

ORDINANCE 2024-03

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF FAIRVIEW, TENNESSEE, BY REZONING 14.76 (+/-) ACRES OF PROPERTY LOCATED ON FAIRVIEW BLVD, CONSISTING OF WILLIAMSON COUNTY TAX MAP 023, PARCEL 053.00, FROM CG (COMMERCIAL GENERAL) TO IR (INDUSTRIAL RESTRICTIVE), PROPERTY OWNER: MICHAEL HARTMAN, AGENT: LOUIS SLOYAN, T-SQUARE ENGINEERING, INC.

WHEREAS, the City of Fairview zoning ordinance, and the zoning maps therein adopted be, and the same are hereby amended by rezoning the property herein described as 14.76 (+/-) acres of property consisting of Williamson County tax map 023, parcel 053.00, located on Fairview Blvd, from CG (Commercial General) to IR (Industrial Restrictive), property owner: Michael Hartman, agent: T-Square Engineering, Inc; and

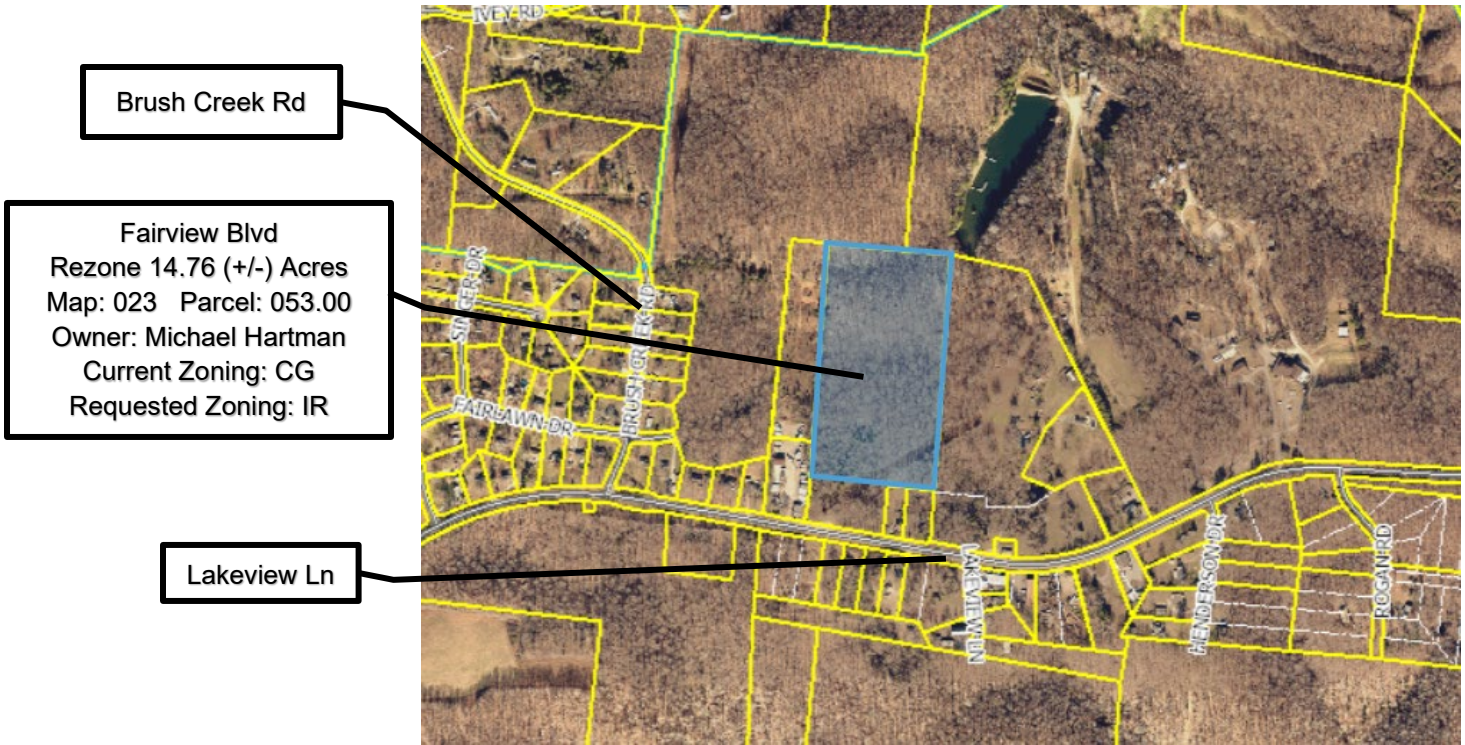
WHEREAS, said property to be rezoned from CG to IR is located within the corporate limits of the City of Fairview; and

WHEREAS, the City of Fairview Municipal Planning Commission forwarded the request to the Board of Commissioners on March 19, 2024, with a **positive** recommendation for approval without conditions; and

WHEREAS, that all ordinances or parts of ordinances in conflict are hereby repealed; and

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

The zoning ordinance of the City of Fairview, Tennessee, is hereby amended by rezoning 14.76 (+/-) acres of property consisting of Williamson County tax map 023, parcel 053.00, located on Fairview Blvd, from CG (Commercial General) to IR (Industrial Restrictive), as requested by owner Michael Hartman and agent T-Square Engineering, Inc., the public welfare requiring it. The rezoning of this site shall be subject to all City of Fairview ordinances and regulations.



