

CITY OF FAIRVIEW
BOARD OF COMMISSIONERS

AUGUST 20, 2015

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 –**
 - A. Employee of the Month
 - B. Be Nice 2.0 Proclamation
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 6, 2015 Board of Commissioners meeting
9. **Old Business**
10. **New Business**
 - A. Discuss and/or Take Action on First Reading of Bill #2015-29, Ordinance No. 894, An Ordinance to Annex Certain Property, Located on Horn Tavern Road, Map 022, Parcels 064.00 and 065.00, Herein Described Below and to Incorporate Same Within the Corporate Boundaries of the City of Fairview, Tennessee; Belonging to Priscilla Lampley. All the Property Proposed for Annexation Lies Within the City of Fairview, Tennessee's Growth Boundary – Sutton
 - B. Discuss and/or Take Action on Resolution #26-15, A Resolution to Set a Public Hearing For The Purpose Of Obtaining Public Comment On The Annexation Of Certain Property, Located On Horn Tavern Road, Herein Described Below And To Incorporate Same Within The Corporate Boundaries Of The City Of Fairview, Tennessee. All The Property Proposed For Annexation Lies Within The City Of Fairview, Tennessee's Growth Boundary. The Property To Be Annexed Is Located In Williamson County, Tennessee, City Of Fairview, Tennessee, Growth Boundary, Geological Listing Of Assessment Roll Map 022, Parcels 064.00 And 065.00, Belonging To Pricilla Lampley - Sutton
 - C. Discuss and/or Take Action on Rocktober Fest in Bowie Nature Park - Crutcher
 - D. Discuss and/or Take Action on Finance Review Committee - Carroll
 - E. Discuss and/or Take Action on Moving Forward with Special Census – Sutton
 - F. Discuss and/or Take Action on Recommendation from the Planning Commission That Section 16-107.9 Of The Zoning Ordinance Be Amended To Allow For The Zoning Of Property That Is Being Considered For Annexation To Be Defined In The Plan Of Services - Sutton
 - G. Discuss and/or Take Action on Recommendation from the Planning Commission That The Zoning Ordinance Be Amended To Allow Religious Facilities To Be A Use That Is Permitted By Right In All Commercial Zones - Sutton
 - H. Discuss and/or Take Action on Recommendation from the Planning Commission That The Zoning Ordinance Table 6-102a Entitled "Permitted And Conditional Uses And Structures Allowable Within Mixed Use And Commercial Districts," Item O. Restaurants, Fast Food, Be Amended To Allow Fast Food Restaurants To Be Located Within The Main Street Mixed Use (MSMU) District – Sutton
 - I. Discuss and/or Take Action on Instituting a Fee for Bowie Nature Park Outreach Program – Crutcher

11. City Manager Items for Discussion –

- A. Miscellaneous Updates –
- B. City Attorney Comments -

12. Communications from the Mayor and Commissioners –

13. Adjournment.

4B

City of Fairview Proclamation

BE NICE 2.0

WHEREAS, The City of Fairview has a tradition of southern hospitality and graciousness; and values the culture of kindness that was born out of the BE NICE movement created by Fairview High students and staff and adopted by all Williamson County students and staff; and

WHEREAS, Fairview and Williamson County can serve to be examples of what cities and counties can aspire to through individuals simply being nice and doing good, and by giving where there is a need; and

WHEREAS, our city, county and its citizens, businesses and public servants continue their efforts at being kind and encouraging, have joined to promote a campaign of niceness that celebrates and strengthens the spirit of Williamson County, the City of Fairview and all those who live, work and play here;

NOW THEREFORE, be it resolved, that I, Patti Carroll, Mayor of Fairview by virtue of the authority vested in me as City of Fairview, Mayor do hereby proclaim the month of September 2015

"BE NICE MONTH"

in the City of Fairview and encourage all Fairview residents, businesses and community organizations to join in the BE NICE way of life.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City to be affixed this 20th Day of August 2015.

