

**CITY OF FAIRVIEW  
BOARD OF COMMISSIONERS**

**OCTOBER 4, 2018**

**7:00 P.M.**

**AGENDA**

- 1. Roll Call**
- 2. Call to order by Mayor Carroll**
  - A. Prayer and Pledge
- 3. Approval of the Agenda**
- 4. Public Hearing**
  - A. Item 11A
  - B. Item 11D
  - C. Item 11F
- 5. Citizen Comments (Limited to the first 5 citizens to sign in and a limit of 3 minutes each).**
- 6. Awards and/or Recognitions**
- 7. Public Announcements**
- 8. Staff Comments**
- 9. Approval of the Minutes**
- 10. Consent Agenda Consisting of Items as Follows**
  - A. Minutes from the September 20, 2018 Board of Commissioners Meeting
  - B. Minutes from the September 20, 2018 Board of Commissioners Work Session
- 11. Old Business**
  - A. Second and Final Reading of Ordinance 2018-18, An Ordinance to Amend the City of Fairview Zoning Ordinance by Changing the Official Zoning Map for Tax Map 046, Parcel 087.00, Consisting of 48+ Acres, Located at 2451 Fairview Blvd, From a RS-40 (Low-Density Residential) Zoning District to a CG (Commercial General) Zoning District
  - B. Second and Final Reading of Ordinance 2018-14, An Ordinance Renumbering Certain Sections of Title 17, Entitled "Refuse, Garbage and Trash Disposal" of the City of Fairview Municipal Code
  - C. Second and Final Reading of Ordinance 2018-15, An Ordinance Amending City of Fairview Municipal Code Section 17-101, Entitled "Definitions", to Include Paragraph (8) Defining "Brush and Chipper Waste."
  - D. Second and Final Reading of Ordinance 2018-16, An Ordinance Establishing Operational Rules and Guidelines for Brush, Materials and Debris to be Processed by the City's Chipper Service
  - E. Second and Final Reading of Ordinance 2018-17, An Ordinance Amending City of Fairview Municipal Code Section 17-110, Entitled "Violations", to Include "Brush and Chipper Waste."
  - F. Second and Final Reading of Ordinance 2018-12, An Ordinance to Repeal Section 11-806 of the City of Fairview Municipal Code, as Written, and to Reserve Section 11-806 of the Fairview Municipal Code
  - G. Second and Final Reading of Ordinance 2018-13, An Ordinance to Ban Smoking on All Property Owned by the City of Fairview and Within All Assets, Facilities and Structures Owned by the City of Fairview, and to Establish a Fine for Violations of the City's Ban on Smoking on City Owned Properties and Within City Owned Assets

**12. New Business**

- A. Resolution 32-18, A Resolution Calling for a Public Hearing on the Proposed Annexation of Territory into the City of Fairview by Owner Consent and Approving a Plan of Services, 7344 Taylor Road
- B. Ordinance 2018-19 Park Board
- C. Ordinance 2018-20 Tree Board

**13. Manager Items for Discussion**

- A. Miscellaneous Updates
- B. City Attorney Comments

**14. Communications from the Mayor and Commissioners**

**15. Meeting Adjournment**



**ORDINANCE #2018-18**

AN ORDINANCE TO AMEND THE CITY OF FAIRVIEW ZONING ORDINANCE BY CHANGING THE OFFICIAL ZONING MAP FOR TAX MAP 46, PARCEL 087.00, CONSISTING OF 48+ ACRES, LOCATED AT 2451 FAIRVIEW BLVD, FROM A RS-40 (LOW-DENSITY RESIDENTIAL) ZONING DISTRICT TO A CG (COMMERCIAL GENERAL) ZONING DISTRICT.

**WHEREAS**, a request has been made by Loy Hardcastle of Parks Realty to rezone property located within the City of Fairview; and

**WHEREAS**, the City of Fairview Planning Commission, on August 14, 2018, made a favorable recommendation to the Board of Commissioners that this request be approved.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY OF FAIRVIEW BOARD OF COMMISSIONERS THAT:**

**SECTION 1.** That the Zoning Ordinance be and is hereby amended by making certain changes to the Official Zoning Map for the City of Fairview, by changing the property identified as Tax Map 046, Parcel 087.00 from a RS-40 (Low-Density Residential) Zoning District to a CG (Commercial General) Zoning District. This property consists of approximately 48 acres and is owned by William C. and Katherine Sullivan who have authorized the submittal of an application for the rezoning of this parcel, which is attached to and made a part of this ordinance as though copied herein.

**SECTION 2. BE IT FURTHER ORDAINED**, that the Codes and Planning Department is hereby authorized and directed, upon approval of this Ordinance, to cause the change to be made on the Official Zoning Map, as set out in Section 1 of this Ordinance, and to make notation thereon of reference to the date of passage and approval of this Ordinance.

