

**CITY OF FAIRVIEW
BOARD OF COMMISSIONERS**

JUNE 1, 2017

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**
- 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**
 - A. May 18, 2017 Board of Commissioners Meeting
- 10. Consent Agenda Consisting of Items as Follows**
- 11. Old Business**
- 12. New Business**
 - A. Certificate of Compliance Renewal for Fairview Liquors and Fine Wines
 - B. Ordinance #2017-10, An Ordinance of the City of Fairview, Tennessee, Adopting the Annual Budget for the Fiscal Year Beginning July 1, 2017 and Ending June 30, 2018
 - C. Review Process for Bond Renewal - Burks
 - D. Resolution 16-08, A Resolution to Require Appearance by All Persons, Companies or Entities (or Their Duly Authorized Representative/Agent) Requesting Appearance or Requesting to Conduct any Business with Any Board, Commission or Staff Member(s) of the City of Fairview, Tennessee.
 - E. Resolution 09-17, A Resolution Adopting a Public Records Policy
 - F. Ordinance #2017-13, An Ordinance to Amend City of Fairview, Tennessee, Municipal code, Title 8, "Alcoholic Beverages," Chapter 2, "Beer," Section 8-203 "Beer Board Established."
 - G. Ordinance #2017-14, An Ordinance to Amend City of Fairview, Tennessee, Municipal Code, Title 13, "Property Maintenance Regulations," Chapter 4, "Tree Planting and Protection," Section 13-403 "Establishment of a Tree Commission."
 - H. Ordinance #2017-15, An Ordinance to Amend City of Fairview, Tennessee, Municipal Code, Title 2, "Boards and Commissions," Chapter 3, "Park Commission," Section 2-302. "Membership and Section 2-304. "Terms."
 - I. Addendum C – Extension to the Interlocal Agreement between Williamson County and the City of Fairview for the Provision of Periodic Road Work and Maintenance to Municipal Roads
- 13. City Manager Items for Discussion**
 - A. Miscellaneous Updates
 - B. City Attorney Comments
- 14. Communications from the Mayor and Commissioners**
- 15. Adjournment**

CERTIFICATE OF COMPLIANCE
RETAIL PACKAGE STORE

12A

Pursuant to Tennessee Code Annotated, Title 57, Section 57-3-208 and 57-3-213, the

Name of Applicant: C. Ken Karner
Home Address: [REDACTED]
Fairview TN 37002
(City) (State) (Zip)

Date of Birth: [REDACTED] SSN: [REDACTED]

has made application for a Certificate of Compliance to sell retail alcoholic beverages in the

County of Williamson, State of Tennessee, at

Fairview Liquors & Fine Wines 2382 Fairview Blvd Fairview TN 37002
(Name and Street Address of Liquor Store)

and that an investigation has been undertaken of the applicant's criminal record and of the compliance of said business with local law, ordinances or resolutions, and from said investigation of the undersigned certified:

1. That the applicant or applicants who are to be in actual charge of said business have not been convicted of a felony within a ten-year period immediately preceding the date of the application and, if a corporation, that the executive officers or those in control have not been convicted of a felony within a ten year period immediately preceding the date of the application; and further, that it is the undersigned's opinion that the applicant will not violate any provisions of Tennessee Code Annotated, Title 57, Chapter 3;
2. That the applicant has secured a location which complies with all restrictions of the laws, ordinances and resolutions;
3. That the applicant or applicants have complied with the residency provisions;
4. That the issuance of this license will not exceed the numerical limit.

This _____ day of _____, 20 _____.

Mayor or Other Official Head of Municipality

Member of Legislative Body of Municipality

MAIL TO:
Tennessee Alcoholic Beverage Commission
500 James Robertson Parkway
3rd Floor
Nashville, TN 37243



Bill Haslam
Governor

TENNESSEE BUREAU OF INVESTIGATION

Attn: TORIS
901 R.S. Gass Boulevard
Nashville, Tennessee 37216-2639
(615) 744-4057
Facsimile (615) 744-4289



Mark Gwyn
Director

05/25/2017

CHEN K KARGER

[REDACTED]
FAIRVIEW TN 37062

Tennessee Criminal History Records Request

NO RECORD HAS BEEN FOUND.

NOTE: All aliases submitted have been searched..

CHEN K KARGER

Please be aware that, unless a fingerprint comparison is performed, it is impossible for the Tennessee Bureau of Investigation to be sure the record belongs to the individual you requested. Fingerprint comparison will only be performed in the event of a written appeal of criminal history results. The information you receive will be based on only those arrests which occurred within the state of Tennessee.

