

PUBLIC NOTICE



WORKSHOP MEETING BOARD OF COMMISSIONERS

FAIRVIEW CITY HALL

**August 18, 2016
6:00 PM**

**To Discuss:
Status of General Operations of the City**

**CITY OF FAIRVIEW
BOARD OF COMMISSIONERS**

AUGUST 18, 2016

7:00 P.M.

AGENDA

1. **Call to order by Mayor Carroll**
 - A. Prayer and Pledge
2. **Approval of the Agenda**
3. **Citizen Comments (Limited to the first 5 citizens to sign in and a limit of 3 minutes each).**
4. **Awards and/or Recognitions**
5. **Public Announcements**
6. **Staff Comments**
7. **Approval of the Minutes (only needed if removed from consent agenda)**
8. **Consent Agenda Consisting of Items as Follows**
 - A. Approval of the Minutes from the August 4, 2016 Board of Commissioners Meeting
 - B. Second and Final Reading of Bill #2016-22, Ordinance No. 935, An Ordinance to Amend City of Fairview, Tennessee, Ordinance Chapter 3, Park Commission, Section 2-302 Membership, Subs (1) and (6)
 - C. Second and Final Reading of Bill #2016-23, Ordinance No. 936, An Ordinance to Amend City of Fairview, Tennessee, Municipal Code, Title 14, "Zoning and Land Use Control," Chapter 1, "Municipal Planning Commission," Section 14-101 "Creation and Membership."
9. **Old Business**
 - A. Discuss and/or Take Action on Expiring Board Seats - Carroll
 - (1) One Tree Commission Seat (Scott Tucker)
10. **New Business**
 - A. Discuss and/or Take Action on Bill #2016-25, Ordinance No. 939, An Ordinance for an Amendment to the City of Fairview, Tennessee, Budget for Fiscal Year 2016-2017 Budget (Mower) – Daugherty
11. **City Manager Items for Discussion**
 - A. Miscellaneous Updates
 - B. City Attorney Comments
12. **Communications from the Mayor and Commissioners**
13. **Adjournment**

8B

Bill # 2016-22

ORDINANCE NO. 935

**AN ORDINANCE TO AMEND CITY OF FAIRVIEW, TENNESSEE,
ORDINANCE CHAPTER 3, PARK COMMISSION, SECTION 2-302
MEMBERSHIP, SUBS (1) AND (6).**

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

WHEREAS, the Board of Commissioners of the City of Fairview, Tennessee, have determined that the Fairview Municipal Code, Park Commission should be revised by amending Section 2-302, "Membership," Subparagraphs (1) and (6) and that such an amendment will be in the best interest and welfare of all the citizens of the City of Fairview, Tennessee, said Municipal Code, Chapter, Section and Subparagraphs are hereby amended as follows:

**THEREFORE, BE IT ORDAINED, by the City of Fairview,
Tennessee as follows:**

Fairview, Municipal Code Chapter 3, Park Commission, Section 2-302 Membership, subparagraph (1), and Chapter 3, Park Commission, Section 2-302 Membership, subparagraph (6), as they currently read is as follows:

(1) Two (2) members from the Fairview, Tennessee, Board of Commissioners nominated by the Mayor of the City of Fairview, Tennessee and approved by a majority vote of the Board of Commissioners of the City of Fairview, Tennessee.

(6) One (1) member from the residents of the City of Fairview, Tennessee, at large. Said member is to be nominated by the Mayor of the City of Fairview, Tennessee and approved by a majority vote of the Board of Commissioners of the City of Fairview, Tennessee.

**THEREFORE BE IT ORDAINED, by City of Fairview,
Tennessee as follows:**

Fairview, Municipal Code Chapter 3, Park Commission, Section 2-302 Membership, subparagraph (1), and Chapter 3, Park Commission, Section 2-302 Membership, subparagraph (6), be amended to read as follows:

(1) One (1) member from the Fairview, Tennessee, Board of Commissioners nominated by the Mayor of the City of Fairview,

Tennessee and approved by a majority vote of the Board of Commissioners of the City of Fairview, Tennessee.

(6) Two (2) members from the residents of the City of Fairview, Tennessee, at large. Said members are to be nominated by the Mayor of the City of Fairview, Tennessee and approved by a majority vote of the Board of Commissioners of the City of Fairview, Tennessee.

BE IT FURTHER ORDAINED, that the remaining provisions of the City of Fairview, Tennessee, Municipal Code Chapter 3, Park Commission, Section 2-302, "Membership," shall remain unchanged.

