

**CITY OF FAIRVIEW
 BOARD OF COMMISSIONERS
 REGULAR MEETING MINUTES
 FEBRUARY 1, 2024, 7:00PM, CITY HALL**

Lisa Anderson, Mayor
 Brandon Butler, Vice Mayor
 Wayne Hall, Commissioner
 Stuart L. Johnson, Commissioner
 Chris McDonald, Commissioner
 Tom Daugherty, City Manager
 Patrick Carter, City Attorney
 Rachel Jones, City Recorder

Staff Present: Tom Daugherty, Rachel Jones, Keith Paisley, Josh Hogan, Ethan Greer, Richard Ross, Zack Humphreys, Scott Hughes

Commissioner McDonald was sworn in prior to the meeting

1. **Call to Order @ 7:00 P.M.** – Mayor Anderson

2. **Roll Call** - City Recorder, Rachel Jones

	PRESENT	ABSENT
Mayor Anderson	X	
Vice Mayor Butler	X	
Commissioner Hall	X	
Commissioner Johnson	X	
Commissioner McDonald	X	

3. **Prayer and Pledge** – Vice Mayor Butler

4. **Mayor Comments** – Mayor Anderson welcomed everyone to the meeting and thanked Chief Humphreys and Sgt. Hill for attending the meeting to keep everyone safe.

5. **Approval of the Agenda**

Motion to approve: Commissioner Johnson

Second: Commissioner Hall

	YES	NO	ABSTAIN	RECUSE
Mayor Anderson	X			
Vice Mayor Butler	X			
Commissioner Hall	X			
Commissioner Johnson	X			
Commissioner McDonald	X			
MOTION PASSED 5-0				

6. **Citizen Comments**

A. Connie Chadwick – 3029 Foust Dr, Spring Hill, TN 37174

B. David Veile – 204 Prairie View Dr, Franklin, TN 37064

7. **Public Announcements, Awards, Recognitions**

A. **City Events** - Community Relations Coordinator, Richard Ross

8. Staff Comments and Monthly Reports

- A. **Community Services Report** – City Planner, Ethan Greer
- B. **Police Department Report** – Police Chief, Zack Humphreys
- C. **Fire Department Report** – Fire Chief, Scott Hughes
- D. **Finance Report** – City Manager, Tom Daugherty
- E. **City Manager Report** - City Manager, Tom Daugherty

9. Consent Agenda

A. Minutes from January 4, 2024, Board of Commissioners Work Session.

Motion to approve: Commissioner Johnson
Second: Commissioner Hall

	YES	NO	ABSTAIN	RECUSE
Mayor Anderson	X			
Vice Mayor Butler	X			
Commissioner Hall	X			
Commissioner Johnson	X			
Commissioner McDonald			X	
MOTION PASSED 4-0 (1 Abstain)				

B. Minutes from January 4, 2024, Board of Commissioners Regular Meeting.

Motion to approve: Commissioner Johnson
Second: Commissioner Hall

	YES	NO	ABSTAIN	RECUSE
Mayor Anderson	X			
Vice Mayor Butler	X			
Commissioner Hall	X			
Commissioner Johnson	X			
Commissioner McDonald			X	
MOTION PASSED 4-0 (1 Abstain)				

10. Old Business

A. Annexation Crow Cut Road

1. Public Hearing

- a) Dianne Ellis – 7861 Crow Cut Rd, Fairview
- b) Reba Greer – 7806 Crow Cut Rd, Fairview
- c) Derek McFarlin – 7866 Crow Cut Rd, Fairview

2. Resolution 78-23, 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 with RS-40 Single Family Residential Zoning, Map 018, Parcels 026.10 & 026.04, 7857 & 7859 Crow Cut Road, 10.07 (+/-) Acres, Owners: Paul & Karla Ann Creed. (City Planner)