The Tennessee Bureau of Investigation found no Tennessee criminal history based on the information provided. No criminal record check was conducted for other states or for the Federal Bureau of Investigation.

Tennessee Open Records Information Services
Tennessee Bureau of Investigation
901 R.S. Gass Blvd.
Nashville, TN 37216



INTERNATIONALLY ACCREDITED SINCE 1994

ORDINANCE No. 2017-10

12B

**AN ORDINANCE OF THE CITY OF FAIRVIEW, TENNESSEE
ADOPTING THE ANNUAL BUDGET AND TAX RATE 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 has published the annual operating budget and budgetary comparisons of the proposed budget with the prior year (actual) and the current year (estimated) in a newspaper of general circulation not less than ten (10) days prior to the meeting where the Board will consider final passage of the 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:

General Fund	FY 2016 Actual	FY 2017 Estimated	FY 2018 Proposed
Taxes	\$ 4,236,000	\$ 4,154,000	\$ 4,407,750
Licenses and Permits	\$ 61,975	\$ 104,175	\$ 173,500
Fines and Fees	\$ 171,025	\$ 180,520	\$ 198,200
Intergovernmental	\$ 1,278,925	\$ 1,120,550	\$ 1,011,650
Other	\$ 77,653	\$ 81,500	\$ 263,725
Other Financial Sources TAN & GAN	\$ 659,322	\$ -	\$ -
Total Revenues	\$ 6,484,900	\$ 5,640,745	\$ 6,054,825
Beginning Fund Balance	\$ 1,250,000	\$ 2,606,474	\$ 2,841,633
Total Available Funds	\$ 7,734,900	\$ 8,247,219	\$ 8,896,458

	FY 2016 Actual	FY 2017 Estimated	FY 2018 Proposed
State Street Aid			
Intergovernmental	\$ 221,000	\$ 215,000	\$ 225,500
Other	\$ -	\$ -	\$ 250
Total Revenues	\$ 221,000	\$ 215,000	\$ 225,250
Beginning Fund Balance	\$ 226,100	\$ 229,500	\$ 350,000
Total Available Funds	\$ 447,100	\$ 444,500	\$ 575,250

	FY 2016 Actual	FY 2017 Estimated	FY 2018 Proposed
Drug Fund			
Fines and Fees	\$ 15,640	\$ 21,600	\$ 13,000
Other	\$ 50,970	\$ 30,100	\$ 20,250
Total Revenues	\$ 66,610	\$ 51,700	\$ 33,250
Beginning Fund Balance	\$ 63,700	\$ 57,060	\$ 93,910
Total Available Funds	\$ 130,310	\$ 108,760	\$ 127,160

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	\$ 90,000
Administration	\$ 1,144,100	\$ 1,533,033	\$ 1,118,400
Finance	\$ 165,700	\$ 174,500	\$ 166,900
Planning and Zoning	\$ 117,333	\$ 260,000	\$ 420,100
Municipal Court	\$ 117,809	\$ 123,000	\$ 140,725
Police Department	\$ 1,203,900	\$ 1,314,000	\$ 1,625,050
Fire Department	\$ 815,100	\$ 930,000	\$ 1,428,850
Public Works	\$ 645,800	\$ 797,500	\$ 1,102,000
Debt Service	\$ 870,426	\$ 213,000	\$ 213,000
-	\$ -	\$ -	\$ -
-	\$ -	\$ -	\$ -
-	\$ -	\$ -	\$ -
Total Appropriations	\$ 5,137,168	\$ 5,402,733	\$ 6,304,575
Surplus/(Deficit)	\$ 1,356,474	\$ 235,159	\$ (332,975)
Other Financial Sources (Uses): Transfer In (Drug & Facilities Funds)	\$ -	\$ -	\$ -
Ending Fund Balance	\$ 2,606,474	\$ 2,841,633	\$ 2,508,658

	FY 2016 Actual	FY 2017 Estimated	FY 2018 Proposed
State Street Aid			
Public Works	\$ 178,000	\$ 55,000	\$ 536,250
Debt Service	\$ 39,000	\$ 39,000	\$ 39,000
General Government	\$ -	\$ -	\$ -
Total Appropriations	\$ 217,600	\$ 94,000	\$ 575,250
Surplus/(Deficit)	\$ -	\$ -	\$ -
Ending Fund Balance	\$ 229,500	\$ 350,000	\$ 46,250

