

CITY OF FAIRVIEW
BOARD OF COMMISSIONERS

APRIL 5, 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
 - B. Item 11B
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 March 15, 2018 Board of Commissioners Meeting
11. Old Business
 - A. Second and Final Reading of Ordinance #2018-03, An Ordinance to Amend the City of Fairview Zoning Ordinance by Changing the Official Zoning Map for Tax Map 069, Parcel 120.00, Consisting of 5.35 Acres, Located at 7506-7508 King Road, From an AR015A (Agricultural) Zoning District to a RS-40 (Low-Density Residential) Zoning District
 - B. Resolution 08-18, 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
 - C. Second and Final Reading of Ordinance No. 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
12. New Business
 - A. Approval of Contract from Common Ground for Comprehensive Plan
 - B. Approval of Bid for SCBA Air Fill Station
 - C. Resolution 07-18, A Resolution Requesting the Fairview, Tennessee Municipal Election be Held in Conjunction with the November 6, 2018, State of Tennessee General Election
 - D. Ordinance 2018-06, An Ordinance to Provide for the Administrative Revision of the City of Fairview Employee Policies and Procedures Manual, in its Entirety, for the Purpose of Installing a New City of Fairview Policies and Procedures Manual
 - E. 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

11A

ORDINANCE #2018-03

AN ORDINANCE TO AMEND THE CITY OF FAIRVIEW ZONING ORDINANCE BY CHANGING THE OFFICIAL ZONING MAP FOR TAX MAP 069, PARCEL 120.00, CONSISTING OF 5.35 ACRES, LOCATED AT 7506-7508 KING ROAD, FROM AN AR-15A (AGRICULTURAL) ZONING DISTRICT TO A RS-40 (LOW-DENSITY RESIDENTIAL) ZONING DISTRICT.

WHEREAS, a request has been made by Daniel and Susan Greer to rezone property located within the City of Fairview; and

WHEREAS, the City of Fairview Planning Commission, on February 13, 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 069, Parcel 120.00 from an AR-15A Zoning District to a RS-40 Zoning District. This property consists of approximately 5.35 acres and is owned by Daniel and Susan Greer, 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 this Ordinance.

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:

BB
Chairman

2/13/2018
Date

Published in the Fairview Observer on _____

Public Hearing Held: _____

1st Reading: March 1, 2018

2nd Reading: _____

Approved by the Board of Commissioners:

Patti L. Carroll, Mayor

ATTEST:

Brandy Johnson, City Recorder

APPROVED AS TO FORM:

City Attorney

RESOLUTION 08-18



**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**

Tax Map 42, Parcel 78.00 (131.5 Acres)

7818 Old Nashville Hwy

Owners: Jennifer Rose Bufford, Reda Kidder

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 April 5, 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 April 5, 2018, to wit:

Tax Map 42, Parcel 78.00 (131.5 Acres)

7818 Old Nashville Hwy

Owners: Jennifer Rose Bufford, Reda Kidder

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:

City Recorder

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

City Attorney

ORDINANCE NO. 2018-04



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

March 15, 2018

Passed Second Reading

CITY OF FAIRVIEW, TENNESSEE

RESOLUTION NO. 07-18

12C

A RESOLUTION REQUESTING THE FAIRVIEW, TENNESSEE MUNICIPAL ELECTION BE HELD IN CONJUNCTION WITH THE NOVEMBER 6, 2018, STATE OF TENNESSEE GENERAL ELECTION

WHEREAS, The State of Tennessee General Election is scheduled for Tuesday, November 6, 2018, and,

WHEREAS, It is in the best interest of the citizens of the City of Fairview, Tennessee to have the Municipal Election for the City of Fairview, Tennessee conducted on the same date, Tuesday, November 6, 2018 and,

WHEREAS, the Administrator of Elections for Williamson County, Tennessee has requested a Resolution from the Board of Commissioners for the City of Fairview, Tennessee relative to the said election and the Board of Commissioners for the City's desire to have the City of Fairview, Tennessee, Municipal Election conducted in conjunction with the State of Tennessee General Election to be conducted Tuesday, November 6, 2018.

