

# CITY OF FAIRVIEW

## BOARD OF COMMISSIONERS REGULAR MEETING MINUTES

APRIL 1, 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, Hughes, Paisley

**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 7:05 p.m.**

**3. Prayer and Pledge led by Commissioner Lucas**

**4. Approval of the Agenda and Executive Session Announcements –** remove item 11F as the ordinance is not complete and we will add back at a later date.

Motion: Anderson, approval as amended

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 –** City Manager Collins requests if a citizen is present to speak on an item that has a public hearing tonight please don't sign up to speak in citizen comments. If you are here to speak on something other than items with a public hearing tonight then citizen comments would be your opportunity to speak. As a reminder, the public hearing is a time for the public to address the board with their opinions. Anyone present to represent the project, such as owner, developer, builder, engineer, etc., will have an opportunity to speak at the agenda item after the public hearing is closed.

**6. Citizen Comments**

- Marsha Elliott, 7113 Bethshears Rd, has been a citizen of Fairview since 1996 and will speak about general principle of government. In 2007, pandemic hit game cafes and stores. In pandemic to stop havoc, all game players collaborate. Cooperative, strategic board games are becoming so, so popular. Three questions; 1) who are the collaborative players, key sectors

in any city, 2) what do we stand to win, and 3) how does our playbook guide us? The medical is interdependent with business, relying on them for construction, shipping, medicine, and the interconnected education and non-profits with their volunteers providing band, sports, food, libraries, friends groups who support playgrounds, churches, all sectors seek quality of life. Citizens are the reason the game exists. Maslow's pyramid says quality of life has tiers, first grounded in soil, from which comes our food, water, followed by our need for safety in the next tier up. The rule of law, for the sake of safety, is the playbook. Government connects the dots to life. In 2019, the Tennessean wrote, city manager Collins has helped spearhead the Fairview Forward 2040 comprehensive plan. They quote Collins, "We take a team approach to everything we do. That team consists of our elected officials, myself, our employees and the community." Six years ago we were sitting in this room, here, as a collaborative team, trying to figure out how to make payroll and avoid the risk of bankruptcy. Let's keep our real face as a municipality of 10,000 when we are responsible to test our water and monitor our groundwater. Standardized building lots within these new PODS. Follow the 2040 more closely than we did the 2020 and keep the precedent of 125' boundary around the park. Remember incidences like Otter Creek. Development is acceptable, very needed, but, this density, in some of these locations with their potential for more flooded basements, cars and blue line streams. Please uphold the spirit of 2040 and thank you for your service.

- Carla Lankford, Claybrook Farm 7391 Crow Cut Road, is here to speak about the use of manure bags. Lankford has a 60 year relationship with Bowie Park. Horses are vegetarians, their manure is biodegradable, natural, and the CDC does not consider it a danger. She will share a study from Metro Nashville Police Department and requests the item be tabled until the board has time to review the research. It is not standard training protocol to teach a horse to accept a manure bag. She has already discussed this issue with two board members and thinks there could be another solution.
- Helen Cary, 2950 Fairview Blvd, requested to be annexed into the city to take part in items such as these. She is here to speak about the proposed horse requirements which she learned of two days ago. She has been promised scientific information from horseman national group to show there is no hazard with horse droppings. No other parks in Tennessee require this and I feel this could be directed toward my husband and I who ride frequently in town and have been invited by businesses to their business and inside their business. We carry bags and scoops and clean up after our horses, are respectful of property and rights-of-way and do the best we can to be good city ambassadors. Cary requests the opportunity to present information that should eliminate concerns. They have ridden in Bowie Park even before it was a park, follow the rules and will continue to do so. The financial impact of the equine community in the state is large, with Williamson County being one of the highest.
- Jeni Housley, 778 Highpoint Ridge Rd (somewhere other than Fairview), has ridden and her children have ridden in Bowie Park and begs the Board to study this issue before putting these measures into place. She shares information from the Backcountry Horsemen group noting there are a lot of people supporting the group opposed to this proposal and requests to not have to use tail bags on horses to ride in Bowie Park. She loves this community.
- Mary Tansey, Culleoka, TN, grew up riding in Bowie, pays her fee and enjoys riding with friends in such a great park. She appreciates the city letting her come and ride as she has ridden all over the United States and has only seen the use of manure catch bags in New York City and downtown Nashville. She doesn't mind paying a fee and doesn't know if hikers and bikers pay as well. Dogs and ducks carry diseases in their feces but she thinks it would be a liability to train a horse to wear a manure bag. She does think horse riders should pick up their manure. Tansey appreciates the opportunity to speak tonight and hopes the board gets this all worked out.