**SECTION 3. BE IT FURTHER ORDAINED**, that this Ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of the City of Fairview requiring it.

First Reading: September 6, 2018

Public Hearing Held: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Approved by the Board of Commissioners:

\_\_\_\_\_  
Patti Carroll, Mayor

ATTEST:

\_\_\_\_\_  
Brandy Johnson, City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

Published in the Fairview Observer on \_\_\_\_\_







ORDINANCE NO. 2018-14



AN ORDINANCE RENUMBERING CERTAIN SECTIONS OF TITLE ENTITLED "REFUSE, GARBAGE AND TRASH DISPOSAL" OF THE FAIRVIEW MUNICIPAL CODE.

**WHEREAS**, the City of Fairview, for the purpose of codifying its chipper service guidelines, desires to add a section to Title 17 of the city's municipal code, and

**WHEREAS**, the addition of this code section requires that certain existing sections of Title 17 be renumbered, and

**WHEREAS**, the renumbering will provide for additional future codified sections in Title 17 of the city's municipal code, and

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

**BE IT ORDAINED**, Section 17-110 of the City of Fairview municipal code, entitled "Violations" is hereby renumbered as Section 17-120, and

**BE IT FURTHER ORDAINED**, that Sections 17-112 through 17-119 are hereby created and that Sections 17-110 and Sections 17-112 through 17-119 are hereby RESERVED.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY RECORDER

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

Passed First Reading

August 16, 2018

Passed Second Reading \_\_\_\_\_

ORDINANCE NO. 2018-15



**AN ORDINANCE AMENDING CITY OF FAIRVIEW MUNICIPAL CODE SECTION 17-101, ENTITLED "DEFINITIONS", TO INCLUDE PARAGRAPH (8) DEFINING "BRUSH AND CHIPPER WASTE".**

**WHEREAS**, the City of Fairview is considering codifying Title 17, Section 17-111, entitled "Residential Chipper Service Guidelines and Restrictions", as a section of its municipal code, and

**WHEREAS**, the addition of this code section will require a definition of "Brush and Chipper Waste", and

**WHEREAS**, the definitions for Title 17 of the city's municipal code are specified in Section 17-101 and this section is the proper placement for the definition of "Brush and Chipper Waste", and

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

**BE IT ORDAINED**, that Section 17-101 of the City of Fairview municipal code is hereby amended to include paragraph (8), entitled "Brush and Chipper Waste, and

**BE IT FURTHER ORDAINED**, that Section 17-101(8) of the City of Fairview municipal code shall read as follows: "Brush and Chipper Waste." The term "brush and chipper waste" as herein referred to in this chapter shall include sticks, limbs, branches, growths, trimmings, woody plant material and woody plant debris produced from homeowner maintenance of residential landscaping.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY RECORDER

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

Passed First Reading

August 16, 2018

Passed Second Reading

\_\_\_\_\_



ORDINANCE NO. 2018-16



**AN ORDINANCE ESTABLISHING OPERATIONAL RULES AND GUIDELINES FOR BRUSH, MATERIALS AND DEBRIS TO BE PROCESSED BY THE CITY'S CHIPPER SERVICE.**

**WHEREAS**, the City of Fairview operates a chipper service for the removal of certain organic materials from residential home sites within the city limits of the City of Fairview, and

**WHEREAS**, the City of Fairview desires to establish a standardized scope of services for its residential chipper service, and

**WHEREAS**, chipper services provided by the City of Fairview shall not serve commercial, retail or industrial sites, locations or addresses and shall not service vacant homes under construction or remodel, and

**WHEREAS**, this ordinance shall govern the guidelines and restrictions for the chipper service and the materials intended to be processed by the service, and

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

**BE IT ORDAINED**, Section 17-111 of the City of Fairview municipal code shall be created and shall be entitled "Residential Chipper Service Guidelines and Restrictions", and

**BE IT FURTHER ORDAINED**, that Section 17-111 of the City of Fairview municipal code shall state the following: "The proper placement of brush/chipper waste, the amount of brush/chipper waste, the size of brush/chipper waste to be processed, the types of materials that are acceptable and examples of materials not acceptable are as follows":

1. Brush shall not be placed in any roadway median.
2. Brush and debris to be processed must be residential landscaping brush and debris resulting from general landscaping maintenance and trimming.
3. Brush shall be placed at the roadside of the residential address at which it was produced.
4. The maximum brush pile size shall be three (3) feet high and ten (10) feet by ten (10) feet square and no more than one (1) brush pile may be set out for service at any one time.
5. No limbs larger than four (4) inches in diameter will be processed.
6. No vines, root balls, dirt, loose leaves, hay or straw will be processed.
7. Brush intertwined with plastics, fabric, metal, wiring, cable, any fencing or similar foreign materials will not be processed.
8. No household materials, appliances or similar items will be processed.
9. No lot clearing debris or whole trees will be processed.
10. No brush or debris produced by commercial or professional landscaping services, professional tree removal or professional tree trimming will be processed.