Patti L. Carroll, Mayor

Toney R. Sutton, Vice Mayor

Allen Bissell, Commissioner

Shannon L. Crutcher, Commissioner

Stuart L. Johnson, Commissioner

10A

ORDINANCE NO. 894

REPLACES BILL #2015-23, ORDINANCE NO. 888

AN ORDINANCE TO ANNEX CERTAIN PROPERTY, LOCATED ON HORN TAVERN ROAD, MAP 022, PARCELS 064.00 AND 065.00, HEREIN DESCRIBED BELOW AND TO INCORPORATE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF FAIRVIEW, TENNESSEE; BELONGING TO PRICILLA LAMPLEY. ALL THE PROPERTY PROPOSED FOR ANNEXATION LIES WITHIN THE CITY OF FAIRVIEW, TENNESSEE'S GROWTH BOUNDARY.

WHEREAS, the Board of Commissioners of the City of Fairview, Tennessee, upon the application by the property owner Pricilla Lampley, have determined that the annexation of the property described herein, is in the best present and future interest of the property owner and the City of Fairview, Tennessee; and

WHEREAS, a public hearing before the Board of Commissioners of the City of Fairview, Tennessee was held on the 16th day of July, 2015, in accordance with Resolution No. 16-15 passed by the Board of Commissioners of the City of Fairview, Tennessee at the regular meeting held on June 4, 2015 and

WHEREAS, it appears to the Board of Commissioners of the City of Fairview, Tennessee that the owner of the property to be annexed by the City of Fairview, Tennessee has requested that the City of Fairview, Tennessee, annex the afore referenced property and that the annexed property be incorporated into the Corporate Boundaries of the City of Fairview, Tennessee, and that the territory herein described will be materially retarded and the safety and welfare of the inhabitants of both the City of Fairview, Tennessee and the inhabitants of the property to be annexed will be endangered if such territory is not annexed: and

WHEREAS, the annexation of such territory is deemed necessary for the welfare of the residents and property owners thereof and of the present and future interests of the City of Fairview, Tennessee as a whole; and

WHEREAS, the request for annexation of the Property Owner of all the property to be Annexed is timely and well taken.

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

PURSUANT TO THE AUTHORITY CONFERRED UPON THE CITY BY SECTION 6 – 51 – 102, TENNESSEE CODE ANNOTATED, ALL THE FOLLOWING DESCRIBED PROPERTY IS HEREBY ANNEXED INTO THE CORPORATE BOUNDARIES OF THE CITY OF FAIRVIEW, TENNESSEE AND INCORPORATED WITHIN THE CORPORATE BOUNDARIES THEREOF:

Williamson County, Fairview, Tennessee, Geological Listing of Assessment Roll **Map 022, Parcels 064.00 and 065.00**, ,Recorded in **Deed Book 6146, Pages 598 – 601**, Register's Office for Williamson County, Tennessee. The description of the property to be annexed excludes **Parcels 063.00 and 066.00** from the deed afore referenced. The description contained in **Deed Book 6146, Pages 598 – 601**, Register's Office for Williamson County, Tennessee (excluding) **Parcels 063.00 and 066.00** is hereby Incorporated into and Made a part of This Ordinance by reference as fully as if copied into This ordinance verbatim.

SUBJECT TO Governmental zoning and subdivision ordinances or regulations in effect thereon.

BE IT FURTHER ORDAINED, that residents of and persons owning property in the above-described territory shall be entitled to all the rights and privileges of citizenship in accordance with the provisions of the Charter of the City of Fairview, Tennessee, immediately upon annexation as though the above-described territory annexed has always been part of said City of Fairview, Tennessee.

BE IT FINALLY ORDAINED, That this Ordinance shall take effect thirty (30) days from and after its final passage, or as otherwise provided by the provisions of **T.C.A. 6-51-102**, the public welfare requiring it.

MAYOR

CITY RECORDER

Approved as to form:

City Attorney

Passed first reading: _____, 2015

Passed second reading: _____, 2015

Public Hearing Held on: _____, 2015

City of Fairview

7100 CITY CENTER CIRCLE
P.O. BOX 69
FAIRVIEW, TN 37062



Phone: 615-799-1585
Fax: 615-799-5599
Email: codes@fairview-tn.org

ANNEXATION REQUEST FORM

DATE: 4/17/2015

APPLICANT NAME: Pricilla Lampley

ADDRESS: _____

STREET

CITY

STATE

ZIP CODE

PROPERTY ADDRESS: Horn Tavern Road

STREET

MAP #: 022

GROUP #: _____

PARCEL #: 06400, 06500

AUTHORIZED AGENT NAME: _____

SIGNATURE OF AUTHORIZED AGENT: _____

• DOES THIS PROPERTY ABUT CITY PROPERTY

YES ☒ NO ☐

• IS CITY WATER AND SEWER AVAILABLE

YES ☒ NO ☐

IF NO, GIVE BRIEF EXPLANATION: _____

I AM CURRENTLY THE OWNER OF THE CAPTIONED PROPERTY AND WISH TO APPLY FOR ANNEXATION INTO THE CITY OF FAIRVIEW. THE INTENDED USE OF THE PROPERTY IS FOR. _____

Residential Neighborhood Single Family Homes

OWNER SIGNATURE: _____

Pricilla Lampley
(Walter F. McIntyre Estate)
(PLEASE ATTACH LEGAL DESCRIPTION AND COPY OF DEED)

THERE WILL BE A FEE OF \$100.00 REQUIRED.

DATE FEE PAID: _____

City of Fairview

7100 CITY CENTER WAY

FAIRVIEW, TN. 37062



Phone: 615-799-1585

Email: codes@fairview-tn.org

RECOMMENDATIONS

2015 – 2

DATE: May 12, 2015

TO: FAIRVIEW BOARD OF COMMISSIONERS

FROM: FAIRVIEW MUNICIPAL PLANNING COMMISSION

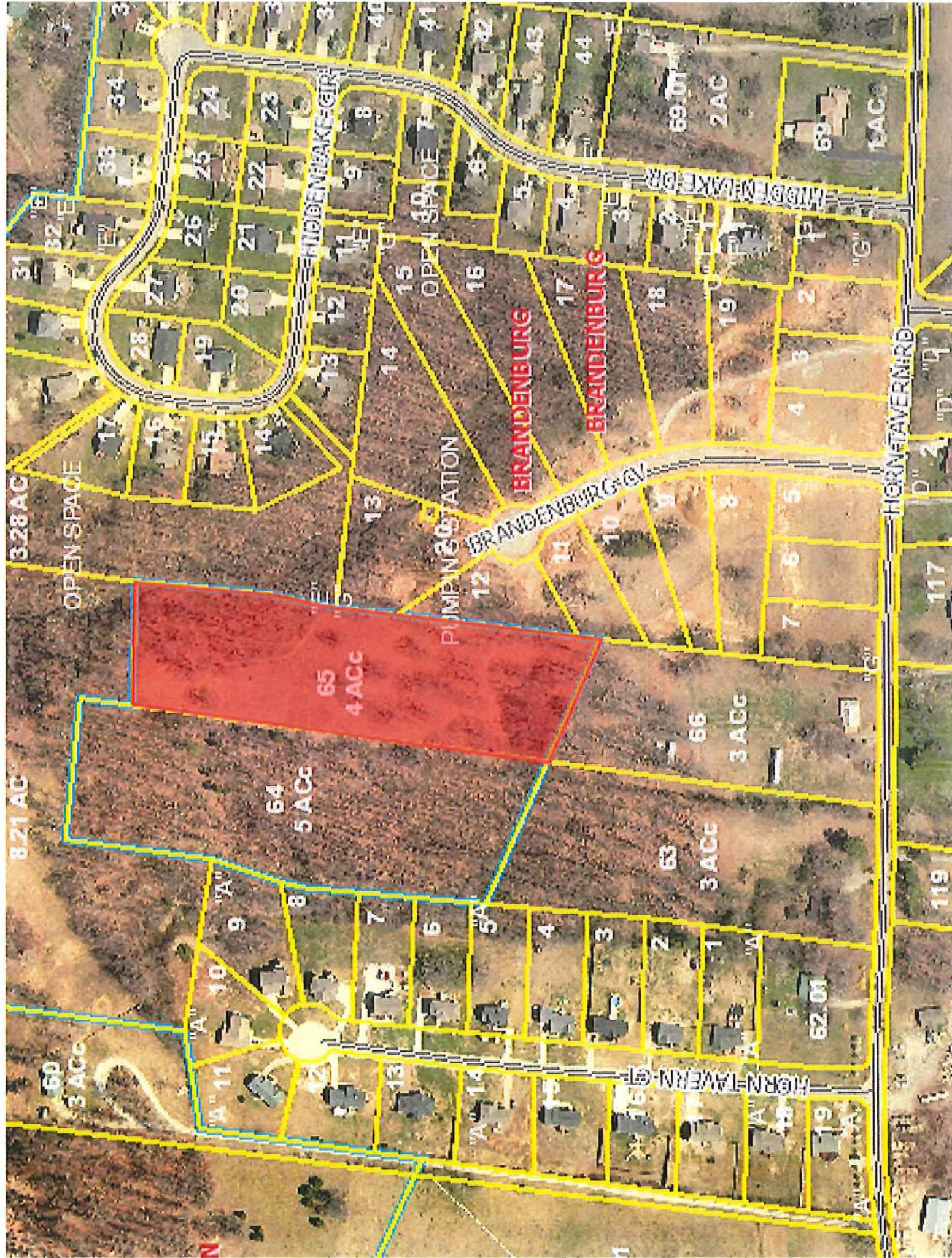
On May 12, 2015 the following items were voted on by the Fairview Municipal Planning Commission with a recommendation to be forwarded to the Board of Commissioners for consideration.