## **7. Public Announcements, Awards, Recognitions – N/A**

## **8. Staff Comments and Reports**

- A. City Manager Report – Collins sent an email that rotational staffing ends next week with everyone returning to a full schedule. Department heads will return to BOC meetings on April 15 with reports. Collins will be sending out information regarding the Focus on Fairview event to review operations, financials and a general update. Financial discussions take on more importance as we discuss a

bond issue for capital improvement projects. As we work toward to amount to apply for in the third quarter of the year, it is important to understand the need and what projects will be included. Collins looks forward to making an investment in Fairview's infrastructure.

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

- A. Minutes from the March 22, 2021, Board of Commissioners Work Session
- B. Minutes from the March 4, 2021, Board of Commissioners Meeting
- C. Minutes from the March 4, 2021, Board of Commissioners Work Session

Motion: Lucas

Second: Dawson

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

**10. Old Business**

- A. Ordinance 2021-02, Rezoning of Parcel on Sleepy Hollow

- 1. Public Hearing on Item A2

- Matt Inman, 7116 Sleepy Hollow Rd, is not against the rezoning but wanted to be on record as he requested a 4' allowance to the minimum to build a garage and was denied. He doesn't understand why his passed when it is 100' away from this request but it doesn't matter to him what happens with this request.

- 2. Second and Final Reading of Ordinance 2021-02, An Ordinance to Amend the Zoning Ordinance of the City of Fairview by Rezoning 1.58 Acres of Property, Located at 7109 Sleepy Hollow Road, Williamson County Tax Map 069, Parcel 0.55, From RS-40, Single Family Low-Density Residential, to R-20, Single Family Medium-Density Residential, Owner: Nicholas Vacco – Collins noted the lot size of 1.58 acres didn't allow for two homes at current zoning so the request is to allow one home per 20,000 square feet to add one additional home. Mr. Vacco had a work conflict and asked for that information to be relayed.

Motion: Butler

Second: Anderson

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

- B. Ordinance 2021-03, Rezoning of Parcel on City Center Way

- 1. Public Hearing on Item B2 – no comments

- 2. Second and Final Reading of Ordinance 2021-03, An Ordinance to Amend the Zoning Ordinance of the City of Fairview by Rezoning .89 Acres of Property, Located at 7001 City Center Way, Williamson County Tax Map 042, Parcel 168.10, From MSMU, Main Street Mixed Use, to CG, Commercial General, Owner: Family Advantage Federal Credit Union – Collins relays the property representative is from out of state and was unable to attend but if the Board has any questions he is available by phone call. Butler noted after studying main street mixed use zoning with the walkability concept and mixed uses, considering the location in front of what we are trying to develop as our city center, he just doesn't know if the proposal fits our plans. Dawson relays we are really close to revamping our commercial

zones and if we could wait until those are more defined to make a decision it would help. Commercial General just has so many options of what is allowed it is hard to change with the location of this property. Anderson has concerns with the traffic entrance and exit through Hardee's and doesn't see a good option.

Motion: Anderson to deny  
Second: Butler

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

C. Resolution 28-20, Annexation and Zoning of Parcel on Northwest Highway

1. Public Hearing on Item C2

- Marshall Walker, 7229 Northwest Highway, is not here to fight the annexation but to speak on behalf of himself and neighbors, who walk grandkids, dogs, and cycle on this road. He asks the board to be careful and take their time when making this decision. Since he moved there in 2013 Northwest has become a speed zone. To add 28 homes right there, on their land, but consider, as a city, that Northwest Highway is a gem and such a neat little boulevard. Years ago, the city annexed Northwest roadway and hasn't taken care of it at all. Please think of maintenance before you annex. Walker offered to send research on safe streets. He noted this is an opportunity to not be like Spring Hill. Again, he is not fighting the annexation but simply asking the city to consider their options carefully.

