

CITY OF FAIRVIEW
BOARD OF COMMISSIONERS
REGULAR MEETING AGENDA

JULY 15, 2021

7:00 P.M.

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. Planning Department Report, Micah Sullivan
 - B. Fire Department Report, Chief Scott Hughes
 - C. Police Department Report, Chief Zack Humphreys
 - D. City Manager Report, Scott Collins
9. **Consent Agenda** (Any Item May be Removed for Individual Consideration)
 - A. Minutes from Board of Commissioners Meeting July 1, 2021
 - B. Minutes from the Special Called Board of Commissioners Meeting June 28, 2021
 - C. Minutes from Board of Commissioners and Planning Commission Joint Work Session June 8, 2021
10. **Old Business**
 - A. Rezoning of Sullivan Property, Fairview Boulevard
 - (1) Public Hearing
 - (2) Second and Final Reading of Ordinance 2021-13, An Ordinance to Amend the Zoning Ordinance of the City of Fairview by Rezoning 37.14 Acres of Property Located at 2451 Fairview Boulevard, Williamson County, Tennessee, Tax Map 046, Part of Parcel 087.00, Owner: Estate of Laura Katherine Sullivan, Agent: Choteau Creek Holdings, LLC
 - B. Annexation and Zoning of Lampley Property, Northwest Highway
 - (1) Public Hearing
 - (2) Resolution 14-21, 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, with R-40 Single Family Residential Low-Density Zoning, 114 Acres, Map 021, Parcels 062.00 and 063.00, Property Owner: Northwest Cove LLC
 - C. Commercial Zoning Designations
 - (1) Public Hearing

- (2) Second and final reading of Ordinance 2021-15, An Ordinance to Amend Article 8 of the City's Zoning Ordinance for the Purpose of Establishing Defined Commercial Zoning Districts

11. New Business

- A. Resolution 15-21, A Resolution of the City of Fairview, Tennessee, to Install Traffic Calming and Control Devices within the City of Fairview
- B. Resolution 16-21, A Resolution Authorizing the Fire Department of Fairview, Tennessee to Participate in Public Entity Partner's "Safety Partners" Matching Grant Program

12. Communications from the Mayor and Commissioners

13. Meeting Adjournment

10A

ORDINANCE No. 2021-13

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF FAIRVIEW, TENNESSEE, BY REZONING 37.14 ACRES OF PROPERTY CONSISTING OF PART OF WILLIAMSON COUNTY TAX MAP 046, PART OF PARCEL 087.00 (2451 FAIRVIEW BOULEVARD), FROM CG (COMMERCIAL GENERAL) TO RM-12 MULTI-FAMILY RESIDENTIAL, PROPERTY OWNER: ESTATE OF LAURA KATHERINE SULLIVAN; AGENT: CHOTEAU CREEK HOLDINGS, LLC.

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 37.14 acres of property consisting of part of Williamson County tax map 046, part of parcel 087.00 (2451 Fairview Boulevard), from CG (Commercial General) to RM-12 multi-family residential, property owner: Estate of Laura Katherine Sullivan; Agent; Choteau Creek Holdings, LLC.; and

WHEREAS, said property to be rezoned from CG to RM-12 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 8, 2021, with a recommendation for approval without conditions; and

WHEREAS, that all ordinances or parts of ordinances in conflict are hereby repealed; and

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

The zoning ordinance of the City of Fairview, Tennessee, is hereby amended by rezoning 37.14 acres of property consisting of part of Williamson County tax map 046, part of parcel 087.00 (2451 Fairview Boulevard), from CG (Commercial General) to RM-12 multi-family residential, as requested by owner Estate of Laura Katherine Sullivan, the public welfare requiring it. The rezoning of this site shall be subject to all City of Fairview ordinances and regulations.



Fairview Boulevard

Dogwood Dr

Rezone 37.14 Acres
Current Zoning: CG
Requested Zoning: RM-12
2451 Fairview Boulevard
Map: 046
Part of Parcel: 087.00
Owner: Estate of Laura Katherine Sullivan
Agent: Choteau Creek Holdings, LLC

Approved by the Board of Commissioners:

Mayor

ATTESTED:

City Recorder

APPROVED AS TO FORM:

City Attorney

Passed 1st Reading: June 17, 2021

Public Hearing: July 15, 2021

Passed 2nd Reading: _____

Published for public notice on:

June 29, 2021

In:

**Fairview Observer
Publication**

CITY OF FAIRVIEW
RESOLUTION 14-21

710

10B

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, WITH R-40 SINGLE FAMILY RESIDENTIAL LOW-DENSITY ZONING, 114 ACRES, MAP 021, PARCELS 062.00 AND 063.00, PROPERTY OWNER: NORTHWEST COVE LLC

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 attached as *Exhibit A* 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 15th day of July, 2021.

