

**CITY OF FAIRVIEW**  
**BOARD OF COMMISSIONERS**

**JULY 11, 2019**

**7:00 P.M.**

**AGENDA**

- 1. Roll Call**
- 2. Call to Order**
- 3. Prayer and Pledge**
- 4. Approval of Agenda and Executive Session Announcements**
- 5. Public Hearing(s)**
- 6. Citizen Comments (Limited to the first 5 citizens to sign in and a limit of 3 minutes each)**
- 7. Public Announcements, Awards and Recognitions**
- 8. Staff Comments and Monthly Reports**
  - A. Police Chief**
  - B. Fire Chief**
  - C. Public Works**
- 9. Consent Agenda (Any Item May be Removed for Individual Consideration)**
  - A. Minutes from the June 20, 2019 Board of Commissioners Meeting**
  - B. Minutes from the June 20, 2019 Board of Commissioners Work Session**
  - C. Second and Final Reading of Ordinance 2019-16, An Ordinance to Amend the City of Fairview Municipal Code, Title 5, Section 8, Entitled "Hotel/Motel Tax"**
- 10. Old Business**
- 12. New Business**
  - A. Ordinance 2019-17, Revised Fee Schedule**
  - B. Resolution 20-19, Acceptance of Heartland Reserve Infrastructure**
  - C. Release of Maintenance Bond for Heartland Reserve**
  - D. Resolution 21-19, Acceptance of Kyles Creek Phase 2, Section 1 Infrastructure**
  - E. Release of Maintenance Bond for Kyles Creek**
- 12. Communications from the Mayor and Commissioners**
  - A. Commissioner**
  - B. Commissioner**
  - C. Commissioner**
  - D. Vice Mayor**
  - E. Mayor**
- 13. Adjournment**

9C

**AN ORDINANCE TO AMEND TITLE 5, CHAPTER 8, SECTION 5-802  
ENTITLED "PRIVILEGE TAX LEVIED: USE".**

**WHEREAS**, Title 5, Chapter 8, Sections 5-802 (1) and (2) of the City of Fairview Municipal Code read as follows:

(1) Pursuant to the provisions of Tennessee Code Annotated, 67-4-1401 through 67-4-1425 and 67-4-1425, as amended by Public Acts of 2003, Chapter No. 370, Senate Bill No. 1665, substituted for House Bill No 979, and passed on May 29, 2003, and signed by the governor on June 17, 2003, there is hereby levied a privilege of occupancy tax in any hotel of each transient, from and after the operative date of this chapter. The rate of the levy shall be two percent (2%) of the consideration charged by the operator. This privilege tax shall be collected pursuant to and subject to the provisions of these statutory provisions. The city manager shall be designated as the authorized collector to administer and enforce this chapter and these statutory provisions.

(2) The proceeds received from this tax shall be available for the city's general fund. Proceeds of this tax may not be used to provide a subsidy in any form to any hotel or motel.

And,

**WHEREAS**, the City of Fairview desires to amend these sections to ensure that regionally equitable revenues are collected from this privilege tax and that this revenue is put to the highest and best use.

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

**BE IT ORDAINED**, that Title 5, Chapter 8, Sections 5-802 (1) and (2) of the City of Fairview Municipal Code are hereby amended to read as follows:

(1) Pursuant to the provisions of Tennessee Code Annotated, 67-4-1401 through 67-4-1425 and 67-4-1425, as amended by Public Acts of 2003, Chapter No. 370, Senate Bill No. 1665, substituted for House Bill No 979, and passed on May 29, 2003, and signed by the governor on June 17, 2003, there is hereby levied a privilege of occupancy tax in any hotel of each transient, from and after the operative date of this chapter. The rate of the levy shall be five percent (5%) of the consideration charged by the operator. This privilege tax shall be collected pursuant to and subject to the provisions of these statutory provisions. The city manager shall be designated as the authorized collector to administer and enforce this chapter and these statutory provisions.

(2) The proceeds received from this tax shall be deposited into and available to the city's general fund unless designated or directed otherwise by any subsequent City of Fairview municipal ordinance or resolution.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY RECORDER

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

Passed First Reading

June 20, 2019

Passed Second Reading

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RESOLUTION NO. 20-19

12B

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF FAIRVIEW, TENNESSEE, TO  
FORMALLY ACCEPT THE SUBDIVISION IMPROVEMENTS ASSOCIATED WITH  
HEARTLAND RESERVE SUBDIVISION.

