

**CITY OF FAIRVIEW
BOARD OF COMMISSIONERS**

NOVEMBER 5, 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)**
 - A. Item 10A
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 October 15, 2020, Board of Commissioners Meeting
 - B. Minutes from the October 15, 2020, Joint Board of Commissioners and Planning Commission Work Session 1- Residential
 - C. Minutes from the October 15, 2020, Joint Board of Commissioners and Planning Commission Work Session 2 - Commercial
10. **Old Business**
 - A. Second and Final Reading of Ordinance 2020-21, An Ordinance to Amend the Previously Approved (by Ordinance 2013-01) RS-15 RS-15 POD and Associated Preliminary Master Development Plan from a Density of 277 Lots to a Density of 250 Lots with a Minimum Lot Size of 7,500 Square Feet, Located on Overbey Road, Map 046, Parcel 044.00, Owner: Kathy Beata
11. **New Business**
 - A. Resolution 24-20, A Resolution of the City of Fairview, Tennessee, to Have a Street Light Installed in the 7500 Block of Cherokee Hills Road
 - B. Ordinance 2020-24, An Ordinance of the City of Fairview, Tennessee, Amending the Annual Budget for the Fiscal Year Beginning July 1, 2020, and Ending June 30, 2021
 - C. Resolution 24-20, A Resolution Authorizing the City of Fairview, Tennessee, Fire Department to Accept a Grant from Firehouse Subs Public Safety Foundation
12. **Communications from the Mayor and Commissioners**
 - A. Commissioner
 - B. Commissioner
 - C. Commissioner
 - D. Vice Mayor
 - E. Mayor
13. **Meeting Adjournment**

10A

ORDINANCE #2020-21

AN ORDINANCE TO AMEND THE PREVIOUSLY APPROVED (ORDINANCE 2013-01) RS-15 POD AND ASSOCIATED PRELIMINARY MASTER DEVELOPMENT PLAN FROM A DENSITY OF 277 LOTS TO A DENSITY OF 250 LOTS WITH A MINIMUM LOT SIZE OF 7,500 SQUARE FEET, LOCATED ON OVERBEY ROAD, TAX MAP 046, PARCEL 044.00, CONSISTING OF 108.41 ACRES, OWNED BY KATHY BEATA.

WHEREAS, the city of Fairview Zoning Ordinance, and the zoning maps therein adopted be, and the same are hereby amended by amending the previously approved RS-15 POD and Master Development Plan for the property herein described as 108.41 acres of property located on Overbey Road, Williamson County Tax Map 046, Parcel 044.00, from a density of 277 lots to a density of 250 lots with a minimum lot size of 7,500 square feet, as requested by owner Kathy Beata; and

WHEREAS, said portion of property for previously approved RS-15 POD and Master Development Plan to be amended is located within the corporate limits of the City of Fairview; and

