

**CITY OF FAIRVIEW
BOARD OF COMMISSIONERS**

JUNE 18, 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 11A
- 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 June 4, 2020, Board of Commissioners Meeting
 - B. Second and Final Reading of 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
 - C. Second and Final Reading of Ordinance 2020-16, An Ordinance to Amend City of Fairview, Tennessee, Municipal Code, Title 7, Chapter 5, Section 7-503(b) and to Create Section 7-503(c)
- 10. Old Business**
- 11. New Business**
 - A. Resolution 13-20, A Resolution to Annex Certain Territory Upon Written Consent of the Owners and to Incorporate the Same Within the Boundaries of the City of Fairview, Tennessee (7426 Horn Tavern Road, Owners: Thomas & Kristin Varden)
 - B. Open Board Seats
 - C. Resolution 15-20, 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 (7322 Valley Road, owners: Richard L. and Larawn S. Rhea, 50.83 acres)
 - D. Ordinance 2020-14, An Ordinance to Amend the Zoning Ordinance of the City of Fairview, Tennessee, by Rezoning 5.09 Acres of Property, Located on Northwest Highway, Williamson County Tax Map 021, Parcel 023.04, From RS-40 Single Family (Low-Density) Residential, to CG, Commercial General District (7361 Northwest Highway, owner: Bryan Everett)
- 12. Communications from the Mayor and Commissioners**
 - A. Commissioner
 - B. Commissioner
 - C. Commissioner
 - D. Vice Mayor
 - E. Mayor
- 13. Adjournment**

ORDINANCE No. 2020-13

9B

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

	FY 2018 Actual	FY 2019 Estimated	FY 2020 Proposed
State Street Aid			
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

	FY 2018 Actual	FY 2019 Estimated	FY 2020 Proposed
Drug Fund			
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:

	FY 2018 Actual	FY 2019 Estimated	FY 2020 Proposed
General Fund			
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: June 4

Budget Passed Second Reading: _____

~~**Budget Public Hearing Held on:** _____~~

City of Fairview

ORDINANCE NO. 2020-16

9C

AN ORDINANCE TO AMEND CITY OF FAIRVIEW, TENNESSEE, MUNICIPAL CODE, TITLE 7, CHAPTER 5, SECTION 7-503(b) AND TO CREATE SECTION 7-503(c).

WHEREAS, the Board of Commissioners of the City of Fairview, Tennessee, has determined that the Municipal Code of the City of Fairview, Tennessee, should be revised by amending Title 7, Chapter 5, Section 7-503(b) and by creating Title 7, Chapter 5, Section 7-503(c), and

WHEREAS, Section 7-503(b) entitled Tax Exempt Status currently reads as follows: "Proof of valid Internal Revenue Service 501-C(3) tax exempt status shall be required for any person and/or entity proposing to sell fireworks. The City of Fairview shall issue no permit for the sale of fireworks unless the applicant has first provided documentation that it is a registered non-profit organization.", and

WHEREAS, Section 7-503(c) has not yet been created, and

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

The Fairview, Tennessee, Municipal Code, Title 7, Chapter 5, Section 7-503(B) is hereby amended to read as follows:

"Proof of valid Internal Revenue Service 501-C(3) tax exempt status shall be required for any person and/or entity proposing to sell fireworks. The City of Fairview shall issue no permit for the sale of fireworks unless the applicant has first provided documentation that it is a registered non-profit organization and that it has provided proof of providing non-profit community services to City of Fairview residents within the City of Fairview corporate limits." and,

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

The Fairview, Tennessee, Municipal Code, Title 7, Chapter 5, Section 7-503(c) is hereby created and shall read as follows:

7-503(c). Proof of Insurance. Proof of insurance sufficient to insure the 501-C(3) for the transport, storage, sale and disposal of the maximum amount of fireworks intended to be transported into, stored in, sold in or otherwise disposed of within the corporate limits of the City of Fairview must be provided to the city at the time of permit application and said insurance is required to be in effect for the duration of any issued fireworks sales permit.