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

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.

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.

Sanitary Sewers

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.

In the event connection to the Sanitary Sewer Service is not allowed by WADC, 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

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.

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.

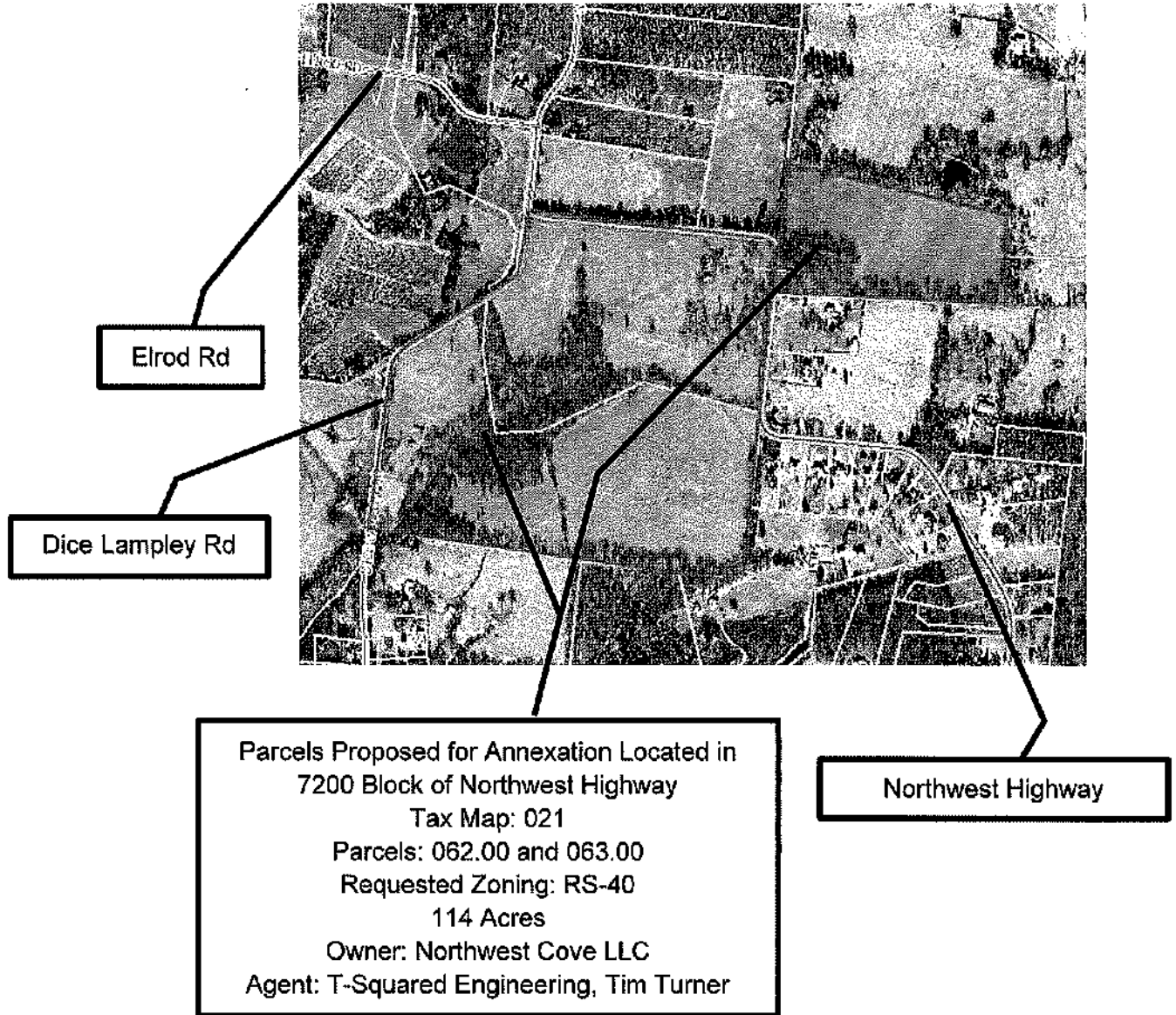
Recreation

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.