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

1. The Municipal Election for the City of Fairview, Tennessee, shall be conducted in conjunction with the Tuesday, November 6, 2018, State of Tennessee General Election.
2. The Newspaper for the publication of the required legal election notices is the Fairview Observer.
3. The City of Fairview, Tennessee, **Offices to be elected are One Member of the Board of Commissioners of the City of Fairview, Tennessee and the Mayor of the City of Fairview, Tennessee.** The qualifications for these offices are those required for election to the Office of Commissioner and are listed in the City of Fairview, Tennessee Charter Section C-20, Article 6-20-103 which states as follows: "A qualified voter of the city, other than a person qualified to vote based only on nonresident ownership of real property under §6-20-106(b), shall be eligible for election to the office of commissioner." Persons seeking to be elected to either of these Offices must not be prohibited from holding public office under any of the provisions of T.C.A. §8-18-101 those provisions are as follows: "All persons eighteen (18)

years of age or older who are citizens of the United States and of this state, and have been inhabitants of the state, county, district, or circuit for the period required by the constitution and laws of the state, are qualified to hold office under the authority of this state except:

(1) Those who have been convicted of offering or giving a bribe, or of larceny, or any other offense declared infamous by law, unless restored to citizenship in the mode pointed out by law;

(2) Those against whom there is a judgment unpaid for any moneys received by them, in any official capacity, due to the United States, to this state, or any county of this state;

(3) Those who are defaulters to the treasury at the time of the election, and the election of any such person shall be void;

(4) Soldiers, sailors, marines, or airmen in the regular army or navy or air force of the United States; and

(5) Members of congress, and persons holding any office of profit or trust under any foreign power, other state of the union, or under the United States."

4. It is understood and accepted by the City of Fairview, Tennessee that the qualifying deadline for both offices will be Thursday, August 16, 2018 at 12:00 Noon. Qualifying petitions will be available for candidates for these offices to obtain Friday, May 18, 2018.

5. No unexpired terms will be elected on this election cycle.

6. The City Attorney of the City of Fairview, Tennessee is authorized to communicate this Resolution regarding the City of Fairview, Tennessee, Municipal Election to be held in conjunction with the Tuesday, November 6, 2018, State of Tennessee General Election and is instructed to deliver a certified copy of this Resolution to the Williamson County Election Commission (Administrator of Elections) within Seven (7) days of its adoption.

Adopted this the _____ day of _____, 2018.

MAYOR

ATTEST:

CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

12D

AN ORDINANCE TO PROVIDE FOR THE ADMINISTRATIVE REVIEW OF THE CITY OF FAIRVIEW EMPLOYEE POLICIES AND PROCEDURES MANUAL, IN ITS ENTIRETY, FOR THE PURPOSE OF INSTALLING A NEW CITY OF FAIRVIEW POLICIES AND PROCEDURES MANUAL.

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

WHEREAS, the City of Fairview Employee Policies and Procedures Manual is in need of revision; and,

WHEREAS, an effective employee policies and procedures manual is a requirement for the proper day to day operations of the city; and,

WHEREAS, the current employee policies and procedures manual was adopted by ordinance in 2006 and is substantially unchanged; and,

WHEREAS, repealing the ordinance(s) adopting the current employee policies and procedures manual is necessary to effectively perform the revision of the manual and its individual parts; and,

WHEREAS, upon its completion the revised manual will be brought back before the board of commissioners for approval by resolution; and,

NOW THEREFORE BE IT ORDAINED BY THE CITY OF FAIRVIEW BOARD OF COMMISSIONERS AS FOLLOWS:

BE IT ORDAINED, that ordinances 615, 641, 732, 764, 798 and 799, all pertaining to the City of Fairview Employee Policies and Procedures Manual, are hereby repealed; and

BE IT FURTHER ORDAINED, the city manager shall administer the City of Fairview employee policies and procedures until such time as the employee policies and procedures manual has been fully revised; and

BE IT FURTHER ORDAINED, that upon the completion of the full revision of the City of Fairview Employee Policies and Procedures Manual the city manager shall present the revised manual to the board of commissioners to be considered for adoption by resolution; 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 _____

ORDINANCE No. _____

**AN ORDINANCE OF THE CITY OF FAIRVIEW, TENNESSEE,
AMENDING THE PREVIOUSLY ADOPTED ANNUAL BUDGET FOR THE FISCAL YEAR
BEGINNING JULY 1, 2017 AND ENDING JUNE 30, 2018**

WHEREAS, *Tennessee Code Annotated* Title 9 Chapter 1 Section 116 requires that all funds of the State of Tennessee and all its political subdivisions shall first be appropriated before being expended and that only funds that are available shall be appropriated; and

WHEREAS, the Municipal Budget Law of 1982 requires that the governing body of each municipality adopt and operate under an annual budget ordinance presenting a financial plan with at least the information required by that state statute, that no municipality may expend any moneys regardless of the source except in accordance with a budget ordinance and that the governing body shall not make any appropriation in excess of estimated available funds; and

WHEREAS, the Board of Commissioners, if required, will publish the AMENDED annual operating budget and budgetary comparisons of the AMENDED budget with the prior year (actual) and the AMENDED year (estimated) in a newspaper of general circulation not less than ten (10) days prior to the meeting where the Board will consider the AMENDED budget.