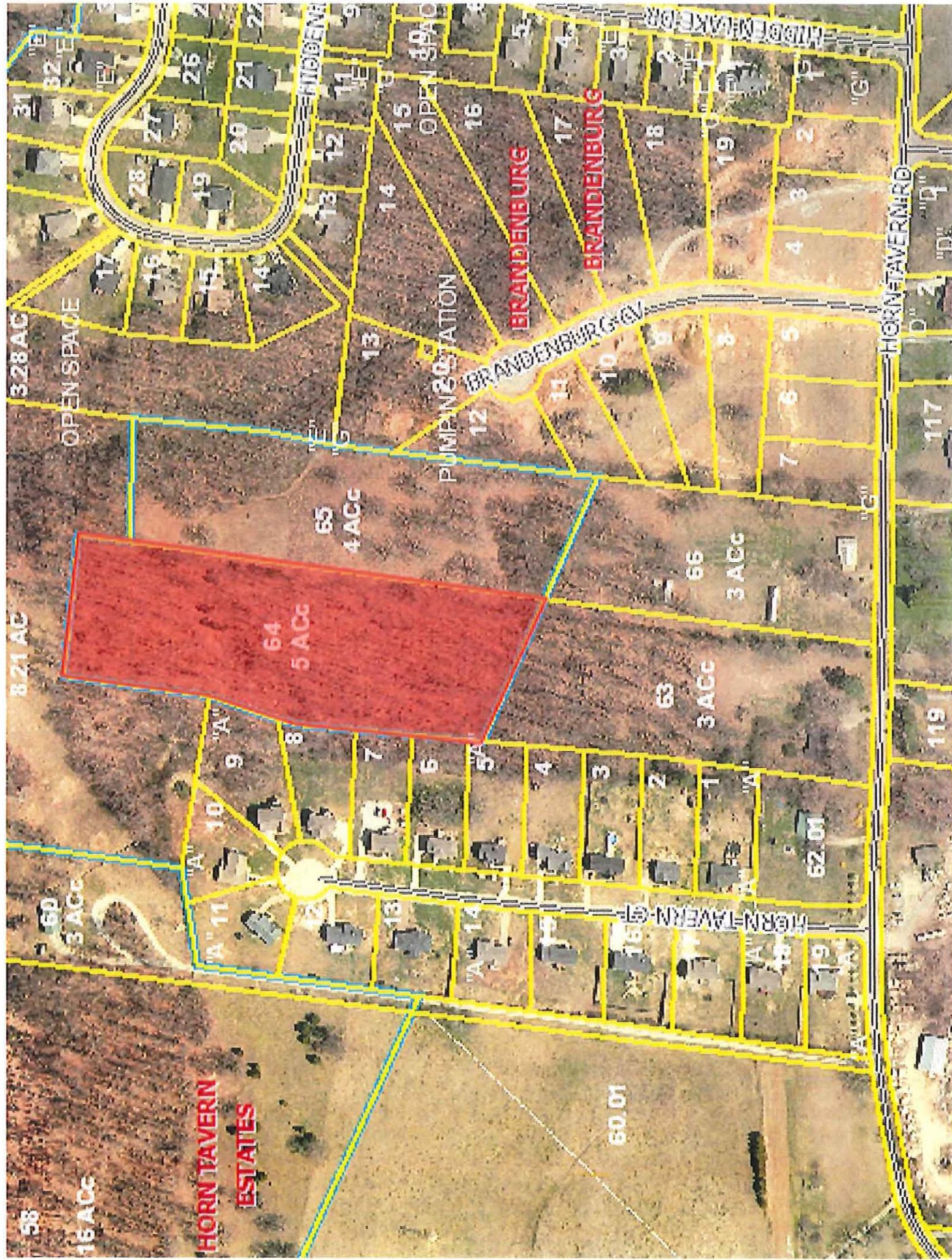
7.1 DISCUSS AND/OR TAKE ACTION ON REZONING APPLICATION WITH PRELIMINARY MASTER DEVELOPMENT PLAN FOR PROPERTY LOCATED ON COX PIKE. MAP 43, PARCELS 30.01 AND 31.00, 32.19 ACRES. FROM RS-40 (RESIDENTIAL) TO RPUD (RESIDENTIAL PLANNED UNIT DEVELOPMENT) WITH A BASE DENSITY OF RS-15. DENNY, PROCTOR, AND WELCH, OWNERS.