MAYOR

CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

Passed First Reading

Passed Second Reading

RESOLUTION 13-20



**A RESOLUTION TO ANNEX CERTAIN TERRITORY UPON WRITTEN CONSENT
OF THE OWNERS AND TO INCORPORATE THE SAME WITHIN THE
BOUNDARIES OF THE CITY OF FAIRVIEW, TENNESSEE**

Tax Map 21, Parcel 35.00

7426 Horn Tavern Road

Owner: Thomas & Kristin Varden

Agent: Randy Chapdelaine

2.66 Acres

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; and

WHEREAS, the owners of all property within the territory proposed for annexation have given their written consent by notarized petition so that a referendum is not required; and

WHEREAS, a copy of this Resolution, describing the territory proposed for annexation, was promptly sent by the City of Fairview to the last known address listed in the office of the 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 by owner consent; and

WHEREAS, this Resolution was also 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; and

WHEREAS, a Plan of Services for the area proposed for annexation is included as Section 1 hereto, which Plan of Services addresses the same services and timing of services as required in Tennessee Code Annotated § 6-51-102; and

WHEREAS, the proposed annexation and Plan of Services were submitted to the Fairview Planning Commission for study, and it has recommended the same; and

WHEREAS, notice of the time, place and purpose of a public hearing on the proposed annexation and the Plan of Services was 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; and

WHEREAS, a public hearing on the proposed annexation and Plan of Services was held by the governing body on the 18th day of June, 2020.

**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.

SECTION 2: LOCATION MAP



SECTION 3: LEGAL DESCRIPTION

Being a tract of land as shown on property map 21, assessor's office, and lying wholly within the 1st civil district of Williamson County, Fairview, Tennessee. Bounded in general by Horn Tavern Road on the South; Jimmy Hudgins on the West; Mickey Edward Varden remainder on the North; and Michael E. Clowers on the East, more particularly described as follows:

Beginning at an existing iron pin "Chapdelaine" (N 611617.87 E 1630834.90) on the North side of Horn Tavern Road (25' from the center), and being the

Southeast corner of Jimmy Hudgins (ref. deed book 4452 page 382 R.O.W.C. – property map 21 parcel 34); thence with Hudgins' East line North 20 degrees 25' 16" East 475.74' to an iron pin set, being the Southwest corner of Mickey Edward Varden Remainder; thence with the South line of the Remainder South 67 degrees 13' 21" E, passing the West boundary line of a 50' ingress-egress and utility easement described below at 187.40', in all 237.44' to an iron pin set, in the West line of Michael E. Clowers (ref. deed book 6620 page 386 R.O.W.C. – property map 21 parcel 36); thence with Clowers' West line, and in the East line of the aforementioned 50' ingress-egress and utility easement South 20 degrees 25' 07" West 501.72' to an existing iron pin "Chapdelaine" on the North side of Horn Tavern Road; thence with the North side of Horn Tavern Road North 61 degrees 00' 48" West, passing the West boundary line of the aforementioned 50' ingress-egress and utility easement at 50.56', in all 239.94' to the point of beginning, containing 2.66 acres, more or less, and being a portion of the Mickey Edward Varden property as recorded in deed book 5238 page 106, register's office, according to a survey by Randolph L. Chapdelaine R.L.S. #1444, 7376 Walker Road, Fairview, Tennessee 37062, and dated February 28, 2020.

The above tract is subject to all easements, restrictions, covenants of record, and to the findings of a title report.