Approved by the Board of Commissioners:

 Lisa Anderson, Mayor

ATTEST:

 Rachel Jones, City Recorder

LEGAL FORM APPROVED:

 Patrick M. Carter, City Attorney

Passed 1st Reading: April 4, 2024

Public Hearing: May 2, 2024

Passed 2nd Reading: _____

Published for public notice on: April 10, 2024 In: Main Street Fairview Newspaper

ORDINANCE 2024-04

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF FAIRVIEW, TENNESSEE, BY REZONING 20.2 (+/-) ACRES OF PROPERTY LOCATED AT 7431 CROW CUT ROAD, CONSISTING OF WILLIAMSON COUNTY TAX MAP 046, PARCEL 016.01, FROM AR-15A (AGRICULTURAL/RESIDENTIAL) TO R-20 (ONE AND TWO FAMILY RESIDENTIAL), PROPERTY OWNER: EDANA CANNON, AGENT: BRANDON ROBERTSON, A-1 HOME BUILDERS

WHEREAS, the City of Fairview zoning ordinance, and the zoning maps therein adopted be, and the same are hereby amended by rezoning the property herein described as 20.2 (+/-) acres of property consisting of Williamson County tax map 046, parcel 016.01, located at 7431 Crow Cut Road, from AR-15A (Agricultural/Residential) to R-20 (One and Two Family Residential), property owner: Edana Cannon, agent: Brandon Robertson, A-1 Home Builders; and

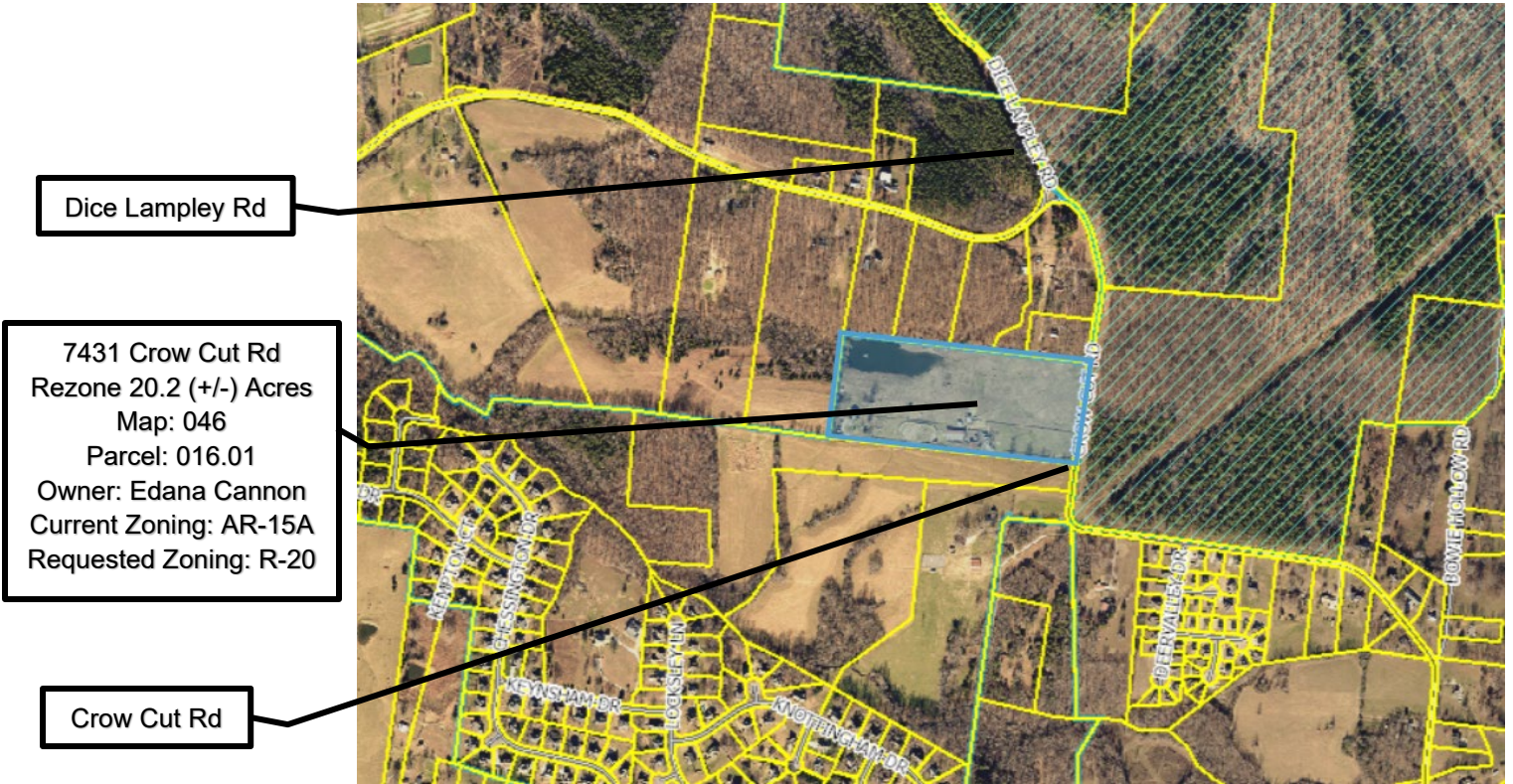
WHEREAS, said property to be rezoned from AR-15A to R-20 is located within the corporate limits of the City of Fairview; and

WHEREAS, the City of Fairview Municipal Planning Commission forwarded the request to the Board of Commissioners on March 19, 2024, with a **positive** recommendation for approval without conditions; and

WHEREAS, that all ordinances or parts of ordinances in conflict are hereby repealed; and

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

The zoning ordinance of the City of Fairview, Tennessee, is hereby amended by rezoning 20.2 (+/-) acres of property consisting of Williamson County tax map 046, parcel 016.01, located at 7431 Crow Cut Road, from AR-15A (Agricultural/Residential) to R-20 (One and Two Family Residential), as requested by owner Edana Cannon and agent Brandon Robertson, A-1 Home Builders, the public welfare requiring it. The rezoning of this site shall be subject to all City of Fairview ordinances and regulations.