This application was recommended for denial by the Planning Commission. Applicant is appealing to the Board of Commissioners.

8.2 DISCUSS AND/OR TAKE ACTION ON ANNEXATION REQUEST FOR PROPERTIES LOCATED ON HORN TAVERN ROAD. MAP 22, PARCELS 64.00 AND 65.00, 9 ACRES. PRISCILLA LAMPLEY, OWNER.

Sutton made a motion for approval. Butler Seconded. All were in favor





CITY OF FAIRVIEW, TENNESSEE

RESOLUTION NO. 26-15

10B

A RESOLUTION TO SET A PUBLIC HEARING FOR THE PURPOSE OF OBTAINING PUBLIC COMMENT ON THE ANNEXATION OF CERTAIN PROPERTY, LOCATED ON HORN TAVERN ROAD, HEREIN DESCRIBED BELOW AND TO INCORPORATE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF FAIRVIEW, TENNESSEE. ALL THE PROPERTY PROPOSED FOR ANNEXATION LIES WITHIN THE CITY OF FAIRVIEW, TENNESSEE'S GROWTH BOUNDARY. THE PROPERTY TO BE ANNEXED IS LOCATED IN WILLIAMSON COUNTY, TENNESSEE, CITY OF FAIRVIEW, TENNESSEE, GROWTH BOUNDARY, GEOLOGICAL LISTING OF ASSESSMENT ROLL MAP 022, PARCELS 064.00 AND 065.00, BELONGING TO PRICILLA LAMPLEY.

WHEREAS, The City of Fairview, Tennessee is in the process of Annexing into the Corporate Boundaries Certain Property herein described and the Statutes of the State of Tennessee require that a public hearing be held for the purpose of obtaining the public's comments regarding the proposed annexation and,

WHEREAS, the Board of Commissioners for the City of Fairview, Tennessee have determined that September 17, 2015, is an acceptable date for the conduct of such a public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF FAIRVIEW, TENNESSEE.

1. That a public hearing for the purpose of obtaining the comments of the public regarding the Annexation of the below described property into the Corporate Limits of the City of Fairview, Tennessee is scheduled and will be held at 7:00 O'Clock P.M., September 17, 2015 in the City Hall of the City of Fairview, Tennessee.

The Property to be Annexed upon which public comment is sought is the property of Pricilla Lampley and is described as follows:

Williamson County, Fairview, Tennessee, Geological Listing of Assessment Roll **Map 022, Parcels 064.00 and 065.00**, Recorded in **Deed Book 6146, Pages 598 – 601**, Register's Office for Williamson County, Tennessee. The description of the property to be annexed excludes **Parcels 063.00 and 066.00** from the deed afore referenced.

