

**CITY OF FAIRVIEW
BOARD OF COMMISSIONERS**

MAY 21, 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**
8. **Staff Comments and Monthly Reports**
 - A. City Manager Report
9. **Consent Agenda** (Any Item May be Removed for Individual Consideration)
 - A. Minutes from the May 7, 2020, Board of Commissioners Meeting
 - B. Minutes from the May 7, 2020, Board of Commissioners Work Session
 - C. Second and Final Reading of Ordinance 2020-10, An Ordinance to Amending the City of Fairview's Reserve Fund Outlined in the City's Fund Balance Policy
10. **Old Business**
11. **New Business**
 - A. Resolution 12-20, A Resolution Calling for a Public Hearing on the Proposed Annexation of Territory into the City of Fairview by Owner Consent and Approving a Plan of Services (7426 Horn Tavern Road, owners: Thomas & Kristin Varden)
 - B. Ordinance 2020-12, An Ordinance of the City of Fairview, Tennessee, to Amend the Zoning Ordinance as it Pertains to Article II "Construction of Language and Definitions", Section 2-102 "General Definitions", Subsection 102.2 "Terms Defined"
12. **Communications from the Mayor and Commissioners**
 - A. Commissioner
 - B. Commissioner
 - C. Commissioner
 - D. Vice Mayor
 - E. Mayor
13. **Adjournment**



ORDINANCE NO. 2020-10

AN ORDINANCE AMENDING THE CITY OF FAIRVIEW'S RESERVE FUNDS AS OUTLINED IN THE CITY'S FUND BALANCE POLICY.

WHEREAS, the City of Fairview desires to preserve its financial stability by maintaining a healthy and reasonable reserve fund, and

WHEREAS, the City of Fairview meets its current reserve fund policy and believes that additional reserves should be maintained so that the city can mitigate unforeseen financial hardships while maintaining city services, and

WHEREAS, Title 1, Chapter 6, Section 6-101(6) currently reads as follows:

"Reserve Funds. Effective July 1, 2020, and every day thereafter there shall be an amount equal to ten (10) percent of the city's general fund operating budget (excluding restricted funds and committed funds) held in reserve in a Local Government Investment Pool (LGIP) account. The ten (10) percent reserve account and fund balance shall not be included in any operating budget or be used generally to balance the operating budget. Any necessity to access any portion of the reserve fund for any purpose shall be reported to the board of commissioners no later than the next regularly scheduled meeting of the board of commissioners after the need to access reserve funds has been recognized. Any use of any portion or amount of the city's reserve funds shall be approved by resolution of the board of commissioners prior to the use of said funds and the resolution shall state the purpose or necessity to utilize the reserve funds, the amount to be utilized, and the plan to replenish and restore the fund to ten (10) percent of the city's general fund operating budget."

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

That Title 1, Chapter 6, Section 6-101 (6), is hereby amended to read as follows:

"Reserve Funds. Effective July 1, 2021, there shall be an amount equal to eleven (11) percent of the city's general fund operating budget (excluding restricted use funds and accounts) held in reserve in a Local Government Investment Pool (LGIP) account. Beginning July 1, 2022, and effective through July 1, 2030, the city's reserve shall increase by one (1) percent of the city's general fund operating budget (excluding restricted use funds and accounts) such that beginning July 1, 2030, and effective every day thereafter, the city's reserve fund balance shall be equivalent to not less than twenty (20) percent of the city's most recently adopted general fund operating budget. The reserve account and its fund balance shall not be included in any operating budget or be used generally to balance the operating budget. Any necessity to access any portion of the reserve fund for any purpose shall be reported to the board of

commissioners no later than the next regularly scheduled meeting of the board of commissioners after the need to access reserve funds has been recognized. Any use of any portion or amount of the city's reserve funds shall be approved by resolution of the board of commissioners prior to the use of said funds. The resolution shall state the purpose or necessity to utilize the reserve funds, the amount to be utilized, and the plan to replenish and restore the reserve fund to it's mandated percentage of the city's general fund operating budget."

MAYOR

CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

Passed First Reading May 7, 2020

Passed Second Reading _____

10A

RESOLUTION 12-20

A RESOLUTION CALLING FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF TERRITORY INTO THE CITY OF FAIRVIEW BY OWNER CONSENT AND APPROVING A PLAN OF SERVICES

Tax Map 21, Parcel 35.00

7426 Horn Tavern Road

Owner: Thomas & Kristin Varden

Agent: Randy Chapdelaine

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 by owner consent; and

WHEREAS, a Plan of Services for the territory proposed for annexation by owner consent has been reviewed by the Fairview Planning Commission; and

WHEREAS, the governing body desires to conduct a public hearing on the proposed annexation and plan of services;

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

A. That a public hearing is hereby scheduled for 7:00 pm on June 18, 2020, at Fairview City Hall on the proposed annexation of territory by owner consent, and Plan of Services, to wit:

A tract of land in the first civil district of Williamson County, Tennessee and being part of the same property conveyed to the Thomas Clifton Varden and wife, Kristin Denise Varden, as evidenced in book 7920, page 678, in the registers office of Williamson County, Tennessee.