The above tract is subject to a 50' ingress-egress and utility easement and in favor of Mickey Edward Varden remainder, (ref. deed book 5238 page 106 R.O.W.C., described as follows:

Beginning at existing iron pin "Chapdelaine", the Southeast corner of the above described 2.66 acre tract, on the North side of Horn Tavern Road; thence with the North side of Horn Tavern Road North 61 degrees 00' 48" West 50.56' to a point; thence leaving said road North 20 degrees 25' 50" East 496.24' to a point in the South line of the Mickey Edward Varden remainder; thence with the South line of the Mickey Edward Varden remainder South 67 degrees 13' 21" East 50.04' to an iron pin set, being the Northeast corner of the above described 2.66 acre tract, in the West line of Michael E. Clowers (ref. deed book 6620 page 386 R.O.W.C. – property map 21 parcel 36); thence with Clowers' West line South 20 degrees 25' 07" West 501.72' to the beginning.

Being a portion of the property conveyed to Mickey Edward Varden and wife, Angela Jeanine Varden as to 40% undivided interest from Charlene Varden (AKA Charline Varden) by Warranty Deed dated September 30, 2010, and being of record in Book 5238, Page 106 Register's Office of Williamson County, Tennessee and being a portion of the same property conveyed to Mickey Edward Varden and wife, Angela Jeanine Varden as to a 60% undivided interest from Charlene Varden (AKA Charline Varden) by Warranty Deed dated September 30, 2010, and being recorded of record on January 4, 2011 in Book 5154, Page 889 Register's Office of Williamson County, Tennessee.

This unimproved property known as: 7426 Horn Tavern Road, Fairview, Tennessee, 37062.

- A. That the City Recorder will cause a copy of this Resolution to be forwarded to the Mayor of Williamson County including the Plan of Services.

- B. That a copy of this Resolution shall be recorded with the Williamson County Register of Deeds, and a copy shall also be sent to the Tennessee Comptroller of the Treasury and the Williamson County Assessor of Property.
- C. That a copy of this Resolution, as well as the portion of the Plan of Services related to emergency services and a detailed map of the annexed area, shall be sent to any affected emergency communication district following certification by the election commission that the annexation was approved.

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:

City Attorney

This Resolution Considered by the City of Fairview, Tennessee Municipal Planning Commission this 12th day of May, 2020.

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

Aye 9, Nay 0, Not voting 0.

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 x , Disapproval _____, No Recommendation _____.

City of Fairview, Tennessee, Municipal Planning Commission this the 12th day of May, 2020.

Chairman



CITY OF FAIRVIEW

EXPIRING BOARD SEATS
AS OF 6-30-2020

10B

PLANNING COMMISSION:

- 3 Citizen seats expiring 6-30-2020
 - a. Brandon Butler (seeking re-appointment)
 - b. Sam Cali (seeking re-appointment)
 - c. Mike Anderson (seeking re-appointment)
- 1 Unfilled seat expiring 6-30-2021 (no applicants as of 6/11/2020)

BOARD OF ZONING APPEALS:

- 2 Citizen seats expiring 6-30-2020
 - a. Ricky Campbell (no word as of 6/11/2020)

PARKS AND LANDSCAPE BOARD:

- 1 Citizen seat expiring 6-30-2020
 - a. Neil Rice (seeking re-appointment)
 - b. Megan Grimaldi (no word as of 6/11/2020)

10C

RESOLUTION 15-20

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 69, Parcel 82.00
7322 Valley Road
Owner: Richard L. and Larawn S. Rhea
50.83 Acres**

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 July 16, 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 Richard L. and wife, Larawn S. Shea, as evidenced in book 4432, page 592 and book 4193, page 804, 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:

Police

Patrolling, radio response to calls, and other routine police services, using present personnel and equipment, will be provided on the effective date of annexation.

Fire

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.

Water

1. Water for domestic, commercial, and industrial use may 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 may 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.
3. Any private domestic, commercial, and industrial water sources shall be maintained by the land-owner and shall be constructed to meet the terms and standards for the Williamson County and the State of Tennessee.

Sanitary Sewers

Sanitary Sewer Service may 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.