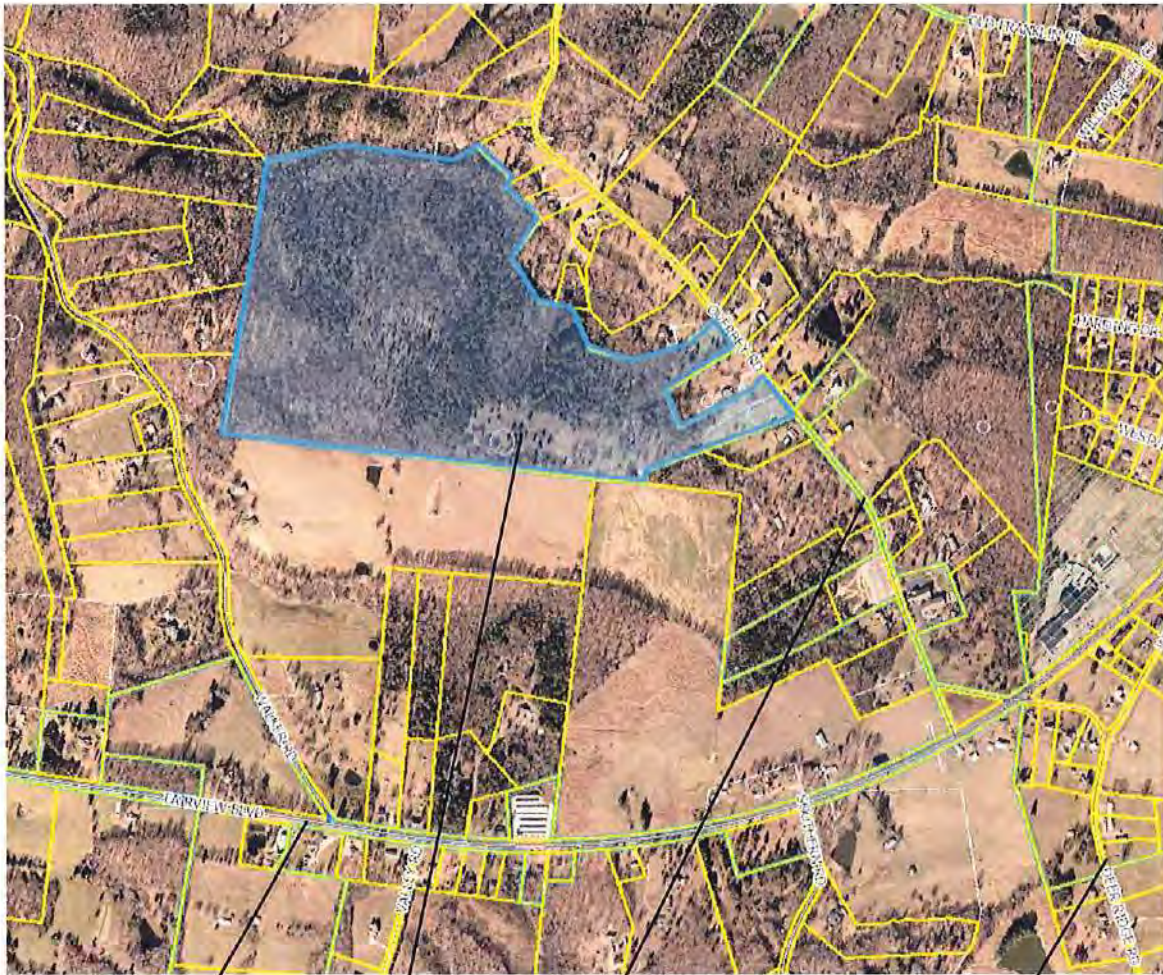
WHEREAS, the City of Fairview Municipal Planning Commission forwarded the request to the Board of Commissioners on September 8, 2020, with a unanimous recommendation for approval with the following conditions:

- Side setback variance from 7.5 feet to 5 feet is granted.
- Sidewalk variance is granted, reducing the required length by 885 feet along the south side of the primary access road and along the lot frontage.
- Stream alterations will likely require an Aquatic Resource Alteration Permit (ARAP) and will be addressed with each phase of construction plans.
- Stormwater Time of Concentration (Tc) and exact locations of catch basins will be addressed with each phase of construction plans.
- Upon approval of Water Authority of Dickson county requirements, all WADC elements will be required on the site construction plans with each phase; and

WHEREAS, that all Ordinances or parts of Ordinances in conflict with are hereby repealed.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FAIRVIEW, TENNESSEE, BOARD OF COMMISSIONERS, to amend the zoning ordinance of the

city of Fairview, by amending the previously approved RS-15 POD and Master Development Plan for 108.41 acres of property, located on Overbey Road, Williamson County Tax Map 046, Parcel 044.00, from a density of 277 lots to a density of 250 lots with a minimum lot size of 7,500 square feet, the public welfare requiring it. The rezoning of this site shall be subject to all City ordinances and regulations.



FAIRVIEW
BOULEVARD

OVERBEY ROAD

AMEND POD
108.41 acres
Map 046
Parcel 044.00
OVERBEY ROAD

DEER RIDGE
ROAD

Approved by the Board of Commissioners:

Debby Rainey, Mayor

ATTEST:

Brandy Johnson, City Recorder

LEGAL FORM APPROVED:

City Attorney

First Reading: October 1, 2020

Public Hearing Held: _____

Second Reading: _____

Published in the Fairview Observer on

October 20, 2020

CITY OF FAIRVIEW, TENNESSEE

RESOLUTION NO. 24-20



**A RESOLUTION OF THE CITY OF FAIRVIEW, TENNESSEE
STREET LIGHT INSTALLED IN THE 7500 BLOCK OF CHEROKEE HILLS ROAD.**

WHEREAS, some residents of the 7500 block of Cherokee Hills Road have petitioned the city to have a street light installed, and

WHEREAS, the petition is attached to this Resolution, and

WHEREAS, the utility pole upon which the street light would be installed sits between 7527 and 7531 Cherokee Hills Road, and

WHEREAS, Middle Tennessee Electric installs street lights within the city and the city pays the electric and maintenance costs for street lights within the city limits, 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 request Middle Tennessee Electric to install a street light on the utility pole between 7527 and 7531 Cherokee Hills Road.

