

**CITY OF FAIRVIEW
BOARD OF COMMISSIONERS**

OCTOBER 3, 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)**
 - A. Item 11A
- 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 Report**
 - B. **Fire Report**
 - C. **Public Works Report**
- 9. Consent Agenda** (Any Item May be Removed for Individual Consideration)
 - A. Minutes from the September 19, 2019, Board of Commissioners Meeting
 - B. Minutes from the September 19, 2019, Board of Commissioners Work Session
 - C. Second and Final Reading of Ordinance 2019-23, An Ordinance to Amend Section 8 of City of Fairview Ordinance 2019-10, the City's Fiscal Year Ending June 30, 2020, Budget Ordinance
- 10. Old Business**
- 11. New Business**
 - A. Resolution 33-19, 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 (7109 County Line Rd)
 - B. Ordinance 2019-25, An Ordinance Amending the City of Fairview Municipal Code to Authorize Certain City of Fairview Fire Department Personnel as Special Police Officers with Summons and Complaint Authority
 - C. Resolution 34-19, A Resolution of the City of Fairview, Tennessee, Designating a Vehicle, or Vehicles, and/or Equipment as Surplus, Authorizing the Disposal of Said Vehicle(s) and Equipment, and Designating the Auction or Sale Proceeds from Surplus Items
 - D. Proposal for ALL Board Meetings Open to the Public be Recorded and Posted to YouTube and/or Broadcast on Facebook Live - Lucas
- 12. Communications from the Mayor and Commissioners**
 - A. **Commissioner**
 - B. **Commissioner**
 - C. **Commissioner**
 - D. **Vice Mayor**
 - E. **Mayor**
- 13. Adjournment**

ORDINANCE NO. 2019-23

9C

**AN ORDINANCE TO AMEND SECTION 8 OF CITY OF FAIRVIEW
ORDINANCE 2019-10, THE CITY'S FISCAL YEAR ENDING JUNE :
BUDGET ORDINANCE.**

WHEREAS, Section 8 of City of Fairview Ordinance 2019-10 is in error and reads as follows: "There is hereby levied a property tax of \$0.08765 per \$100 of assessed value on all real and personal property", and

WHEREAS, Section 8 of City of Fairview Ordinance 2019-10 should, in fact, read as follows: "There is hereby levied a property tax of \$0.8765 per \$100 of assessed value on all real and personal property", and

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

BE IT ORDAINED, that Section 8 of City of Fairview Ordinance 2019-10 is hereby amended to read as follows:

There is hereby levied a property tax of \$0.8765 per \$100 of assessed value on all real and personal property.

MAYOR

CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

Passed First Reading

September 19, 2019

Passed Second Reading

RESOLUTION 33-19

IIA

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

Tax Map 19, Parcel 1.01

7109 County Line Road

Owner: Civil Engineering Service, PC

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 3rd day of October, 2019.

NOW, THEREFORE, BE IT RESOLVED by the City of Fairview, Tennessee as follows:

That the following territory is hereby annexed and incorporated into boundaries of the City of Fairview, to be effective as of 3rd day of October, 2019, to wit: Land in the 1st (stated 15th in deed of conveyance) Civil District of Williamson County, Tennessee, described according to a survey made by Alley, Young & Bumgratner, Inc., Engineers, dated September 10, 1981, as follows:

Beginning at a concrete monument at the intersection of the Northerly Right-of-Way of State Highway #96 and the Easterly Right-of-Way of Turnbull Road, the same being on the Southwesterly corner of the Kinser property; thence leaving Highway #96 Right-Of-Way along the Turnbull Road Right-of-Way North 02 degrees 57' 10" East 212.78 and then North 04 degrees 50'59" east, 152.00' to the beginning point; thence North 04 degrees 50' 59" East 556.50' along said Right-of-Way to a point; thence South 85 degrees 09' 01" East, 430.96' to a point in the Easterly Right-of-Way to the Kinser Property; thence along said Easterly Right-of-Way South 12 degrees 24' 27" West, 471.45' to an iron pin; thence continuing along said property line South 02 degrees 25' 32" East, 89.20' to a point; thence leaving said property line North 85 degrees 09' 01" West 380.32' to the beginning, and containing 5.056 acres, more or less.

Being the same property conveyed to Andrew Sudbrock, by Quitclaim Deed, from Barbara L. Greene, dated May 1, 2019, recorded May 1, 2019, of record in Book 7614, page 31, Register's Office for Williamson County.

Previously being the same property conveyed to Andrew Sudbrock, by Final Decree, confirming Clerk and Master's Report of Sale and Vesting Property in Purchaser, from James G. Martin, III, Chacellor, dated November 30, 2010, recorded December 2, 2011, of record in Book 5455, page 426, Register's Office for Williamson County.

- A. That the Plan of Services for this territory which is attached as *Exhibit A* hereto is approved and the same is hereby adopted.
- B. 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.
- C. 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.
- D. 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.

Mayor

Date

Attest: City Recorder

Approved as to Form and Legality:

City Attorney

**PROPOSED PLAN OF SERVICES TO ACCOMPANY
RESOLUTION 31-19**

WHEREAS, TCA 6 –51 – 102, as amended requires that a Plan of Services be adopted by the governing body of a City prior to the passage of an annexation resolution of any territory or territories.