SECTION 2: LOCATION MAP



SECTION 3: LEGAL DESCRIPTION

A tract or tracts of land consisting of 114 acres in the first civil district of Williamson County, Tennessee and being part of the same property conveyed to Norman Milford Lampley, as evidenced in deed book 7313, page 41, in the register of deeds office of Williamson County, Tennessee.

- 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.

Approved by the City of Fairview Board of Commissioners this _____ day of _____, 2021.

Mayor, Debby Rainey

Attest:

City Recorder, Brandy Johnson

Approved as to Form and Legality:

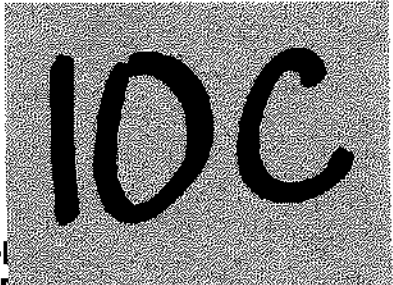
City Attorney

The Plan of Services for this Resolution Considered by the City of Fairview, Tennessee Municipal Planning Commission the 8th day of June, 2021.

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 x, Disapproval _____, No Recommendation _____.



ORDINANCE No. 2021-15

AN ORDINANCE TO AMEND ARTICLE 8 OF THE CITY'S ZONING ORDINANCE FOR THE PURPOSE OF ESTABLISHING DEFINED COMMERCIAL ZONING DISTRICTS.

WHEREAS, Section 8-104 of the city's zoning ordinance is entitled "Purposes and Intents of CG – Commercial-General Districts", and

WHEREAS, Section 8-104 and subsections 1(A)(B), 2(A)(B)(C), and 3(A)(B) have been determined to be overly broad and too overlapping to be effective, and

WHEREAS, amending this section and subsections to include more defined commercial zoning districts will provide a clear intent of use in commercial zones and be better suited for inclusion into a city land use map, and

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF FAIRVIEW, TENNESSEE, THAT THE CITY OF FAIRVIEW ZONING ORDINANCE IS HEREBY AMENDED AS FOLLOWS:

Section 8-104 is amended to be entitled "Purposes, Intents and Classifications of Commercial Zoning Districts" and this section paragraph is amended to read as follows:

"The commercial zoning districts identified in subsection 8-104(1) of this Section are fully separate from one another and are designed to identify and include like or similar commercial site uses. Any property or site that is annexed into the city limits to be used for commercial or retail activities or zoned, rezoned, or proposed for commercial or retail use, or that is used for commercial or retail activities not otherwise permitted within this ordinance, shall be zoned one (1) of the commercial zoning classifications identified in this section."

AND BE IT FURTHER ORDAINED, that Section 8-104(1) is here by amended to be entitled "Commercial Zoning Districts" and shall include and identify all separate commercial zoning districts; and

BE IT FURTHER ORDAINED, that the separate commercial zoning districts listed Section 8-104(1) shall be the city's individual commercial zoning districts and shall be identified as follows:

- C1: Restaurant
- Transient Habitation (Hotels, commercial extended stay, etc.)
- Retail Sales
- General Business and Communications
- Banking, Financial, Insurance, and Real Estate Services
- Health, Fitness and Same Day Medical Care Facilities

Professional Services
Indoor Entertainment and Amusement Services

- C2: Community Assembly
Religious Facilities
Health Care Facilities
Child Care Facilities
Administrative Services
Cultural and Recreational Facilities
Educational Facilities

- C3: Essential Public Transport, Communication and Utility Services
Outdoor Material and Equipment Sales and Repair
Warehousing, Goods, Transport and Storage
Wholesale Sales
Animal Care and Veterinary Services
Automotive and Marine Craft Sales, Service and Repair

- C4: Outdoor Entertainment and Amusement Services
Group Assembly and Commercial Outdoor Recreation

- C5: Extensive Impact Facilities
Intermediate Impact Facilities
Special Institutional Care Facilities
Special Personal and Group Care Facilities

- C6: Check Cashing and Cash Advance Enterprises
Tobacco Shops

- C7: Food Truck
Transient Restaurant and Food Services
Transient Retail

AND BE IT FURTHER ORDAINED, that Section 8-104(2) shall be entitled "Reserved" and subsections 8-104(2) A, B and C are hereby repealed; and

BE IT FURTHER ORDAINED, that Section 8-104(3) shall be entitled "Reserved" and subsections 8-104(3) A and B are hereby repealed.

