

**CITY OF FAIRVIEW
BOARD OF COMMISSIONERS**

OCTOBER 1, 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)**
- 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 September 17, 2020, Board of Commissioners Meeting
 - B. Second and Final Reading of Ordinance 2020-19, An Ordinance to Amend Title 16, Chapter 1, Section 16-107, of the City of Fairview Municipal Code Regarding Littering on City Streets, Alleys and Sidewalks
- 10. Old Business**
- 11. New Business**
 - A. Ordinance 2020-20, 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
 - B. Resolution 22-20, A Resolution of the City of Fairview, Tennessee, Designating Ammunition as Surplus, and Authorizing the Disposal of These Surplus Items
- 12. Communications from the Mayor and Commissioners**
 - A. Commissioner
 - B. Commissioner
 - C. Commissioner
 - D. Vice Mayor
 - E. Mayor
- 13. Meeting Adjournment**

9B

AN ORDINANCE TO AMEND TITLE 16, CHAPTER 1, SECTION 16-107 OF THE CITY OF FAIRVIEW MUNICIPAL CODE REGARDING LITTER ON CITY STREETS, ALLEYS AND SIDEWALKS.

WHEREAS, the City of Fairview desires for its roads, street, alleys, sidewalks and other vehicular and pedestrian rights of way to be safe and free from obstruction, and

WHEREAS, the grass clippings, lawn maintenance debris, driveway materials and similar materials placed or deposited onto roads, streets, alleys, sidewalks, and other vehicular and pedestrian rights of way may present a hazard to the users of these rights of way, and

WHEREAS, the City of Fairview finds it prudent and necessary to enact an ordinance prohibiting these activities, and

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

BE IT ORDAINED, that Title 16, Chapter 1, Section 16-107, is hereby amended to include subsections (a), (b) and (c), and the newly created subsections shall read as follows:

(a) It shall be unlawful for any person, any single family property owner or single family property tenant to allow any grass clippings, mulch, limbs, leaves, or any other lawn care maintenance remnants or debris to remain on any public road, street, alley, sidewalk, or any and all other public transportation or pedestrian rights of way for a period longer than thirty (30) minutes from the time the materials were placed, deposited or strewn onto the public right of way. For the purposes of this subsection the property owner or property tenant shall be responsible for any such deposits made by any professional, contracted or third-party lawn care service provider acting on their behalf.

(b) It shall be unlawful for any person, multi-family property owner or commercial property owner or tenant to allow any grass clippings, mulch, limbs, leaves, or any other lawn care maintenance remnants or debris to remain on any public road, street, alley, sidewalk, or any and all other public transportation or pedestrian rights of way for a period longer than thirty (30) minutes from the time the materials were placed, deposited or strewn onto the public right of way. For the purposes of this subsection the site manager of a multi-family property and the owner or responsible manager of any commercial property shall be responsible for any such deposits made by any professional, contracted or third-party lawn care service provider acting on their behalf.

(c) It shall be unlawful for any property owner to allow any rocks, stones, gravel, aggregate or other similar material from any driveway, sidewalk or parking area that has washed, been placed, deposited, strewn or otherwise transferred from their property to any public road, street, alley, sidewalk, or any and all other public transportation or pedestrian rights of way. Any of these materials that have been washed into the public right of way due heavy rains, storms or other

weather event and have not been removed within twelve (12) hours of the rain, storm or weather event shall constitute a violation of this subsection. Any of these materials that have otherwise been placed, deposited, strewn or transferred to a public right of way that have not been removed within thirty (30) minutes of their relocation to a public right of way shall constitute a violation of this subsection.

MAYOR

CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

Passed First Reading

September 17, 2020

Passed Second Reading

ORDINANCE No. 2020-20



**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**

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 and expenses from and from all funds of the municipality from all sources to be as follows for fiscal year 2020:

General Fund	Actual FY 2018	Estimated FY 2019	FY 2020 Budget
Cash Receipts			
Taxes	4,352,511	5,182,340	5,408,556
Licenses and Permits	430,735	275,817	177,750
Fines and Fees	133,179	257,909	337,150
Intergovernmental	1,152,216	287,261	36,550
Other Revenue	148,566	57,924	97,950
Debt Proceeds	0	0	375,000
TAN and GAN Proceeds	0	0	0
Transfers In From Other Funds	0	0	0
Total Cash Receipts	6,217,207	6,061,251	6,432,956
Appropriations			
Board of Commissioners	0	92,062	73,469