\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY RECORDER

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

Passed First Reading

August 16, 2018

Passed Second Reading

\_\_\_\_\_

ORDINANCE NO. 2018-17



AN ORDINANCE AMENDING CITY OF FAIRVIEW MUNICIPAL CODE SECTION 17-110, ENTITLED "VIOLATIONS", TO INCLUDE "BRUSH AND CHIPPER WASTE".

**WHEREAS**, the City of Fairview municipal code section 17-110 states the following:

Violations. Any person who shall violate any of the provisions of this chapter, or who shall fail or refuse to obey any notice issued by the department of health, the superintendent of the refuse collection department, or any official of the City of Fairview with reference to the storage, accumulation, or disposal of garbage/refuse/litter as described in Section 17-101 of this code shall be subject to a penalty of up to fifty dollars (\$50.00) for each offense.

Each day a violation is allowed to continue from the date of the original citation or notice shall constitute a separate offense. And

**WHEREAS**, code section 17-110 is being renumbered to section 17-120 and must be amended to include brush and chipper waste, and

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

**BE IT ORDAINED**, that Section 17-120 of the City of Fairview municipal code is hereby amended to read as follows:

Violations. Any person who shall violate any of the provisions of this chapter, or who shall fail or refuse to obey any written notice issued by the Williamson County Health Department or the City of Fairview with reference to the placement, deposit, storage, accumulation, or disposal of garbage, refuse, litter or brush and/or chipping waste, as described in Section 17-101 of this code, shall be subject to a penalty of up to fifty dollars (\$50.00) for each offense.

Each day a violation is allowed to continue from the date of the original citation or notice shall constitute a separate offense.

\_\_\_\_\_  
**MAYOR**

**ATTEST:**

\_\_\_\_\_  
**CITY RECORDER**

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

Passed First Reading August 16, 2018

Public Hearing Held \_\_\_\_\_

Passed Second Reading \_\_\_\_\_



ORDINANCE NO. 2018-12



AN ORDINANCE TO REPEAL SECTION 11-806 OF THE CITY OF FAIRVIEW MUNICIPAL CODE, AS WRITTEN, AND TO RESERVE SECTION 11-806 OF THE CITY OF FAIRVIEW MUNICIPAL CODE.

**WHEREAS**, the City of Fairview board of commissioners desires to repeal section 11-806, Smoking Prohibited at Public Meetings at City Hall, as written, and

**WHEREAS**, the City of Fairview municipal code section 11-806 shall be RESERVED for future amendment to the city's municipal code, and

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

**BE IT ORDAINED**, that the City of Fairview board of commissioners hereby repeals section 11-806, Smoking Prohibited at Public Meetings at City Hall, of the City of Fairview municipal code, as written, and section 11-806 is hereby RESERVED for future amendment to the city's municipal code.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY RECORDER

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

Passed First Reading

August 16, 2018

Passed Second Reading \_\_\_\_\_

ORDINANCE NO. 2018-13



**AN ORDINANCE TO BAN SMOKING ON ALL PROPERTY OWNED BY THE CITY OF FAIRVIEW AND WITHIN ALL ASSETS, FACILITIES AND STRUCTURES OWNED BY THE CITY OF FAIRVIEW, AND TO ESTABLISH A FINE FOR VIOLATIONS OF THE CITY'S BAN ON SMOKING ON CITY OWNED PROPERTIES AND WITHIN CITY OWNED ASSETS.**

**WHEREAS**, the City of Fairview desires to promote a healthy and safe environment on all city owned properties and within all city owned assets, facilities and structures, and

**WHEREAS**, the City of Fairview also desires to ensure, to the extent reasonable, that it takes every measure to prohibit the smoking of cigarettes, pipes, cigars, tobacco, or any other plant, substance or material on all city owned properties and within all city owned assets, facilities and structures, and

**WHEREAS**, the City of Fairview also desires to prohibit the use of e-cigarettes and all similar items, substances and materials on all city owned properties and within all city owned assets, facilities and structures, and

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

**BE IT ORDAINED**, Section 11-809 of the City of Fairview municipal code shall be created and shall be entitled "Smoking Prohibited", and

**BE IT FURTHER ORDAINED**, that Section 11-809(1) of the City of Fairview municipal code shall state the following: "It shall be unlawful for any person on any property owned by the City of Fairview or within any asset, facility or structure owned by the City of Fairview to smoke any cigarette, pipe, cigar, tobacco, or any other plant, substance or material", and