Resolved this the _____ day of November, 2020.

Mayor

Attest:

City Recorder

Approved As To Form:

City Attorney

PETITION FOR STREET LIGHT(S)

We, the residents of Cherokee Hills, petition the city to install a street light adjacent to 7528 Cherokee Hills. This stretch on this street is pitch black and installing the street light(s) will provide much needed lighting and security.

Full Name	Address	Telephone	Signature
Wendy Wierberg	7527 Cherokee Hills Rd	615-268-6468	Wendy Wierberg
Chuck Kennedy	7535 Cherokee hills Rd	615-300-9930	Chuck Kennedy
Courtney Will	7532 Cherokee Hills Rd	629-401 9747	Courtney Will
Lynn Lamm	7528 Cherokee Hills Rd	615-582 4845	Lynn Lamm
Broke Middleton	7524 Cherokee Hills Rd	810-358-9797	Broke Middleton
GATE MANSON	7523 Cherokee Hills Rd	615-926-1982	GATE MANSON

Thank you.

11B

ORDINANCE No. 2020-23

AN ORDINANCE OF THE CITY OF FAIRVIEW, TENNESSEE, AMENDING ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2021.

WHEREAS, Tennessee Code Annotated § 9-1-116 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 has published the annual operating budget and budgetary comparisons of the proposed budget with the prior year (actual) and the current year (estimated) in a newspaper of general circulation not less than ten (10) days prior to the meeting where the Board will consider final passage of the budget.

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

SECTION 1: That the governing body projects anticipated revenues from all sources and appropriates planned expenditures for each department, board, office or other agency of the municipality, herein presented together with the actual annual receipts and expenditures of the last preceding fiscal year and the estimated annual expenditures for the current fiscal year, and from those revenues and unexpended and unencumbered funds as follows for fiscal year 2021, and including the projected ending balances for the budget year, the actual ending balances for the most recent ended fiscal year and the estimated ending balances for the current fiscal years:

General Fund	Actual FY 2019	Estimated FY 2020	FY 2021 Budget
Cash Receipts			
Taxes	5,182,340	5,408,556	5,357,700
Licenses and Permits	275,817	177,750	385,000
Fines and Fees	257,909	337,150	208,650
Intergovernmental	287,261	36,550	994,394

Other Revenue	57,924	97,950	297,710
Debt Proceeds	0	0	0
TAN and GAN Proceeds	0	0	0
Transfers In From Other Funds	0	0	0

Total Cash Receipts	6,061,251	6,057,956	7,109,454
----------------------------	------------------	------------------	------------------

Appropriations

Board of Education	47,442	79,469	241,124
Administration	1,956,244	1,137,992	1,793,144
Police Department	150,314	150,314	154,134
Planning Department	41,115	42,764	346,139
Managerial Costs	166,411	166,403	161,779
Public Defenders	551,274	1,772,491	1,863,834
Fire Department	2,212,217	1,218,970	1,922,925
Public Works	624,114	796,987	1,991,991
Sanitation	213,774	217,100	254,134
Unallocated Cash	0	0	0

Total Appropriations	6,693,448	6,150,085	7,560,344
-----------------------------	------------------	------------------	------------------

Change in Cash (Receipts - Appropriations)	(632,197)	(92,129)	(388,890)
Beginning Cash Balance on July 1	3,286,426	2,654,229	2,562,100
Ending Cash Balance on June 30	2,654,229	2,562,100	2,245,210

Ending Cash as a % of Appropriations	39.65%	41.66%	29.70%
--------------------------------------	--------	--------	--------

State Street Aid	Actual FY 2019	Estimated FY 2020	FY 2021 Budget
------------------	----------------	-------------------	----------------

Cash Receipts

State Gasoline and Motor Fuel Taxes	269,729	300,000	264,000
Local Gasoline and Motor Fuel Taxes	0	0	0
Other Revenue	51	250	200
Debt Proceeds	0	0	0

Total Cash Receipts	269,780	300,250	264,200
---------------------	---------	---------	---------

Appropriations

Public Works Department	392,895	440,500	228,000
Debt Service	38,806	40,000	40,000

Total Appropriations	431,701	480,500	268,000
Change in Cash (Receipts - Appropriations)	(161,921)	(180,250)	(103,800)
Beginning Cash Balance on July 1	182,953	199,999	197,999
Ending Cash Balance on June 30	120,932	119,749	94,199
Total Cash Receipts	269,780	300,250	264,200

Drug Enforcement Fund Actual FY 2019 Estimated FY 2020 FY 2021 Budget

Cash Receipts

Fines and Court Costs	12,930.0	18,000.0	12,000.0
Other Revenue	9,314.0	5,050.0	30,050.0

