

CITY OF FAIRVIEW
BOARD OF COMMISSIONERS

APRIL 16, 2020

7:00 P.M.

AGENDA

- 1. Roll Call**
- 2. Call to Order**
- 3. Prayer and Pledge**
- 4. Approval of Agenda and Executive Session Announcements**
- 5. Public Hearing(s)**
- 6. Citizen Comments** (Limited to the first 5 citizens to sign in and a limit of 3 minutes each)
- 7. Public Announcements, Awards and Recognitions**
 - A. Arbor Day Proclamation
- 8. Staff Comments and Monthly Reports**
 - A. City Manager Report
 - B. City Attorney Report
- 9. Consent Agenda** (Any Item May be Removed for Individual Consideration)
 - A. Minutes from the March 20, 2020, Board of Commissioners Meeting
 - B. Minutes from the March 20, 2020 Board of Commissioners Work Session
- 10. Old Business**
- 11. New Business**
 - A. Off-Premise Beer Permit for Mahamati 03, Inc., 2209 Fairview Blvd, (New Owner)
 - B. Ordinance 2020-04, Municipal Code Amendment for Requirements for the Elected Court Clerk
 - C. Ordinance 2020-05, Municipal Code Amendment for Municipal Court Judge Qualifications
 - D. Ordinance 2020-06, Municipal Code Amendment to Re-order Code Sections Related to Municipal Court Judge Compensation.
 - E. Ordinance 2020-07, Municipal Code Amendment to establish an Individual Code Section for Court Records.
 - F. Ordinance 2020-08, Municipal Code Amendment to establish an Individual Code Section for Court Dockets.
 - G. Ordinance 2020-09, Municipal Code Amendment to Revise the Municipal Code Prohibition of Wearing Masks.
- 12. Communications from the Mayor and Commissioners**
 - A. Commissioner
 - B. Commissioner
 - C. Commissioner
 - D. Vice Mayor
 - E. Mayor
- 13. Adjournment**

7A

CITY OF FAIRVIEW PROCLAMATION

ARBOR DAY

WHEREAS, in 1872, J Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, Dr. Evangeline Bowie used land management techniques including planting over 500,000 trees that transformed barren and eroded land into a park treasure gifted to the city that now includes over 700 acres of forest, lakes and 17 miles of trails; and

WHEREAS, the City of Fairview is located on the Western Highland Rim, and within a diverse and unique hardwood forest; and

WHEREAS, the Redbud Tree has been designated the Official City Tree; and

WHEREAS, the City of Fairview was designated as a Tree City USA in 2019; and

WHEREAS, Trees

- Save storm water retention cost
- Clean and cool the air
- Save energy
- Attract people and industry
- Appeal to shoppers

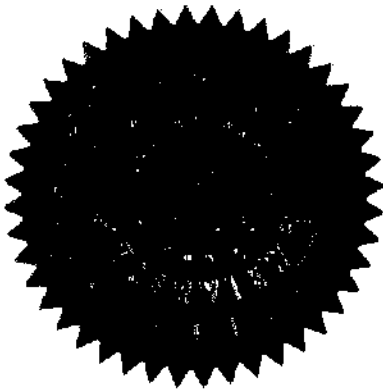
- Increase home values
- Slow traffic
- Increase pavement life
- Provide health benefits
- Reduce crime
- Mitigate noise
- Increase office worker productivity
- Provide wildlife habitat
- Are beautiful; and,

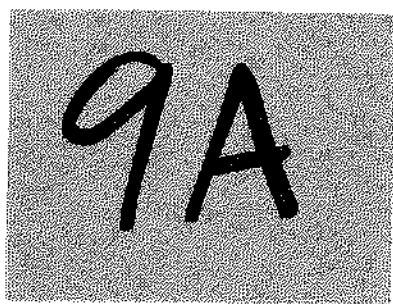
WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal; and,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Fairview, Tennessee does hereby proclaim April 24, 2020 as Arbor Day in the City of Fairview, to be observed annually on the last Friday in April going forward, and urges the citizens to plant trees and protect our woodlands to promote the wellbeing of this and future generations.

IN WITNESS WHEREOF, I have hereunto set my hand, and caused the great seal of the City of Fairview to be affixed, this 16th day of April, 2020.