	FY 2016 Actual	FY 2017 Estimated	FY 2018 Proposed
Drug Fund			
Police Department	\$ 130,310	\$ 108,760	\$ 127,160
Total Appropriations	\$ 73,250	\$ 14,850	\$ 46,000
Surplus/(Deficit)	\$ -	\$ -	\$ -
Ending Fund Balance	\$ 57,060	\$ 93,910	\$ 81,160

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

General Fund	\$	2,355,500
State Street Aid	\$	46,250
Drug Fund	\$	81,160

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: There is hereby levied a property tax of \$ 0.8765 per \$100 of assessed value on all real and personal property.

SECTION 10: This annual operating and capital budget ordinance and supporting documents 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 budget shall not become the official budget for the fiscal year until such budget 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 the 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, it will file

this 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 July 1, 2017, 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: _____

Tax Levy Approved First Reading: _____

Tax Levy Approved Second Reading: _____

Tax Levy Public Hearing Held on: _____

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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 July 1, 2017, the public welfare requiring it.

Patti Carroll, Mayor

Brandy Johnson, City Recorder

APPROVED AS TO FORM:

City Attorney

First Reading: _____

Public Hearing: _____

Second Reading: _____

12D

RESOLUTION NO. 16-08

A RESOLUTION TO REQUIRE APPEARANCE BY ALL PERSONS OR ENTITIES (OR THEIR DULY AUTHORIZED REPRESENTATIVES) REQUESTING APPEARANCES OR REQUESTING TO CONDUCT ANY BUSINESS WITH ANY BOARD, COMMISSION OR STAFF MEMBER(S) OF THE CITY OF FAIRVIEW, TENNESSEE.

WHEREAS, the Board of Commissioners for the City of Fairview, Tennessee have determined that the best interest of the City and all persons, companies or entities who request an appearance or need to conduct business with any Board, Commission or Staff Member(s) of the City of Fairview, Tennessee, will be best served by having the person, company, entity (or their duly authorized representative/agent) appear before the Board, Commission or Staff Member at the scheduled time the issue is to be heard and,

WHEREAS, such an appearance would greatly increase the efficiency of the conduct of the hearing and increase the opportunity that all persons, companies or entities conducting business with the City of Fairview, Tennessee, its Boards, Commissions and Staff Members receive the greatest opportunity of receiving Fundamental Due Process.

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

1. That any person, company or entity seeking to conduct business before any Board, Commission or Staff Member of the City of Fairview, Tennessee, shall at the designated time for the hearing they have scheduled appear at the said meeting or shall have their designated agent appear for them at the appointed time.

2. In the event, a designated agent is to appear for any person, company or entity the identity of the agent shall be communicated to the City of Fairview, Tennessee by the person seeking to conduct business before any Board, Commission or Staff Member of the City of Fairview, Tennessee, in writing prior to the scheduled meeting. Such designation shall include the name and address of the Agent and the limit of the Agents authority to act on behalf of the principal.

3. In the event, the person, company or entity (or their designated agent) seeking to conduct business before any Board, Commission or Staff Member of the City of Fairview, Tennessee, does not attend any or all scheduled meetings the issue shall be deferred and it shall be the task of the person, company or entity seeking to conduct business before any Board, Commission or Staff Member of the City of Fairview, Tennessee, to re-schedule a hearing at a future date.

Adopted this the 17th day of April, 2008.

Ken Brison
MAYOR

ATTEST:

Kathleen Taylor
CITY RECORDER

A RESOLUTION ADOPTING A PUBLIC RECORDS POLICY

WHEREAS, pursuant to Tenn. Code Ann. § 10-7-503(g), every governmental entity subject to the Tennessee Public Records Act ("TPRA") (Tenn. Code Ann. § 10-7-501 et seq.), must establish a written public records policy properly adopted by the appropriate governing authority by July 1, 2017; and

WHEREAS, the policy adopted shall not impose requirements on those requesting records that are more burdensome than state law; and

WHEREAS, the governing body of the City of Fairview desires to comply with the recent change in state law as it pertains to records management.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the City of Fairview that the following Public Records Policy for City of Fairview is hereby adopted by to provide economical and efficient access to public records as provided under the Tennessee Public Records Act ("TPRA") in Tenn. Code Ann. § 10-7-501, et seq.