Approved by the Board of Commissioners:

 Lisa Anderson, Mayor

ATTEST:

 Rachel Jones, City Recorder

LEGAL FORM APPROVED:

 Patrick M. Carter, City Attorney

Passed 1st Reading: April 4, 2024

Public Hearing: May 2, 2024

Passed 2nd Reading: _____

Published for public notice on: April 10, 2024 In: Main Street Fairview Newspaper

ORDINANCE 2024-05**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF FAIRVIEW, TENNESSEE, BY REZONING .865 (+/-) ACRES OF PROPERTY LOCATED AT 7312 LAKE ROAD, CONSISTING OF WILLIAMSON COUNTY TAX MAP 042, PARCEL 001.01, FROM RM-40 (SINGLE FAMILY RESIDENTIAL) TO RS-15 (SINGLE FAMILY RESIDENTIAL), PROPERTY OWNER: REGENT HOMES, AGENT: ERIC OLSEN (ANDERSON DELK EPPS)**

WHEREAS, the City of Fairview zoning ordinance, and the zoning maps therein adopted be, and the same are hereby amended by rezoning the property herein described as .865 (+/-) acres of property consisting of Williamson County tax map 042, parcel 001.01, located at 7312 Lake Road, from RM-40 (Single Family Residential) to RS-15 (Single Family Residential), property owner: Regent Homes, agent: Eric Olsen (Anderson Delk Epps); and

WHEREAS, said property to be rezoned from RM-40 to RS-15 is located within the corporate limits of the City of Fairview; and

WHEREAS, the City of Fairview Municipal Planning Commission forwarded the request to the Board of Commissioners on March 19, 2024, with a **positive** recommendation for approval without conditions; and

WHEREAS, that all ordinances or parts of ordinances in conflict are hereby repealed; and

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

The zoning ordinance of the City of Fairview, Tennessee, is hereby amended by rezoning .865 (+/-) acres of property consisting of Williamson County tax map 042, parcel 001.01, located at 7312 Lake Road, from RM-40 (Single Family Residential) to RS-15 (Single Family Residential), as requested by owner Regent Homes and agent Eric Olsen, (Anderson Delk Epps), the public welfare requiring it. The rezoning of this site shall be subject to all City of Fairview ordinances and regulations.

7312 Lake Rd
Rezone .865 (+/-) Acres
Map: 042
Parcel: 001.01
Owner: Regent Homes
Current Zoning: RM-40
Requested Zoning: RS-15

Lake Rd



Approved by the Board of Commissioners:

Lisa Anderson, Mayor

ATTEST:

Rachel Jones, City Recorder

LEGAL FORM APPROVED:

Patrick M. Carter, City Attorney

Passed 1st Reading: April 4, 2024

Public Hearing: May 2, 2024

Passed 2nd Reading: _____

Published for public notice on: April 10, 2024 In: Main Street Fairview Newspaper

ORDINANCE 2024-07

AN ORDINANCE TO AMEND ARTICLE 2, SECTION 103.4 OF THE DESIGN REVIEW MANUAL FOR THE CITY OF FAIRVIEW, TENNESSEE, AND TO REPEAL AND REPLACE IN ITS ENTIRETY, TITLE 13, CHAPTER 4, “TREE PLANTING AND PROTECTION” OF THE MUNICIPAL CODE FOR THE CITY OF FAIRVIEW, TENNESSEE

WHEREAS, the Board of Commissioners of the City of Fairview, Tennessee, have determined that are multiple conflicting sources of authority governing the management of trees on public property in the City of Fairview; and

WHEREAS, the Board of Commissioners of the City of Fairview, Tennessee, have determined that the Municipal Code of the City of Fairview, Tennessee should be revised and that the best interest and welfare of all the citizens of the City of Fairview, Tennessee, will be served amending Article 2, section 103.4 of the City’s Design Review Manual and repealing and replacing Title 13, Chapter 4, of the Municipal Code as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FAIRVIEW, TENNESSEE, BOARD OF COMMISSIONERS, that Article 2, section 103.4 of the Design Review Manual for the City of Fairview, Tennessee, be amended to read as follows:

2-103.4 Tree Bank, Exception Request

An exception may be granted by the Planning Commission from the Tree Replacement Ratio if the applicant demonstrates an inability to assure growth of trees on site due to unique soils, topography, excessive amounts of rock or limitations due to size of lot or configuration of building design. The applicant shall provide the required number of replacement trees in a public area designated by the City Planner as approved by the Public Works Supervisor and/or Parks Director, if permitted by seasonal variations. In the event the developer chooses to plant off-site, the species and location must be approved by the Fairview Municipal Planning Commission and covered by the Certificate of Compliance, bonding procedure and insured. If weather does not permit planting or if the applicant requests and approval is granted by the Planning Commission during the site plan review process, a payment in lieu of planting may be made at the time of issuance of a Building Permit. This money will be placed in a Tree Bank fund, which shall be administered in accordance with Title 13, Chapter 4 of the Municipal Code for the City of Fairview, Tennessee. This provision is not designed to allow the applicant to avoid the minimum site requirements, but rather an effort to provide an alternative measure to ensure the growth and vitality of all plantings.

FURTHERMORE, BE IT ORDAINED BY THE CITY OF FAIRVIEW, TENNESSEE, BOARD OF COMMISSIONERS, that the Fairview Municipal Code, Title 13, “Property Maintenance Regulations”, Chapter 4, “Tree Planting and Protection”, be repealed and replaced to read as follows:

**CHAPTER 4
TREE PLANTING AND PROTECTION**

- 13-401. Title.
- 13-402. Purpose, intent, and definitions.
- 13-403. Establishment of a Parks & Landscape Board
- 13-404. Duties of the tree commission.
- 13-405. Community tree plan.
- 13-406. Trees on private property.
- 13-407. Tree protection plan & Maintenance.
- 13-408. Protection From Construction, Development, and Land Use Changes
- 13-409. Abuse of public trees.
- 13-410. Establishment of Authority & Enforcement
- 13-411. Community Tree Bank Fund

13-401. Title. This chapter shall be known and may be referred to as the Tree Ordinance, for the City of Fairview, Tennessee.

13-402. Purpose, intent, and definitions. The purpose of this tree ordinance is to provide a mechanism for the management of trees and woody vegetation in the City of Fairview, Tennessee. Since adoption of an ordinance is one of the requirements for Tree City USA recognition, the City of Fairview, Tennessee hereby adopts this ordinance in order to establish guidelines for tree planting, cutting and care in the City of Fairview, Tennessee.

For the purpose of this chapter, the following terms, phases, words, and their derivations shall have the meaning given herein.

