

**CITY OF FAIRVIEW
BOARD OF COMMISSIONERS**

JUNE 4, 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)**
 - A. Item 9C (Section 8, Tax Rate)
 - B. Item 9C (Budget)
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 21, 2020, Board of Commissioners Meeting
 - B. Minutes from the May 21, 2020, Board of Commissioners Work Session
 - C. Second and Final Reading of Ordinance 2020-11, An Ordinance of the City of Fairview, Tennessee, Adopting the Budget and Tax Rate for the Fiscal Year Beginning July 1, 2020, and Ending June 30, 2021
 - D. Second and Final Reading of 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"
10. **Old Business**
11. **New Business**
 - A. Resolution 14-20, A Resolution of the City of Fairview, Tennessee, Designating a Vehicle or Vehicles, and/or Equipment as Surplus, Authorizing the Disposal of Said Vehicle(s) and Equipment, and Designating the Auction or Sale Proceeds from Surplus Items
 - B. Ordinance 2020-13, An Ordinance of the City of Fairview, Tennessee, Amending the Previously Adopted Annual Budget for the Fiscal Year Beginning July 1, 2019 and Ending June 30, 2020
12. **Communications from the Mayor and Commissioners**
 - A. Commissioner
 - B. Commissioner
 - C. Commissioner
 - D. Vice Mayor
 - E. Mayor
13. **Adjournment**

9C

ORDINANCE No. 2020-11

AN ORDINANCE OF THE CITY OF FAIRVIEW, TENNESSEE, ADOPTING AN ANNUAL BUDGET AND TAX RATE FOR THE FISCAL YEAR BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2021.

WHEREAS, Tennessee Code Annotated § 9-1-116 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 MAYOR AND ALDERMEN OF THE CITY OF FAIRVIEW, TENNESSEE, AS FOLLOWS:

SECTION 1: That the governing body projects anticipated revenues from all sources and appropriates planned expenditures for each department, board, office or other agency of the municipality, herein presented together with the actual annual receipts and expenditures of the last preceding fiscal year and the estimated annual expenditures for the current fiscal year, and from those revenues and unexpended and unencumbered funds as follows for fiscal year 2021, and including the projected ending balances for the budget year, the actual ending balances for the most recent ended fiscal year and the estimated ending balances for the current fiscal years:

SECTION 2: At the end of the fiscal year 2021, the governing body estimates fund balances or deficits as follows:

General Fund	\$2,173,210
State Street Aid	\$6,950
Drug Enforcement Fund	\$72,550

SECTION 3: That the governing body herein certifies that the condition of its sinking funds, if applicable, are compliant pursuant to its bond covenants, and recognizes that the municipality has outstanding bonded and other indebtedness as follows:

General Fund	\$2,804,000
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SECTION 4: During the coming fiscal year (2021) the governing body has pending and planned capital projects with proposed funding as follows:

The Highway 100 Sidewalk Project and the Cumberland Drive Intersection Project, both funded through state and federal resources; American's with Disabilities Act (ADA) accessibility improvements funded by grant and general fund sources; Roadway improvements funded through state and general fund sources; Technology improvements funded through grant and general fund sources.

SECTION 5: No appropriation listed above may be exceeded without an amendment of the budget ordinance as required by the Municipal Budget Law of 1982 (TCA § 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 accord with Tennessee Code Annotated § 6-56-205.

SECTION 6: Money may be transferred from one appropriation to another in the same fund in an amount of up to \$10,000 by the City Manager, subject to such limitations and procedures as set by the Board of Mayor and Aldermen pursuant to Tennessee Code Annotated § 6-56-209. Any resulting transfers shall be reported to the governing body at its next regular meeting and entered into the minutes.

SECTION 7: 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 Tennessee Code Annotated § 6-56-206 will be attached.

SECTION 8: There is hereby levied a property tax of \$0.08765 per \$100 of assessed value on all real and personal property.