SECTION 1. The following policy is hereby adopted as the Public Records Policy for City of Fairview:

**PUBLIC RECORDS POLICY FOR
CITY OF FAIRVIEW**

Pursuant to Tenn. Code Ann. § 10-7-503(g), the following Public Records Policy for the City of Fairview is hereby adopted by the Board of Commissioners to provide economical and efficient access to public records as provided under the Tennessee Public Records Act ("TPRA") in Tenn. Code Ann. § 10-7-501, et seq.

The TPRA provides that all state, county and municipal records shall, at all times during business hours be open for personal inspection by any citizen of this state, and those in charge of the records shall not refuse such right of inspection to any citizen, unless otherwise provided by state law. See Tenn. Code Ann. § 10-7-503(a)(2)(A). Accordingly, the public records of City of Fairview are presumed to be open for inspection unless otherwise provided by law.

Personnel of the City of Fairview shall timely and efficiently provide access and assistance to persons requesting to view or receive copies of public records. No provisions of this Policy shall be used to hinder access to public records. However, the integrity and organization of public records, as well as the efficient and safe operation of the City of Fairview, shall be protected as provided by current law. Concerns about this Policy should be addressed to the Public Records Request Coordinator for the City of Fairview or to the Tennessee Office of Open Records Counsel ("OORC").

This Policy is available for inspection and duplication in the office of the City Recorder. Additionally, this Policy is posted online at www.fairview-tn.org. This Policy shall be reviewed periodically as needed.

This Policy shall be applied consistently throughout the various offices, departments, and/or divisions of the City of Fairview.

I. Definitions:

- A. Records Custodian: The office, official or employee lawfully responsible for the direct custody and care of a public record. See Tenn. Code Ann. § 10-7-503(a)(1)(C). The records custodian is not necessarily the original preparer or receiver of the record.
- B. Public Records: All documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by any governmental agency. See Tenn. Code Ann. § 10-7-503(a)(1)(A).
- C. Public Records Request Coordinator: The individual, or individuals, designated in Section III, A.3 of this Policy who has, or have, the responsibility to ensure public record requests are routed to the appropriate records custodian and are fulfilled in accordance with the TPRA. See Tenn. Code Ann. § 10-7-503(a)(1)(B). The Public Records Request Coordinator may also be a records custodian.
- D. Requestor: A person seeking access to a public record, whether it is for inspection or duplication.

II. Requesting Access to Public Records

- A. Public record requests shall be made to the Public Records Request Coordinator ("PRRC") in person, by phone, fax or email, in

order to ensure public record requests are routed to the appropriate records custodian and fulfilled in a timely manner.

- B. Requests for inspection only cannot be required to be made in writing. The PRRC will request a mailing and email address from the requestor for providing any written communication required under the TPRA.
- C. Requests for inspection may be made orally or in writing on Form A at Fairview City Hall, 7100 City Center Way, Fairview, Tennessee 37062, by phone at 615-387-6086, by fax at 615-799-1383, or by email at recorder@fairview-tn.org.
- D. Requests for copies, or requests for inspection and copies, shall be made in writing on Form A in person or by mail at Fairview City Hall, 7100 City Center Way, Fairview, Tennessee 37062, by fax at 615-799-1383, or by email to recorder@fairview-tn.org.
- E. Proof of Tennessee citizenship by presentation of a valid Tennessee driver's license or alternative acceptable form of ID is required as a condition to inspect or receive copies of public records.

III. Responding to Public Records Requests

A. Public Record Request Coordinator

1. The PRRC shall review public record requests and make an initial determination of the following:
 - a. If the requestor provided evidence of Tennessee citizenship;
 - b. If the records requested are described with sufficient specificity to identify them; and
 - c. If the City of Fairview is the custodian of the records.
2. The PRRC shall acknowledge receipt of the request and take any of the following appropriate action(s):
 - a. Advise the requestor of this Policy and the elections made regarding:
 - i. Proof of Tennessee citizenship;
 - ii. Form(s) required for copies;

- iii. Fees (and labor threshold and waivers, if applicable); and
 - iv. Aggregation of multiple or frequent requests.
 - b. If appropriate, deny the request in writing, providing the appropriate ground such as one of the following:
 - i. The requestor is not, or has not presented evidence of being, a Tennessee citizen;
 - ii. The request lacks specificity;
 - iii. An exemption makes the record not subject to disclosure under the TPRA;
 - iv. The City of Fairview is not the custodian of the requested records; or
 - v. The records do not exist.
 - c. If appropriate, contact the requestor to see if the request can be narrowed.
 - d. Forward the records request to the appropriate records custodian in the City of Fairview.
- 3. The designated PRRC is:
 - a. City Recorder
 - b. Contact Information: Fairview City Hall, 7100 City Center Way, Fairview, Tennessee, 37062, or by phone at 615-387-6086, or by fax at 615-799-1383, or by email to recorder@fairview-tn.org.