Mayor, John W. Blade





CITY OF FAIRVIEW

BOARD OF COMMISSIONERS
MEETING MINUTES

MARCH 19, 2020

John Blade, Mayor
Debby Rainey, Vice Mayor
Derek K. Burks, Commissioner
Rod Dawson, Commissioner
Scott Lucas, Commissioner
Scott Collins, City Manager
Tim Potter, City Attorney
Brandy Johnson, City Recorder

Present: --Blade, Burks, Dawson, Lucas, Rainey
Others Present: Collins, Paisley

1. Roll Call – by Collins

	Present	Absent
Commissioner Burks	x	---
Commissioner Dawson	x	---
Commissioner Lucas	x	---
Vice Mayor Rainey	x	---
Mayor Blade	x	---

2. Call to Order by Mayor Blade at 7:06 p.m.

3. Prayer and Pledge led by Mayor Blade

4. Approval of the Agenda and Executive Session Announcements

Motion: Rainey
Second: Dawson

	YES	NO	ABSTAIN	RECUSE
Commissioner Burks	x	---	---	---
Commissioner Dawson	x	---	---	---
Commissioner Lucas	x	---	---	---
Vice Mayor Rainey	x	---	---	---
Mayor Blade	x	---	---	---

5. Public Hearing

- A. Item 9C – no comments
- B. Item 9D – no comments

6. Citizen Comments - NONE

7. Announcements, Awards, Recognitions -- N/A

8. Staff Comments and Reports - deferred

9. Consent Agenda (Any Item May Be Removed for Individual Consideration)

- A. Minutes from the February 20, 2020, Board of Commissioners Meeting
- B. Minutes from the March 5, 2020, Board of Commissioner Meeting
- C. Second and Final Reading of Ordinance 2020-02, An Ordinance to Amend the City of Fairview Zoning Ordinance by Changing the Official Zoning Map for Property Located at 7112 Westview Drive, From a CG (Commercial General) Zoning District to a RM-8 (Multi-Family Residential) Zoning District, owner: Kathy Beata, 1.21 Acres
- D. Second and Final Reading of Ordinance 2020-03, An Ordinance to Amend the City of Fairview Zoning Ordinance by Changing the Official Zoning Map for Property Located on Highway 96 From a RS-40 (Low-Density Residential) Zoning District to an IG (Industrial General) Zoning District, Owners: Yekolla Reddy, BVM Investments, LLC, 5.89 Acres

Motion: Lucas
 Second: Rainey

	YES	NO	ABSTAIN	RECUSE
Commissioner Burks	x	___	___	___
Commissioner Dawson	x	___	___	___
Commissioner Lucas	x	___	___	___
Vice Mayor Rainey	x	___	___	___
Mayor Blade	x	___	___	___

10. Old Business – N/A

11. New Business

- A. Resolution 6-20 Declaring Certain Items as Surplus and Authorizing Their Disposal

Motion: Burks
 Second: Dawson

	YES	NO	ABSTAIN	RECUSE
Commissioner Burks	x	___	___	___
Commissioner Dawson	x	___	___	___
Commissioner Lucas	x	___	___	___
Vice Mayor Rainey	x	___	___	___
Mayor Blade	x	___	___	___

- B. Resolution 7-20 Adopting an A.D.A. (Americans with Disabilities Act) Transition Plan

Motion: Rainey
 Second: Burks

	YES	NO	ABSTAIN	RECUSE
Commissioner Burks	x	___	___	___
Commissioner Dawson	x	___	___	___
Commissioner Lucas	x	___	___	___
Vice Mayor Rainey	x	___	___	___
Mayor Blade	___	___	___	___

- C. Resolution 8-20 Approving Capital Outlay for 7062 City Center Way

Motion: Rainey
 Second: Lucas

	YES	NO	ABSTAIN	RECUSE
Commissioner Burks	x	___	___	___
Commissioner Dawson	x	___	___	___
Commissioner Lucas	x	___	___	___
Vice Mayor Rainey	x	___	___	___
Mayor Blade	x	___	___	___