2. Resolution 28-20, 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 R-20 Single Family Medium-Density Zoning, Map 021, P/O Parcel .56.02, Northwest Highway, 5.384 Acres, Owner: Jingo Building Group – Anderson states the PC voted unanimously in favor of this annexation as a recommendation to the BOC. The 2040 plan has this area slated for medium-density so it falls in line, the developer would bring in all infrastructure including underground electric service. The location is ½ mile from Highway 96 so there shouldn't be any traffic issues. Northwest Highway is on our list of roadways to improve and the parcel is inside our urban growth boundary, meaning it is expected to be annexed into the city at some point. November 18, 2020, there was a unanimous vote at the BOC. On December 17, 2020, for the second resolution in the process, the BOC recorded a 2-2 vote causing it to fail. I must be missing something and need to understand tonight. I pulled the records of annexations from January 2018 through January 2021 and all passed with requests from R-40 to R-20. Dawson states he requested this item back on the agenda because the subdivision makes sense on several levels; the area, type of homes, inside our growth boundary. If you oppose, he requests sharing why so all can better understand.

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	___	___

D. Resolution 29-20, Annexation and Zoning of Parcel on Northwest Highway

1. Public Hearing on Item D2

- Marshall Walker, 7229 Northwest Highway, questions statement of no traffic issues noting he would like someone to sit in his driveway and observe. Walker implores the developer to have some skin in the game for road and traffic issue solutions. It's been mentioned this road is slated for improvement but the city won't even fix potholes so I have no faith in that.

City Manager Collins encourages citizens to email him directly regarding potholes or call his personal cell number.

- Rick Morrison, 7250 Northwest Highway, has no problem with progress but requests that, in keeping with the neighboring area, lots be a minimum, of one acre. He is on 10 acres and many others around on two or more. He would like to see lots stay at one acre or a minimum of ½ acre. He doesn't know plans for Northwest Highway to be updated but there have been no accidents on that road and widening roads in rural areas tends to increase speed and traffic on those roads. He would like to request a lane to walk or bike would be great and even speed humps to slow traffic down if possible.

2. Resolution 29-20, 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 R-20 Single Family Medium-Density Zoning, Map 021, Parcel 056.02, 7282 Northwest Highway, 9.94 Acres, Owners: Tony & Melissa Cavender – Anderson notes the request for R-20 zoning, ½ acre lots, so this is not high density like the subdivision approved for neighboring property some time back. Dawson states he likes to hear, and so does the community, an explanation of why the board votes a particular way. The citizens show up, watch and it is important for them to understand where we stand. His opinion is the development makes sense and is where we want to be. He would like to understand the opposition why it would not make sense, especially with the quality homes planned. Tony Cavender, developer, notes he has several developments in Fairview on ½ acre lots. The adopted 2040 plan shows higher density in this area. Northwest was annexed to support developments like this. He has plans for a very nice product with sidewalks, streetlights, places to walk. What is he missing? What does the BOC want this to be? I can bring back at a lower density but he likes ½ acre lots. The city adopted this 2040 plan and spent a lot of money developing it but what do you actually want because I would be glad to bring you that product.

Motion: Anderson to approve

Second: Dawson

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

E. Ordinance 2020-29, Rezoning of Parcel at Wayne's Lane and Mangrum Lane

1. Public Hearing on Item E2

- Kandi Groves, speaking on behalf of the Groves family reads a letter. Her father-in-law bought the property in auction from family and another on Old Franklin Road. When they inherited the property, they moved to Fairview because they love it here because it is quaint, progressing and has much to offer. She has been working at Fairview High for 8 years and wants to make

Fairview proud and leave the Groves name behind. We have had many offers to purchase this property over the years but when the family met with Dan we knew it was the right fit. He produces a beautiful product, nice homes, sidewalks, playground that will increase the value of neighboring homes. We don't know why it has turned into such a big situation, we care about the park, about the Cox Run subdivision and don't want anything to happen to our neighbors. Cox Run was once a farm also. We trust that the BOC and city manager will make the right decision as this is a beautiful opportunity for Fairview.