**BE IT FURTHER ORDAINED**, that Section 11-809(2) of the City of Fairview municipal code shall state the following: "It shall be unlawful for any person on any property owned by the City of Fairview or within any asset, facility or structure owned by the City of Fairview to smoke or otherwise use any e-cigarette or any similar item, substance or material", and

**BE IT FURTHER ORDAINED**, that Section 11-809(2) of the City of Fairview municipal code shall state the following: "Each violation(s) of Sections 11-809(1) and Section 11-809(2) shall be punishable by a fine of \$25.00 per violation and occurrence".

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**MAYOR**

ATTEST:

\_\_\_\_\_  
CITY RECORDER

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

Passed First Reading August 16, 2018

Public Hearing Held \_\_\_\_\_

Passed Second Reading \_\_\_\_\_





**RESOLUTION 32-18**

**A RESOLUTION CALLING FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF TERRITORY INTO THE CITY OF FAIRVIEW BY OWNER CONSENT AND APPROVING A PLAN OF SERVICES**

Tax Map 042, Parcel 077.01  
7344 Taylor Road  
.92 Acres  
Owner: Cheryl Bates  
Authorized Agent: Brandon Butler

**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 by owner consent; and

**WHEREAS**, a Plan of Services for the territory proposed for annexation by owner consent has been reviewed by the Fairview Planning Commission; and

**WHEREAS**, the governing body desires to conduct a public hearing on the proposed annexation and plan of services;

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

A. That a public hearing is hereby scheduled for 7:00 pm on November 1, 2018 at Fairview City Hall on the proposed annexation of territory by owner consent, and Plan of Services, to wit:

Beginning at a point located along the East margin of Taylor-Les Hughes Road, said point being 137.27 feet South of the southwest corner of the Sanders property as depicted on said survey, thence South 85 degrees 53 minutes 51 seconds East 270.17 feet to a point marked by a P.K. nail in the Wesley Jones boundary and forming a common rear corner with one acre tract lying directly North of the subject property; thence South 5 degrees 12 minutes 57 seconds West 256.76 feet along the Wesley Jones boundary line to a P.K. nail located in the northeasterly margin of Taylor-Les Hughes Road; thence with the margin of said road North 68 degrees 9 minutes 9 seconds West 93.90 feet to a P.K. nail. Thence continuing with said margin North 53 degrees 45 minutes 52 seconds West 68.95 feet to a P.K. nail. Thence continuing with said margin North 39 degrees 50 minutes 50 seconds West 71.76 feet to a P.K. nail; thence continuing with said margin North 26 degrees 36 minutes 50 seconds West 89.27 feet to a P.K. nail; thence continuing with said margin North 15 degrees 6 minutes 42 seconds West 66.72 feet to the point of beginning, said property containing 1.10 acres, more or less.

B. That a copy of this Resolution, describing the territory proposed for annexation by owner consent, along with the Plan of Services, shall be promptly sent to the last known address listed in the office of the Williamson County 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.

C. That a copy of this Resolution shall also be 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.

D. That notice of the time, place and purpose of a public hearing on the proposed annexation by owner consent and the Plan of Services shall be 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.

E. That written notice of the proposed annexation shall be sent to the affected school system as soon as possible, but in no event less than thirty (30) days before the public hearing.

**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 this \_\_\_ day of \_\_\_\_\_, 20\_\_\_

\_\_\_\_\_  
City Attorney

**PROPOSED PLAN OF SERVICES TO ACCOMPANY  
RESOLUTION 32-18,  
A Resolution Calling for a Public Hearing on the Proposed Annexation of  
Territory into the City of Fairview by Owner Consent and Approving a Plan of  
Services (7344 Taylor Road)**

**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, THAT:**

**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:

**1. 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.

**2. 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.

**3. 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.**

**4. Sanitary Sewers**

1. At present Sanitary Sewer Service is not available. If and when such service becomes available, the necessary intercepting and trunk sewers to serve the annexed area will be installed in accordance with current policies of 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.**

**5. Refuse Collection**

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

**6. 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.

**7. Schools**

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

**8. Inspection Services**

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

**9. 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.

**10. 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.

**11. Street Lighting**

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

**12. Recreation**

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

**13. Miscellaneous**

1. Where they are needed, street name signs will be installed as soon as the need for emergency services to the annexed area is 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 4<sup>th</sup> day of October, 2018.

This Resolution Considered by the City of Fairview, Tennessee, Municipal Planning Commission this 9<sup>th</sup> day of October, 2018.

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 9<sup>th</sup> day of October, 2018.**

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**Chairman**