D. Resolution 9-20 Approving Resurfacing Bid for Old Franklin Road

Motion: Dawson
Second: Rainey

	YES	NO	ABSTAIN	RECUSE
Commissioner Burks	x	___	___	___
Commissioner Dawson	x	___	___	___
Commissioner Lucas	x	___	___	___
Vice Mayor Rainey	x	___	___	___
Mayor Blade	x	___	___	___

12. Communications from the Mayor and Commissioners

- A. Commissioner Burks – comments not audible on meeting video
- B. Commissioner Lucas - none
- C. Commissioner Dawson asks for prayers for all who are affected by illness and job loss at this time
- D. Vice Mayor Rainey - none
- E. Mayor Blade asks everyone to remember friends, neighbors and the elderly in our community. Local restaurants are open for business through drive-thru or pick-up. Please patronize them and our local grocery stores. Remember to spend Fairview dollars in Fairview.

13. Adjournment –Commissioner Lucas made a motion for adjournment with Mayor Blade seconding and meeting was adjourned at 7:13 p.m.

Brandy Johnson
City Recorder

CITY OF FAIRVIEW

BOARD OF COMMISSIONERS WORK SESSION MINUTES

March 19, 2020

John W. Blade, Mayor
Debby Rainey, Vice Mayor
Derek K. Burks, Commissioner
Rod Dawson, Commissioner
Scott Lucas, Commissioner
Scott Collins, City Manager
Tim Potter, City Attorney
Brandy Johnson, City Recorder

Present: Blade, Rainey, Burks, Dawson, Lucas
Others Present: Collins

(1) **Call to order** by City Manager Collins at 6:10 p.m.

(2) **Items of Discussion** –

A. City Emergency Operations Plan and structure, including:

Programs and services the city does not operate

Major Traffic Route Management

General service responsibilities regarding the police department, the fire department, the public works department and administration.

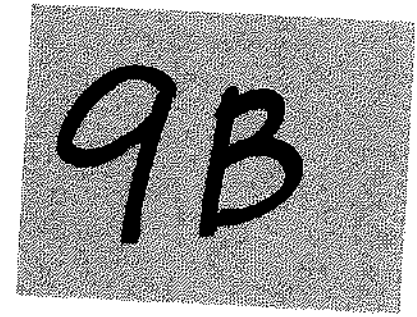
Scott Collins described how each one of these programs and services work, and described the operating conditions of each program and service.

B. City vehicle fleet and it the current plan for vehicle replacement, including adopting a recurring annual purchase of police patrol cars to maintain the fleet.

C. A brief overview of the Governor's Local Government Support Grants, of which the City of Fairview is slated to receive \$228,000. Items considered to be purchased with these funds was city wide I.T. infrastructure, a service vehicle for the fire department, in-car computers for police patrol vehicles, and patrol vehicles.

Adjournment at 7:00 p.m.

Brandy Johnson
City Recorder



ORDINANCE NO. 2020-04

11B

AN ORDINANCE TO AMEND TITLE 3, CHAPTER 3, SECTION 3-301 OF THE CITY OF FAIRVIEW MUNICIPAL CODE FOR THE PURPOSE OF REPEALING THE LANGUAGE REGARDING COURT RECORDS, COURT DOCKETS, AND THE COURT CLERK.

WHEREAS, Title 3, Chapter 3, Section 3-301, of the City of Fairview municipal code currently reads as follows:

"Records; docket; city clerk. The city does not elect, as permitted by the laws of the State of Tennessee, to require the city court clerk to be elected. The city manager shall have the duty of maintaining all records of the city court in accordance with applicable laws. The city manager may employ on behalf of the city a person to assist him in this function and such person shall be designated as city court clerk. The board of commissioners shall require proper maintenance of the docket of the city court and other records of the court. Subject to general law and the authority of the city judge(s), the board shall fix the regular time for holding court."; and

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

BE IT ORDAINED, that Title 3, Chapter 3, Section 3-301, is hereby amended to read as follows:

Municipal court clerk. The municipal court clerk shall be a full-time elected position of the City of Fairview whose term shall be concurrent with the Williamson County court clerks. The qualifications for the office of Municipal Court Clerk are that the court clerk must be a resident of Williamson County, must be at least twenty-one (21) years of age and must be a qualified voter.