- Frank Dial, 7125 Waynes Lane, is a resident that borders the proposed development and is not against growth, but there are 8 or 9 residents on that side, older folks, and the value they perceive is different than others. What is going to happen with the buffer? Also, the existing dangerous intersection onto Cox Pike at Wayne's Lane? It is dangerous either direction and this development will add a lot more cars so it has to be changed. I need these items addressed.
- Dr. Mark Schenkel, 7206 Polston Court, has been a resident of Fairview for about 16 years, teaches strategy and entrepreneurship for a living and is presenting as part of a larger group. He hikes the perimeter trail every day and appreciates the opportunity to ride with Vice Mayor Anderson and share his thoughts with her. In a lot of transactions what is fundamentally missing is vision which should drive the strategy. In my professional experience, not an engineer but understand site plans, have seen the issues and ran a civil engineering firm, the proposed site sits above the park which can easily lead to soil erosion. What is the spirit of what you are trying to do? If you don't know that then it is difficult to understand your vision. I moved here for a quiet/small community but I'm not anti-development or growth. This parcel being above the grade of the park will present water issues. The city has made mistakes in the past, with transactional maneuvers rather than vision-oriented. The property is currently zoned as R-40. What do we want this property to look like and what is our vision for it? A thirty-five foot buffer with combination boundary and setback and two runoff areas whether or not it is detained, will have water issues. Do we want the park to become a problem? Bowie has a history of erosion problems, which is why Ms. Bowie created what we have today. She wanted to conserve the property and entrusted the city to do so and we agreed to take care of it in spirit. There are legal risks as we know enforcement of TDEC requirements is not happening. In the bigger picture, we have developers who develop to meet the rules at a specific time and then are gone. It is an inherent conflict of interest for monetary gain. Do you want to be in the park looking at houses? Who will enforce or maintain when the detention encroaches on the park land? A 125' boundary with a road between would prove you care and are willing to protect the park. In my personal opinion, I would like to see five acre lots. You need to decide what vision you want. I just learned this week of all the water problems in the area and don't want to see the park damaged irreparably.
- Tim Rocco, 7315 Cox Run Court, as part of the Coalition of Concerned Fairview Residents, states they understand the need for Fairview to grow and the estimated \$200,000 potential annual tax revenue and the desire of property owners to sell their land at a premium price. What they don't understand is how you're considering a POD that will potentially damage Bowie Nature Park and the surrounding neighbors. The plan is for 168 homes with 85% on less than 20,000 square foot lots. We don't understand a traffic

study based on a simple reference chart that justifies a right turn lane off the highway and extending a turn lane onto the highway. We don't understand why McGowan uses Otter Creek as an example of the home construction when we are aware that Jones Co. and Otter Creek are in violation of the clean water act. The proposed development doesn't fit with our neighbors. According to Fairview's zoning ordinance, developments are to be consistent with the current comprehensive plan, not conflict with surrounding neighbors. We have big concerns over traffic, water runoff and the proximity to the park which my neighbors will relay.

