Treasurer); and
- List of principal officers and directors.

Upon issuance of the original Certificate of Compliance please forward the original executed Certificate to my attention at 222 Second Avenue South, Suite 2000, Nashville, Tennessee 37201. Please let me know if you have any questions, and thanks so much in advance for your assistance on the renewal application.

Sincerely,



Tucker Herndon

CTH/kh
Enclosures



CERTIFICATE OF COMPLIANCE
WINE IN GROCERY STORE

Pursuant to Tennessee Code Annotated, Title 57, Section 57-3-803 and 57-3-806, this is to certify that:

Name of Applicant: Walmart #3137

Corporation Name: Wal-Mart Stores East, LP

Business Address: 7100 Hopgood Road

Fairview, Tennessee 37062

Mailing Address: 702 SW 8th Street

Bentonville, Arkansas 72716

Date of Birth: 11/9/2001 SSN: 71-0862119

Has made application for a Certificate of Compliance to sell retail food store wine in the
County of Williamson, State of Tennessee, City of Fairview at _____

Walmart #3137, 7100 Hopgood Road, Fairview, Tennessee 37062

(Name and Street Address of Grocery Store)

And that an investigation has been undertaken of the applicant's criminal record and of the compliance of
said business, and from said investigation the undersigned certify:

1. That the applicant or applicants who are to be in actual charge of the business have not been convicted
of a felony within a ten-year period immediately preceding the date of application and, if a corporation,
that the executive officers or those in control have not been convicted of a felony within a ten-year
period immediately preceding the date of the application; and
2. That the applicant or applicants have secured a location which lies within the city limits of the City of
Fairview and which complies with all applicable zoning laws adopted herein by the City.

Signed this the _____ day of _____, 20 _____.

Mayor or Other Official Head of Municipality

ATTEST: City Recorder

12B

AN ORDINANCE ESTABLISHING A TWENTY-EIGHT (28) DAY WORK PERIOD FOR THE CITY OF FAIRVIEW IN ACCORDANCE WITH, A COMPLIANCE WITH, THE FAIR LABOR STANDARDS ACT

WHEREAS, the City of Fairview desires to establish a work period in accordance with the Fair Labor Standards Act; and,

WHEREAS, the Fair Labor Standards Act allows for municipalities to establish work periods within a range from seven (7) days to twenty-eight (28) days; and,

WHEREAS, it is in the best interest of the City of Fairview, its employees and the for the public for the City to adopt a twenty-eight (28) day work period; and,

NOW THEREFORE BE IT ORDAINED BY THE CITY OF FAIRVIEW DESIRES TO ADOPT A TWENTY-EIGHT (28) DAY WORK PERIOD AS FOLLOWS:

BE IT ORDAINED, that the City of Fairview Board of Commissioners, in accordance with the Fair Labor Standards Act, does hereby affirm that the city's work period shall be a twenty-eight (28) day period; and

BE IT FURTHER ORDAINED, that the city's twenty-eight (28) day work period shall be effective on, and retroactive to, January 1, 2018; and,

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 and desired by the Fairview Board of Commissioners.

MAYOR

CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

Passed First Reading _____

Passed Second Reading _____