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 –51 – 102**, there is hereby adopted, for the area bounded as described above, the following plan of Services:

A. Police

1. Patrolling, radio response to calls, and other routine police services, using present personnel and equipment, will be provided on the effective date of annexation.
2. 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.

B. Fire

1. Fire protection by the present personnel and equipment of the Fairview City Fire Department, within the limitations of available water and distances from fire stations, will be provided on the effective date of annexation.

C. Water

1. 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.**
2. 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.**

D. Sanitary Sewers

1. Sanitary Sewer Service is available and the necessary intercepting and trunk sewers to serve the annexed area 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.

E. Refuse Collection

1. Private haulers or the county convenience center will handle refuse collection in the annexed area.

F. Streets

1. 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 County of Williamson under the standards currently prevailing in Williamson County, Tennessee will serve the County 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.

G. Schools

1. The annexed area will be served by the Williamson County School system that serves the entire City of Fairview, Tennessee.

H. Inspection Services

1. Any inspection services now provided by the City will begin in the annexed area on the effective date of annexation.

I. Planning and Zoning

1. 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.

J. Public Works

1. Services provided by the Public Works department will be extended to the annexed area on the effective date of annexation to include chipper and leaf pick up. The proposed property is in Zone 4, indicating pick-up on the fourth Tuesday of each month.

K. Street Lighting

1. The State, County or City under the standards currently prevailing for the appropriate authority will serve the annexed area.

L. Recreation

1. Residents of the annexed area may use all City and County parks on and after the effective date of annexation.

M. Miscellaneous

1. Where they are needed, street name signs will be installed as soon as, the need for emergency services to the annexed area are deemed necessary by the current policies of the City of Fairview, Tennessee.
2. Any other service(s) not classified under the foregoing headings will be in accordance with the standards prevailing in the City of Fairview, Tennessee.

This Resolution Referred to City of Fairview, Tennessee Municipal Planning Commission for recommendation by the Fairview, Tennessee Board of Commissioners the 5th day of September, 2019.

This Resolution Considered by the City of Fairview, Tennessee Municipal Planning Commission this 10th day of September, 2019.

The Fairview, Tennessee Municipal Planning Commission voted upon this Resolution as Follows:

Aye __, Nay __, Not voting __.

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 _____,
Disapproval _____, No Recommendation _____.

**City of Fairview, Tennessee, Municipal Planning Commission this the
10th day of September, 2019.**



Chairman

NAD_1983_StatePlane_Tennessee_FIPS_4100_Feet
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ORDINANCE NO. 2019-25

11B

AN ORDINANCE AMENDING THE CITY OF FAIRVIEW MUNICIPAL CODE TO AUTHORIZE CERTAIN CITY OF FAIRVIEW FIRE DEPARTMENT PERSONNEL AS SPECIAL POLICE OFFICERS WITH SUMMONS AND COMPLAINT AUTHORITY.

WHEREAS, the City of Fairview desires to maintain the safest community possible and to empower its fire department in this effort, and

WHEREAS, certain City of Fairview fire chief, assistant fire chief, fire marshal(s) and training officer are or may be tasked with the management and enforcement of the city's fire codes, burn regulations, and similar state codes, and

WHEREAS, the city's fire chief, assistant fire chief, fire marshal(s) and training officer must be authorized as special police officers in order to issue citations or summonses for violations of certain municipal codes or other, and

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

BE IT ORDAINED, that Title 6, Chapter 1, Section 6-110, entitled "Certain Fire Department Personnel Appointed as a Special Police Officer" is hereby created, and

BE IT FURTHER ORDAINED, that Title 6, Chapter 1, Section 6-110, of the City of Fairview Municipal Code shall read as follows:

"In accordance with T.C.A. 7-63-101 the fire chief, assistant fire chief, fire marshal(s) and fire training officer are hereby appointed as a special police officers of the City of Fairview and may not effect any arrest but are empowered to issues citations, summonses and complaints for violations of the City of Fairview fire codes, burn ordinances, and any related codes referencing or applicable to fire safety and shall deliver to the offender a copy of such citation, summons or complaint which shall include details of the offense(s) charged and the time and place when the offender is to appear in court.

MAYOR

CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

Passed First Reading _____

Passed Second Reading _____

CITY OF FAIRVIEW, TENNESSEE

RESOLUTION NO. 34-19

11C

A RESOLUTION OF THE CITY OF FAIRVIEW, TENNESSEE, DESIGNATING A VEHICLE, OR VEHICLES, AND/OR EQUIPMENT AS SURPLUS, AUTHORIZING THE DISPOSAL OF SAID VEHICLE(S) AND EQUIPMENT, AND DESIGNATING THE AUCTION OR SALE PROCEEDS FROM SURPLUS ITEMS.

WHEREAS, the City of Fairview is upgrading its internal information technology processes and equipment, and

WHEREAS, the city owns multiple outdated and out of service computers and servers that were never recorded as inventory and have exhausted their useful life, and

WHEREAS, the hard drives and all data storage in these items have been removed and or cleaned to be free of any City of Fairview documents or information, and

WHEREAS, the proceeds from the auction, sale or disposal of these items will be deposited into the city's capital account, 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 previously unrecorded computer equipment and items as surplus, authorizes their disposal, and designates the remittance of auction or sale proceeds.

Mayor

Attest:

City Recorder

Approved As To Form:

City Attorney

