

CITY OF FAIRVIEW
BOARD OF COMMISSIONERS
REGULAR MEETING AGENDA
OCTOBER 6, 2022
7:00 P.M.

- 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**
 - A. City Events
- 8. Staff Comments and Monthly Reports**
 - A. Fire Report
 - B. Police Report
 - C. City Manager Report
- 9. Consent Agenda** (Any Item May be Removed for Individual Consideration)
 - A. Minutes from Board of Commissioners Meeting September 15, 2022
 - B. Minutes from Board of Commissioners Work Session September 15, 2022
- 10. Old Business**
 - A. Rezoning of 7.52 Acres Located at 7319 Wiley Circle
 - (1) Public Hearing
 - (2) Second and Final Reading of Ordinance 2022-25, An Ordinance to Amend the Zoning Ordinance of the City of Fairview, Tennessee, by Rezoning 7.52 Acres of Property Located at 7319 Wiley Circle, Consisting of Williamson County Tax Map 042 I A, Parcel 005.00, From RS-40 (Residential) to RS-15 (Residential), Property Owner: Lynn Eldridge, Agent: T2 Engineering
- 11. New Business**
 - A. First Reading of Ordinance 2022-28, An Ordinance to Amend Title 9, Chapter 7 of the City of Fairview Municipal Code by Adding Section 9-701 Entitled "Food Trucks"
 - B. First Reading of Ordinance 2022-29, An Ordinance to Amend Title 8, Chapter 2, Section 8-211 of the City of Fairview Municipal Code, to Include Section 8-211(A) Regarding the Permitting of Beer Sales from Food Trucks
 - C. Beer Permit Application – Nando's Food Truck

- D. First Reading of Ordinance 2022-27, An Ordinance to Amend the Zoning Ordinance of the City of Fairview, Tennessee by Rezoning 25.04 Acres of Property Located at 7309 Crow Cut Road, Consisting of Williamson County Tax Map 046, Parcel 018.00, From RS-40 (Residential) to RS-20 (Residential), Property Owners: Donald A Cunningham and Maryanne L Cunningham, Agent: Rob Molchan, SEC, Inc.
- E. Resolution 34-22 – A Resolution of the City of Fairview Board of Commissioners Accepting the Lowest Bid for a Single Resurfacing Project and Authorizing this Work
- F. Resolution 35-22, A Resolution of the City of Fairview Board of Commissioners to Formally Adopt the Fairview Forward 2040 Comprehensive Plan
- G. Resolution 36-22, A Resolution of the City of Fairview Board of Commissioners to Select a Consultant Firm to Develop, Prepare and Deliver the City's Park System Master Plan

12. Communications from the Mayor and Commissioners

13. Meeting Adjournment

10A

ORDINANCE No. 2022-25

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF FAIRVIEW, TENNESSEE, BY REZONING 7.52 ACRES OF PROPERTY LOCATED AT 7319 WILEY CIRCLE, CONSISTING OF WILLIAMSON COUNTY TAX MAP 042 I A, PARCEL 005.00, FROM RS-40 (RESIDENTIAL) TO RS-15 (RESIDENTIAL), PROPERTY OWNER: LYNN ELDRIDGE, AGENT: T2 ENGINEERING

WHEREAS, the City of Fairview zoning ordinance, and the zoning maps therein adopted be, and the same are hereby amended by rezoning the property herein described as 7.52 acres of property consisting of Williamson County tax map 042 I A, parcel 005.00, located at 7319 Wiley Circle, from RS-40 (Residential) to RS-15 (Residential), property owner: Lynn Eldridge, agent: T2 Engineering; and

WHEREAS, said property to be rezoned from RS-40 to RS-15 is located within the corporate limits of the City of Fairview; and

WHEREAS, the City of Fairview Municipal Planning Commission forwarded the request to the Board of Commissioners on August 9, 2022, with a recommendation for approval without conditions; and

WHEREAS, that all ordinances or parts of ordinances in conflict are hereby repealed; and

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

The zoning ordinance of the City of Fairview, Tennessee, is hereby amended by rezoning 7.52 acres of property consisting of Williamson County tax map 042 I A, parcel 005.00, located at 7319 Wiley Circle, from RS-40 (Residential) to RS-15 (Residential), as requested by owner Lynn Eldridge and agent T2 Engineering, the public welfare requiring it. The rezoning of this site shall be subject to all City of Fairview ordinances and regulations.