Administration	1,479,700	1,644,332	1,953,922
Police Department	144,544	140,200	135,399
Fire Department	217,843	411,232	322,784
Municipal Court	133,752	100,615	100,000
Public Department	1,222,252	1,061,276	1,252,980
Park Department	304,518	1,139,272	1,118,270
Public Works	410,000	521,216	578,487
Health Services	212,998	214,129	217,580
Transfer Out To Other Funds	0	0	0

Total Appropriations 5,274,278 6,693,448 6,525,085

Change in Cash (Receipts - Appropriations)	1,415,000	1,122,070	1,021,220
Beginning Cash Balance on July 1	1,343,497	3,120,439	3,024,124
Ending Cash Balance on June 30	2,758,497	4,242,509	4,045,344
Ending Cash as a % of Appropriations	52.31%	63.38%	61.86%
	Actual FY 2014	Estimated FY 2014	FY 2010 Budget
Cash Receipts			
State Charities and Motor Fuel Taxes	202,000	200,000	200,000
Local Charities and Motor Fuel Taxes	0	0	0
Other Revenue	0	0	200
Net Proceeds	0	0	0
Total Cash Receipts	202,000	200,000	200,000

Appropriations			
City of Wyck Department	70,000	100,000	400,000
Health Services	10,000	10,000	40,000
Total Appropriations	80,000	110,000	440,000
Change in Cash (Receipts - Appropriations)	117,224	123,020	140,000
Beginning Cash Balance on July 1	334,033	341,267	400,000
Ending Cash Balance on June 30	451,257	464,287	540,000
Ending Cash as a % of Appropriations	111.27%	42.19%	1.09%

Drug Enforcement Fund	Actual FY 2018	Estimated FY 2019	FY 2019 Budget
Cash Receipts			
Fines and Court Costs	14,847	13,549	14,550
Other Revenue	48,352	5,316	4,500
Total Cash Receipts	63,199	18,865	19,050
Appropriations			
Police Operational Expenses	15,000	32,250	23,400
Police Capital Expenses	0	0	0
Drug Enforcement	5	0	0
Other	0	0	0
Total Appropriations	15,005	32,250	23,400
Change in Cash Balance - Appropriated	48,194	(13,385)	(4,350)
Beginning Cash Balance on July 1	97,040	95,250	94,500
Ending Cash Balance on June 30	145,234	81,865	90,150
Ending Cash as % of Appropriation	314.70%	257.10%	389.10%

SECTION 2: At the end of the current fiscal year the governing body estimates balances/ (deficits) as follows:

General Fund	\$ 2,562,100
State Street Aid	\$ 9,076
Drug Fund	\$ 82,543

SECTION 3: That the governing body recognizes that the municipality has bonded and other indebtedness as follows:

Source of Capital Financing	Cost Principal	Interest	Date Authorized and Issued	Principal Outstanding at June 30
Bonds	\$ 3,000,000	\$ 0	N/A	\$ 0
Notes			N/A	
Capital Leases			N/A	
Other Debt			N/A	

SECTION 4: 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 5: 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 6: 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 7: 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 8: The previously levied property tax of \$ 0.8765 per \$100 of assessed value on all real and personal property is hereby unchanged.

SECTION 9: 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

CITY OF FAIRVIEW, TENNESSEE

RESOLUTION NO. 22-20

11B

A RESOLUTION OF THE CITY OF FAIRVIEW, TENNESSEE, DESIGNATING ITEMS AND MATERIALS AS SURPLUS AND AUTHORIZING THEIR DISPOSAL.

WHEREAS, the City of Fairview police department has a small inventory of 2,150 rounds of handgun ammunition in a caliber no longer used by the department, and

WHEREAS, this city desires to dispose of this ammunition in a safe and effective manner, and

WHEREAS, the City of Lawrenceburg, Tennessee, has expressed its interest in purchasing this ammunition to be used for training purposes, 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 resolves to and does declare the ammunition described above as surplus and authorizes it's disposal by sale to the City of Lawrenceburg, Tennessee, for the amount of \$430.00.

Approved the _____ day of _____, 2020.

Mayor

Attest:

City Recorder

Approved As To Form:

City Attorney