- 1) City Forester — a city employee responsible for the city’s tree program. He or she also may be titled urban forester, city arborist, municipal forester or tree warden.
- 2) Crown spread — the distance from the ends of branches on one side of the tree, through the trunk, to the ends of the branches on the other side.
- 3) Line Clearance — removal of limbs and branches growing within a set distance of electrical distribution lines.
- 4) Tree — a woody plant with a single trunk or multiple trunks capable of growing to a height of 15 feet or more.

- 5) Shrub — a woody plant with a multiple stem capable of growing to a height of up to 15 feet.
- 6) Small Tree — a tree that grows up to 25 feet in height.
- 7) Medium Tree — a tree that grows between 25 and 45 feet in height.
- 8) Large Tree — a tree that grows greater than 45 feet in height.
- 9) Public Tree — a tree growing in an area owned by the community, including parks, public buildings, schools, hospitals and other areas to which the public has free access.
- 10) Private Tree — a tree growing in an area owned by a private individual, business or commercial establishment, company, industry, private institution or other area not owned by government entities.
- 11) Street Tree — a tree growing within a public right of way along a street, in a median or in a similar area in which the public right of way borders areas owned by private individuals.
- 12) Public Utility — that section of local government in charge of electrical, water, sewer, natural gas, telephone or cable television distribution in the community and having responsibility for keeping distribution lines free of hazards, including trees.
- 13) Private Utility — an entity similar to above that is a private for-profit corporation.
- 14) Pruning — selective removal and thinning of the upper portions of the tree, taking into account the shape and natural structure of the tree.
- 15) Topping — arbitrary removal of various portions of the tree, thereby leaving stubs, with no regard for the natural structure of the tree.
- 16) Tree Density Factor — a number derived from the combination of the density of trees remaining on a site and the density of additional trees to be planted.

13-403. Establishment of a Parks & Landscape Board. There is hereby created a Parks & Landscape Board for the City of Fairview, Tennessee,

- 1) The Parks and Landscape Board shall consist of nine (9) members who are citizens and residents of the city. Members shall be appointed and approved by the Board of Commissioners (BOARD OF COMMISSIONERS).
 - a. The board will be composed of eight (8) qualified citizens and one (1) sitting City Commissioner for a total of nine (9) members.
 - b. The Parks & Landscape Board will endeavor to include representatives from:
 - i. The Friends of Bowie Park
 - ii. The Fairview Historical Commission
 - iii. American Legion Post 248
- 2) Term of Office
 - a. Members shall serve three (3) year terms, except the first board, which will have three (3) members appointed for three (3) years, three (3) members appointed for two (2) years, and two (2) members appointed for one year. Members may serve successive terms. Vacancies are filled by appointment of the governing body, until the end of the term.
 - b. Sitting City Commissioner will be appointed annually by governing body.
- 3) Compensation
 - a. All members shall serve without pay.

4) Operation

- a. The board shall pass its own bylaws, choose its own officers, make its own administrative rules and regulations, and keep record of its proceedings. Copies of the minutes shall be available to the BOARD OF COMMISSIONERS after each Parks & Landscape Meeting.
- b. Meetings. The Board shall meet a minimum of four times each year. All meetings shall be open to the public. The Board chair may schedule additional meetings as needed.
- c. A majority of the members shall constitute a quorum for transaction of business.
- d. A member of the City Parks Department will attend Parks & Landscaping meetings as a liaison, for informational purposes only.

13-404. Duties of the Parks & Landscape Board. The duties of the Parks & Landscape Board shall include, but not limited to the following:

- 1) Submit and Maintain Tree City Accreditation Annually
- 2) Coordinate and promote Arbor Day Activities;
- 3) Review and update a five-year plan to plant and maintain trees on city property;
- 4) Support public awareness and education programs related to trees;
- 5) Review city department concerns related to tree care;
- 6) Submit an annual report of its activities to the BOARD OF COMMISSIONERS ;
- 7) Recommend a list of tree specified for planting on city property and a list of prohibited species;
- 8) Recommend to the Board of Commissioners approval or denial of all departmental requests to expend funds from the Tree Bank Fund;
- 9) Review & Assess City of Fairview, Tennessee Parks Master Plan, including Policy Action Recommendations. Discuss and recommend to the Board of Commissioners how to implement the recommended Policy Actions. To include, but not limited to, General Policy Actions, Facility Actions, Programming Recommendations, and Operations & Maintenance Recommendations;
- 10) Serve as citizen advisory board to the governing body in regard to maintenance, tree planting in public property, and special projects in the City of Fairview parks system; and
- 11) Other duties that may be assigned by the Board of Commissioners.

13-405. Community Tree Plan. The Parks & Landscape Board shall have the authority to formulate a Community Tree Plan with the advice of consultants, city, state, and federal agencies, public hearings, and approval of the Board of Commissioners.

- 1) Tree planting shall be undertaken by the City of Fairview on all public areas in a systematic manner to assure diversity of age classes and species. Areas to be planted, density, appropriate species, and other aspects of the planting function shall be under the enforcement of the City of Fairview Zoning Ordinance, Design Review Manual, or Subdivision Regulations.
- 2) Planting of trees on private property is encouraged, especially in areas where the public may have an extraordinary interest. The Parks & Landscape Board will provide information about species, planting techniques, and placement guidelines when requested by residents.