Wiley Circle

Mangrum Drive

7319 Wiley Circle
Rezone 7.52 Acres
Map: 042 I A Parcel: 005.00
Owner: Lynn Eldridge
Current Zoning: RS-40
Requested Zoning: RS-15



Approved by the Board of Commissioners:

Mayor

ATTESTED:

City Recorder

APPROVED AS TO FORM:

City Attorney

Passed 1st Reading: September 1, 2022

Public Hearing: _____

Passed 2nd Reading: _____

Published for public notice on:

In:

Publication

ORDINANCE No. 2022-28**AN ORDINANCE TO AMEND TITLE 9, CHAPTER 7, OF THE CITY OF FAIRVIEW MUNICIPAL CODE BY ADDING SECTION 9-701 ENTITLED “FOOD TRUCKS”.**

WHEREAS, the food truck industry is a growing and vital economic generator; and

WHEREAS, food trucks have become popular in the City of Fairview and often operate at several locations across the city; and

WHEREAS, the City of Fairview desires to promote economic development through the encouragement of vibrant entertainment alternatives, including accommodating the popularity and growth of the food truck industry.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF FAIRVIEW, TENNESSEE, THAT THE CITY OF FAIRVIEW MUNICIPAL CODE IS HEREBY AMENDED AS FOLLOWS:

Title 9, Chapter 7, of the City of Fairview Municipal Code, entitled “Food Trucks”, is hereby created.

AND BE IT FURTHER ORDAINED, that Title 9, Chapter 7, of the City of Fairview Municipal Code, entitled “Food Trucks”, shall include Sections 9-701 through 9-706 and those Sections shall read as follows:

9-701 DEFINITIONS.

- (1) Food Trucks are vehicles from which the operator stores, cooks, prepares, or assembles food items with the intent to sell such items to the general public and which may market their products to the public via advertising, including social media.
- (2) Food Truck Rallies are coordinated and advertised gatherings of more than four (4) Food Trucks in one location on a date certain with the intent to serve the public.
- (3) Ice Cream Trucks are vehicles from which the operator vends only pre-packaged frozen dairy or frozen water-based food products, soft serve, or hand-dipped frozen dairy products or frozen water-based food products, and pre-packaged beverages.

- (4) Location means any single property parcel and all other parcels that is contiguous or cumulatively contiguous to that owned or controlled by a single or affiliated entities.
- (5) Mobile Food Service Permit means a permit issued by the City for the operation of Food Trucks, special events, City co-sponsored events, or an approved Food Truck Rally.
- (6) Mobile Food Service Vehicle means a Food Truck, a Canteen Truck, or an Ice Cream Truck and includes any other portable unit that is attached to a motorized vehicle and that is intended for use or in service to the operations of the Mobile Food Service Vehicle.
- (7) Operate means to promote or sell food, beverages, and other permitted items from the Mobile Food Service Vehicle and includes all tenses of the word.
- (8) Operator means any person owning, operating, or permitted to operate a Food Truck and collectively refers to all such persons.
- (9) Vehicle, as used in this article, means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

9-702 GENERALLY.

- (A) It is a violation to operate a Mobile Food Service Vehicle at any location except in compliance with the requirements of this article.
- (B) Mobile Food Service Vehicle operators must comply with all state and local business license and tax regulation.

9-703 LOCATIONS AND HOURS OF OPERATION.

- (A) Food Trucks.
 - (1) *Public Property.* Food Trucks may operate on City property, including City parks, only at the times and locations listed on the City's website as public property upon which Food Trucks can operate.
 - (2) *Private property.* Food Trucks may operate on private property where there is a commercial, office, educational, or industrial use subject to the following conditions:
 - (a) *Permission.* Food Trucks selling to the public from private

property shall have the written permission of the property owner, which shall be made available to the City immediately upon request.

(b) *Unimproved Properties.* Regardless of an agreement with the owner of the property, a Food Truck may not operate on an unimproved parcel or portion of an unimproved parcel unless that parcel has improved ingress and egress. The City of Fairview reserves the right to require temporary restroom facilities on unimproved properties used by mobile food trucks.

(c) *Frequency.* Food Trucks may operate no more than four (4) days per calendar week at a location on privately owned property.

(d) *Maximum Number of Food Trucks.* No more than three (3) mobile food trucks may operate at any location with coordinated advertising to the public unless a Special Event Permit has been secured by the property owner or event coordinator.

(e) *Existing Parking Spaces.* Mobile food trucks may not require the use of more than twenty-five percent (25%) of existing parking spaces located on the property for which it has an agreement to operate.

(3) *Restroom Facility.* Food Trucks operating at a location for a duration of more than three (3) hours must have a written agreement, available upon request by the City, that permits employees to have access to a flushable restroom no more than 450 feet of the vending location during all the hours of operation.