Where Sanitary Sewer Service is not provided, an individual sewage disposal system shall be required for residential and non-residential occupied structures. If public sewer facilities are not available and individual disposal systems are proposed, the individual disposal system, including the size of the septic tank and size of the tile fields or other secondary treatment device shall be approved by the County Health Department.

Refuse Collection

Private haulers or the county convenience center will handle refuse collection in the annexed area.

Streets

1. 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.

Schools

The annexed area will be served by the Williamson County School system that serves the entire City of Fairview, Tennessee.

Inspection Services

Any inspection services now provided by the City will begin in the annexed area on the effective date of annexation.

Planning and Zoning

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.

Public Works

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.

Street Lighting

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

Recreation

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

Miscellaneous

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 8, Nay 0, Not voting 0.

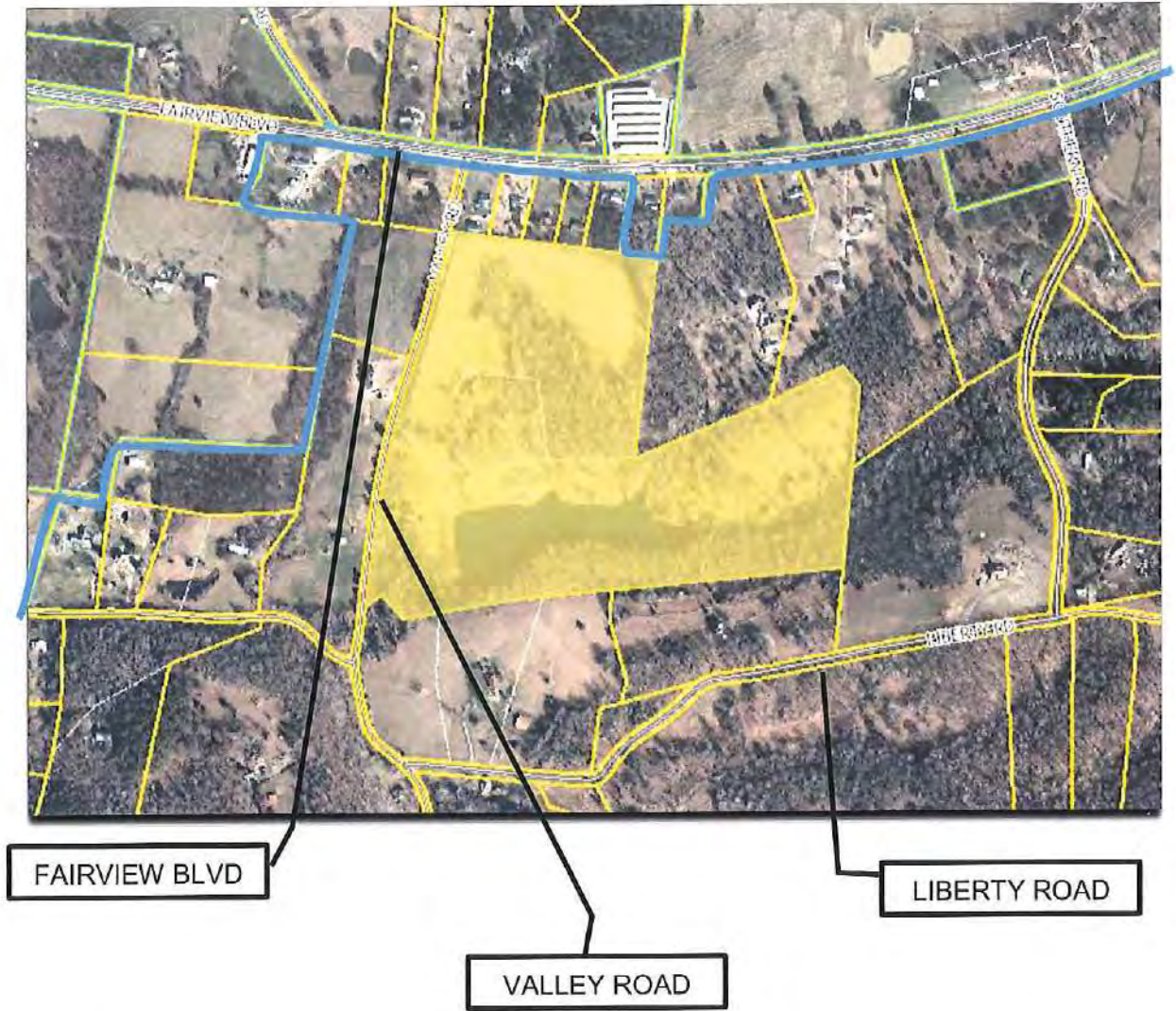
This Resolution was returned to the City of Fairview, Tennessee Board of Commissioners with a Recommendation from the City of Fairview, Tennessee Municipal Planning Commission for Approval ✓, Disapproval _____, No Recommendation _____.