MAYOR

CITY RECORDER

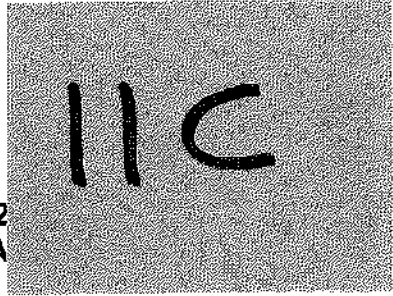
APPROVED AS TO FORM:

CITY ATTORNEY

Passed First Reading _____

Passed Second Reading _____

ORDINANCE NO. 2020-05



**AN ORDINANCE TO AMEND TITLE 3, CHAPTER 2, SECTION 3-2
CITY OF FAIRVIEW MUNICIPAL CODE REGARDING QUALIFICA
THE MUNICIPAL COURT JUDGE.**

WHEREAS, Title 3, Chapter 2, Section 3-202, hereby reads as follows:

“The city judge shall be a resident of the County of Williamson one year and a resident of Tennessee five years immediately preceding his or her election, at least 30 years old, and licensed to practice law in Tennessee.” And,

WHEREAS, City of Fairview Resolution 01-20, specifies the qualifications for the Fairview City Judge with concurrent general sessions jurisdiction for criminal offenses as follows:

“Licensed to practice law in the state of Tennessee, at least 30 years of age and a resident of the jurisdiction where they serve.”

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

BE IT ORDAINED, that Title 3, Chapter 2, Section 3-202, is hereby amended to read as follows:

Qualifications. Licensed to practice law in the state of Tennessee, at least 30 years of age and a resident of the jurisdiction where they serve

MAYOR

CITY RECORDER

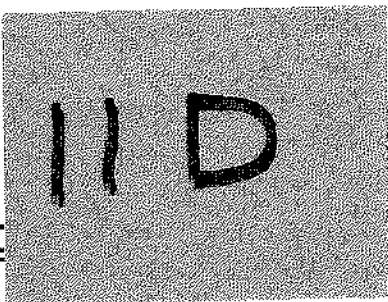
APPROVED AS TO FORM:

CITY ATTORNEY

Passed First Reading _____

Passed Second Reading _____

ORDINANCE NO. 2020-06



AN ORDINANCE TO AMEND TITLE 3, CHAPTER 2, SECTION 3-205, CITY OF FAIRVIEW MUNICIPAL CODE REGARDING SALARY FOR MUNICIPAL COURT JUDGE.

WHEREAS, Title 3, Chapter 2, Section 3-205, Paragraphs (1) and (2) specify salary for the municipal court judge effective August 1, 2006; and

WHEREAS, the City of Fairview board of commissioners has amended the City of Fairview Municipal Code to include Title 1, Chapter 6, Section 6-103, entitled "General Sessions Court Judge Compensation", and that Section is effective January 1, 2021; and

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

BE IT ORDAINED, that Title 3, Chapter 2, Section 3-205, is hereby amended to include Paragraph (3) which shall read as follows:

"(3) Paragraphs (1) and (2) of this Section shall expire on December 31, 2020. After which, all matters regarding compensation of the City Judge, with or without concurrent general sessions jurisdiction, shall be governed by and within Title 1, Chapter 6, of the City of Fairview municipal code."

MAYOR

CITY RECORDER

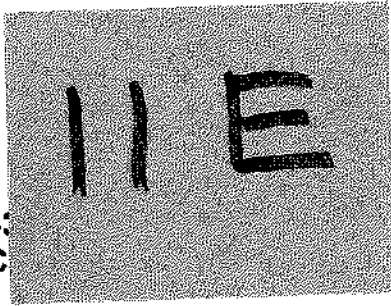
APPROVED AS TO FORM:

CITY ATTORNEY

Passed First Reading _____

Passed Second Reading _____

ORDINANCE NO. 2020-07



AN ORDINANCE TO CREATE TITLE 3, CHAPTER 3, SECTION 3-303, THE CITY OF FAIRVIEW MUNICIPAL CODE REGARDING MUNICIPAL COURT RECORDS.