(B) *Ice Cream Trucks*

(1) *Locations.*

(a) *Private Property.* An Ice Cream Truck may operate on private property with written permission of the property owner, which will be immediately available to the City upon request. An Ice Cream Truck may not require use of more than twenty-five percent (25%) of existing parking spaces. No Ice Cream Truck may operate on the same or adjoining private property more than two (2) days per week.

(b) *Food Truck Rallies.* An Ice Cream Truck may operate at a Food Truck Rally only after complying with all requirements applicable to a Food Truck.

(c) An Ice Cream Truck may also be mobile on public streets and stopping on private property to sell inventory; however, they may not impede traffic, shall obey all traffic rules and regulations, and will use extreme caution in its

operation.

- (2) *Hours of Operation.* Ice Cream Trucks may operate after 11:00 a.m. and before sunset.

9-704 OPERATING REQUIREMENTS.

(A) *Vehicle Requirements.*

(1) *Design and Construction.* Mobile Food Service Vehicles must be specifically designed and constructed for the purpose of storage, preparation and sale of the specific type of food being sold and may not operate in any manner that is not safe and is not compatible with the purpose for which the vehicle has been designed and constructed.

(2) *Licensing.* Mobile Food Service Vehicles must be licensed in accordance with the rules and regulations of any local, state, and federal agency having jurisdiction over motor vehicles and all products sold therein must be properly licensed, permitted, and allowed by local, state, and federal laws or regulations.

(C) *Business Access.* No Mobile Food Service Vehicle may operate in a location that impedes the ingress to, egress from, or signage of another business or otherwise causes undue interference with access to other businesses or emergency areas, paths, or facilities.

(D) *Pedestrians.* A Mobile Food Service Vehicle may not reduce the clear pedestrian path of travel on the sidewalk to less than six feet (6'). This includes all components of the Unit and any patron queue. All awnings or canopies of the Unit shall be at least six feet, eight inches (6' 8") above the sidewalk.

(E) *Distance between Units.* A Mobile Food Service Vehicle may not operate within three (3) feet of any other Mobile Food Service Vehicle.

(F) *Types of Cooking Apparatuses.* Cooking apparatus allowed includes solid fuel grill, solid fuel oven, solid fuel or electric smoker, flat top griddle, and gas range or oven. Open flame cooking (other than with a gas range specifically constructed and designed within the Food Truck) either within or outside a Mobile Food Service Vehicle is prohibited; except where such activity is specifically permitted by the Fire Department. Ice Cream Trucks can have no heating apparatus installed within the vehicle for the purpose of food service.

(G) *Noise.* All Mobile Food Service Vehicles shall comply with City of Fairview Noise Ordinance #2020-17 and its successors.

(H) *Commissary.* If the Operator has a fixed, non-mobile establishment or any other place that is used for the storage of supplies, the preparation of food to be sold or served at or by

Mobile Food Service Vehicle, or the cleaning and servicing of the Mobile Food Service Vehicle, such a commissary location within the City cannot be located in any residential zoning district; unless such commissary complies with all applicable zoning regulations, building code requirements, and fire code requirements of the City of Fairview.

- (I) *Utilities.* All Mobile Food Service Vehicles shall comply with the version of the electrical code currently adopted by the City and any power, water, or sewage required for the Mobile Food Service Vehicle shall be self-contained and shall not use utilities drawn from other sources.
- (J) *Fire Extinguishers Required.* All Mobile Food Service Vehicles must be equipped with a 2-A:10B-C fire extinguisher that is serviced annually by a licensed company.
Additionally, any Mobile Food Service Vehicle that produces grease laden vapors (e.g., those units with deep fat fryers or flat top griddles) must be equipped with a K-Class fire extinguisher that is certified annually by a licensed company.
- (K) *Support Methods.* No Mobile Food Service Vehicle may use stakes, rods, or any method of support that must be drilled, driven, or otherwise fixed, into or onto asphalt, pavement, curbs, sidewalks, or buildings.
- (L) *Pedestrian Service Only.* Mobile Food Service Vehicles operating in the right-of-way shall service pedestrians only; drive-up, drive-thru, or drive-in service is prohibited.
- (M) *Spills.* To prevent discharges of grease or other contaminates into the storm drain system and river, each Unit shall comply with all storm water regulations of the City. In addition, each Unit shall have a spill response plan and kit on board to contain and remediate any discharge from the Unit. In the event of a spill, Operators are required to call City of Fairview Fire Department.
 - (1) Spill Plan - Food Trucks must post, on the interior of the vehicle, instructions for containing spills; at a minimum such plan should include a) description of and typical quantities materials that may be spilled; b) procedures for containing potentially spilled materials including proper disposal of spilled materials; c) procedures for storage, use, handling and transfer of materials to reduce potential for spilling; d) emergency notification requirements; and
 - (2) Spill Kit - Food Trucks must have a response kit on the vehicle including a) minimum 5-gallon storage and clean-up container capacity with lid; b) minimum of 10 adsorbent pads and 2 adsorbent socks or equivalent; c) disposable bag

adequate to hold contents of spill kit and spilled materials; d) 1 pair of disposable gloves.