SECTION 9: 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 debt issued pursuant to Title 9, Chapter 21 of the Tennessee Code Annotated 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 of the 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 10: All unencumbered balances of appropriations remaining at the end of the fiscal year shall lapse and revert to the respective fund balances.

SECTION 11: All ordinances or parts of ordinances in conflict with any provision of this ordinance are hereby repealed.

SECTION 12: This ordinance shall take effect July 1, 2020, the public welfare requiring it.

Passed 1st Reading: May 7, 2020

Public Hearing: _____

Passed 2nd Reading: _____

Mayor

ATTESTED:

City Clerk

APPROVED AS TO FORM:

City Attorney

General Fund	Actual FY 2019	Estimated FY 2020	FY 2021 Budget
Cash Receipts			
Taxes	\$ 5,182,340	\$ 5,408,556	\$ 5,292,700
Licenses and Permits	\$ 275,817	\$ 177,750	\$ 385,000
Fines and Fees	\$ 257,909	\$ 337,150	\$ 208,650
Intergovernmental	\$ 287,261	\$ 36,550	\$ 860,394
Other Reveune	\$ 57,924	\$ 97,950	\$ 297,710
Debt Proceeds	\$ -	\$ -	\$ -
TAN and GAN Proceeds	\$ -	\$ -	\$ -
Transfers In From Other Funds	\$ -	\$ -	\$ -
Total Cash Receipts	\$ 6,061,251	\$ 6,057,956	\$ 7,044,454
Appropriations			
Board of Commissioners	\$ 92,062	\$ 73,469	\$ 44,129
Administration	\$ 1,844,532	\$ 1,137,922	\$ 1,788,644
Finance Department	\$ 160,503	\$ 135,391	\$ 132,924
Planning Department	\$ 411,252	\$ 325,766	\$ 243,739
Municipal Court	\$ 166,613	\$ 186,900	\$ 179,270
Police Department	\$ 1,661,274	\$ 1,775,980	\$ 1,838,834
Fire Department	\$ 1,320,372	\$ 1,518,970	\$ 1,510,553
Public Works	\$ 821,714	\$ 778,687	\$ 1,431,251
Debt Service	\$ 215,126	\$ 217,000	\$ 264,000
Transfers Out To Other Funds	\$ -	\$ -	\$ -
Total Appropriations	\$ 6,693,448	\$ 6,150,085	\$ 7,433,344
Change in Cash (Receipts - Appropriations)	\$ (632,197)	\$ (92,129)	\$ (388,890)
Beginning Cash Balance on July 1	\$ 3,286,426	\$ 2,654,229	\$ 2,562,100
Ending Cash Balance on June 30	\$ 2,654,229	\$ 2,562,100	\$ 2,173,210
Ending Cash as a % of Appropriations	39.65%	41.66%	29.24%

State Street Aid	Actual FY 2019	Estimated FY 2020	FY 2021 Budget
Cash Receipts			
State Gasoline and Motor Fuel Taxes	\$ 269,729	\$ 300,000	\$ 264,000
Local Gasoline and Motor Fuel Taxes	\$ -	\$ -	\$ -
Other Revenue	\$ 51	\$ 250	\$ 200
Debt Proceeds	\$ -	\$ -	\$ -
Total Cash Receipts	\$ 269,780	\$ 300,250	\$ 264,200
Appropriations			
Public Works Department	\$ 392,895	\$ 440,500	\$ 228,000
Debt Service	\$ 38,806	\$ 40,000	\$ 40,000
Total Appropriations	\$ 431,701	\$ 480,500	\$ 268,000
Change in Cash (Receipts - Appropriations)	\$ (161,921)	\$ (180,250)	\$ (3,800)
Beginning Cash Balance on July 1	\$ 352,921	\$ 191,000	\$ 10,750
Ending Cash Balance on June 30	\$ 191,000	\$ 10,750	\$ 6,950
Ending Cash as a % of Appropriations	44.24%	2.24%	2.59%