- 3) All trees in public areas capable of reaching a mature height of more than 30 feet shall be at least 1-1/4" diameter (at 6" height) and 8 to 10 feet tall at time of planting. Small maturing trees, between 15 feet and 30 feet at maturity, shall be 5 feet to 6 feet tall at planting.
- 4) Trees to be planted shall be free of insects, diseases, and mechanical injuries and have reasonably straight trunks with a strong leader branch. Balled and burlapped trees shall be required where bare root trees cannot be handled and stored properly prior to planting.
- 5) Large trees capable of achieving more than 45 feet in height should be spaced at least 40 feet apart. Medium trees capable of achieving 30 to 45 feet in height should be spaced 30 feet apart. Small trees capable of achieving 15 to 30 feet in height should be spaced at 20-foot intervals. Exceptions may be granted by the Parks & Landscape Board when a valid landscape plan is followed or when larger or smaller spacings are needed to achieve a desired effect.
- 6) Only small trees are permitted to be planted within 10 feet of utility lines. In street plantings, no tree may be planted closer than 10 feet from a fire hydrant, utility pole or streetlight, 15 feet from a driveway or street intersection, or 30 feet from a street or street intersections. When planting between sidewalks and curbs, 5 feet between curb and sidewalk is the minimum distance required for small trees, 8 feet for medium trees, and 10 feet for large trees.
- 7) Holes shall be dug to give adequate room for the root system. The diameter of the hole should be at least 12 inches larger than the diameter of the root ball or root system. The depth of planting should be at the same level as the tree had grown previously. Backfill should be the same material that was removed from the hole, with no additives except low nitrogen fertilizer, which may be added if the Tree Board deems it necessary. Holes dug by power augers must have their sides chipped by a hand shovel to break glazing affected by the auger. Trees may be guyed in windy areas or in other areas where support is determined necessary by the Parks & Landscape Board. All guy wires shall be removed within 18 months.
- 8) The City of Fairview, Tennessee has an approved Tree Species List, including a suggested shrub list. The Parks & Landscape Board will be tasked with reviewing and updating as needed / required. City Staff will be tasked with enforcement and inspection to verify that Tree Species List is being followed.

13-406. Trees on Private Property. It shall be the duty of any person or persons owning or occupying real property bordering on any street upon which property there may be trees, to prune such trees in such manner that they will not obstruct or shade the street lights, obstruct the passage of pedestrians on sidewalks, obstruct vision of traffic signs, or obstruct views of any street or alley intersection. It shall be the duty of any person owning or occupying real property, bordering on any street, park, or other public land, on which there may be trees that are diseased, or insect infested, to remove, spray or treat such trees in such manner that they will not infect or damage nearby public vegetation or cause harm to the community or citizens therein. The Parks & Landscape Board may order trees on private land that cause obstruction, represent an insect or disease problem, or otherwise present a danger to public health or safety, to be pruned, removed, or treated, at owner's expense.

13-407. Tree protection Plan & Maintenance.

- 1) Standards. All planting and maintenance of public trees shall conform to the American National Standards Institute (ANSI) A-300 "Standards for Tree Care Operations" and shall follow all tree care Best Management Practices (BMPs) published by the International Society of Arboriculture.
- 2) Planting distances. The Director shall develop and maintain an official set of spacing requirements for the planting of trees on public property. No tree may be planted within the visibility triangle of a street intersection or within 10 feet of a fire hydrant
- 3) The standard tree pruning method will be branch collar pruning as opposed to stubs or flush cuts. Large limbs and branches will be precut to prevent excessive peeling of the bark, followed by cutting the remaining stub.
- 4) Fertilization of trees will be accomplished when the Parks & Landscape Board determines a tree is deficient in nutrients. Determination is made by leaf color or size, twig growth, soil test or other diagnostic methods. Fertilizer will be applied on the soil surface at the appropriate time of year.
- 5) The Parks & Landscape Board may give notice to owners of private infested trees and encourage said private owners to effect treatment of affected trees growing on their property.
- 6) Tree topping of all public trees is prohibited, and topping of private trees is strongly discouraged. The Parks & Landscape Board shall promote the use of proper pruning procedures.
- 7) The maintenance of public trees for utility clearance shall conform to all applicable utility industry standards.
- 8) Only trees listed as Ornamental trees on the official city tree species list may be planted under or within 15 lateral feet of any overhead utility wire.

13-408. Protection From Construction, Development, and Land Use Changes. The City of Fairview, Tennessee maintains that it is in the best interest of all concerned to save as many existing trees as practical. In this interest, as it pertains to commercial and residential development, the City of Fairview may adopt regulations requiring developers and builders to create tree impact plans prior to removing any tree from project sites. Regulations adopted by the city may further require minimum tree densities for different classes or types of developments, and developers/builders may be required to plant trees to meet such density requirements.

13-409. Abuse of public trees. No person shall intentionally damage, cut, carve, transplant, or remove any public tree, attach any rope, wire nails, advertisements, posters, or other contrivance to any public tree, allow any gaseous liquid, or solid substance which is harmful to such trees to come in contact with them, or set fire or permit any fire to burn when such fire or the heat thereof will injure any portion of any public tree.

13-410. Establishment of Authority & Enforcement

- 1) The City Planning & Engineering Department, while working with the Public Works Department, shall administer the rules governing the planting, maintenance, and removal of trees on the street or other public sites in the city.
- 2) If and when available, A City Arborist or City Forester may fulfill the role of the staff governance of planting, maintenance, and removal of trees on the street or other public sites in the city.
- 3) The City Planning & Engineering Department shall communicate with the Parks & Landscape Board as needed in review of tree protection, planting, and maintenance.
- 4) If and when available, A City Arborist or City Forester may fulfill the role of the staff communications with The Parks & Landscape Board.
- 5) No person shall hinder, prevent, delay, or interfere with any professional City Staff acting on behalf of city in the forestry official capacity. Including, but not limited to, city engineer, city planner, city arborist, city forester.
- 6) Any decision rendered on behalf of the City of Fairview professional staff that pertains to these requirements, may be appealed to the Board of Commissioners for consideration.

13-411. Community Tree Bank Fund

- 1) There is hereby created a City of Fairview, Tennessee tree bank account. The purpose of the City of Fairview, Tennessee, tree bank account is to designate a specific, separate City budget account line item, which shall contain The City of Fairview tree bank account funds. Said funds in this account are to be used solely and entirely for the planting and advancement of landscaping on publicly owned property and or easements of the City of Fairview, Williamson County, State of Tennessee located within the corporate boundaries of the City of Fairview, Tennessee and for no other purpose.
- 2) The collection of said Tree Bank Funds is established and defined in the City of Fairview, Tennessee governing documents, such as the Zoning Ordinance, Subdivision Regulations, Design Review Manual, or Storm Water Ordinance.
- 3) The Parks & Landscape Board may review or make recommendations on potential projects to be funded by these funds. However, the Board of Commissioners is the only body that can approve the spending of any funds from the Tree Bank Account.