(N) *Waste Collection.* The area of a Mobile Food Service Vehicle operation must be kept neat and orderly at all times. Operation of a Mobile Food Service Vehicle in an area is deemed acceptance by the Operator of the responsibility for cleanliness of the reasonable area surrounding the operations (not less than 20 feet from all parts of the Vehicle) regardless of the occurrence or source of any waste in the area. The Operator must provide proper trash receptacles for public use that are sufficient and suitable to contain all trash generated by the Mobile Food Service Vehicle during the period of operation at a location. All trash within the area of operations regardless of the source must be removed and all garbage, trash, and trash receptacles must be removed when full and prior to departure of a Mobile Food Service Vehicle from a location.

(O) *Signage.* Mobile Food Service Vehicles are limited to signs mounted to the exterior of the mobile food establishment and one (1) sandwich board sign with dimensions no larger than six (6) square feet. All signs mounted on the Unit shall be secured and mounted flat against the Unit and shall not project more than six inches (6") from the exterior of the Unit. Sandwich board signs shall not obstruct or impede pedestrian or vehicular traffic. All signage must at all times conform to community standards of decency.

(P) *Alcohol sales.* Food Trucks may not sell alcoholic beverages, except as may be specifically allowed by state law and city ordinance. Canteen Trucks and Ice Cream Trucks are prohibited from selling alcoholic beverages.

(Q) *Insurance Requirements.* Mobile Food Service Vehicles shall obtain, at a minimum, any motor vehicle insurance required by any local, state, or federal laws and regulations.

(1) Food Trucks operating on City property are required, at all times, to maintain an appropriate amount of liability insurance coverage with the City named as additional insured. In the event the required coverage is not properly maintained, the Operator's Mobile Food Service Permit will be immediately revoked. The failure of the Operator to notify the City of any change in coverage will preclude the Operator from obtaining a permit for a period of six months from the date the City learns of the failure to provide the required notification of change.

(2) Ice Cream Trucks shall not operate on City property, except upon obtaining written permission from the City, and may be

required to obtain insurance consistent with the type of operation permitted.

- (R) All food trucks must meet all of the requirements with the State of Tennessee Department of Health and have documentation of such compliance on the food truck and available for City review.

9-705 MOBILE FOOD SERVICE PERMITS.

(A) *Applicable.* No Mobile Food Service Vehicle may operate within the City without a Mobile Food Service Permit issued by the City. A Mobile Food Service Permit authorizes the holder only to engage in the vending of products from a Mobile Food Service Vehicle in compliance with City Code and as specified on the permit. The Mobile Food Service Permit must be prominently displayed when the Mobile Food Service Vehicle is in operation.

(B) *Application.* A Mobile Food Service Vehicle operator shall apply for a Mobile Food Service Permit by payment of a \$50 non-refundable application fee and the following:

(1) Complete an application form provided by the City, which shall include the following information:

- (a) Name and address of the owner of the vehicle;
- (b) Name and address of the operator of the vehicle;
- (c) Three color photographs of the exterior (front, side, and back) as well as photographs of the interior food service portion of the vehicle in the final condition and with all markings under which it will operate;
- (d) A copy of the vehicle license and registration form reflecting the vehicle identification number (VIN) of the Mobile Food Service Vehicle.
- (e) A copy of the state or county health department license or permit applicable to mobile food providers;
- (t) A copy of the Fire Marshal's inspection report;
- (g) A copy of any alcoholic beverage licenses, if applicable;
- (h) A copy of the operator's Tennessee business license issued by the City or the operator's home-based County; and
- (i) A copy of insurance coverage.

(2) *Permittee Obligations.*

- (a) Permittee has an on-going duty to provide the City with notice of any change to any of the information required by the City to obtain a Mobile Food Service Permit, including current photographs of the Mobile Food Service Vehicle in the event of any change in the appearance of or signage on the vehicle.
- (b) Permittee shall display permit provided by the City, upon approval of application, on the Mobile Food

Service Vehicle.