Drug Enforcement Fund	Actual FY 2019	Estimated FY 2020	FY 2021 Budget
Cash Receipts			
Fines and Court Costs	\$ 12,930	\$ 18,000	\$ 12,000
Other Revenue	\$ 9,314	\$ 5,050	\$ 30,050
Total Cash Receipts	\$ 22,244	\$ 23,050	\$ 42,050
Appropriations			
Police Operational Expenses	\$ 32,528	\$ 25,453	\$ 54,500
Police Capital Expenditures	\$ -	\$ -	\$ -
Drug Enforcement	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total Appropriations	\$ 32,528	\$ 25,453	\$ 54,500
Change in Cash (Receipts - Appropriations)	\$ (10,284)	\$ (2,403)	\$ (12,450)
Beginning Cash Balance on July 1	\$ 97,687	\$ 87,403	\$ 85,000
Ending Cash Balance on June 30	\$ 87,403	\$ 85,000	\$ 72,550
Ending Cash as a % of Appropriations	268.70%	333.95%	133.12%

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ORDINANCE NO. 2020-12

**AN ORDINANCE OF THE CITY OF FAIRVIEW, TENNESSEE, TO A
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

May 21, 2020

Passed Second Reading

CITY OF FAIRVIEW, TENNESSEE

RESOLUTION NO. 14-20



A RESOLUTION OF THE CITY OF FAIRVIEW, TENNESSEE, DESIGNATING A VEHICLE, OR VEHICLES, AND/OR EQUIPMENT AS SURPLUS, AUTHORIZING THE DISPOSAL OF SAID VEHICLE(S) AND EQUIPMENT, AND DESIGNATING THE AUCTION OR SALE PROCEEDS FROM SURPLUS ITEMS.

WHEREAS, the Board of Commissioners desires to continue to maintain the city's vehicle and equipment fleet in the most efficient and cost-effective manner, and

WHEREAS, these vehicles and/or equipment have exhausted their useful service life and should be designated as surplus to be removed from the fleet or inventory, and

WHEREAS, the proceeds from the auction, sale or disposal of these items shall be remitted to a specific account, and

WHEREAS, the vehicle(s) and/or equipment to be designated as surplus and auctioned or sold, and the subsequent proceeds designation(s), are as follows:

2012 Dodge Charger VIN 3C3DXAG4CH2829 – General Fund Capital Account

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

The City of Fairview Board of Commissioners hereby resolves to and does declare the vehicle(s) described herein as surplus, authorizes their disposal, and designates the remittance of auction or sale proceeds.

Mayor

Date Approved

Attest:

City Recorder

Approved As To Form:

City Attorney

ORDINANCE No. 2020-13

11 B

AN ORDINANCE OF THE CITY OF FAIRVIEW, TENNESSEE
AMENDING THE PREVIOUSLY ADOPTED ANNUAL BUDGET FOR THE
BEGINNING JULY 1, 2019 AND ENDING JUNE 30, 2020

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

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

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

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

SECTION 1: That the governing body estimates anticipated revenues of the municipality from all sources to be as follows for fiscal year 2020:

General Fund	FY 2018 Actual	FY 2019 Estimated	FY 2020 Proposed
Taxes	\$ 4,352,511	\$ 5,167,500	\$ 5,149,700
Licenses and Permits	\$ 430,735	\$ 279,750	\$ 177,750
Fines and Fees	\$ 133,179	\$ 243,150	\$ 337,150
Intergovernmental	\$ 1,152,216	\$ 371,200	\$ 36,550
Other	\$ 148,566	\$ 140,000	\$ 87,950
Other Financial Sources TAN & GAN	\$ -	\$ -	\$ -
Total Revenues	\$ 6,217,207	\$ 6,201,600	\$ 5,799,100
Beginning Fund Balance	\$ 2,164,145	\$ 3,107,074	\$ 2,278,229
Total Available Funds	\$ 8,381,352	\$ 9,308,674	\$ 8,077,329