This ordinance shall become effective upon final passage, the public welfare requiring it.

Approved by the Board of Commissioners:

Lisa Anderson, Mayor

ATTEST:

Rachel Jones, City Recorder

LEGAL FORM APPROVED:

Patrick M. Carter, City Attorney

Passed 1st Reading: April 18, 2024

Passed 2nd Reading: _____

RESOLUTION 17-24

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF FAIRVIEW, TENNESSEE, CONFIRMING THE APPOINTMENT OF EIGHT (8) CITIZEN MEMBERS AND ONE (1) CITY COMMISSIONER TO THE PARKS AND LANDSCAPE BOARD

WHEREAS, the City of Fairview Board of Commissioners is authorized by the City Charter to create Boards, Commissions, and Authorities as the Mayor and Board of Commissioners deem necessary; and

WHEREAS, the Parks and Landscape Board was created by Ordinance 2024-07 as a volunteer advisory board ; and

WHEREAS, the City of Fairview Parks and Landscape Board will consist of nine (9) members, including one (1) member of the chief legislative board.

NOW, THEREFORE, IT IS HEREBY RESOLVED the Mayor and Board of Commissioners of the City of Fairview, Tennessee, do hereby confirm the appoint of the following nine members to the Parks and Landscape Board with the associated terms of service:

1.		Term Expires 6/30/2027 (3 year term)
2.		Term Expires 6/30/2027 (3 year term)
3.		Term Expires 6/30/2027 (3 year term)
4.		Term Expires 6/30/2026 (2 year term)
5.		Term Expires 6/30/2026 (2 year term)
6.		Term Expires 6/30/2026 (2 year term)
7.		Term Expires 6/30/2025 (1 year term)
8.		Term Expires 6/30/2025 (1 year term)
9.	Commissioner	Appointed Annually

Passed and adopted this the 2nd day of May, 2024.

Lisa Anderson, Mayor

ATTEST:

Rachel Jones, City Recorder

LEGAL FORM APPROVED:

Patrick M. Carter, City Attorney



**CITY OF FAIRVIEW
PARKS AND LANDSCAPE BOARD**

Term of Office – Three (3) years

NAME	EMAIL	TERM
Commissioner Wayne Hall	commissionerhall@fairview-tn.org	Term Expires Term of Office
Dan Derwelis	dderwelis@fairview-tn.org	Term Expires 06-30-2024
David Dodoro	ddodoro@fairview-tn.org	Term Expires 06-30-2026
Zack Liston	zliston@fairview-tn.org	Term Expires 06-30-2025
Elmer Mobley	emobley@fairview-tn.org	Term Expires 06-30-2026
Neil Rice	nrice@fairview-tn.org	Term Expires 06-30-2026
Frederick Rosenberg	frosenberg@fairview-tn.org	Term Expires 06-30-2026
Kathy Tarolli	ktarolli@fairview-tn.org	Term Expires 06-30-2024
Mike Sutton	mikesutton@fairview-tn.org	Term Expires 06-30-2024

RESOLUTION 18-24

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF FAIRVIEW, TENNESSEE, FORMALLY ADOPTING THE PARKS AND LANDSCAPE BOARD BYLAWS

WHEREAS, it is the desire of the City of Fairview Parks and Landscape Board to improve its administrative processes; and

WHEREAS, the Board of Commissioners recommends that the Parks and Landscape Board adopt Bylaws as required by Ordinance 2024-07; and

WHEREAS, the Parks and Landscape Board has submitted the Bylaws attached as EXHIBT A hereto.

NOW, THEREFORE, BE IT RESOLVED the Mayor and Board of Commissioners of the City of Fairview, Tennessee, do hereby adopt the Bylaws attached as Exhibit A hereto in their entirety.

Passed and adopted this 2nd day of May, 2024.

Lisa Anderson, Mayor

ATTEST:

Rachel Jones, City Recorder

LEGAL FORM APPROVED:

Patrick M. Carter, City Attorney

City of Fairview Parks and Landscape Board - Bylaws

1. Name and Purpose

- a. The Fairview Parks and Landscape Board (“Board”), formed by Ordinance 2024-07 of the Fairview Board of Commissioners (“BOC”) serves as a citizen advisory board to the BOC in regard to maintenance and special projects in the parks and landscape under City management.
 - i. Current Parks and Landscape under City management
 1. Parks
 - a. Bowie Nature Park
 - b. Veteran’s Memorial Park
 - c. Historical Village
 - d. Elrod Road Parcel
 - e. Any future parks or recreational areas within city limits
 2. Landscape
 - a. City Hall
 - b. Highway 100 Easements
 - c. City entrance and parks signage
 - d. Tree City Accreditation
 - e. Any future city properties with landscape needs

2. Membership

- a. Board will be composed of eight (8) verified residents of the City of Fairview and one sitting City Commissioner for a total of nine (9) members.
- b. The Board will endeavor to include representatives from:
 - i. Friends of Bowie Park
 - ii. Fairview Historical Commission
 - iii. American Legion Post 248 (Veterans Park)
- c. Term length for Resident Members will be three (3) years beginning on July 1 of their first year and ending on June 30 of the last year of their term.
- d. Board members will be selected by the BOC during a public meeting before the beginning of each fiscal year or as needed.

- i. Prior to this meeting, applications must be submitted to City Hall and available for BOC review for at least seven (7) days.
- e. Members may be added as needed by the BOC to fill empty seats, but all terms will end on June 30 in their third year.