- (c) Permittee is responsible for renewal of permit and will file renewal application with the city 30 days prior to expiration of permit.
- (3) This section does not apply to contractual arrangements between a Mobile Food Service Vehicle Operator and an individual, group, or the City for catering at a specific location, for a period of not more than four (4) hours, and that is not open to or serving the public.
- (C) *Issuance.* A Mobile Food Service Permit shall be issued based on approval from a full review of the application required by this section and upon payment of the permit fee. Permits may be obtained for a 30-day time period for a fee of \$100 or for a rolling twelve (12) month period for a fee of \$250.
- (D) *Permits Not Allowed.* A Mobile Food Service Permit will not be issued to:
 - (1) an Operator that operated within the prior six (6) months notwithstanding a Mobile Food Service Permit that is suspended or has been revoked; or
 - (2) an Operator, or any person affiliated with the Operator for purposes of operating a Mobile Food Vehicle that is the subject of a suspended Mobile Food Service Permit or has held a Mobile Food Service Permit revoked within the prior twelve (12) months.
- (E) *Expiration.* A Mobile Food Service Permit expires on the date twelve (12) months after issuance and may be renewed provided that all City requirements are met and the license has not been suspended or revoked.
- (F) *Transferability.* A Mobile Food Service Permit may not be transferred except as part of the sale of an interest in a business holding the license or a sale of substantially all of the assets of a business holding the license.
- (G) *Enforcement.* The City holds the right to inspect at any given time of operation and responsibility of enforcement will be a shared responsibility between the Police Department, Fire Department and Planning Department.
 - (1) *Operating Without a Permit.* If an Operator is found to be operating within the City and without a Mobile Food Service Permit, the Operator will be required to cease operations and not resume until the proper inspections and permits are acquired.
 - (2) *Warnings.* A City Enforcement Officer may provide one (1) warning to any Operator for a violation of this section except that a citation shall be issued as set forth in the section.
 - (3) *Citation.* A City Enforcement Officer must issue a citation to

the mobile food service Operator for the following:

- (a) A second violation of this section is found to have occurred after a warning has been issued within the previous six (6) months; or
- (b) Any violation that constitutes ground for revocation of a mobile food service permit.

(4) *Suspension.* A Mobile Food Service Permit shall be suspended until restatement upon issuance of a citation for the following reasons:

- (a) A second violation of this section is found to have occurred after a warning has been issued within the previous six (6) months;
- (b) The required vehicle license, health permit, or business tax license for the Operator or the Mobile Food Service Vehicle has expired or been suspended, revoked, or otherwise terminated;
- (c) The Operator fails to obtain or maintain the insurance coverages required by this section.
- (d) Operator violates any other provision of this Ordinance or state law.

(5) *Revocation.* The City shall revoke a Mobile Food Service Permit after two (2) suspensions within a twelve (12) month period except that the Mobile Food Service Permit revoked (i) if an Operator fails to obtain a permit and upon expiration of the Temporary Permit as set forth in the Article; or (ii) the Operator operates in an unlawful manner such a manner as to constitute a breach of the peace, interferes with the normal use of the right-of-way, or otherwise constitutes a menace to the health, safety, or general welfare of the public.

(6) *Reinstatement.*

- (a) *Suspension.* An Operator may reinstate a suspended Mobile Food Service Permit by payment of a fine of \$50 to offset the City's costs of compliance measures, necessary inspections, and the correction of any circumstance that lead to the suspension.
- (b) *Revocation.* The City may allow an Operator to reapply for a Mobile Food Service Permit after three (3) months from the date of revocation, the Operator corrects all circumstances that led to the violations, and the Operator pays a fine of \$50 to offset the City's costs of compliance measures, necessary inspections, and the correction of any circumstance that led to the suspension.

(H) *Notice.* Upon denial, suspension or revocation of a Mobile Food Service Permit, the City shall give notice to the Operator in writing. There shall be no refund of any fee paid to the City.

9-706 FOOD TRUCK RALLIES.

All Food Truck Rallies on public or private property require a Special Event Permit with the exception of city-sponsored events.

SECTION 2: Legal Status Provisions

- (1) Exercise of Police Power - This entire ordinance shall be deemed and construed to be an exercise of the police power of the City of Fairview, Tennessee, adopted under the authority of the City of Fairview Charter, for the preservation and protection of the public's health, safety, morals, and general welfare, and pursuant to all other powers and authorities for the aforesaid purposes, and all of its provisions shall be liberally construed with a view toward effectuation of such purposes.
- (2) Severability - any section, clause, provision, or portion of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this ordinance, which is not of itself invalid or unconstitutional.
- (3) Conflict with Other Ordinance - In case of conflict between this ordinance or any part hereof, and the whole or part of any existing or future Ordinance of the city, the most restrictive provision shall in all cases apply.
- (4) Interpretation - Words herein in the singular number shall include the plural, the present tense shall include the future, and the masculine gender shall include the feminine and neuter.
- (5) Effective Date - This ordinance shall be effective 15 days after final passage, the public welfare requiring it.