Passed 1st Reading: June 3, 2021

Public Hearing: July 15, 2021

Passed 2nd Reading: _____

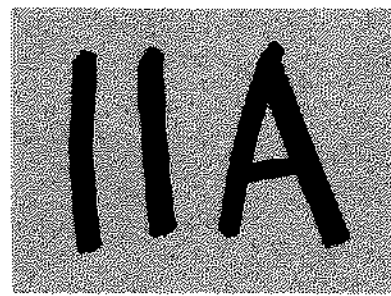
Mayor

ATTESTED:

City Clerk

APPROVED AS TO FORM:

City Attorney



CITY OF FAIRVIEW, TENNESSEE

RESOLUTION NO. 15-21

A RESOLUTION OF THE CITY OF FAIRVIEW, TENNESSEE, TO INSTALL TRAFFIC CALMING AND TRAFFIC CONTROL DEVICES WITHIN THE CITY OF FAIRVIEW.

WHEREAS, the City recognizes the need to make traffic flow improvements to certain of its interior streets, thru-streets, and connector roads, and

WHEREAS, the City also recognizes that the installation of traffic control and traffic calming devices in these certain areas is intended to improve the overall traffic management in these areas, and

WHEREAS, while not required to do so, the City did discuss these matters and issues at a public hearing on July 1, 2021, and

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 authorizes the city manager to install stop signs at the following intersections such that these intersections shall become three-way stops and shall be enforced as such pursuant to Title 15 of the City of Fairview Municipal Code:

- Kyles Creek Drive at Kerry Ct
- Kyles Creek Drive at Allens Ridge Lane
- Kyles Creek Drive at Hunter York Ct
- Horn Tavern Road at Cardinal Lane
- Horn Tavern Road at Hill Hughes Road
- Horn Tavern Road at Oak Tree Drive NE
- Dogwood Drive at White Oak Drive
- Dogwood Drive at Glenhaven Drive
- Dogwood Drive SW at White Oak Drive
- White Oak Drive SW at Dianne Drive
- Grammar Drive at Robinson Drive

AND, BE IT FURTHER RESOLVED, that pre-manufactured speed tables are hereby authorized to be installed in the following locations:

- White Oak Drive between Dogwood Drive and Dogwood Drive SW
- Grammar Drive between Cumberland Drive and Robinson Drive
- Grammar Drive between Robinson Drive and Dianne Drive

Approved this _____ day of _____, 2021.

Mayor

Attest:

City Recorder

Approved As To Form:

City Attorney

CITY OF FAIRVIEW, TENNESSEE

RESOLUTION NO. 16-21

11B

**A RESOLUTION AUTHORIZING THE FIRE DEPARTMENT OF
TENNESSEE TO PARTICIPATE IN PUBLIC ENTITY PARTNER'S
"SAFETY PARTNERS" MATCHING GRANT PROGRAM**

WHEREAS, the safety and well-being of the employees of the City of Fairview of Fairview, Tennessee is of the greatest importance; and,

WHEREAS, all efforts shall be made to provide a safe and hazard-free workplace for the City of Fairview, Tennessee Fire Department employees; and,

WHEREAS, Public Entity Partners seeks to encourage the establishment of a safe workplace by offering a "Safety Partners" Matching Grant Program; and,

WHEREAS, the City of Fairview, Tennessee Fire Department now seeks to participate in this important program; and,

WHEREAS, the Board of Commissioners of the City of Fairview, Tennessee supports the City of Fairview, Tennessee Fire Department in obtaining such grants.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the City of Fairview, Tennessee the following:

Section 1. That the City of Fairview, Tennessee Fire Department is hereby authorized to submit application for a "Safety Partners" Matching Grant Program through Public Entity Partners.

Section 2. That the City of Fairview, Tennessee is further authorized to provide a matching sum to serve as a match for any monies provided by this Grant.

Resolved this the _____ day of _____, 2021.

MAYOR DEBBY RAINEY

ATTEST:

CITY RECORDER

APPROVED AS TO FORM

CITY ATTORNEY