B. Records Custodian

- 1. Upon receiving a public records request, a records custodian shall promptly make requested public records available in accordance with Tenn. Code Ann. § 10-7-503. If the records custodian is uncertain that an applicable exemption applies, the custodian may consult with the PRRC, counsel, or the OORC.

2. If not practicable to promptly provide requested records because additional time is necessary to determine whether the requested records exist; to search for, retrieve, or otherwise gain access to records; to determine whether the records are open; to redact records; or for other similar reasons, then a records custodian shall, within seven (7) business days from the records custodian's receipt of the request, send the requestor a completed Public Records Request Response Form which is attached as Form B, based on the form developed by the OORC.
3. If a records custodian denies a public record request, he or she shall deny the request in writing as provided in Section III.A.2.b and may use the Public Records Request Response Form B.
4. If a records custodian reasonably determines production of records should be segmented because the records request is for a large volume of records, or additional time is necessary to prepare the records for access, the records custodian shall use the Public Records Request Response Form B to notify the requestor that production of the records will be in segments and that a records production schedule will be provided as expeditiously as practicable. If appropriate, the records custodian should contact the requestor to see if the request can be narrowed.
5. If a records custodian discovers records responsive to a records request were omitted, the records custodian should contact the requestor concerning the omission and produce the records as quickly as practicable.

C. Redaction

1. If a record contains confidential information or information that is not open for public inspection, the records custodian shall prepare a redacted copy prior to providing access. If questions arise concerning redaction, the records custodian should coordinate with counsel or other appropriate parties regarding review and redaction of records. The records custodian and the PRRC may also consult with the OORC.
2. Whenever a redacted record is provided, a records custodian should provide the requestor with the basis for redaction. The basis given for redaction shall be general in nature and not disclose confidential information.

IV. Inspection of Records

- A. There shall be no charge for inspection of public records
- B. The location for inspection of records within the offices of the City of Fairview shall be determined by either the PRRC or the records custodian.
- C. When a reasonable basis exists, the PRRC or a records custodian may require an appointment for inspection.

V. Copies of Records

- A. A records custodian shall promptly respond to a public record request for copies in the most economic and efficient manner practicable.
- B. Copies will be available for pickup at Fairview City Hall Administrative Offices.
- C. Upon payment for postage, copies will be delivered to the requestor's home address by the United States Postal Service.
- D. A requestor will not be allowed to make copies of records with personal equipment. Requestors may purchase storage devices from the City of Fairview upon which the records will be downloaded.

VI. Fees and Charges and Procedures for Billing and Payment

Fees and charges for copies of public records should not be used to hinder access to public records.

- A. Records custodians shall provide requestors with an itemized estimate of the charges prior to producing copies of records and may require pre-payment of such charges before producing requested records.
- B. When fees for copies and labor do not exceed \$ 2.00, the fees may be waived.
Requests for waivers for fees above \$ 2.00 must be presented to the Records Custodian, who is authorized to determine if such waiver is in the best interest of City of Fairview and for the public good. Fees associated with aggregated records requests will not be waived.

C. Fees and charges for copies are as follows:

1. \$0.15 per page for letter- and legal-size black and white copies.
2. \$0.50 per page for letter- and legal-size color copies.
3. The actual cost of any other medium upon which a record/information is being produced.
4. Labor when time exceeds one hour.
5. If an outside vendor is used, the actual costs assessed by the vendor.

D. Payment is to be made in cash, by personal check or by credit card payable to the City of Fairview and presented to the City Recorder. Credit card payments are subject to additional fees passed through from the processor.

E. Payment in advance will be required when costs are estimated to exceed \$50.00.

F. Aggregation of Frequent and Multiple Requests

1. The City of Fairview will aggregate record requests in accordance with the Frequent and Multiple Request Policy promulgated by the OORC when more than (4) requests are received within a calendar month (either from a single individual or a group of individuals deemed working in concert).
2. If more than four (4) requests are received within a calendar month:
 - a. Records requests will be aggregated at the entity level.
 - b. The PRRC is responsible for making the determination that a group of individuals are working in concert. The PRRC or the records custodian will inform the individuals that they have been deemed to be working in concert and that they have the right to appeal the decision to the OORC.
 - c. Requests for items that are routinely released and readily accessible are exempt from this policy. These records include, but are not limited to: agendas and approved minutes from all boards or commissions as well as accident reports when you are a party of the accident and

property tax bills or receipts to the owner of the property.