The description contained in **Deed Book 6146, Pages 598 – 601**, Register's Office for Williamson County, Tennessee (excluding) **Parcels 063.00 and 066.00** is hereby Incorporated into and made a part of This Ordinance by reference as fully as if copied into This ordinance verbatim.

Adopted this the _____ day of _____, 2015.

MAYOR

ATTEST:

CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

Rocktober Fest October 17th 7-10pm @ Bowie Nature Park

We would like to charge \$10/person with Children 5 and under free. This will be a new Fee for this event only.

The Parks Department is working with Michelle Rocking Horse Band to put on a Rocktober Fest in October. Rocktober Fest will include 3 opening bands and then the featured band: The Michelle Rocking Horse Band.

In order to put this event on with the limited Programming Budget and current economic climate, we have agreed that no money will be paid out right to the bands. They have agreed to play for 75% of the money collected at the gates during this event and The Parks Department would take the remaining 25%. This will make sure that money is not taken out of the limited Programming Budget.

Michelle Rocking Horse will be providing all the sound and lights and will be running the equipment for free. She has also lined up the opening bands for the event. She also has a background in radio and a recording studio. She has offered to record PSA's about the event.

Tentative Details about the event:

At 7:00 pm the festival will open with:

"Of The Sky" a three piece original rock band from Columbia

At 7:30pm

The original rock band fronted by a man woman team, will be the group **"Hear, Hear"**. They are a local Nashville Band.

At 8:00 pm

Another original Indie Alternative Rock band **"Ferris and the Wheels"**, will play a 40 minute set. They are from Nashville, already offers in place.

8:40pm we break, remove all the other bands gear

At 8:55pm the former Elektra Records recording artist, the **Michelle Rocking Horse Band** will play original rock from her last 5 albums and featuring some new songs from her latest album release.

9:50 **"Michelle Rocking Horse Band"** will close the show, with a possible ENCORE, which will bring us to 10pm.

7100 CITY CENTER WAY

FAIRVIEW, TN. 37062



Phone: 615-799-1585

Email: codes@fairview-tn.org

RECOMMENDATIONS

2015 – 5

DATE: AUGUST 11, 2015

TO: FAIRVIEW BOARD OF COMMISSIONERS

FROM: FAIRVIEW MUNICIPAL PLANNING COMMISSION

On August 11, 2015 the following items were voted on by the Fairview Municipal Planning Commission with a recommendation to be forwarded to the Board of Commissioners for consideration.

- 8.2 DISCUSS AND/OR TAKE ACTION TO RECOMMEND TO THE BOARD OF COMMISSIONERS THAT SECTION 16-107.9 OF THE ZONING ORDINANCE BE AMENDED TO ALLOW FOR THE ZONING OF PROPERTY THAT IS BEING CONSIDERED FOR ANNEXATION TO BE DEFINED IN THE PLAN OF SERVICES
Sutton made a motion for approval. Mangrum Seconded. All were in favor.
- 8.3 DISCUSS AND/OR TAKE ACTION TO RECOMMEND TO THE BOARD OF COMMISSIONERS THAT THE ZONING ORDINANCE BE AMENDED TO ALLOW RELIGIOUS FACILITIES TO BE A USE THAT IS PERMITTED BY RIGHT IN ALL COMMERCIAL ZONES.
Sutton made a motion for approval. Mangrum Seconded. All were in favor.
- 8.4 DISCUSS AND/OR TAKE ACTION TO RECOMMEND TO THE BOARD OF COMMISSIONERS THAT THE ZONING ORDINANCE TABLE 6-102A ENTITLED "PERMITTED AND CONDITIONAL USES AND STRUCTURES ALLOWABLE WITHIN MIXED USE AND COMMERCIAL DISTRICTS," ITEM O. RESTAURANTS, FAST FOOD, BE AMENDED TO ALLOW FAST FOOD RESTAURANTS TO BE LOCATED WITHIN THE MAIN STREET MIXED USE (MSMU) DISTRICT.
Sutton made a motion for approval. Beata Seconded. All were in favor

101



Request to Institute Fee for Outreach Program

Park Staff is requesting approval to charge a new fee of \$30 for a 45 minute session outreach program outside the 37062 zip code. Most of these sessions are conducted at schools by our part time naturalist and this fee would help cover the cost of his salary.