

CITY OF FAIRVIEW

BOARD OF COMMISSIONERS REGULAR MEETING MINUTES

MARCH 4, 2021

Debby Rainey, Mayor
Lisa Anderson, Vice Mayor
Brandon Butler, Commissioner
Rod Dawson, Commissioner
Scott Lucas, Commissioner
Scott Collins, City Manager
Tim Potter, City Attorney
Brandy Johnson, City Recorder

Staff Present: Collins, Johnson, Potter, Ross, Blackburn, Sullivan

1. Roll Call – by Johnson

	Present	Absent
Commissioner Anderson	x	___
Commissioner Butler	x	___
Commissioner Dawson	x	___
Commissioner Lucas	x	___
Mayor Rainey	x	___

2. Call to Order by Mayor Rainey at 7:00 p.m.

3. Prayer and Pledge led by Commissioner Lucas

4. Approval of the Agenda and Executive Session Announcements -

Motion: Lucas

Second: Dawson

	YES	NO	ABSTAIN	RECUSE
Vice Mayor Anderson	x	___	___	___
Commissioner Butler	x	___	___	___
Commissioner Dawson	x	___	___	___
Commissioner Lucas	x	___	___	___
Mayor Rainey	x	___	___	___

5. Public Hearing – N/A

6. Citizen Comments

- A. Tim Rocco, 7315 Cox Run Court, Fairview welcomes you, we call it home, the signs used to say. Home can be defined as where you live, raise your family, a safe place, place of refuge. Our neighborhood provides a quiet, peaceful environment but allowing this development would clearly change the character, disrupt our homes, and threaten the safety of our neighbors. Please consider the impact of this decision. It was presented to the Planning Commission in November and there has been reasonable time for consideration and listen to the residents of Cox Run. Vote your conscience, reflect on the citizens wishes, on what we need from our home as we return from the stresses outside of it. Be overseers of what is best, and remember, we call it home.

- B. Diane Miller, 7415 Master Shane Road, shares a personal story as one of the residents who experienced stormwater drainage issues. To put into perspective what her family endured; on July 5 her father lost his battle with COVID, one week later there was three feet of water in their basement, one month later I had a stroke which required a heart procedure. As a wife and working mom, it is important to me that you understand a real family with real hardships and believe you hold the power to correct the issue. We had recently finished our basement and spent a lot of time down there. This is our first family home and we worked hard to get it so imagine what it must have felt like to wake up to complete destruction with toys floating, a muddy autographed Green Bay Packers helmet, wall pushed in from the water, guitars and music equipment submerged and the minivan parked six feet outside the room was deemed a total loss. Most material items can be replaced, but wedding mementos we can't get back were destroyed. I hope you do what is right.
- C. Tiffany Wilson-Mobley, 7308 Cox Run Court, I can't tell you how many times I've been thanked for speaking out and have heard that you will do what you want because that's what you always do. I came into this with a heart of trust and at this point I am reaching out to ask you to say no for all the reasons we continue to share. I know Fairview is growing but the way we grow is our decision. The 2040 comprehensive plan, formed by surveying citizens, shows we don't want developments right next to the park. We now have over 2300 signatures on a petition against this, have sent numerous emails, had many talks, and developed a power point presentation on why we ask you to say no. Drainage is still coming down onto us and into the park. There are questions that have been asked but have not been brought into the discussions. We hope to get these answers before this is pushed through.
- D. Jan White, 7335 Cox Run Drive, states the proposed property is not compatible with the existing neighborhood as defined by the comprehensive plan. One hundred sixty-eight houses would more than triple the existing traffic and create several types of conflict and make our streets unsafe. Our children play in the street, we walk our dogs there and socialize there. It is part of the charm of our neighborhood. This would infringe on ADA without sidewalks that are accessible. One of our residents has a child in a wheelchair who needs a safe place to enjoy. On February 8th, we completed our own traffic monitoring survey spending three hours in the morning and four in the mid to late-afternoon hours. We recorded 178 vehicles and using the proposed number of houses, estimated 765 trips per day once completed. Please consider the decision and how it will serve as a benchmark for others. Our roads were never designed or intended to serve this much traffic.
- E. Mackey White, 7335 Cox Run Drive, noted not only was traffic a concern but also the impact of excavation equipment, concrete trucks and other construction vehicles on the roads. We ask you not to allow convenience for the developer to become a nightmare for the existing residents with our streets becoming a busy thoroughfare. Becoming a drive through area to another neighborhood will create dangerous traffic issues. This is not what the public wants according to the 2040 plans and the proposed development would threaten the security, enjoyment and privacy of our homes.