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

SECTION 1: That the governing body estimates anticipated revenues of the municipality from all sources to be as follows for fiscal year 2018:

	FY 2016 Actual	FY 2017 Estimated	FY 2018 Proposed
General Fund			
Taxes	\$ 4,236,000	\$ 4,154,000	\$ 5,327,500
Licenses and Permits	\$ 61,975	\$ 104,175	\$ 119,750
Fines and Fees	\$ 171,025	\$ 180,520	\$ 239,900
Intergovernmental	\$ 1,278,925	\$ 1,120,550	\$ 371,200
Other	\$ 77,653	\$ 81,500	\$ 140,000
Other Financial Sources TAN & GAN	\$ 659,322	\$ -	\$ -
Total Revenues	\$ 6,484,900	\$ 5,640,745	\$ 6,198,350
Beginning Fund Balance	\$ 1,250,000	\$ 2,606,474	\$ 2,859,800
Total Available Funds	\$ 7,734,900	\$ 8,247,219	\$ 9,058,150

State Street Aid	FY 2016 Actual	FY 2017 Estimated	FY 2018 Proposed
Intergovernmental	\$ 221,000	\$ 215,000	\$ 260,000
Other	\$ -	\$ -	\$ 250
Total Revenues	\$ 221,000	\$ 215,000	\$ 260,250
Beginning Fund Balance	\$ 226,100	\$ 229,500	\$ 350,000
Total Available Funds	\$ 447,100	\$ 444,500	\$ 610,250

Drug Fund	FY 2016 Actual	FY 2017 Estimated	FY 2018 Proposed
Fines and Fees	\$ 15,640	\$ 21,600	\$ 12,000
Other	\$ 50,970	\$ 30,100	\$ 250
Total Revenues	\$ 66,610	\$ 51,700	\$ 12,250
Beginning Fund Balance	\$ 63,700	\$ 57,060	\$ 93,910
Total Available Funds	\$ 130,310	\$ 108,760	\$ 106,160

SECTION 2: That the governing body appropriates from these anticipated revenues and unexpended and unencumbered funds as follows:

General Fund	FY 2016 Actual	FY 2017 Estimated	FY 2018 Proposed
General Government	\$ 57,000	\$ 57,000	\$ 112,800
Administration	\$ 1,144,100	\$ 1,533,033	\$ 2,164,200
Finance	\$ 165,700	\$ 174,500	\$ 169,100
Planning and Zoning	\$ 117,333	\$ 260,000	\$ 423,300
Municipal Court	\$ 117,809	\$ 123,000	\$ 171,500
Police Department	\$ 1,203,900	\$ 1,314,000	\$ 1,632,000
Fire Department	\$ 815,100	\$ 930,000	\$ 1,368,000
Public Works	\$ 645,800	\$ 797,500	\$ 1,020,500
Debt Service	\$ 870,426	\$ 213,000	\$ 213,000
-	\$ -	\$ -	\$ -
-	\$ -	\$ -	\$ -
-	\$ -	\$ -	\$ -
Total Appropriations	\$ 5,137,168	\$ 5,402,733	\$ 7,274,400
Surplus/(Deficit)	\$ 1,356,474	\$ 235,159	\$ (1,076,050)
Other Financial Sources (Uses): Transfer In (Drug & Facilities Funds)	\$ -	\$ -	\$ -
Ending Fund Balance	\$ 2,606,474	\$ 2,841,633	\$ 1,783,750

State Street Aid	FY 2016 Actual	FY 2017 Estimated	FY 2018 Proposed
Public Works	\$ 178,000	\$ 55,000	\$ 335,500
Debt Service	\$ 39,000	\$ 39,000	\$ 39,000
General Government	\$ -	\$ -	\$ -
Total Appropriations	\$ 217,600	\$ 94,000	\$ 409,500
Surplus/(Deficit)	\$ -	\$ -	\$ -
Ending Fund Balance	\$ 229,500	\$ 350,000	\$ 200,750