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, that this Ordinance shall take effect fifteen (15) days after its first passage or upon second reading, whichever is later, the public welfare requiring it

MAYOR

CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

Passed First Reading

July 21, 2016

Passed Second Reading

8C

Bill # 2016-23

ORDINANCE NO. 936

AN ORDINANCE TO AMEND CITY OF FAIRVIEW, TENNESSEE, MUNICIPAL CODE, TITLE 14, "ZONING AND LAND USE CONTROL," CHAPTER 1, "MUNICIPAL PLANNING COMMISSION," SECTION 14 – 101 "CREATION AND MEMBERSHIP.

Be it Ordained by the City of Fairview, Tennessee as follows:

WHEREAS, the Board of Commissioners of the City of Fairview, Tennessee, have determined that the Municipal Code of the City of Fairview, Tennessee should be revised and that the best interest and welfare of all the citizens of the City of Fairview, Tennessee, will be served by amending the Fairview, Tennessee, Municipal Code, Title 14, Chapter 1, Section 14-101 as follows:

Therefore, Be It Ordained by the City of Fairview, Tennessee as follows:

Fairview, Tennessee Municipal Code, Title 14 "Zoning and Land Use Control". Chapter 1, "Municipal Planning Commission", Section 14 -101, "Creation and membership" As It currently reads is as follows:

14 - 101. Creation and membership. , Pursuant to the provisions of Tennessee Code Annotated, § 13-4-101 there is hereby created a municipal. planning commission, hereinafter referred to as the planning commission. The planning commission shall consist of nine (9) members; two (2) of these shall be the mayor or a person designated by the mayor, and another commissioner selected by the board of commissioners; the other seven (7) members shall be appointed by the board of commissioners. All members of the planning commission shall serve as such with their compensation to be set by resolution of the board of commissioners. Except for the initial appointments, the terms of the seven (7) members appointed by the board of commissioners shall be for three (3) years each. The seven (7) members first appointed shall be appointed for terms of one (1), two (2), three (3), four (4), five (5), six (6) and seven (7) years respectively so that the terms of members expire each year. The terms of the mayor and the commissioner selected by the board of commissioners shall run concurrently with their terms of office. Any vacancy in an appointive membership shall be filled for the unexpired term by the board of commissioners, which shall also have the authority to remove any appointive member at its will and pleasure. (1973 Code, § 11-101, as amended by Ord. #589, Sept. 2004, Ord. # 661, Mar. 2007).

THEREFORE BE IT ORDAINED, by the Fairview Board of Commissioners that the Fairview Municipal Code, be amended to include this Ordinance as amended to read as follows:

14 - 101. Creation and membership. , Pursuant to the provisions of Tennessee Code Annotated, § 13-4-101 there is hereby created a municipal planning commission, hereinafter referred to as the planning commission. The planning commission shall consist of nine (9) members; two (2) of these shall be the mayor or a person designated by the mayor, and another commissioner selected by the board of commissioners; the other seven (7) members shall be appointed by the board of commissioners. All members of the planning commission shall serve as such with their compensation to be set by resolution of the board of commissioners. Except for the initial appointments, the terms of the seven (7) members appointed by the board of commissioners shall be for three (3) years each. The seven (7) members first appointed shall be appointed for terms of one (1), two (2), three (3), four (4), five (5), six (6) and seven (7) years respectively so that the terms of members expire each year. The terms of the mayor and the commissioner selected by the board of commissioners shall run concurrently with their terms of office. Any vacancy in an appointive membership shall be filled for the unexpired term by the board of commissioners, which shall also have the authority to remove any appointive member at its will and pleasure.

The Board of Commissioners shall also appoint two (2) additional auxiliary members designated as auxiliary member numbers one (1) and two (2). The auxiliary members shall be permitted to sit as a regular member of the Planning Commission at any time a regular Planning Commission Member is absent from any Planning Commission meeting. If more than one regular member of the Planning commission is absent from a Planning Commission meeting then both auxiliary members shall sit as regular Planning Commission Members. If only one Planning Commission member is absent from any Planning Commission meeting the auxiliary members shall sit as a regular member of the Planning Commission with auxiliary member number 1 sitting first and the two auxiliary members shall rotate sitting as regular member of the Planning Commission from that date forward. The auxiliary member(s) who sits for an absent regular Planning Commission shall receive the compensation the regular Planning Commission member(s) would have received had he or she been present for the meeting missed by that regular Planning Commission member(s). The auxiliary members shall receive no other compensation for their services other than as stated herein.