Passed First Reading: _____

Public Hearing _____

Passed Second Reading: _____

Published for public notice on:

_____ in _____

APPROVED BY THE BOARD OF COMMISSIONERS:

Mayor

ATTESTED:

City Recorder

APPROVED AS TO FORM:

City Attorney



CITY OF FAIRVIEW, TENNESSEE
ORDINANCE No. 2022-29

AN ORDINANCE TO AMEND TITLE 8, CHAPTER 2, SECTION 8-211 OF THE CITY OF FAIRVIEW MUNICIPAL CODE TO INCLUDE SECTION 8-211(A) REGARDING THE PERMITTING OF BEER SALES FROM FOOD TRUCKS.

WHEREAS, Title 9, Chapter 7, Section 9-701 of the City of Fairview Municipal Code regulates the permitting and operational requirements of food trucks within the corporate limits of the City of Fairview; and

WHEREAS, Title 8, Chapter 2, Section 8-210 specifies the "applications of retail permits; requirements as to applicants; regulations to be followed and shown on the application" regarding retail beer permits within the corporate limits of the City of Fairview; and

WHEREAS, for the issuance of beer permits to food trucks Title 8, Chapter 2, Section 8-210 of the City of Fairview Municipal Code must be amended to include language regarding the issuance of beer permits to food trucks, as defined in Title 9, Chapter 7, Section 9-701, of the City of Fairview Municipal Code; and

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF FAIRVIEW, TENNESSEE, THAT THE CITY OF FAIRVIEW MUNICIPAL CODE IS HEREBY AMENDED AS FOLLOWS:

Title 8, Chapter 2, Section 8-210(A) entitled "Food Truck Beer Permits" is hereby created.

AND BE IT FURTHER ORDAINED, that Title 8, Chapter 2, Section 8-210(A) entitled "Food Truck Beer Permits" shall read as follows:

"It shall be lawful for the city's board of commissioners or the city's designated beer board, if applicable, to issue permits for the sale of any beverage coming within the provisions of this chapter to food trucks as defined in Title 9, Chapter 7, Section 9-701 of the City of Fairview Municipal Code, subject to the limitations and restrictions contained in the state law, and the rules and regulations promulgated thereunder, and subject to all of the limitations and restrictions contained in the permit provided by this Chapter and by the food truck permit provided by Title 9, Chapter 7, Section 9-701."

Passed 1st Reading: _____

Public Hearing: _____

Passed 2nd Reading: _____

Mayor

ATTESTED:

City Clerk

APPROVED AS TO FORM:

City Attorney

CITY OF FAIRVIEW
BEER PERMIT PACKET CHECKLIST



APPLICANT: Nando's Ft Inc / Fernando Cano
ADDRESS: 7006 City Centerway (base for food truck)

- ON PREMISE OFF PREMISE ON & OFF PREMISE
 MANUFACTURER'S OR DISTRIBUTOR'S PERMIT
 SPECIAL EVENTS PERMIT _____

COMPLETED APPLICATION FOR BEER PERMIT

RECEIPT OF \$250 APPLICATION FEE


TBI BACKGROUND REPORT(S)

PROOF OF SALES TAX REGISTRATION

N/A CERTIFIED STATEMENT FROM A LICENSED SURVEYOR

PACKET WAS COMPLETED IN FULL AS OF 9/2/2022

BOC MEETING DATE: 10/6/2022


BRANDY JOHNSON
CITY RECORDER



ORDINANCE No. 2022-27

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF FAIRVIEW, TENNESSEE, BY REZONING 25.04 ACRES OF PROPERTY LOCATED AT 7309 CROW CUT ROAD, CONSISTING OF WILLIAMSON COUNTY TAX MAP 046, PARCEL 018.00, FROM RS-40 (RESIDENTIAL) TO RS-20 (RESIDENTIAL), PROPERTY OWNERS: DONALD A CUNNINGHAM AND MARYANNE L CUNNINGHAM, AGENT: ROB MOLCHAN, SEC, INC

WHEREAS, the City of Fairview zoning ordinance, and the zoning maps therein adopted be, and the same are hereby amended by rezoning the property herein described as 25.04 acres of property consisting of Williamson County tax map 046, parcel 018.00, located at 7309 Crow Cut Road, from RS-40 (Residential) to RS-20 (Residential), property owners: Donald A Cunningham and Maryanne L Cunningham, agent: SEC, INC.; and