Drug Fund	FY 2016 Actual	FY 2017 Estimated	FY 2018 Proposed
Police Department	\$ 130,310	\$ 108,760	\$ 106,160
Total Appropriations	\$ 73,250	\$ 14,850	\$ 46,000
Surplus/(Deficit)	\$ -	\$ -	\$ -
Ending Fund Balance	\$ 57,060	\$ 93,910	\$ 60,160

SECTION 3: At the end of the current fiscal year the governing body estimates balances/ (deficits) as follows:

General Fund	\$	1,783,750
State Street Aid	\$	200,750
Drug Fund	\$	60,160

SECTION 4: That the governing body recognizes that the municipality has bonded and other indebtedness as follows:

Bonded or Other Indebtedness	Debt Principal	Interest Requirements	Debt Authorized and Unissued	Principal Outstanding at June 30
Bonds	\$ 2,935,000	\$ 70,181	N/A	\$ 2,755,000
Notes			N/A	
Capital Leases			N/A	
Other Debt			N/A	

SECTION 5: During the coming fiscal year the governing body has planned capital projects and proposed funding as follows:

Proposed Capital Projects	Proposed Amount Financed by Appropriations	Proposed Amount Financed by Debt
N/A	N/A	N/A

SECTION 6: No appropriation listed above may be exceeded without an amendment of the budget ordinance as required by the Municipal Budget Law of 1982 T.C.A. Section 6-56-208. In addition, no appropriation may be made in excess of available funds except to provide for an actual emergency threatening the health, property or lives of the inhabitants of the municipality and declared by a two-thirds (2/3) vote of at least a quorum of the governing body in accordance with Section 6-56-205 of the *Tennessee Code Annotated*.

SECTION 7: Money may be transferred from one appropriation to another in the same fund in an amount of up to \$1,000, subject to such limitations and procedures as set in the Budget Policy adopted by the Board of Commissioners in Ordinance No. 840 adopted on **June 30, 2014** by Section 6-56-209 of the *Tennessee Code Annotated*. Any resulting transfers shall be reported to the governing body at its next regular meeting and entered into the minutes.

SECTION 8: A detailed financial plan will be attached to this budget and become part of this budget ordinance. In addition, the published operating budget and budgetary comparisons shown by fund with beginning and ending fund balances and the number of full time equivalent employees required by Section 6-56-206, *Tennessee Code Annotated* will be attached.

SECTION 9: The previously levied property tax of \$ 0.8765 per \$100 of assessed value on all real and personal property is hereby unchanged.

SECTION 10: This AMENDED annual operating and capital budget ordinance and supporting documents, IF REQUIRED, shall be submitted to the Comptroller of the Treasury or Comptroller’s Designee for approval if the City has notes issued pursuant to Title 9, Chapter 21, Tennessee Code Annotated or loan agreements with a public building authority issued pursuant to Title 12, Chapter 10, Tennessee Code Annotated approved by the Comptroller of the Treasury or Comptroller’s Designee within fifteen (15) days of its adoption. This AMENDED budget shall not become the official budget for the fiscal year until such budget, IF REQUIRED, is approved by the Comptroller of the Treasury or Comptroller’s Designee in accordance with Title 9, Chapter 21, Tennessee Code Annotated (the “Statutes”.) If the Comptroller of the Treasury or Comptroller’s Designee determines that this AMENDED budget does not comply with the Statutes, the Governing Body shall adjust its estimates or make additional tax levies sufficient to comply with the Statutes, or as directed by the Comptroller of the Treasury or Comptroller’s Designee. If the City does not have such debt outstanding, IF REQUIRED it will file this AMENDED annual operating and capital budget ordinance

and supporting documents with the Comptroller of the Treasury or Comptroller's Designee.

SECTION 11: All unencumbered balances of appropriations remaining at the end of the fiscal year shall lapse and revert to the respective fund balances.

SECTION 12: All ordinances or parts of ordinances in conflict with any provision of this ordinance are hereby repealed.

SECTION 13: This ordinance shall take effect April 19, 2018, the public welfare requiring it.

Patti Carroll, Mayor

Brandy Johnson, City Recorder

APPROVED AS TO FORM:

City Attorney

Budget Passed First Reading: _____

Budget Passed Second Reading: _____

Budget Public Hearing Held on: _____