SECTION 2. Repealer. Any resolutions, policies, or parts thereof in conflict with the provisions of this resolution are hereby repealed to the extent of such conflict only as pertaining to the subject matter of this resolution.

SECTION 3. Severability. If a part of this resolution is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this resolution is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

SECTION 4. Effective Date. This resolution shall become effective upon passage, the public welfare requiring it.

Passed on: _____

SIGNED: _____
Mayor

ATTEST: _____
Recorder

APPROVED AS TO FORM:

City Attorney

PUBLIC RECORDS REQUEST FORM A

The Tennessee Public Records Act (TPRA) grants Tennessee citizens the right to access open public records that exist at the time of the request. The TPRA does not require records custodians to compile information or create or recreate records that do not exist.

To: City Recorder, Fairview City Hall, 7100 City Center Way, Fairview, Tennessee 37062

From: _____

Is the requestor a Tennessee citizen? Yes No

- Request: Inspection (The TPRA does not permit fees or require a written request for inspection only.¹)
- Copy/Duplicate

If costs for copies are assessed, the requestor has a right to receive an estimate. Do you wish to waive your right to an estimate and agree to pay copying and duplication costs in an amount not to exceed \$ 20.00 If so, initial here: _____.

Delivery preference: On-Site Pick-Up USPS First-Class Mail
 Electronic Other: _____

Records Requested:

Provide a detailed description of the record(s) requested, including: (1) type of record; (2) timeframe or dates for the records sought; and (3) subject matter or key words related to the records. Under the TPRA, record requests must be sufficiently detailed to enable a governmental entity to identify the specific records sought. As such, your record request must provide enough detail to enable the records custodian responding to the request to identify the specific records you are seeking.

Signature of Requestor

Date Submitted

Signature of Public Records Request Coordinator

Date Received

¹ Note, Tenn. Code Ann. § 10-7-504(a)(20)(C) permits charging for redaction of private records of a utility.

PUBLIC RECORD REQUEST RESPONSE FORM B
CITY OF FAIRVIEW
7100 City Center Way, Fairview, Tennessee 37062

_____ :
Date

Requestor's Name and Contact Information

In response to your records request received on _____, our office is taking the
action(s)¹ indicated below: Date Request Received

The public record(s) responsive to your request will be made available for inspection:

Location: _____

Date & Time: _____

Copies of public record(s) responsive to your request are:

Attached

Available for pickup at the following location: _____; or

Being delivered via:

USPS First-Class Mail Electronically Other: _____

Your request is denied on the following grounds:

Your request was not sufficiently detailed to enable identification of the specific requested record(s). You need to provide additional information to identify the requested record(s).

No such record(s) exists or this office does not maintain record(s) responsive to your request.

No proof of Tennessee citizenship was presented with your request. Your request will be reconsidered upon presentation of an adequate form of identification.

You are not a Tennessee citizen.

You have not paid the estimated copying/production fees.

The following state, federal, or other applicable law prohibits disclosure of the requested records: _____

It is not practicable for the records you requested to be made promptly available for inspection and/or copying because:

It has not yet been determined that records responsive to your request exist; or

The office is still in the process of retrieving, reviewing, and/or redacting the requested records.

The time reasonably necessary to produce the record(s) or information and/or to make a determination of a proper response to your request is: _____.

If you have any additional questions regarding your record request, please contact the Records Custodian.

Sincerely,

Brandy Johnson

City Recorder

7100 City Center Way, Fairview, Tennessee 37062 and recorder@fairview-tn.org

12F

ORDINANCE NO. 2017-13

AN ORDINANCE TO AMEND CITY OF FAIRVIEW, TENNESSEE, MUNICIPAL CODE, TITLE 8, "ALCOHOLIC BEVERAGES," CHAPTER 2, "BEER", SECTION 8-203 "BEER BOARD ESTABLISHED."

WHEREAS, the Board of Commissioners have determined that the City of Fairview, Tennessee, Municipal Code, Title 8, "Alcoholic Beverages", Chapter 2, "Beer," Section 8-202 "Beer Board Established," and Section 8-204 "Meetings of the Beer Board" need to be amended and updated.