WHEREAS, Title 3, Chapter 3, Section 3-303, of the City of Fairview municipal code regarding court records is necessary to be created; and

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

BE IT ORDAINED, that Title 3, Chapter 3, Section 3-303, entitled "Records" is hereby created and shall read as follows:

Records. The municipal court clerk shall have the duty of maintaining all records of the municipal court, whether or not the municipal court has concurrent general sessions jurisdiction, in accordance with all applicable local, state and federal rules, procedures, guidelines, ordinances and laws. The municipal court clerk shall have the duty to ensure that any and all receipts, uses, transmissions, reporting and safeguarding of all municipal court records are done in accordance with all applicable local, state and federal rules, procedures, guidelines, ordinances and laws.

MAYOR

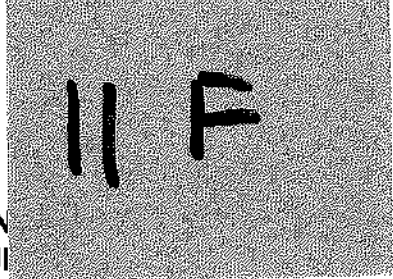
CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

Passed First Reading _____

Passed Second Reading _____



**AN ORDINANCE TO CREATE TITLE 3, CHAPTER 3, SECTION
THE CITY OF FAIRVIEW MUNICIPAL CODE REGARDING MUI
COURT DOCKETS.**

WHEREAS, Title 3, Chapter 3, Section 3-304, of the City of Fairview municipal code regarding court dockets is necessary to be created; and

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

BE IT ORDAINED, that Title 3, Chapter 3, Section 3-304, entitled "Dockets" is hereby created and shall read as follows:

Dockets. (1) The municipal court clerk shall have the duty of the proper maintenance of the city's court docket. The city manager shall have the authority to hire a court staff to assist the court clerk in the administration of the court docket and the functions of the court.

(2) The city judge shall have the authority to establish court dates. There shall be a minimum of twenty-four (24) court sessions each calendar year, including at least one court date each month. In November of each year the city court judge shall establish the court dates for the subsequent calendar year. Court dates for each calendar year shall be posted by the court clerk prior January 1 of each calendar year. The city judge shall have the authority to add court dates, as needed, and shall also have the authority to cancel scheduled court dates if such cancellations are in the best interest of all participants of the court or as directed to do so by a higher court.

MAYOR

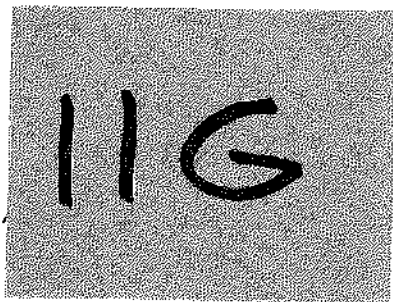
CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

Passed First Reading _____

Passed Second Reading _____



AN ORDINANCE TO AMEND TITLE 11, CHAPTER 8, SECTION 11-805 OF THE CITY OF FAIRVIEW MUNICIPAL CODE.

WHEREAS, Title 11, Chapter 8, Section 11-805, of the City of Fairview municipal code, entitled "Wearing masks" currently reads as follows:

"Wearing masks. It shall be unlawful for any person to appear on or in any public way or place while wearing any mask, device, or hood whereby any portion of the face is so hidden or covered as to conceal the identity of the wearer. The following are exempted from the provisions of this section:

- (1) Children under the age of ten (10) years.
- (2) Workers while engaged in work wherein a face covering is necessary for health and/or safety reasons.
- (3) Persons wearing gas masks in civil defense drills and exercises or emergencies
- (4) Any person having a special permit issued by the city recorder to wear a traditional holiday costume."

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

BE IT ORDAINED, that Title 11, Chapter 8, Section 11-805 (1), is hereby amended to read as follows:

- (1) Children under the age of eighteen (18) when under the supervision of a parent, guardian or school representative; and adults eighteen (18) years of age and older when the wearing of a mask is an obvious part of a seasonal or festive costume or garb.

AND, BE IT FURTHER ORDAINED, that Title 11, Chapter 8, Section 11-805 (4), is hereby amended to read as follows:

- (4) Any person wearing a mask when the wearing of a mask is for personal health and safety reasons specific to individual health concerns or when the wearing of a mask is in the best health and safety interest of the general public.

MAYOR

CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

Passed First Reading _____

Passed Second Reading _____