- Jan White, 7335 Cox Run Court, performed a traffic monitoring exercise in February. Adding 168 homes will increase the influx of traffic from 178 runs to 765 runs per day plus an increase in school bus runs. There will be a steady stream of traffic on Cox Run Drive and Cox Pike, which will make all area traffic move more slowly, back up at the Highway 100 light and along the highway toward Nashville, seriously slowing the pace of traffic, especially in the afternoons. This affects everyone. We realize there will be progress, new homes and neighborhoods. Start with a city plan for growth. We moved here a little over a year ago because, as a native Nashvillian, I needed change. The city was taking its toll. We love our neighbors and love Bowie, please don't vote in favor of this development.
- Mackie White, 7335 Cox Run Court, stresses the impact of a larger subdivision (proposed Groves) on a smaller neighborhood (Cox Run). Traffic increases from 178 runs to 765 runs per day. The increased volume will warrant an additional traffic signal which will result in traffic jams between signals. We have experienced many emotions over the proposal from anger to concern and now fear for our safety.
- Diane Miller, 7415 Master Shane Road, shares about current stormwater drainage issues noting she has sent photos with a formal complaint. Many neighbors have been experiencing issues for years in the form of flooding, erosion, mold and foundation issues and just can't handle one more drop of water. In her personal home, she experienced 3 feet of flooding in a newly completed basement room. Miller shares images of a creek on a standard day and a rainy day as well as a full culvert, neighbors sandbagging their garage, cracks in driveways, foundations, and yards that have built up over the years. Other issues include water entering homes, cracked pipe under the road, significant water flow, a bridge built of barnwood washed away just this past weekend. The group has great concern over the elevation of the adjacent property and that gravity will bring water their direction. A twenty-five foot buffer is inadequate and considering the amount of water that is already causing significant problems, is the Board willing to take a risk? Miller asks for assistance to address current issues before adding any more problems as they are maxed out on water drainage and Fairview has significant problems with this in general.
- Mark Schenkel, 7206 Polston Court, reiterates the impact to Bowie Park. He illustrates with visuals of the perimeter trail and redbud trail noting two points in the slides where elevation problems and watershed points in two cul-de-sacs are proposed. The perimeter trail is the one closest to the six lots on the back of the development and there is standing water there already often with storms. Keith and Micah do a great job trying to direct the water but it often overflows the trail making it virtually impassable. Schenkel continues with additional visuals indicating water flow, location for detention/retention ponds, the need for maintenance when they fill and overflow with torrential rains and

the question of who will be responsible for this over time. Over time we will be dealing with pollution and toxins washing into the park and stormwater dragging them in. Bowie contains several unique animals and stormwater also creates a risk of ruined habitats for these animals the Bowie family worked so hard to create homes for. As for a visual, there is no way looking at 100 homes from inside the nature park could be visually appealing. Schenkel shares superimposed images of what the proposed development would look like from the perimeter trail inside the park. Are you willing to take the risk of catastrophic damage to the park? We aren't anti-development but this density isn't consistent with the spirit of Fairview's prior agreement with the Bowies. Remember the spirit of that agreement. The damage could be irrecoverable as the park erodes and its value disappears. We don't think this is the right property for that type of development.

- Joe Grable, 7359 Cox Pike, discussed the proposed development with Sarah at the Land Trust of Tennessee and got her opinion. She encouraged the city to provide a 100' natural buffer at the park boundary and 75' for all water drainageways as well as ensuring accurate retention to prevent runoff and erosion. They have a vested interest as they made the park. The 2015 park master plan includes information about the erosion of the parkland and the reclamation process by Ms. Bowie as well as recommendations for the maintenance of the park and trail system. The plan also lists Bowie as one of the finest examples of a nature park and the need for it to be protected for present and future generations by natural processes to ensure the delicate ecosystems. The 2008 easement advised of endangered and rare species within Bowie Nature Park. The Land Trust was put in place to prevent what happened before Ms. Bowie. When will it be clean cut again? Is history repeating itself? Is the city willing to have a qualified review by an environmental professional? The petition to protect the park and decline this development now has 2430 signatures as of today with many additional comments from Fairview citizens who have great concerns.
- Richard Branch, 7327 Cox Run Drive, has firsthand experience with the park and has the same concerns as his neighbors but at the end of it all, the one question is, what is the right thing to do? He knew Ms. Bowie growing up and he's not a betting man but if he was would bet there are less people who didn't know them than did. She always put the Fairview community first. Donating land to build a library she saw as a good thing. Donating land for the FRANCE plant to rebuild after a fire so they could remain in our community and her neighbors could keep their jobs was a good thing. Branch used to fish in parkland (before it was a park) and Bowie charged the kids \$1 to fish there and told them to be sure to pick up their own trash. She collected that money and went and bought pine seedlings. I would rather have one tree planted by the lady herself than 100 planted as a barrier. When we leave this world we will leave something dear to loved ones to take care of. I don't want to see the park abused. Ms. Bowie trusted Fairview to take care of the park, she taught responsibility.
- Meredith Keyser, 7321 Cox Run Court, what a legacy to the city and for the BOC to uphold. Richard shared experiences from a long time ago but I share from another demographic, a new resident and retiree, not specifically in the group targeted to grow Fairview. Boomers are retiring on the increase and shouldn't be ignored. Our move was about being closer to grandchildren and our healthcare when the time came to give up the family farm. We spent some time looking near our daughter (who lives in Franklin). We looked and looked