WHEREAS, the City of Fairview Municipal Planning Commission approved the final plat for the Heartland Reserve Subdivision, on behalf of Mike Blackmer (developer); and

WHEREAS, Mike Blackmer (developer) has completed the subdivision improvements associated with Heartland Reserve Subdivision, as required and shown on the approved final plat as referenced above and recorded in Plat Book 55, Page 32 (Section 1), Plat Book 59, Page 82 (Section 2), Plat Book 62, Page 17 (Section 3) and Plat Book 64, Page 114 (Section 4); and

WHEREAS, the City of Fairview has received the as-built drawings for the Heartland Reserve Subdivision, as required in Article 3-105 of the Subdivision Regulations of the City of Fairview; and

WHEREAS, the engineer for the City of Fairview has inspected the subdivision improvements and has determined that said improvements have been constructed in substantial compliance with the approved improvement plans and as reflected on the as-built drawings for Heartland Reserve Subdivision; and

WHEREAS, the Municipal Planning Commission of the City of Fairview made a favorable recommendation to the Board of Commissioners at the June 11, 2019, Planning Commission meeting to accept the Heartland Reserve Subdivision;

NOW, THEREFORE, the Board of Commissioners of the City of Fairview hereby resolves as follows:

- a) The Subdivision Improvements associated with Heartland Reserve Subdivision, as shown on the final plat and recorded in Plat Book 55, Page 32 (Section 1), Plat Book 59, Page 82 (Section 2), Plat Book 62, Page 17 (Section 3) and Plat Book 64, Page 114 (Section 4), with the Williamson County Register of Deeds have been accepted for public maintenance, including sidewalks, streets, and stormwater management systems; and
- b) In accordance with the Heartland Reserve Subdivision, final plat, all easements, sidewalks, streets, including Triple Crown Lane and Affirmed Court, and stormwater management systems within the project boundaries shown on the plat as dedicated to public use are accepted; and
- c) The performance bond required by the Subdivision Development Agreement for the construction of the public improvements associated with Heartland Reserve Subdivision,

may be released and replaced with a one-year maintenance bond in accordance with the Subdivision Regulations of the City of Fairview.

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Date Approved

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Mayor

Attest:

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City Recorder

Approved As To Form:

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City Attorney

RESOLUTION NO. 21-19



A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF FAIRVIEW, TENNESSEE, TO  
FORMALLY ACCEPT THE SUBDIVISION IMPROVEMENTS ASSOCIATED WITH  
KYLES CREEK SUBDIVISION, PHASE 2, SECTION 1.

WHEREAS, the City of Fairview Municipal Planning Commission approved the final plat for the Kyles Creek Subdivision, on behalf of Marlon Cunningham (developer); and

WHEREAS, Marlon Cunningham (developer) has completed the subdivision improvements associated with Kyles Creek Subdivision, Phase 2, Section 1, as required and shown on the approved final plat as referenced above and recorded in Plat Book 59, Page 72; and

WHEREAS, the City of Fairview has received the as-built drawings for the Kyles Creek Subdivision, Phase 2, Section 1, as required in Article 3-105 of the Subdivision Regulations of the City of Fairview; and

WHEREAS, the engineer for the City of Fairview has inspected the subdivision improvements and has determined that said improvements have been constructed in substantial compliance with the approved improvement plans and as reflected on the as-built drawings for Kyles Creek Subdivision, Phase 2, Section 1; and

WHEREAS, the Municipal Planning Commission of the City of Fairview made a favorable recommendation to the Board of Commissioners at the June 11, 2019, Planning Commission meeting to accept the Kyles Creek Subdivision, Phase 2, Section 1;

NOW, THEREFORE, the Board of Commissioners of the City of Fairview hereby resolves as follows:

- a) The Subdivision Improvements associated with Kyles Creek Subdivision, Phase 2, Section 1, as shown on the final plat and recorded in Plat Book 59 Page 72 with the Williamson County Register of Deeds have been accepted for public maintenance, including sidewalks, streets, and stormwater management systems; and
- b) In accordance with the Kyles Creek Subdivision, Phase 2, Section 1, final plat, all easements, sidewalks, streets, including Kyles Creek Drive, and stormwater management systems within the project boundaries shown on the plat as dedicated to public use are accepted; and
- c) The performance bond required by the Subdivision Development Agreement for the construction of the public improvements associated with Kyles Creek Subdivision, Phase 2, Section 1, may be released and replaced with a one-year maintenance bond in accordance with the Subdivision Regulations of the City of Fairview.

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Date Approved

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Mayor

Attest:

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City Recorder

Approved As To Form:

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City Attorney