State Street Aid	FY 2018 Actual	FY 2019 Estimated	FY 2020 Proposed
Intergovernmental	\$ 222,366	\$ 260,000	\$ 300,000
Other	\$ -	\$ 250	\$ 250
Total Revenues	\$ 222,366	\$ 260,250	\$ 300,250
Beginning Fund Balance	\$ 238,859	\$ 352,921	\$ 191,000
Total Available Funds	\$ 461,225	\$ 613,171	\$ 491,250

Drug Fund	FY 2018 Actual	FY 2019 Estimated	FY 2020 Proposed
Fines and Fees	\$ 14,842	\$ 12,930	\$ 12,000
Other	\$ 38,352	\$ 9,314	\$ 25,050
Total Revenues	\$ 53,194	\$ 22,244	\$ 37,050
Beginning Fund Balance	\$ 57,040	\$ 97,687	\$ 87,403
Total Available Funds	\$ 110,234	\$ 119,931	\$ 124,450

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

General Fund	FY 2018 Actual	FY 2019 Estimated	FY 2020 Proposed
General Government	\$ 1,639,700	\$ 112,800	\$ 73,469
Administration	\$ -	\$ 1,857,900	\$ 1,127,922
Finance	\$ 169,548	\$ 169,080	\$ 135,391
Planning and Zoning	\$ 227,895	\$ 423,287	\$ 325,766
Municipal Court	\$ 123,753	\$ 171,492	\$ 186,900
Police Department	\$ 1,477,572	\$ 1,633,850	\$ 1,775,980
Fire Department	\$ 904,516	\$ 1,366,500	\$ 1,518,970
Public Works	\$ 518,896	\$ 1,046,036	\$ 778,687
Debt Service	\$ 212,398	\$ 213,000	\$ 217,000
-	\$ -	\$ -	\$ -
-	\$ -	\$ -	\$ -
-	\$ -	\$ -	\$ -
Total Appropriations	\$ 5,274,278	\$ 7,030,445	\$ 6,150,085
Surplus/(Deficit)	\$ 942,929	\$ (828,845)	\$ (350,985)
Other Financial Sources (Uses): Transfer In (Drug & Facilities Funds)	\$ -	\$ -	\$ -
Ending Fund Balance	\$ 3,107,074	\$ 2,278,229	\$ 1,927,244

State Street Aid	FY 2018 Actual	FY 2019 Estimated	FY 2020 Proposed
Public Works	\$ 70,551	\$ 382,365	\$ 295,000
Debt Service	\$ 38,590	\$ 38,806	\$ 40,000
General Government	\$ -	\$ -	\$ -
Total Appropriations	\$ 272,590	\$ 421,171	\$ 440,500
Surplus/(Deficit)	\$ -	\$ -	\$ -
Ending Fund Balance	\$ 352,921	\$ 191,000	\$ 10,750

Drug Fund	FY 2018 Actual	FY 2019 Estimated	FY 2020 Proposed
Police Department	\$ 15,004	\$ 32,528	\$ 114,500
Total Appropriations	\$ 19,000	\$ -	\$ 114,500
Surplus/(Deficit)	\$ 38,190	\$ -	\$ -
Ending Fund Balance	\$ 97,687	\$ 87,403	\$ 9,550

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

General Fund	\$ 1,927,244
State Street Aid	\$ 10,750
Drug Fund	\$ 9,550

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	\$ 66,581	N/A	\$ 2,570,000
Notes			N/A	
Capital Leases			N/A	
Other Debt			N/A	

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

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

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

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

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

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

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

it will file this AMENDED annual operating and capital budget ordinance and supporting documents with the Comptroller of the Treasury or Comptroller's Designee.

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

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

SECTION 13: This ordinance shall take effect June 6, 2019, the public welfare requiring it.

John Blade, Mayor

Brandy Johnson, City Recorder

APPROVED AS TO FORM:

City Attorney

Budget Passed First Reading: _____

Budget Passed Second Reading: _____

Budget Public Hearing Held on: _____