7. Public Announcements, Awards, Recognitions

- A. Proclamation Honoring Fairview Arts Council read by Vice-Mayor Anderson and presented by Mayor Rainey and Vice Mayor Anderson to Aaron Grayum and Michelle Murakami, representatives of the Fairview Arts Council.

8. Staff Comments and Reports

- A. City Manager Report –
 - Pre-COVID each department presented a monthly report at a meeting and we will pick back up with these beginning with the first meeting in April. Reports from a couple of departments will be presented per meeting in an effort to regularly get information out.
 - Typically the Board meets on the first and third Thursdays, but for the month of March, due to Spring Break, we will not meet on the third Thursday. Our next meeting will be Thursday, March 25.
 - You may have noticed the stacks of chairs in the back of the room and entryway. We are making some improvements to this room by painting, replacing the carpet, removing the pews and using chairs instead as well as some changes to where the Board sits. The goal is to make this a much more usable, functional space and we will have a brief presentation at the first meeting in April.

9. Consent Agenda (Any Item May Be Removed for Individual Consideration)

- A. Minutes from the February 4, 2020, Board of Commissioners Meeting
- B. Minutes from the January 21, 2021, Board of Commissioners Work Session
- C. Second and Final Reading of Ordinance 2021-04, An Ordinance to Amend Title 11, Chapter 12, Section 11-1202, of the City of Fairview Municipal Code
- D. Second and Final Reading of Ordinance 2021-05, An Ordinance to Amend Title 11, Chapter 12, Section 11-1203, of the City of Fairview Municipal Code

Motion: Butler

Second: Anderson

	YES	NO	ABSTAIN	RECUSE
Vice Mayor Anderson	x	___	___	___
Commissioner Butler	x	___	___	___
Commissioner Dawson	x	___	___	___
Commissioner Lucas	x	___	___	___
Mayor Rainey	x	___	___	___

11. Old Business (none)

12. New Business

- A. Certificate of Compliance Renewal for Good Times Spirits and Wines, 2276 Fairview Blvd, owner: Jeff McCord

Motion: Anderson for approval

Second: Dawson

	YES	NO	ABSTAIN	RECUSE
Vice Mayor Anderson	x	___	___	___
Commissioner Butler	x	___	___	___
Commissioner Dawson	x	___	___	___
Commissioner Lucas	x	___	___	___
Mayor Rainey	x	___	___	___

- B. First Reading of Ordinance 2020-29, An Ordinance to Amend the Zoning Ordinance of the City of Fairview, by Rezoning 124.43 Acres of Property, Consisting of Map 043, Parcel 006.00 and Map 043, Parcel 026.00, Located at Wayne's Lane and Mangrum Lane, From RS-40, Single Family Low-Density Residential to an R-20, Single Family Medium-Density Residential, Planned Overlay Development and Approving a Master Development Plan, Owners: Cory Groves and Johnny Groves – Commissioner Dawson appreciates the feedback received from citizens of Cox Run noting approval tonight will take the process to public hearing, which he looks forward to as a forum for citizens to discuss. A public hearing is where we can get into the meat of things and look at both sides telling a story to bring full value to the community. Commissioner Butler still has concerns on the 10,000 square foot lot size as he associates that with a higher density project so his opinion is this project doesn't meet the intent of medium-density. He is also still thinking about the lots bordering the park and what the best way to buffer the park is. Vice Mayor Anderson states she knows the group from Cox Run put together a presentation that she is very interested in hearing and looks forward to. Anderson appreciates the developer trying to work with the community by bringing back better designs for the development.

Motion: Dawson

Second: Lucas

	YES	NO	ABSTAIN	RECUSE
Vice Mayor Anderson	x	___	___	___
Commissioner Butler	x	___	___	___
Commissioner Dawson	x	___	___	___
Commissioner Lucas	x	___	___	___
Mayor Rainey	x	___	___	___

13. Communications from the Mayor and Commissioners

- A. Vice Mayor Anderson – no comments
- B. Commissioner Butler appreciates the feedback on the Groves property and looks forward to the public hearing for further discussion and the presentation. He thanked all for coming out to the meeting.
- C. Commissioner Dawson states often as a member of the Board of Commissioners, representatives of the citizens, they receive phone calls only when someone has a problem. Dawson recently received a phone call from a citizen who had a broken storm drain cover near their residence, sent an email to public works and received a response that it had already been noticed and a replacement ordered. Dawson received very positive feedback from the citizen. Dawson relayed how important it is to respond to inquiries in a timely manner and appreciates the initiative taken by public works to look for these things and be on top of.
- D. Commissioner Lucas – no comments
- E. Mayor Rainey – no comments

14. Adjournment –Commissioner Lucas made a motion for adjournment meeting was adjourned at 7:30 p.m.

Brandy Johnson
City Recorder