and wanted something more representative of our Highway 61 experience in Anderson County. We have great hopes for your vision. The park is important, you may consider me older than dirt, but the root of concerns is geology. Rocks don't change in 50 years but technology does and we can move to meet our needs but when we start messing with mother nature we might not like her response. When topography changes become real, stormwater becomes an issue when you squeeze houses in and have to cut, slice, construct and recess involving cut and fill technique. Our group has brought examples of how we feel the world, this proposed neighborhood, would conflict with our neighbors and impact Bowie Park. I believe we have adequately demonstrated that the city deserves more appropriate developments. I call on the mayor and the BOC to show prudence and deny this request.

BOARD TAKES A BRIEF RECESS AT 8:58 PM AND MEETING RESUMES AT 9:07 PM

2. Second and Final 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 06.00 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 – No motion was made so item failed on lack of motion. Attorney Tim Potter advises the item will have to be voted on because it has passed the first reading. Dave McGowan, president of Regent Homes, advises they will look at the 100' buffer that was proposed tonight and review this as well as a couple other possible changes with the planning department and requested the item be deferred. Butler reviews the density is now at 1.5 units/acre, has a lesser impact than any R-20 development we have with no sewer. If this was 20 years ago, the lot yield would be similar with sewer. We have discussed the need for a town center, the feel of an anchor and strategic growth. We have identified a corridor to help provide that infrastructure in the form of a connecting piece of property that would provide the opportunity for a town center. It is within ½ mile of Highway 100, would provide walkability, alleviate the pressure from Cox Run Drive with the Groves property, and follow our vision. We have staff now reviewing projects with connections like we never have before and more credit is due to staff than they get. Stormwater calculations are figured down to ¼". I have served on the park board, helped build the original playground, maybe it looks different from my perspective but working with this developer is a great opportunity and they would build a very desirable community with great potential for further partnerships. I agree to defer but don't believe the negative impact we have heard tonight will be seen. Dawson agrees with Butler and this neighborhood is a good fit for the property. The board wants to be good stewards of Bowie Park. A lot of the Cox Run residents spoke about density but Butler spoke well. Cox Run wants a like neighborhood and I think we can get to common ground. Mayor Rainey points out that the overall density of the development proposed for the Groves property is less dense than Cox Run. Collins adds this item has had its public hearing and when it comes back to the agenda will be an action item without an additional public hearing unless the BOC requests such.

Motion: Rainey defer to the first meeting in May

Second: Lucas

	YES	NO	ABSTAIN	RECUSE
Vice Mayor Anderson	x	—	—	—
Commissioner Butler	x	—	—	—

Commissioner Dawson	x	___	___	___
Commissioner Lucas	x	___	___	___
Mayor Rainey	x	___	___	___

# **11. New Business**

- A. Initial Certificate of Compliance for Good Times Wine and Spirits, LLC, 2276 Fairview Boulevard, Owner: Anthony E. Vincent – New store owner application