Motion to deny: Vice Mayor Butler
Second: Commissioner McDonald

Discussion: City Planner, Ethan Greer provided information to the board that was submitted by the applicant, Paul Creed, in the submittal package. Mr. Greer stated the Planning Commission gave a negative recommendation on this annexation. Mr. Greer also stated this property is non-contiguous with the city municipal limits of Fairview but is within the urban growth boundary of Fairview. Mr. Greer stated MTAS, and the state does not recommend creating islands of property, but it is not illegal. Mr. Greer stated after speaking with Williamson County Planning Director, Mike Matteson, the only path forward to subdivide this property into three equal lots is by annexing it into the City of Fairview. Mr. Greer stated they do have the option to build additional homes on the property called additional principal dwellings with up to four homes, two homes on each parcel, but cannot split into three equal parcels. Commissioner Johnson posed the question of the possibility of having one acre annexed into the city instead of the entire two parcels to ease the mind of the citizens concerned about more houses being built on the property if annexed and zoned RS-40. Mr. Hogan replied a parcel of any size can be annexed as long as its within the urban growth boundary and the owner gives consent. Representative, Brandon Creed, came forward to speak and stated the intentions of his family is divide the parcels into three equal lots of 3.33 acres each with one house on each lot. Mayor Anderson stated it is not illegal for the board to annex this property even though it is not contiguous, and that the city is reciprocal with fire and police services. Commissioner Johnson asked who will be responsible for the road. Mayor Anderson stated Greg Boll with the Williamson County road department said if the city annexed this property the county would still maintain the road. Commissioner Hall asked for more information on annexing one acre instead of the full ten. Mr. Greer replied that in order to separate one acre they would have to combine both parcels, which would make the one acre non-conforming and wouldn't not be allowed by the county. Vice Mayor Butler stated in his past experience with annexations the county has always given the road to the city, so with this annexation the city limits would extend to these parcels, leaving the city with an additional mile and a half of road and open up around 300 acres of property that would then be contiguous to the city limits of Fairview. Mr. Creed stated he has spoken with Greg Boll who said it would be the decision of the city to annex only the property or to include the road. Mr. Hogan stated it is very common for the city to annex the road but not required. Commissioner McDonald said from his perspective city staff negatively recommended this, the Planning Commission negatively recommended this, MTAS and the State of TN suggest it is not recommended, and if this property is annexed and zoned as RS-40 the property could be sold and developed. Mr. Creed stated he believed the Planning Commission decision was based off of misinformation. Commissioner McDonald suggested getting documentation from the county as to who will maintain the roadway. Vice Mayor Butler read aloud some notes from MTAS pertaining to non-contiguous annexations. Mayor Anderson stated Kevin Chastine, Planner from Griggs and Maloney did a presentation and stated it is fine to annex properties that are non-contiguous as long as they are in the urban growth boundary. Mr. Hogan suggested the board may wish to defer this item to allow time to get more information from the county on who will maintain the roadway. Mayor Anderson stated for clarification a vote "aye" means you do not want to see this annexation approved and a vote "nay" means it will be approved.

	YES	NO	ABSTAIN	RECUSE
Mayor Anderson		X		
Vice Mayor Butler	X			
Commissioner Hall	X			
Commissioner Johnson			X	
Commissioner McDonald	X			
MOTION PASSED 3-1 (1 Abstain)				

B. Rezoning 621 Hwy 96

1. Public Hearing

- a) Cathy Self – 7209 Lake Rd, Fairview
- b) Leslie Street – 1062 Hwy 96 N, Fairview

2. Second and Final Reading, Ordinance 2023-11, An Ordinance to amend the Zoning Ordinance of the City of Fairview, Tennessee, by Rezoning 4.35 Acres of Property located at 621 Hwy 96, consisting of Williamson County Tax Map 022P Group B, Parcel 007.00, Commercial General (CG) to RM-8 Multi-Family Residential, Property Owner: SM Commercial, LLC. (City Planner)

Motion to approve: Commissioner Johnson

Second: Commissioner Hall

Discussion: City Planner, Ethan Greer provided information to the board that was submitted by the applicant, Tim Mangrum, in the submittal package and gave a positive staff recommendation. Applicant, Tim Mangrum stated he is happy to speak with any concerned citizens after the meeting.