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

Title 8, "Alcoholic Beverages", Chapter 2, "Beer," Section 8-202 "Beer Board Established," is hereby amended to read as follows:

- (1) Membership. There is hereby established a beer board to consist of the five (5) members of the board of commissioners.
- (2) Compensation. All members of the beer board shall serve without compensation.
- (3) Term of office. The members of the board of commissioners as members of the beer board shall have his/her term to run concurrently with his/her term of office. The board will elect a chairman who will preside when present and a vice chairman who will preside in the chairman's absence.

Title 8, "Alcoholic Beverages", Chapter 2, "Beer," Section 8-204 "Meetings of the Beer Board", is hereby amended to read as follows:

All meetings of the beer board shall be open to the public. The beer board will meet on an as needed basis as a part of regularly scheduled board of commissioners meetings. The date and time for the meetings will be published in a newspaper of local circulation. The board shall meet at the designated times and place whenever there is business to come before the board.

BE IT FURTHER ORDAINED, If any sentence, clause, phrase or paragraph of this Ordinance is declared to be unconstitutional by any Court of competent jurisdiction, such holding will not affect any other portion of this Ordinance.

BE IT FINALLY ORDAINED, This Ordinance shall take effect at the earliest date provided by law following its final reading and approval, the public welfare requiring it.

MAYOR

CITY RECORDER

Approved as to form:

City Attorney

Passed first reading: _____, 2017.

Passed second reading: _____, 2017.

12G

ORDINANCE NO. 2017-14

AN ORDINANCE TO AMEND CITY OF FAIRVIEW, TENNESSEE, MUNICIPAL CODE, TITLE 13, "PROPERTY MAINTENANCE REGULATIONS," CHAPTER 4, "TREE PLANTING AND PROTECTION", SECTION 13-403 "ESTABLISHMENT OF A TREE COMMISSION."

WHEREAS, the Board of Commissioners have determined that the City of Fairview, Tennessee, Municipal Code, Title 13, "Property Maintenance Regulations", Chapter 4, "Tree Planting and Protection," Section 13-403 "Establishment of a Tree Commission," needs to be amended and updated.

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

Title 13, "Property Maintenance Regulations", Chapter 4, "Tree Planting and Protection," Section 13-403 "Establishment of a Tree Commission," is hereby amended to read as follows:

There shall be a commission to be known and designated as the "tree commission."

1. The tree commission shall be composed of five (5) voting members. All members should have experience or knowledge of trees or gardening.

(a) Three (3) members of Fairview, Tennessee, citizens at large, shall be appointed by the mayor, with approval of the board of commissioners. The city arborist, appointed by the city manager, shall serve as a full voting member. A member of the planning commission shall serve as the other member.

(b) Appointed members shall serve for a term of three years. The city arborist shall serve at the pleasure of the city manager. The planning commission member shall serve for his/her elected term.

(c) All members, with the exception of the city arborist, shall serve without compensation. The city arborist shall receive a stipend of \$100 monthly.

(d) The tree commission will submit all proposals for the community tree to the board of commissioners for approval.

(e) Any contract for service or expenditure of city funds shall be submitted to the board of commissioners for approval, prior to

commitment. (Ord. #409, April 1997, as renumbered and replaced by Ord. #501, May 2001, and replaced by Ord. #528, Oct. 2002; Ord. #552, Sept. 2003, and Ord. #557, Oct. 2003; and amended by Ord. #565, Feb. 2004, and Ord. #662, March 2007)

BE IT FURTHER ORDAINED, If any sentence, clause, phrase or paragraph of this Ordinance is declared to be unconstitutional by any Court of competent jurisdiction, such holding will not affect any other portion of this Ordinance.

BE IT FINALLY ORDAINED, This Ordinance shall take effect at the earliest date provided by law following its final reading and approval, the public welfare requiring it.

MAYOR

CITY RECORDER

Approved as to form:

City Attorney

Passed first reading: _____, 2017.

Passed second reading: _____, 2017.

12H

ORDINANCE NO. 2017-15

AN ORDINANCE TO AMEND CITY OF FAIRVIEW, TENNESSEE, MUNICIPAL CODE, TITLE 2, "BOARDS AND COMMISSIONS," CHAPTER 3, "PARK COMMISSION", SECTION 2-302. "MEMBERSHIP" AND SECTION 2-304. "TERMS."