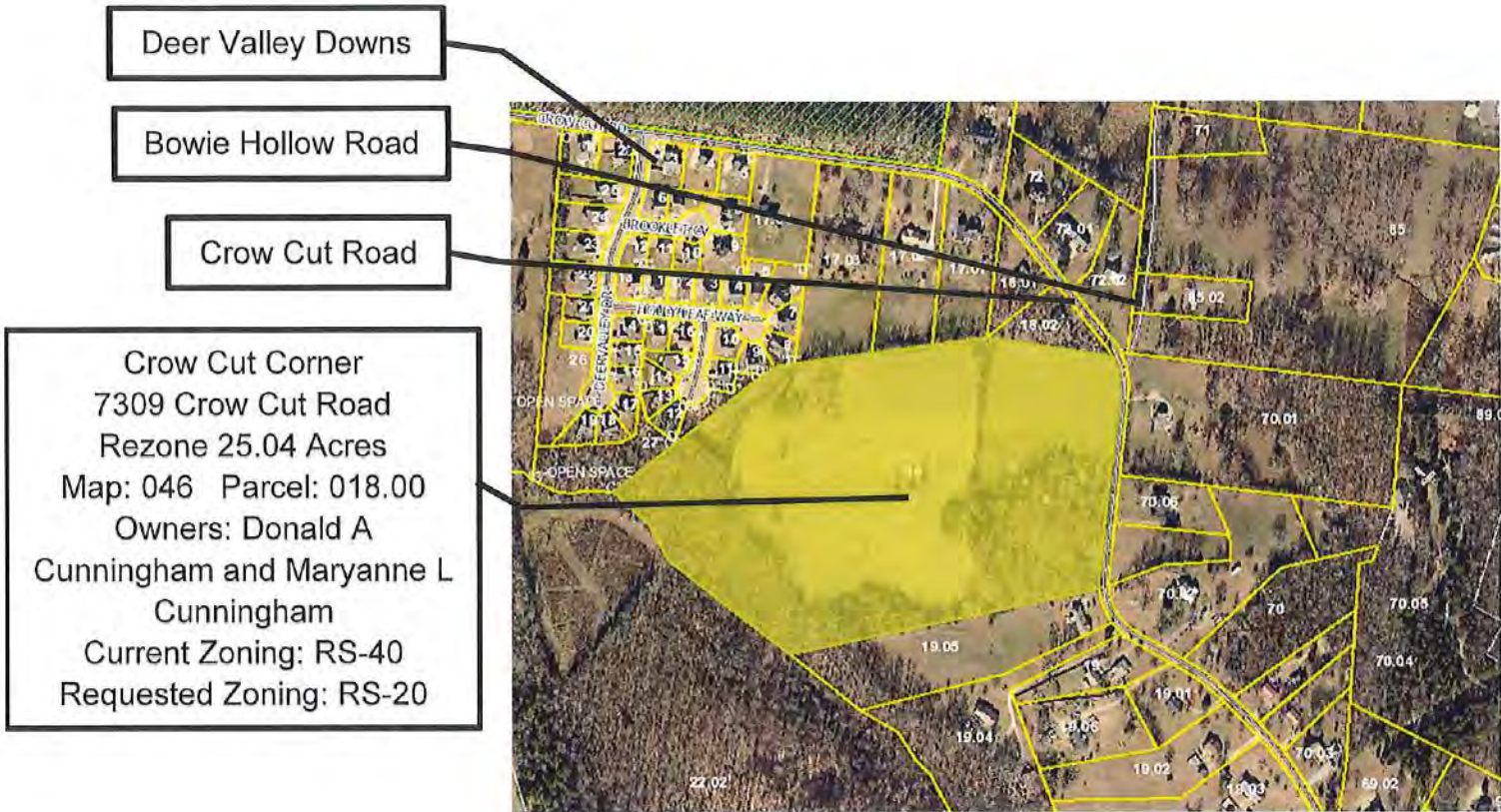
WHEREAS, said property to be rezoned from RS-40 to RS-20 is located within the corporate limits of the City of Fairview; and

WHEREAS, the City of Fairview Municipal Planning Commission forwarded the request to the Board of Commissioners on September 13, 2022, with a recommendation for approval without conditions; and

WHEREAS, that all ordinances or parts of ordinances in conflict are hereby repealed; and

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

The zoning ordinance of the City of Fairview, Tennessee, is hereby amended by rezoning 25.04 acres of property consisting of Williamson County tax map 046, parcel 018.00, located at 7309 Crow Cut Road, from RS-40 (Residential) to RS-20 (Residential), as requested by owners Donald A Cunningham and Maryanne L Cunningham and agent SEC, INC., the public welfare requiring it. The rezoning of this site shall be subject to all City of Fairview ordinances and regulations.