City of Fairview, Tennessee, Municipal Planning Commission this the 9th day of June, 2020.



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:

City Attorney

CITY OF FAIRVIEW

MUNICIPAL PLANNING COMMISSION

Brandon Butler, Chairman
Mike Anderson, Vice Chair
Daniel Jenkins, 1st Secretary
Salvatore Cali, 2nd Secretary

John Blade, Mayor
Derek Burks, Commissioner
Sheree Qualls
Hayley Schulist

Date: June 9, 2020

To: Fairview Board of Commissioners

Re: Fairview Municipal Planning Commission Action

RECOMMENDATION

2020-3

1. Recommendation on a Proposed Plan of Services to Accompany Resolution 15-20, a Resolution Calling for a Public Hearing on the Proposed Annexation of Territory into the City of Fairview by Owner Consent (Richard L. and Larawn S. Rhea) and Approving a Plan of Services (7322 Valley Road, known as Tax Map 069, Parcel 82.00, 50.83 Acres).

Derek Burks made a motion to send a favorable recommendation to the Board of Commissioners, which was seconded by Sheree Qualls. All were in favor.

2. Rezoning of Property Requested by Owner, Bryan Everett. Property Located on Northwest Highway (Tax Map 021, Parcel 023.04), 5.09 Acres. Current Zoning District: RS-40 (Low-Density Single Family Residential); Requested Zoning District: CG (Commercial General).

Sheree Qualls made a motion to send a favorable recommendation to the Board of Commissioners, which was seconded by Mike Anderson. All except Blade were in favor.

100

ORDINANCE #2020-14

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF FAIRVIEW, BY REZONING 5.09 ACRES OF PROPERTY, LOCATED ON NORTHWEST HIGHWAY, WILLIAMSON COUNTY TAX MAP 021, PARCEL 023.04, FROM RS-40, SINGLE FAMILY (LOW-DENSITY) RESIDENTIAL, TO CG, COMMERCIAL GENERAL DISTRICT