WHEREAS, the Board of Commissioners have determined that the City of Fairview, Tennessee, Municipal Code, Title 2, "Boards and Commissions", Chapter 3, "Park Commission," Section 2-302, "Membership," and Section 2-304, "Terms" need to be amended and updated.

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

Title 2, "Boards and Commissions", Chapter 3, "Park Commission," Section 2-302, "Membership," is hereby amended to read as follows:

The park commission members shall be composed of individuals as follows:

- (1) Four (4) members from the Fairview, Tennessee, citizens at large.
- (2) One (1) member from the Fairview, Tennessee, Friends of Bowie Nature Park.

Title 2, "Boards and Commissions, Chapter 3, "Park Commission," Section 2-304, "Terms," is hereby amended to read as follows:

- (1) Terms of office for all members shall be three (3) year terms.

BE IT FURTHER ORDAINED, If any sentence, clause, phrase or paragraph of this Ordinance is declared to be unconstitutional by any Court of competent jurisdiction, such holding will not affect any other portion of this Ordinance.

BE IT FINALLY ORDAINED, This Ordinance shall take effect at the earliest date provided by law following its final reading and approval, the public welfare requiring it.

MAYOR

CITY RECORDER

Approved as to form:

City Attorney

Passed first reading: _____, 2017.

Passed second reading: _____, 2017.

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**ADDENDUM C
EXTENSION TO THE INTERLOCAL AGREEMENT BETWEEN WILLIAMSON COUNTY AND THE
CITY OF FAIRVIEW FOR THE PROVISION OF PERIODIC ROAD WORK AND MAINTENANCE TO
MUNICIPAL ROADS**

THIS ADDENDUM is made by and between WILLIAMSON COUNTY, TENNESSEE ("County"), a county governmental entity of the State of Tennessee located at 1320 West Main Street, Franklin, Tennessee 37064, and the CITY OF FAIRVIEW ("City"), a municipal government, located at 7100 City Center Circle, Fairview, Tennessee 37062, to extend the terms and conditions of the original Interlocal Agreement regarding assistance from the Williamson County Highway Department ("Highway Department") for maintenance of municipal roads located within the established boundary of the City.

- WHEREAS, Williamson County and the City of Fairview are governmental entities of the State of Tennessee and, as such, are authorized to enter into interlocal agreements pursuant to Tennessee Code Annotated, Section 12-9-104;
- WHEREAS, pursuant to Tennessee Code Annotated, Section 54-7-202, the Highway Department is authorized to perform road work to other governmental entities if authorized by the County's legislative body and if the cost for the work is reimbursed to the Highway Department;
- WHEREAS, City has determined that it would be advantageous for it to periodically request assistance from the Highway Department for the maintenance of municipal roads located within the boundaries of the City;
- WHEREAS, the City has agreed to reimburse the Highway Department for the cost of all projects so authorized to be reimbursed to the Highway Department;
- WHEREAS, the parties agree to continue to be bound by all the remaining provisions of the original Interlocal Agreement that do not conflict with this Addendum; and
- WHEREAS, the current term of the original Interlocal Agreement shall end on June 30, 2017 if the original Interlocal Agreement is not extended by execution of this document.

NOW, THEREFORE, THE PARTIES HEREBY AGREE AS FOLLOWS:

1. By execution of this Addendum the parties agree to extend the original Interlocal Agreement for an additional one (1) year term to continue in time without a break in the term. The term of the original Interlocal Agreement shall continue on and through the 1st day of July, 2017, and end on the 30th day of June, 2018 unless otherwise terminated or extended as provided in the original Interlocal Agreement. The original Interlocal Agreement may be extended for additional terms of one (1) year each by written agreement of the parties. Renewals shall be exercised prior to the expiration of the term in the discretion of the County which shall be evidenced by a fully executed addendum. To be effective, addendums to extend the original Interlocal Agreement shall be approved for form by the County's Attorney and the Budget Director and signed by the Williamson County Mayor.
2. This Addendum shall not affect the remaining provisions of the original Interlocal Agreement and all provisions which do not conflict with this Addendum shall remain in effect.

IN WITNESS WHEREOF, the parties hereto have caused this Addendum to be executed by their duly authorized representatives on this the _____ day of _____, 2017.

Rogers Anderson, Williamson County Mayor

Patti L. Carroll, Fairview City Mayor

Nena Graham

Nena Graham, Budget Director

Fairview City Attorney

Eddie Hood

Eddie Hood, Highway Superintendent

[Signature]

Williamson County Attorney