	YES	NO	ABSTAIN	RECUSE
Mayor Anderson	X			
Vice Mayor Butler	X			
Commissioner Hall	X			
Commissioner Johnson	X			
Commissioner McDonald	X			
MOTION PASSED 5-0				

C. Second and Final Reading, Ordinance 2024-01, An Ordinance for an Amendment to the City of Fairview, Tennessee, Budget for Fiscal Year 2023 – 2024 Budget. (City Manager)

Motion to approve: Commissioner Johnson

Second: Mayor Anderson

Discussion: City Manager, Tom Daugherty stated he had nothing new to add since the first reading and there has been no changes. Commissioner McDonald stated he had met with Mr. Daugherty to discuss this item but intends to abstain from voting since he was not part of the discussion on first reading. Mayor Anderson stated that with Mr. Daugherty’s background in finance the budget is

always laid out well and is self-explanatory, which makes it easy to read and creates less questions.

	YES	NO	ABSTAIN	RECUSE
Mayor Anderson	X			
Vice Mayor Butler	X			
Commissioner Hall	X			
Commissioner Johnson	X			
Commissioner McDonald			X	
MOTION PASSED 4-0 (1 Abstain)				

11. New Business

A. Resolution 03-24, A Resolution of the City of Fairview Board of Commissioners approving a schedule change for July 2024 meeting dates. (Mayor Anderson)

Motion to approve: Commissioner Johnson

Second: Commissioner McDonald

	YES	NO	ABSTAIN	RECUSE
Mayor Anderson	X			
Vice Mayor Butler	X			
Commissioner Hall	X			
Commissioner Johnson	X			
Commissioner McDonald	X			
MOTION PASSED 5-0				

B. Discussion – Planning Commission Appointments (Mayor Anderson)

Mayor Anderson stated the reason she requested this item to be on the agenda for discussion only is to allow members of the community who wish to serve on the Planning Commission ample time to submit their applications. Commissioner Hall stated he believed this to be a good idea.

C. Discussion – Tree Ordinance (Commissioner Hall)

Commissioner Hall stated the Parks and Landscaping Board has run into several discrepancies with the tree ordinance. Mr. Fred Rosenberg presented some changes to the municipal code pertaining to tree planting and protection. He also proposed new wording for section 13-409 of the municipal code to allow for the use of tree bank funds. Mr. Hogan suggested that staff follow up to see what needs to be amended, and Mayor Anderson suggested having a work session to discuss the changes. Vice Mayor Butler agreed a work session would be good to discuss the Parks and Landscaping Board and establish bylaws.

12. Roundtable: Mayor and Commissioners

Commissioner Hall – Commissioner Hall thanked staff and stated he felt there are too many gray areas on item 10.A. for him to feel positive about it but hopes they do find a way to move forward.

Commissioner McDonald – Commissioner McDonald recognized the public works dept for their hard work during the snowstorm. He thanked everyone for coming to the meeting and stated he looks forward to serving the Fairview community.

Commissioner Johnson – Commissioner Johnson welcomed Commissioner McDonald. He also requested an addition on the next agenda to establish a 3-acre estate lot zoning classification.

Vice Mayor Butler – Vice Mayor Butler congratulated and welcomed Commissioner McDonald and thanked the public works staff for their hard work during the snowstorm.

Mayor Anderson – Mayor Anderson stated it was tough during the snowstorm and staff working 16 hour days to keep up, she is excited the city is accepting applications for additional help in public works. She thanked Mr. Daugherty for his hard work on the amended budget. She reminded everyone to report their achievements and acknowledgments so they can be recognized at the BOC meetings. She thanked the police department and fire department for their hard work. She welcomed Commissioner McDonald to the board. She thanked the citizens for coming out and those at home watching. She reminded everyone to keep Fairview beautiful.

13. Adjournment @ 8:50 P.M. – Commissioner Johnson



Rachel Jones, City Recorder