Motion: Anderson  
Second: Lucas

	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 2021-06, An Ordinance to Amend the Zoning Ordinance of the City of Fairview, by Rezoning 10.26 Acres of Property, Consisting of Map 018, Parcel 038.02, Located on Highway 96 N, From RM-8, Multi-Family Residential, to RM-20, Multi-Family Residential, Owner: Bivens-Stevenhagen Joint Venture – Kris Pascarella of Pearl Street Partners notes he met a few of the BOC members wen presented to the PC. His company is local to middle Tennessee and has been in business for 16 years but he has been in the field for a total of 32 years creating communities with pride, vision and focus, delivering promises that exceed the residents expectations. They have been visiting Fairview for the last two years and know growth is heading this way. They want to hold to the character of the community and believe this is the ideal opportunity as home prices rise it is difficult to obtain reasonable housing that is not subsidized. Our plan is to build market rate apartments with nice finishes and amenities as well as townhomes within price points affordable by younger people, singles, or retirees. I would be happy to review the presentation but want to respect your time. The Board all received both an electronic copy and printed copy of the presentation prior to the meeting and was able to review. Pearl Street Partners wants to focus on three areas; 1) stormwater – we are well aware of TDEC and other restrictions and are very careful not to allow more water to exit the property than already does and I would encourage you to discuss with any elected official in the areas of any of our developments to verify; 2) natural environment – I am a huge lover of horticulture and love creating natural environments, streetscapes are very important as well as retaining natural habitats and celebrating the natural environment. With over 40 acres of land for this development that will be no problem; and 3) traffic – this property will enter and exit onto a state road and the proximity to I-40 will help with volume and provide an easy commute. I hope you allow us the opportunity to create a community. Dawson asked about similar developments close by and Pascarella noted Lockwood Glenn in Franklin off Carothers Parkway, The Sawyer at Bellevue One, and another in West Nashville near Lowe’s and I-40. Anderson reflects she had an opportunity to meet with Pearl Street and they were able to answer all of her questions and she is excited about the project. She has toured Bellevue and Franklin and is impressed with their attention to detail, something Fairview will be proud of. We have several income-based housing options but this is not that type of product. She is very impressed with the plans and proud Pearl Street wants to bring it to our community to create places where people create memories.

Motion: Anderson  
Second: Dawson

	YES	NO	ABSTAIN	RECUSE
Vice Mayor Anderson	x	___	___	___

Commissioner Butler	___	___	___	x
Commissioner Dawson	x	___	___	___
Commissioner Lucas	x	___	___	___
Mayor Rainey	x	___	___	___

- C. First Reading of Ordinance 2021-07, An Ordinance to Amend the Zoning Ordinance of the City of Fairview, by Rezoning 28.36 Acres of Property, Consisting of Map 018, Parcel 038.00, Located at 1269 Highway 96N, From RM-8 PUD, Multi-Family Residential Planned Unit Development, to RM-8, Multi-Family Residential, Owner: Welling Corporation

Motion: Anderson  
Second: Dawson

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

- D. First Reading of Ordinance 2021-08, An Ordinance to Amend the Zoning Ordinance of the City of Fairview by Rezoning 48.05 Acres of Property, Located at 7425 Crow Cut Road, Williamson County Tax Map 046, Parcels 016.00 and 016.04, Rezoning, Fairview Terrace, Map: 046, Parcel: 016 and 016.04, Current Zoning: RS-40, Proposed Zoning: R-20, Property Owner: Brandon Robertson – Rob Molchan of SEC was present on behalf of the project noting a long-range plan is finally coming to fruition. The yellow parcel shown on the presentation was zoned in 2005 and we are trying to get the last two parcels zoned the same.

Motion: Butler  
Second: Anderson

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

- E. First Reading of Ordinance 2021-09, An Ordinance of the City of Fairview, Tennessee, to Require the Use of Horse Manure Catch Bags on All Horses on Any City Owned Property – Mayor Rainey notes at one time we had a dedicated horse trail and asks if there was a problem with that trail. As Collins understands, the issues were the ability to maintain, we have constant complaints of trail closures, that trail borders the “spoils” of Walmart, consistent washouts of low spots, and the inability to make significant repairs because of the watershed and tributary to Little Turnbull Creek, a blue line stream. The city doesn’t have the capability for the constant repairs and perpetual use from horses causes damage, especially in the lower areas that remain wet so we would be very hesitant to consider this as an equine trail only. Dawson believes the equine community is important to the city, that they are good stewards and that we can work together to remedy this. The community that rides doesn’t want to be a pest and he almost wanted this to go to public hearing. He hopes we don’t limit the horses to one trail as he thinks it is special and we have a huge opportunity to mitigate the issue. Anderson notes she received all types of emails on this issue and, as a fellow equestrienne, believes the bags dangerous, could cause the horses to be spooked and possibly injure themselves or others. Catch bags are used in a city setting with carriages. Manure is organic and not dangerous to people as horses eat grass, dries fast, blows away, attracts butterflies, and is non-toxic. She made the motion to deny because she believes we can work together to make this situation better.