The terms of the auxiliary members shall be three (3) years from their initial date of appointment at which time they may be reappointed by the Board of Commissioners at the sole and exclusive desire of the Board of Commissioners. Any vacancy in an appointed auxiliary membership shall be filled for the unexpired term of that auxiliary member by the board of commissioners, which shall also have the authority to remove any appointive auxiliary member at its will and pleasure.

While the purpose of the appointing of the auxiliary members is to provide training and experience so that a better more experienced source for future Planning Commission members will be available, any vacancies that occur in the regular Planning Commission Board shall be filled as outlined in this Ordinance and City of Fairview policies for the staffing of all Boards and or Commission shall be followed with no preference given or taken away from any appointed auxiliary members.

The auxiliary members shall be non-voting auxiliary members who may fully participate in all discussions, ask questions and participate in and all the debate on any issue. Said members shall not be permitted to make motions or vote on the issues except as detailed in this Ordinance. The auxiliary members shall be allowed to fully participate as any other Planning Commission Member(s) including making motion(s) and vote upon the issue(s) under the following circumstances to the full extent of any member of the Planning Commission. When due to the absence of the regular member(s) of the Planning Commission, the auxiliary member is sitting on the Planning Commission for the absent regular member(s) of the Planning Commission.

(1973 Code, § 11-101, as amended by Ord. #589, Sept. 2004, Ord. # 661, Mar. 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, that this Ordinance shall take effect fifteen days (15) days after its first passage or upon second reading, whichever is later, the public welfare requiring it.

MAYOR

CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

Passed First Reading

July 21, 2016

Passed Second Reading

9A

CITY OF FAIRVIEW
TREE COMMISSION
APPLICATION

- The Tree Commission for the City of Fairview consists of seven (7) members.
- All members of the Tree Commission serve without compensation.
- Four members will be appointed by the Mayor with approval of the Board of Commissioners. One shall be a local contractor/developer.
- The Mayor, Vice-Mayor and Planning Commission Chairperson shall serve as the other three members.
- The Tree Commission meets the first Tuesday of each month at 7:00 p.m. at City Hall.
- Term of office is three (3) years.
- Please attach proof of city residency and voter registration.

Community involvement or any information you would like to share with the Board:

Member of Commerce
Industrial Development Board

Name: *Scott Luck* Date: *08-08-2016*

Address: _____ Telephone: _____

10A

Bill # 2016-24

ORDINANCE NO. 938

**AN ORDINANCE FOR AN AMENDMENT TO THE CITY OF FAIRVIEW,
TENNESSEE, BUDGET FOR FISCAL YEAR 2016 – 2017 BUDGET**

Be it Ordained by the City of Fairview, Tennessee as follows:

WHEREAS, the Board of Commissioners of the City of Fairview, Tennessee, have determined that the Budget for Fiscal Year 2016 - 2017 (beginning July 1, 2016 and running through June 30, 2017) should be amended to reflect the final expenditures for the Fiscal Year, and:

WHEREAS, the Board of Commissioners of the City of Fairview, Tennessee adopted the fiscal year 2016 – 2017 budget by passage of Ordinance Number 930 on June 23, 2016, and

WHEREAS, pursuant to the Tennessee state Constitution, Article II, Section 24, no public money shall be expended except pursuant to appropriations made by law, and

WHEREAS, pursuant to Tennessee Code Annotated § 6-56-209, the Board of Commissioners has the authority to authorize the Finance Director to transfer money from one appropriation to another within the same fund, and

NOW THEREFORE BE IT ORDAINED BY THE CITY OF FAIRVIEW, TENNESSEE THAT CHANGES BE MADE TO THE FISCAL YEAR 2016-2017 BUDGET AS FOLLOWS:

Section 1. Ordinance 930 is hereby amended to appropriate \$30,000 from the five cent fund for Streets for an Impact Fee Study.

Appropriate From

Account #	Current Balance	Appropriation Amt.	New Balance
110-27100	\$85,000.00	\$ 30,000.00	\$55,000.00

Appropriate To

Account #	Current Budget	Amended Amt	New Budget
110-41000-201	\$ 0	\$ 30,000.00	\$ 30,000.00

Section 2. The Financial Officer is hereby authorized to make said changes in the accounting system.

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, that this Ordinance shall take effect fifteen days (15) days after its first passage or upon second reading, whichever is later, the public welfare requiring it.

MAYOR

CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

Passed First Reading

Passed Second Reading