Total Cash Receipts	22,244.0	23,050.0	42,050.0
----------------------------	-----------------	-----------------	-----------------

Appropriations

Police Operational Expenses	32,528.0	25,453.0	54,500.0
Police Capital Expenditures	0.0	0.0	0.0
Drug Enforcement	0.0	0.0	0.0
Other	0.0	0.0	0.0

Total Appropriations	32,528.0	25,453.0	54,500.0
Change in Cash (Receipts - Appropriations)	(10,284.0)	(2,403.0)	(12,450.0)

Beginning Cash Balance on July 1	97,687.0	87,403.0	85,000.0
Ending Cash Balance on June 30	87,403.0	85,000.0	72,550.0
Ending Cash as a % of Appropriations	268.70%	333.95%	133.12%

SECTION 2: At the end of the fiscal year 2021, the governing body estimates fund balances or deficits as follows:

General Fund	\$2,245,210
State Street Aid	\$6,950
Drug Enforcement Fund	\$72,550

SECTION 3: That the governing body herein certifies that the condition of its sinking funds, if applicable, are compliant pursuant to its bond covenants, and recognizes that the municipality has outstanding bonded and other indebtedness as follows:

General Fund	\$2,804,000
--------------	-------------

SECTION 4: During the coming fiscal year (2021) the governing body has pending and planned capital projects with proposed funding as follows:

The Highway 100 Sidewalk Project and the Cumberland Drive Intersection Project, both funded through state and federal resources; American's with Disabilities Act (ADA) accessibility improvements funded by grant and general fund sources; Roadway improvements funded through state and general fund sources; Technology improvements funded through grant and general fund sources.

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 (TCA § 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 accord with Tennessee Code Annotated § 6-56-205.

SECTION 6: Money may be transferred from one appropriation to another in the same fund in an amount of up to \$10,000 by the City Manager, subject to such limitations and procedures as set by the Board of Mayor and Aldermen pursuant to Tennessee Code Annotated § 6-56-209. 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 Tennessee Code Annotated § 6-56-206 will be attached.

SECTION 8: There is hereby levied a property tax of \$0.08765 per \$100 of assessed value on all real and personal property.

SECTION 9: This amended annual operating and capital budget ordinance and supporting documents may be submitted to the Comptroller of the Treasury or Comptroller's Designee. If the Comptroller of the Treasury or Comptroller's Designee determines that the budget does not comply with the Statutes, the Governing Body shall adjust its estimates or make additional tax levies sufficient to comply with the Statutes or as directed by the Comptroller of the Treasury or Comptroller's Designee.

SECTION 10: All unencumbered balances of appropriations remaining at the end of the fiscal year shall lapse and revert to the respective fund balances.

SECTION 11: All ordinances or parts of ordinances in conflict with any provision of this ordinance are hereby repealed.

SECTION 12: This ordinance shall take effect December 7, 2020, the public welfare requiring it.

Passed 1st Reading: _____

Passed 2nd Reading: _____

Mayor

ATTESTED:

City Clerk

APPROVED AS TO FORM:

City Attorney

CITY OF FAIRVIEW, TENNESSEE

11C

RESOLUTION NO. 25-20

A RESOLUTION AUTHORIZING THE CITY OF FAIRVIEW, TENNESSEE, FIRE DEPARTMENT TO ACCEPT A GRANT FROM FIREHOUSE SUBS PUBLIC SAFETY FOUNDATION

WHEREAS, the City of Fairview Fire Department has been awarded a grant from Firehouse Subs Public Safety Foundation for purchase of a Bullard Thermal Imaging Camera & Accessories valued up to \$8,295.01; and

WHEREAS, the Governing body has determined that the grant will provide replacement equipment for City of Fairview Fire Department's tanker truck not included in this fiscal year's budget; and

WHEREAS, this equipment will allow the firefighters assigned to this tanker to more accurately perform initial searches and locate hidden fires as well as participate in search and rescue missions; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the city of Fairview, Tennessee, on the behalf of Fairview Fire Department that the Firehouse Subs Public Safety Foundation grant for purchasing a Bullard Thermal Imaging Camera & Accessories with a value up to \$8,295.01 is hereby accepted.

BE IT FURTHER RESOLVED that the City Manager may sign any documents necessary to receive and expend this grant.

This resolution is adopted as of the 5th day of November, 2020.

MAYOR

ATTEST:

CITY RECORDER

APPROVED AS TO FORM

CITY ATTORNEY