Motion: Anderson to deny  
Second: Lucas

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

~~F. First Reading of Ordinance 2021-10, An Ordinance to Amend the City of Fairview Municipal Code Regarding Road Cuts and Utility Right-of-Way~~ **REMOVED FROM AGENDA**

- G. Bowie Park Playground Fundraising & Signage – Collins states he has received a request for two fundraising signs to be installed. One of the locations is inside the park at the former/future playground location and there is no issue there as it is on city property and not visible from any other property. The second location would be located at the entrance to Bowie Park on Bowie Lake Road. The size and length of time to display do not comply with our sign ordinance. Staff is not opposed but the Board would be the body to ratify a variance for any other group and we feel it should be the same. Butler adds the group would also like to add flyers to signage locations in the park as well as QR codes for fundraising information in additional locations already ok within the ordinance. Anderson feels that the park entrance location is important because of visibility and the playground fundraising has become such a community effort. The Big Payback event kicks off May 5 and 6 and the group will have signs out for this event which they hope brings in donations for the playground. Collins advises those signs comply with our sign ordinance so no issue.

Motion: Dawson for approval of city-sponsored fundraising signage, one sign at Bowie entrance  
Second: Rainey

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

- H. Bowie Park Playground Receipt of Funds – Collins, in discussion regarding funds collected for the new playground at Bowie, notes if the funds will be receipted and held by the Friends of Bowie Nature Park, we need to draft a formal agreement regarding the obligation to properly hold and maintain funds. If a third party will be holding the funds, I don't think a verbal agreement is enough because the city is ultimately responsible for these funds. We need everyone to understand the expectations and obligations for holding these funds if that is the Board's preference. This would require regular reports and audits by the Friends of Bowie Nature Park, Collins' preference is not to engage a third party to hold city dollars donated for and to be expended for a city project. He believes the city should be responsible for and funds collected on behalf of the city and account for those funds. There is nothing to approve or deny tonight but if we want the Friends of Bowie Nature Park to hold the funds then we need an agreement to secure. Another aspect of the fundraising is donors have an expectation that the funds they donate will be turned over to the city. Collins suggests a simple, one-page permit, with no fee attached, that fundraisers may display so donors can be assured that the city is aware funds are being collected in an effort to not have unsanctioned events generating funds that will not be supplied to the city. It would simply be a record of parties fundraising. A form will be forthcoming. Butler requested the logo for the playground be incorporated on the

form and permit and Collins requested the logo so it can be added to the next agenda for approval.

Motion: Rainey for a free fundraising permit for the park playground from city hall

Second: Butler

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

- I. Bowie Park Perimeter – Rainey suggested tabling the discussion until the next meeting and requested feedback from the Planning Commission. Collins noted any buffer requirement would need to be part of the zoning ordinance and the BOC would need to adopt.

Motion: Rainey to table to the next meeting

Second: Butler

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

## **12. Communications from the Mayor and Commissioners**

- A. Vice Mayor Anderson wished everyone a Happy Easter, thanked everyone for coming out and believes all have a heart for the park and community. Sometimes opinions may conflict but we want to make the best decisions for everyone. A group plans to pick up trash Saturday and I encourage everyone who can to help out. This is a great opportunity for students who may need volunteer hours too. Thank you to the staff who work so hard.
- B. Commissioner Butler noted he plans to be out Saturday morning to take part in Keep Fairview Beautiful by picking up litter. Meet at city hall to divide up into specific areas. It is overwhelming how much trash there is out there.
- C. Commissioner Dawson thanked everyone for showing up noting we need the community to tell us what they want so we can be educated and make good decisions. Happy Easter to all.
- D. Commissioner Lucas – no comments
- E. Mayor Rainey – no comments

## **13. Adjournment** –Commissioner Lucas made a motion for adjournment meeting was adjourned at 10:21 p.m.

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**Brandy Johnson**  
**City Recorder**