3. Meetings

1. Meeting schedule to be set by the P&L members at the beginning of each new fiscal year with all members voting.
2. Recommended meeting frequency is monthly, with ad-hoc committee meetings or events scheduled as needed.
3. Meeting agenda and order will be administered by the board's chair.
4. Meeting will follow Robert's Rules of Order
5. A quorum of at least half of membership must be present for any votes to take place. If the quorum is not present, discussion may continue to be pushed forward, but no actionable votes may be taken until the quorum is reached.
6. All meetings will have minutes recorded by the Secretary to begin when the meeting is called to order and end when the meeting is called to close.
7. Minutes will be submitted to City Hall and kept as records for transparency.
8. Members of the Fairview public are allowed to sit in on meetings and submit comments to the board at appropriate points in the agenda. Prior notification to the Secretary is helpful for planning, but not required

4. Leadership

1. Leadership within the board will include the following positions and their responsibilities:
 - a. Chair
 - i. Sets the agenda of each meeting
 - ii. Runs meetings or appoints a leader if the Chair will be absent from a meeting
 - iii. Primary communicator with the Board of Commissioners and other City personnel
 - iv. Ensures compliance of the board with City regulations
 - b. Secretary
 - i. Takes minutes and keeps archival information from meetings

- ii. Shares meeting minutes and materials with appropriate City personnel for city record keeping
- iii. Assists Chair in making and distributing meeting information and materials
- iv. Communicates with city personnel regarding meeting schedules

5. Decision-Making

1. Oral votes will be taken during recorded meetings
2. Votes will require a majority of members of the Board to pass for a recommendation to be passed along to the BOC
3. Votes will be allowed by email or text if needed from absent members
4. If votes are tied, the issue will be tabled for amendment until a recommendation can attain a majority vote

6. Reporting to Board of Commissioners

1. Chair will be primary communicator of recommendations to BOC
2. Chair will work with BOC to have appropriate agenda items added to BOC docket for public meetings or work sessions
3. Board members will be selected during meetings by the Board to make necessary presentations during BOC public meetings or work sessions

7. Committees

1. The Board can create committees as needed for project-specific tasks
2. Committees will be made up of volunteer members from the Board, and can also include citizens approved by the Board
3. Committees will be formed at the discretion of the Chair, and will be dissolved at the resolution of their specific assignment, unless otherwise noted

7. Conflicts of Interest

1. When necessary, board members shall recuse themselves from discussions and decisions that could cause conflicts of interest. Unless it is clear there is no conflict, board members should not act as an agent in monetary transactions with the City of Fairview during or for at least three years after their tenure on the board.

8. Amendments

1. Bylaws may be amended by the Board, but must be approved by the BOC and in compliance with City regulations
2. Bylaw changes must be submitted to the Board of Commissioners within 14 days of approval by the Board

8. Legal Compliance

1. The board will work within the legal regulations of the City of Fairview at all times. As an advisory body to the BOC, all actions and bylaw changes must go through the BOC and City compliance processes.

RESOLUTION 19-24

A RESOLUTION OF THE CITY OF FAIRVIEW, TENNESSEE, DESIGNATING CERTAIN LESO ITEMS AS SURPLUS AND AUTHORIZING THEIR DISPOSAL

WHEREAS, the Board of Commissioners desires to designate certain Law Enforcement Support Office (LESO) acquired items as surplus; and

WHEREAS, all proceeds from the sale of these items will be remitted to the city and be applied to the general fund for police use and equipment; and

WHEREAS, the vehicles and equipment to be designated as surplus and sold are as follows:

**LESO PROPERTY INVENTORY CONTROL SALE/DISPOSAL REQUEST CITY SURPLUS
FAIRVIEW POLICE DEPARTMENT**

Item Number	Date of Acquisition	Original DTID #	Requisition Number	Description	DIMIL CODE	VIN / SERIAL	SOLD	Disposal Date	SALE PRICE
1406	3/11/2014	N/A	N/A	2014 Ford Explorer (Bad Water Pump)	N/A	1FM5K8AR2EGB74206			
1204	1/1/2012	Drug Fund	N/A	2012 Chevy Tahoe	N/A	1GNSK2E08CR191729			
1501	9/24/2014	Drug Fund	N/A	2015 Chevy Tahoe	N/A	1GNLC2EC3FR260178			
DF7022	4/1/2023	Drug Fund Seizure	N/A	2003 BMW X5 SUV	N/A	5UXFA53543LV97022			
M0121	2/19/2020	W91HBQ0016001	2YTDYH93647740	D7F Dozier	A	61G855			

Lisa Anderson, Mayor

ATTEST:

Rachel Jones, City Recorder

LEGAL FORM APPROVED:

Patrick Carter, City Attorney

RESOLUTION 20-24**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT
BETWEEN KEYSTONE BUSINESS SOLUTIONS AND THE CITY OF FAIRVIEW,
TENNESSEE**

WHEREAS, the City of Fairview (“Fairview”) desires to retain Keystone Business Solutions (“Keystone”) as Fairview’s onsite IT support; and

WHEREAS, the parties have negotiated an agreement for said services, which is attached as Exhibit A hereto.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners, that the Mayor be authorized and directed to execute the AGREEMENT BETWEEN KEYSTONE BUSINESS SOLUTIONS AND THE CITY OF FAIRVIEW, TENNESSEE, attached hereto as Exhibit A.

Passed and adopted this 2nd day of May, 2024.

Lisa Anderson, Mayor

ATTEST:

Rachel Jones, City Recorder

LEGAL FORM APPROVED:

Patrick M. Carter, City Attorney

Keystone Services Agreement

IN CONSIDERATION OF THE MUTUAL COVENANTS AND PROMISES SET FORTH HEREINAFTER, THE PARTIES HERETO MUTUALLY AGREE AS FOLLOWS:

1. **TERM.** This Agreement shall commence on 5/1/2024. The Term of this Agreement shall be one (1) year. The term will not automatically renew thereafter.
2. **SERVICES.** Keystone agrees to provide services (“Services”) and deliverables to the City of Fairview, Tennessee (“Customer”). The services Keystone agrees to provide are as follows:
 - a. Keystone will provide an in-person consultant three (3) days a week for six (6) hours a day. The days that the in-person consultant will be provided are Monday, Wednesday, and Friday (subject to mutual agreement). The in-person consultant will be there between the hours of 9:00 a.m. and 3:00 p.m.
 - b. Keystone will provide additional in-person support outside of the times listed in Section 2(a) for a rate of \$150 per hour plus travel costs.
 - c. Keystone will provide remote support services for Customer Monday through Friday between the hours of 7:00 a.m. and 6:00 p.m.
 - d. Keystone will provide REMOTE after-hours service billed at \$225 per hour with a half-hour minimum. IN-PERSON after-hours and weekend support billed at \$225 per hour with a two (2) hour minimum charge. This support is available on an emergency or pre-scheduled basis.
3. **PRICING.** Customer shall pay a rate of Nine Thousand Nine Hundred Dollars (\$9,900) per month or One Hundred and Eighteen Thousand and Eight Hundred Dollars (\$118,800) per year in exchange for the services described herein.
4. **TERMS OF PAYMENT.** Keystone sends all invoices by e-mail to the e-mail address designated by Customer. Customer is responsible for notifying Keystone of any change in e-mail address. Customer will be invoiced on a monthly basis. Any additional payment owed as a result of additional services requested, pursuant to the prices outlined in Section 2 above will be added on to Customer’s bill for the following month in which the services were provided. Customer will remit payment within thirty days of receipt of the invoice. Any balances of undisputed fees owed by Customer to Keystone which are over 30 days old, shall incur interest at a rate of one percent (1%) per month, or the maximum allowable by law, whichever is less, until paid. In the event Customer fails to pay undisputed invoiced fees or expenses within ninety (90) days of receipt of invoice, Keystone shall be entitled to immediately terminate all Services provided by Keystone to Customer. Such termination of Services shall not prohibit any other remedies available to Keystone or Customer. Payment on invoices will be submitted to: Keystone Business Solutions, LLC, 3050 Business Park Circle, Suite 301, Goodlettsville, TN 37072.
5. **STAFFING.** Keystone shall provide competent personnel with the necessary skill, experience, and professional qualifications to carry out the Services. Keystone will use its sole discretion in selection of all its personnel nominated to carry out the Services. If, however, in Customer's reasonable opinion any of Keystone's personnel fail to carry out

the Services with sufficient competency, Customer may notify Keystone. Upon such notice, Keystone shall rectify the situation as is reasonably possible.

6. **DISCLAIMER; LIMITATION OF LIABILITY.** Except as set forth herein, Keystone makes no warranties of any kind, either express or implied, with respect to the services performed hereunder, including, without limitation, the implied warranty of fitness for a particular purpose or merchantability. In no event shall either party be liable for any special, indirect, consequential, or punitive damages to the other party or any other party as a result of the performance or non-performance of its obligations set forth herein, (including, without limitation, loss of profits) whether foreseeable or not, even if such party has been advised of the possibility of such damages. Keystone's liability with respect to, arising from, or in connection with this agreement, whether in contract, in tort, or otherwise, is limited to amounts paid by customer to Keystone in connection with this agreement, excluding travel and per diem expenses, pursuant to the terms hereof. Notwithstanding anything to the contrary, the foregoing limits and exclusions shall not apply to either party's indemnification obligations, breaches of confidentiality, or either party's gross negligence and/or intentional misconduct.
7. **CHOICE OF LAW.** This agreement shall be governed by, and interpreted in accordance with, the law so the State of Tennessee, excluding its conflict of law provisions. All disputes relating to this Agreement shall be brought solely in the state and federal courts located in Williamson County, Tennessee. Each of the parties hereby irrevocably consents and submits to the exclusive jurisdiction of such courts for such disputes, and hereby irrevocably waives any objections to the laying of venue in such courts.
8. **ASSIGNMENT.** Neither party may assign this Agreement to any third party in whole or in part, except with the prior written consent of the other party, which consent shall not be unreasonably withheld; provided, that either party may assign this Agreement without the consent of the other party in the event of a merger (in any form), a change of control, reorganization, or sale of all or substantially all of its assets.
9. **COUNTERPARTS; SEVERABILITY.** This Agreement may be executed in counterparts, each of which shall be deemed original, but all of which taken together shall constitute one and the same instrument. The provisions of this Agreement are severable, and if any provision (or portion thereof) is held to be invalid or unenforceable by any court of competent jurisdiction, then such invalidity or unenforceability shall not affect the validity or enforceability of the remaining provisions (or portions thereof) in this Agreement.
10. **FORCE MAJEURE.** Neither party shall be deemed in default of this Agreement to the extent that performance of its obligations or attempts to cure any breach are delayed or prevented by reason of any act of God, fire, natural disaster, accident, act of government, labor strike, pandemic, epidemic or an act that is beyond the reasonable control of either party, provided that such party gives the other party written notice thereof promptly and uses its best efforts to continue to so perform or cure. Keystone nor Customer shall not be liable

for any losses regardless of their nature that are caused by or related to a Force Majeure event.

11. **BUYOUT CLAUSE**. If the Customer desires to directly hire the Keystone employee designated to the City of Fairview onsite support role, Customer shall give Keystone three (3) months' notice and shall pay Keystone the equivalent of six (6) months of the amount owed under this Agreement, which equals Fifty-Nine Thousand and Four Hundred Dollars (\$59,400).
12. **EFFECT OF TERMINATION**. Upon the termination of this agreement, all rights and obligations of the parties under this agreement will terminate immediately.
13. **MISCELLANEOUS**.
 - a. Any notices, consents, or instructions required or permitted to be given pursuant to this Agreement shall be in writing and shall become effective when delivered by hand or via certified mail, postage prepaid, return receipt requested, to Keystone or Customer, as the case may be, at their respective addresses set forth herein or at such other address as Keystone or Customer shall from time to time designate to the other party by notice similarly given.
 - b. No term or provision hereof shall be deemed waived by either party, and no breach excused by either party, unless the waiver or consent shall be in writing signed by the party granting such waiver or consent. This Agreement shall not be modified or amended except by a writing signed by both parties.
 - c. Neither this Agreement, nor any term or condition therein, shall create an agency, joint venture, or partnership relationship between the parties, nor shall either party hold itself out to third parties in such capacity. Neither party has the power or authority to act for, represent, or bind the other in any manner.

Each party is signing this agreement on the date stated opposite that party's signature.

Date: 4/25/24

Keystone Business Solutions

By: M. J. Malik, Principal

City of Fairview

Date: _____

By: _____