Approved by the Board of Commissioners:

Mayor

ATTESTED:

City Recorder

APPROVED AS TO FORM:

City Attorney

Passed 1st Reading: _____

Public Hearing: _____

Passed 2nd Reading: _____

Published for public notice on:

In:

Publication

CITY OF FAIRVIEW, TENNESSEE

RESOLUTION NO. 34-22



A RESOLUTION OF THE CITY OF FAIRVIEW BOARD OF COMMISSIONERS ACCEPTING THE LOWEST BID FOR A SINGLE RESURFACING PROJECT AND AUTHORIZING THIS WORK.

WHEREAS, the City of Fairview recently solicited bids for resurfacing a section of King Road within the corporate limits of the City of Fairview, and

WHEREAS, the location for which resurfacing bids were solicited is:

King Road between Tennessee State Highway 100 and Snow Mangrum Road, a distance of approximately 1,375 linear feet; and

WHEREAS, these bids were opened on Thursday, September 8, 2022; and

WHEREAS, Tennessee Valley Paving Co. Inc., was the lowest responsible bidder with a base bid of \$38,873.00; and

WHEREAS, this resurfacing project is being done in conjunction with the current State of Tennessee Highway 100 resurfacing project and was therefore accelerated as an emergency project in response to state project scheduling; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF FAIRVIEW, TENNESSEE, AS FOLLOWS:

The City of Fairview, Tennessee, Board of Commissioners accepts the bid submitted by Tennessee Valley Paving Co, Inc., in the amount of \$38,873.00 for the resurfacing of King Road between Highway 100 and Snow Mangrum Road, approximately 1,375 feet, and hereby affirms the emergency completion of this project; and

BE IT FURTHER RESOLVED, available funding for this project was previously approved in the current year state street aid budget.

Approved and adopted this _____ day of _____, 2022.

Mayor

Attest:

City Recorder

APPROVED AS TO FORM:

City Attorney

CITY OF FAIRVIEW
RESOLUTION NO. 35-22



A RESOLUTION OF THE CITY OF FAIRVIEW BOARD OF COMMISSIONERS TO FORMALLY ADOPT THE FAIRVIEW FORWARD 2040 COMPREHENSIVE PLAN.

WHEREAS, in 2018 the City of Fairview contracted with Common Ground Design for the creation of a new comprehensive plan, and

WHEREAS, the comprehensive plan was entitled "Fairview Forward, The 2040 Comprehensive Plan" and that plan is complete, and

WHEREAS, substantial revisions to the city's zoning classifications and related regulations were required for the comprehensive plan to be installed as a usable guide for the city's planning and development, and

WHEREAS, these revisions are substantially complete and nearing delivery to the planning commission and board of commissioners for approval(s), and

WHEREAS, the completion stage of these revisions makes it practical to formally adopt the city's Fairview Forward 2040 Comprehensive Plan, and

NOW THEREFORE BE IT RESOLVED BY THE CITY OF FAIRVIEW, TENNESSEE, BOARD OF COMMISSIONERS AS FOLLOWS:

BE IT RESOLVED, the City of Fairview board of commissioners hereby formally adopts and shall employ the "Fairview Forward 2040 Comprehensive Plan" and resolves that all matters of city planning, zoning, growth, development, and other related matters be done in reasonable accordance with the intent and spirit set forth in the Fairview Forward 2040 Comprehensive Plan.

Approved and adopted this _____ day of _____, 2022.

MAYOR

CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

Adopted _____

CITY OF FAIRVIEW, TENNESSEE

RESOLUTION NO. 36-22



A RESOLUTION OF THE CITY OF FAIRVIEW BOARD OF COMMISSIONERS TO SELECT A CONSULTANT FIRM TO DEVELOP, PREPARE, AND DELIVER THE CITY'S PARK SYSTEM MASTER PLAN.

WHEREAS, the City of Fairview recently solicited requests for qualifications for the purpose of selecting a firm to prepare the city's park system master plan; and

WHEREAS, ESP Associates was invited to make a formal presentation to the board of commissioners at the September 15, 2022, board meeting; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF FAIRVIEW, TENNESSEE, AS FOLLOWS:

The City of Fairview, Tennessee, Board of Commissioners hereby selects the firm of ESP Associates to develop, prepare, and deliver to the city the city's park system master plan, and authorizes the city manager to execute any and all contracts and agreements between ESP Associates and the City of Fairview for these services, and affirms that any contract between ESP Associates and the City of Fairview shall state that the completed park system master plan is to be delivered to the city manager no later than Friday, March 31, 2023.

Approved and adopted this _____ day of _____, 2022.

Mayor

Attest:

City Recorder

APPROVED AS TO FORM:

City Attorney