B. That a copy of this Resolution, describing the territory proposed for annexation by owner consent, along with the Plan of Services, shall be promptly sent to the last known address listed in the office of the Williamson County 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.

C. That a copy of this Resolution shall also be 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.

D. That notice of the time, place and purpose of a public hearing on the proposed annexation by owner consent and the Plan of Services shall be 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.

E. That written notice of the proposed annexation shall be sent to the

affected school system as soon as possible, but in no event less than thirty (30) days before the public hearing.

SECTION 1: PLAN OF SERVICES

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 6-5-102**, 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.

B. Fire

1. Fire protection by the present personnel and equipment of the City of Fairview 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. Water for domestic, commercial, and industrial use will be provided 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.**

2. Water for fire protection will be provided and water lines and fire hydrants 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. Sanitary Sewer Service will be serviced 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

- a. 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 City of Fairview, Tennessee under the standards currently prevailing in the City will serve the City Controlled Streets in the annexed area.
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.

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. Public Works

1. Services provided by the Public Works department will be extended to the annexed area on the effective date of annexation to include seasonal chipper and leaf pick up. Reference the city's website for pickup times and specific information regarding what qualifies for this service.

K. Street Lighting

1. Existing street lighting will continue to be maintained by the utility provider in the annexed area.

L. Recreation

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

M. Miscellaneous

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

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

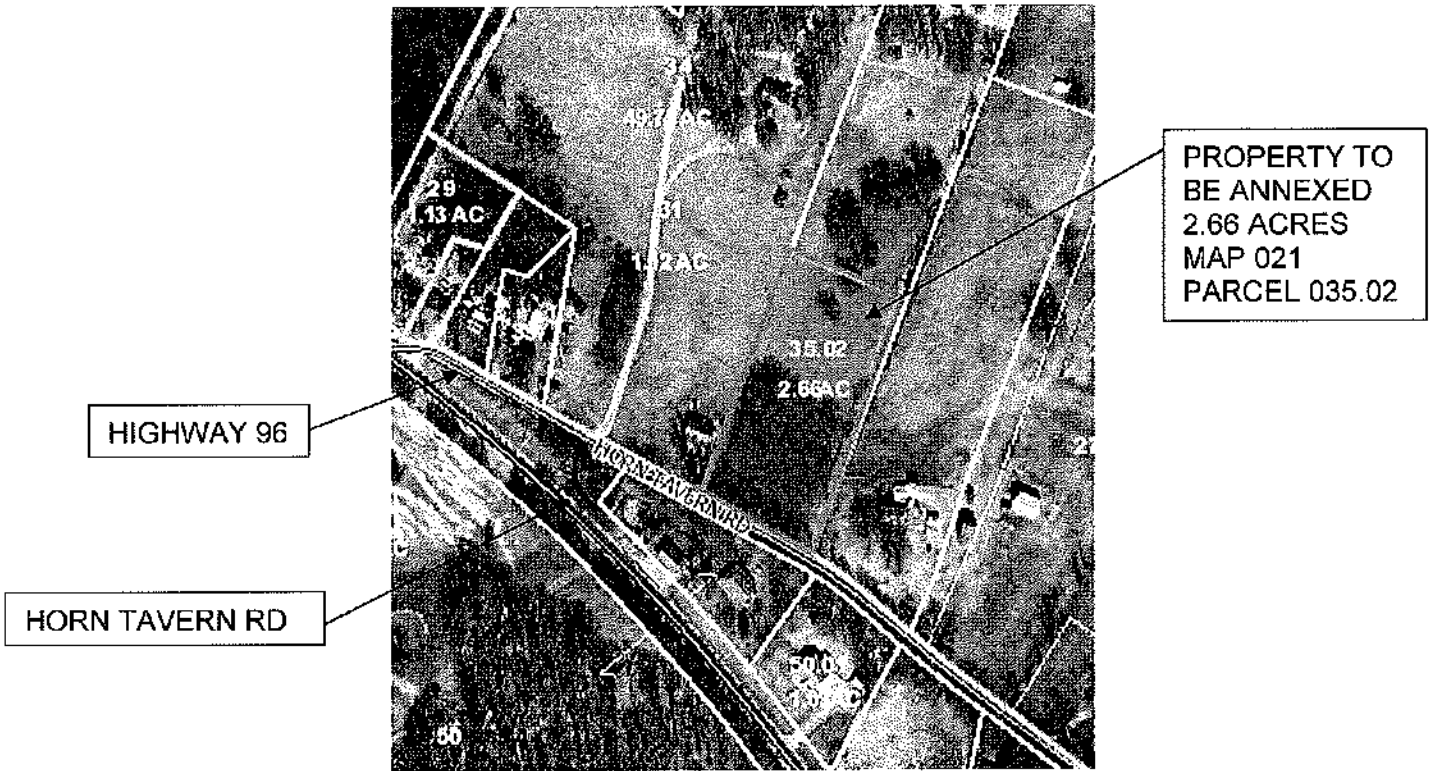
Aye __, Nay __, Not voting __.