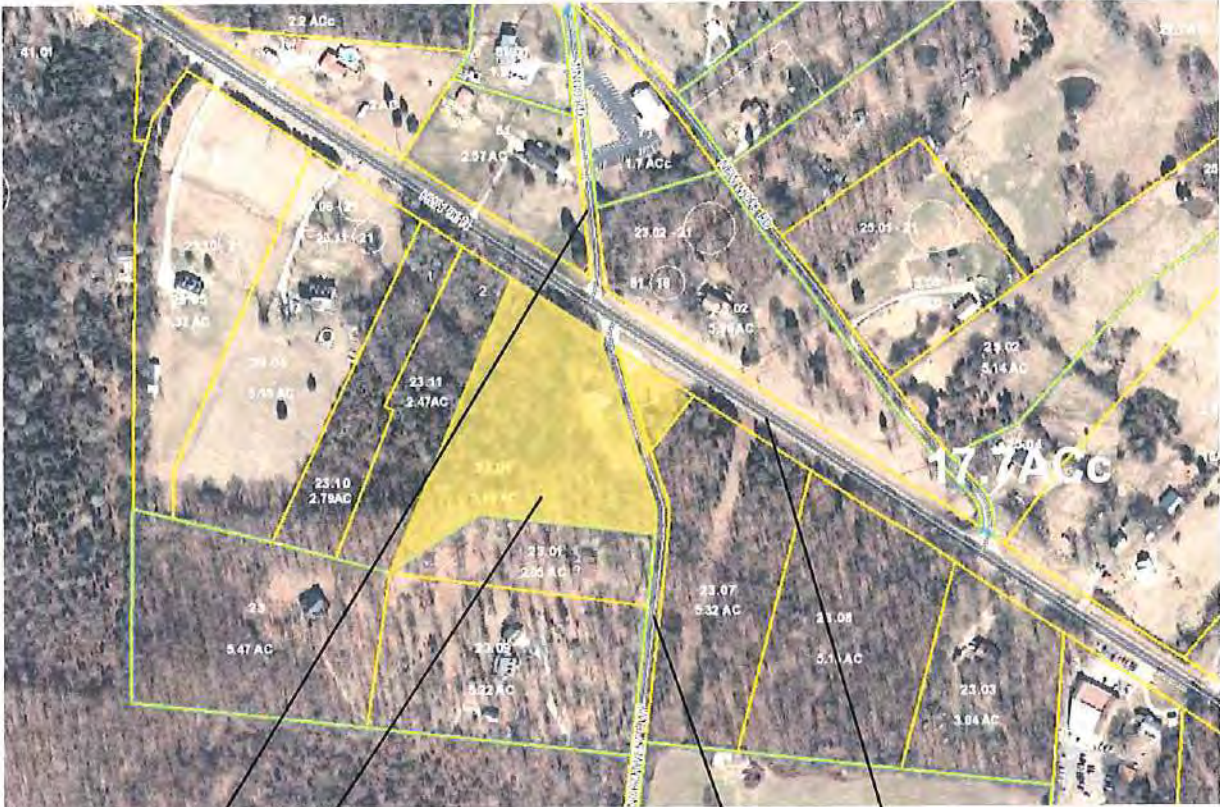
WHEREAS, the city of Fairview Zoning Ordinance, and the zoning maps therein adopted be, and the same are hereby amended by rezoning the property herein described as 5.09 acres of property located on Northwest Highway, Williamson County Tax Map 021, Parcel 023.04, from RS-40, Single Family (Low-Density) Residential, to CG, Commercial General District, as requested by owner Bryan Everett; and

WHEREAS, said portion of property to be rezoned from RS-40 to CG 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 June 9, 2020, with a recommendation for approval without conditions; and

WHEREAS, that all Ordinances or parts of Ordinances in conflict with are hereby repealed.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FAIRVIEW, TENNESSEE, BOARD OF COMMISSIONERS, to amend the zoning ordinance of the city of Fairview, by rezoning 5 acres of property, located on Northwest Highway, Williamson County Tax Map 021, Parcel 023.04, from RS-40, Single Family (Low-Density) Residential, to CG, Commercial General District, the public welfare requiring it. The rezoning of this site shall be subject to all City ordinances and regulations.



Jingo Road

Highway 96 N

Re-zone 5.09 acres
 Map 021
 Parcel 023.04
 Northwest Highway

Northwest
 Highway

Approved by the Board of Commissioners:

John Blade, Mayor

ATTEST:

Brandy Johnson, City Recorder

LEGAL FORM APPROVED:

City Attorney

First Reading: _____

Public Hearing Held: _____

Second Reading: _____

Published in the Fairview Observer on

CITY OF FAIRVIEW

MUNICIPAL PLANNING COMMISSION

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Mike Anderson, Vice Chair
Daniel Jenkins, 1st Secretary
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