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 ____ day of _____, 20 ____.

Planning Commission Chairman

SECTION 2: LOCATION MAP



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 _____, 20__

City Attorney

City of Fairview

7100 CITY CENTER WAY

FAIRVIEW, TN 37062



Phone: 615-799-1585

Email: shall@fairview-tn.org

RECOMMENDATIONS

2020-2

DATE: May 13, 2020

TO: FAIRVIEW BOARD OF COMMISSIONERS

FROM: FAIRVIEW MUNICIPAL PLANNING COMMISSION

1. Request for Annexation, Map 21, Parcel 35.02. Owner: Thomas Varden.

STAFF COMMENTS: No Staff comments.

Sullivan stated it is in Urban Growth boundary, they saw no issues with the annexation. Butler stated he noticed the same thing the Mr. Burks mentioned to him earlier, when you put in that address it pulls up the back side of the parcel, that may just not be caught up on the tax maps. Butler said when you put in that 7933 or whatever it was. Sullivan stated for the address itself, the address pulls up the back portion, since then the map and parcel have been up dated, if they can see on that map, the parcel is shown as 35.02 and that's what we will go by for the legal recording. Burks asked was the surrounding property already in the City or is it's just because it's touching Horn Tavern Road. Sullivan stated the property directly across the street from it is, as far as adjacent goes, the property between Horn Tavern Road and Highway 96 is within the City limits. Burks went to the County GIS map and he couldn't pull that up. Butler asked would anyone like to make a motion. Burks made a motion for approval. Blade Seconded. Vote was taken. All were in favor.

2. Recommendation to BOC, Revision of City of Fairview Zoning Ordinance, Article 6: Residential District Regulations

Sullivan stated they all received by email the other day ordinance no 2020-12, (which will become part of these minutes, Exhibit A). It is the discussion on construction of language and definitions terms defined, currently we have accessory structure defined as subordinate structure detached from, but located on the same lot as a principal building. The use of an accessory structure must be identical and accessory to the use of the principal building. Accessory structures include garages, carports, decks, and fences. Sullivan stated changing that over fits your condition to

the Board to that last line accessory structures include garage, carports, temporary or private swimming pools with depth greater than 24" and detached non covered decks. That's doing two things one it's taking fences out of the accessory structure, leaving that in dictates location and exactly how they are to be built identical to the permanent structure, so there's really no way to do that with a fence. But it also adds non covered decks and swimming pools greater than 24", because currently they are not covered as what would be accessory or not, and that way they can have a location for a swimming pool in that rear yard. We did limit to the 24" mark, so if someone has a small kiddie pool and they want to put on their driveway one day we're not going to police that. But if someone does have a pool that is temporary or permanent that has a depth of over 24" the it can't be place in the front yard, must be in the rear yard and 5 foot off the property lines. Burks made a motion for approval. Jenkins Seconded. Vote was taken. All were in favor.

10B

ORDINANCE NO. 2020-12

**AN ORDINANCE OF THE CITY OF FAIRVIEW, TENNESSEE, TO AMEND
THE ZONING ORDINANCE AS IT PERTAINS TO ARTICLE II
“CONSTRUCTION OF LANGUAGE AND DEFINITIONS”, SECTION 2-102
“GENERAL DEFINITIONS”, SUBSECTION 102.2 “TERMS DEFINED”.**

WHEREAS, the City of Fairview Planning Commission recommends to the City of Fairview Board of Commissioners to amend current provisions of the zoning ordinance as they pertain to definitions in order to best serve the citizens of Fairview, and

WHEREAS, the Fairview, Tennessee Zoning Articles, Article II “Construction of Language and Definitions”, Section 2-102 “General Definitions”, Subsection 102.2 “Terms Defined”, “ACCESSORY STRUCTURE”, currently reads as follows:

“A subordinate structure detached from, but located on the same lot as a principal building. The use of an accessory structure must be identical and accessory to the use of the principal building. Accessory structures include garages, carports, decks, and fences.”

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

The Fairview, Tennessee Zoning Articles, Fairview, Tennessee Zoning Articles, Article II “Construction of Language and Definitions”, Section 2-102 “General Definitions”, Subsection 102.2 “Terms Defined”, “ACCESSORY STRUCTURE” are hereby amended to read as follows:

“A subordinate structure detached from, but located on the same lot as a principal building. The use of an accessory structure must be identical and accessory to the use of the principal building. Accessory structures include garages, carports, temporary or permanent private swimming pools with depths greater than 24" and detached, noncovered decks.”

The remaining sections of this Article and Section remain unchanged by this Resolution.

MAYOR

CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

Passed First Reading

Passed Second Reading
